



Appeal Decision

Site visit made on 13 June 2017

by Louise Nurser BA (Hons) Dip UP MRTPI

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

Decision date: 20 June 2017

Appeal Ref: APP/W4223/D/17/3172813

1 Kestrel Avenue, Oldham OL4 5HQ

- 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 Safyan against the decision of Oldham Metropolitan Borough Council.
 - The application Ref HH/339392/16, dated 9 November 2016, was refused by notice dated 16 January 2017.
 - The development proposed is 1) erection of two storey side extension 2) Erection of part single part two storey rear extension (Resubmission of HH/338353/16).
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Decision

1. The appeal is dismissed.

Main Issue

2. I consider the main issue to be the effect of the proposed extension on the character and appearance of the host property and the wider street scene.

Reasons

3. Number 1 Kestrel Avenue sits at the corner of Kestrel Avenue and Quail Street. It is a modest brick built house with a relatively long garden located at the end of a line of four properties located at the top of Kestrel Avenue.
4. The proposed ground floor element of the side elevation would be almost twice the depth of the original property. The first floor extension would also extend the house substantially to the rear. The result of which would be a large, predominantly blank expanse of brickwork facing Quail Street. I was aware from my site visit of a number of examples nearby where the building line had been breached as a result of the construction of side extensions. However, from what I observed on site, these were either of the same depth as the extended property, or due to their modest size appeared subservient to the house which had been extended.
5. The proposed two storey and further single storey extension at the rear of the property would extend across almost its whole width, to within one metre of the boundary to the neighbouring property. Consequently, as a result of its scale and bulk it would appear to overwhelm the original property, and would therefore cause significant harm to its appearance contrary to Policies 9 and 20 of the Joint Core Strategy and Development Management Policies Development Plan (DP) adopted 2011, which require that proposals do not have an adverse

impact on the visual quality of an area by ensuring that development is of an appropriate scale and is sensitive to its context. I note that these policies predate the publication of the Framework, nonetheless I consider that they generally accord with the principles set out in paragraphs 58 and 64 of the Framework that design should respond and be sensitive to the local context and permission should be refused for poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Consequently, I accord them significant weight.

6. I am aware from my site visit that took place on a summer's day that the appellant's garden provides an element of screening and that the three street trees on the grass verge that runs along Quail Street would soften the impact of the proposed development. I also understand that the appeal before me is a resubmission of a previously refused scheme, where the appellant has reduced the width of the proposed extension.
7. Nonetheless, taking all of the above into account, due to the sheer size and bulk of the development, and that it is an end terrace property whose rear and side elevations are highly visible from Quail Street, I conclude that the appeal proposal would not only have an adverse impact on the character and appearance of the host property, it would also adversely impact on the wider street scene, and would therefore fail to improve the visual quality of the area.

Conclusion

8. For the reasons set out above the appeal should be dismissed.

L. Nurser

INSPECTOR