
Appeal Decision

Site visit carried out on 5 December 2017

by Mrs J A Vyse DipTP DipPBM MRTPI

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

Decision date: 14 December 2017

Appeal Ref: APP/W4223/D/17/3180070

46 Repton Avenue, Oldham OL8 4JB

- 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 Mrs N Khan against the decision of Oldham Metropolitan Borough Council.
 - The application No HH/340019/17, dated 27 March 2017, was refused by a notice dated 12 June 2017.
 - The development proposed is a double storey side extension.
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Decision

1. For the reasons that follow, the appeal is dismissed.

Main Issue

2. This relates to the effect of the development proposed on the street scene.

Reasons for the Decision

3. The appeal property is located on the corner of the cross roads junction of Repton Avenue and Lyndhurst Road. It comprises a two-storey end of terrace dwelling with enclosed private garden space to the side and rear.
4. It is proposed to erect a two storey extension to the side of the dwelling. The rear elevation would align with the main rear wall of the house. To the front, whilst the ground floor would align with the front wall of the main dwelling, the first floor would be set back slightly. The eaves lines would reflect those on the host property and the ridge would be stepped down slightly, reflecting the set back of the proposed first floor.
5. No objection is raised to the scale or massing of the proposed extension in relation to the existing property. I have no reason to take a different view, since the extension would, in essence, continue the form of the existing terrace.
6. Whilst the extension would bring the side elevation of the property closer to the back of the footway on this part of Lyndhurst Road, there would still be a gap between the side wall and the boundary. Whilst the gable to the end of terrace house on the adjacent corner (No 62 Repton Avenue) lies along the back of the footway, the width of Lyndhurst Road, and the wide footways along both sides, combined with the set back from the side boundary proposed, would be sufficient to ensure that the extension would not result in any material adverse impact on the openness of this junction or be seen as oppressive in any way.

7. The front elevations of the terraced properties on Lyndhurst Road which lie to the south-east, running perpendicular to the appeal property, create a distinctive building line. I recognise, in this regard, that the existing side wall to the appeal property and the original side wall to No 58 Merton Avenue (located on the corner of Merton Avenue and Lyndhurst Road and which backs onto the appeal property) do not encroach forward of that line when it is extended along the length of Lyndhurst Road.
8. The extension proposed would technically be forward of that building line as extended. However, whilst the strength of the building line is readily apparent on the stretch of Lyndhurst Road to the south of Repton Avenue, the same building form does not extend along the remainder of the Lyndhurst Road to the north ie the stretch adjacent to the appeal property up to its junction with Merton Avenue. The street scene on this short stretch of Lyndhurst Road comprises the gable ends of four properties, Nos 56 and 58 Merton Avenue and 62 and 46 Repton Avenue, with the rear gardens to all four properties being enclosed by brick walling or fencing along the back of the footways. Whilst the gable end walls to 62 Repton Avenue and 56 Merton Avenue lie along the back of the pavement, the gable ends to 58 Merton Avenue and the appeal property are set back from the respective side boundaries. However, a sizeable single storey side extension with a shallow pitched roof virtually fills the space between 58 Merton Avenue and the side boundary.
9. Travelling down Lyndhurst Road from Merton Avenue that extension is clearly visible, as is the rear of the appeal property and rear of the terrace of which it forms a part. Existing trees, particularly a large street tree, screen the end of the terraced properties on Lyndhurst Road beyond Repton Avenue from view. I am not persuaded in this regard that the strong building line on the southern part of Lyndhurst Road reads through into this short northern section, which has a quite different character and appearance. I am satisfied therefore, that the two storey extension proposed would not be seen as particularly obtrusive in views from this direction.
10. When travelling north along Lyndhurst Road towards the appeal property, whilst the gable end of 62 Repton Avenue is clearly seen along the back of the footway, the large street tree screens longer range views of the appeal property. Closer to the cross roads junction, the appeal property can be seen, with the Merton Road properties in the background. To my mind, the ends of the two terraces on Repton Avenue, to either side of the crossroads junction here, act as a visual termination to the perpendicular terrace on Lyndhurst Road. The extension proposed would simply reinforce that and would not, in my view, necessarily be seen as unduly intrusive or incongruous.
11. I do, however, have significant reservations about the detailed design. Whilst I am satisfied that the proposed windows to the front and side elevations of the extension reflect the existing fenestration, no windows are shown on the rear elevation. The rear of the terraced houses to both sides of the cross roads junction, including the appeal property, are clearly seen from the street when approaching from the Merton Avenue end of Lyndhurst Road, with all containing windows at both ground and particularly at first floor level. The blank rear elevation proposed would similarly be in clear view. The blank façade, which would occupy a prominent position in the street scene, would be especially incongruous, given the regularity of windows across the rear elevations here, with consequent material harm to the street scene here.

12. The appellant suggests that any reservations in this regard could be resolved through the imposition of a condition requiring relocation of the proposed bathroom windows from the side elevation to the rear. However, no plans are before me to show exactly how that would be done but, in any event I am not persuaded that that would necessarily overcome my concerns. Absent any appropriate detailing for the rear façade, I find that that there would be conflict with policies 9 and 20 of the Council's Joint Core Strategy and Development Management Policies DPD (November 2011) which together and among other things seek to protect and improve local environmental quality and amenity and promote high quality design. Conflict also arises with paragraphs 17 and 56 of the National Planning Policy Framework, which seek to secure a high quality design which contributes positively to making places better for people.
13. Drawing these various threads together, whilst I take no issue with the scale, form or siting of the proposed extension, the blank rear elevation is of significantly poor design such that the development would comprise an uncharacteristic and incongruous addition which would result in material harm to the street scene. On balance therefore, I conclude that the appeal should not succeed.

Jennifer A Vyse
INSPECTOR