
Appeal Decision

Site visit made on 24 April 2017

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16th May 2017

Appeal Ref: APP/W4223/D/16/3163926

132 Medlock Road, Failsworth, Manchester, M35 9WP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr C Leah against the decision of Oldham Metropolitan Borough Council.
 - The application Ref HH/338994/16, dated 10 August 2016, was refused by notice dated 10 October 2016.
 - The development proposed is a two storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension at 132 Medlock Road, Failsworth, Manchester, M35 9WP in accordance with the terms of the application, Ref HH/338994/16, dated 10 August 2016, subject to the following conditions:-
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed elevations, proposed ground floor plan, proposed roof and site plan, proposed first and second floor plans, all dated Aug 2016.
 - 3) The materials to be used in the construction of the external surfaces of the front and rear elevations of the development hereby permitted shall match those used in the existing building.
 - 4) No development shall commence until details of the materials to be used in the construction of the main side elevation of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Main Issue

2. The main issue in this case is the effect of the proposed extension on the character and appearance of the street scene and the Woodhouses Conservation Area.

Reasons

3. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 Act requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. Policies 9, 20 and 24 in the Council's Oldham LDF Joint Core Strategy (2011) and its Development Management Policies DPD accord, in this regard, with the National Planning Policy Framework which states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to its conservation and seeks to ensure that new development adds to the overall quality of the area.
4. The appeal site lies within the Woodhouses Conservation Area (CA) on a busy through road. The area is characterised by linear terraces of small dwellings in both modern and traditional designs set back from the road with short front gardens. In this particular terrace, there is a variety of detail between dwellings. However, the most attractive terraces in the area have a high degree of unity in the style and detail of dwellings. It is this which makes a positive contribution to the significance of the CA rather than the gaps between the terraces which form the basis of the Council's objections.
5. The appeal dwelling is the end dwelling in a traditional terrace. The proposed extension would be located at the side of the house and would align with the existing front and rear elevations. Although there would be only a very small gap between the extension and the side boundary, there is a wider gap between the end dwelling in the adjacent terrace at no 130 Medlock Road. Furthermore, no 130 is set further back than the appeal dwelling and forms part of a terrace of modern dwellings of a different style, design and materials. For these reasons, a satisfactory gap and a clear visual difference between the two terraces would remain. The proposed extension would not infill the whole of the space between the dwellings and would not create a terracing effect.
6. Although the proposal could have improved the appearance of the dwelling with a more sympathetic, traditional style of window, the Council has raised no objection to the proposed windows which would match the existing windows. Similarly, it raises no objection to the proposed porch which has a shallower pitch than is commonly found in traditional terraces but, given the variety of porches in this terrace, would be acceptable.
7. Other than the standard time limit and accordance with the plans conditions which are necessary to provide certainty, a condition for matching external materials is necessary in the interests of the character and appearance of the area. I have added a condition for further details of the bricks to be used in the side elevation which is necessary for the same reason.

Conclusion

8. I conclude then that the proposed building would preserve and enhance the character and appearance of the street scene and the Woodhouses Conservation Area. It would, therefore, accord with the development plan as a whole and the appeal should be allowed.

Sarah Colebourne

Inspector