



Appeal Decision

Site visit made on 16 September 2019

by A Parkin BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 September 2019

Appeal Ref: APP/W4223/D/19/3232861

19 Cherry Grove, Royton OL2 5YL

- 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 Paresh Bhudia against the decision of Oldham Metropolitan Borough Council.
 - The application Ref HH/342969/19, dated 25 February 2019, was refused by notice dated 2 July 2019.
 - The development proposed is described as 'single, two storey and first floor extensions to dwelling.'
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal site is located at the southern end of a T-shaped residential cul-de-sac, next to an area of mature woodland. The cul-de-sac contains various detached dwellings of two distinct designs. The northern end of the cul-de-sac contains dwellings with front and rear box dormer windows, whilst the remainder of the street contains gable fronted bungalows with lower roof ridge heights and significantly less massing.
4. All the dwellings are positioned around the cul-de-sac at generally similar distances from the road and contain front gardens and driveways. Whilst many of the dwellings have been altered since their initial construction the area still has a coherent character and appearance, albeit one that is divided into two distinct parts – the northern end comprising the dormer bungalows, and the remainder comprising the gable-fronted bungalows, including the dwelling subject to this appeal.
5. The appeal dwelling has a generally similar appearance to the gable fronted bungalows opposite it and the remaining gable fronted bungalows on the southeastern side of Cherry Grove. It has an existing side extension to the southwest, adjacent to the woodland, and which is set back from the main front elevation with the same ridge height as the original building. The dwelling contains a single bay window on its front gable elevation.

6. The proposed development would raise the roof ridge height by some 0.8 metres; a new hipped roof to the northeast would extend over an enlarged garage at the new ridge height of some 5.8 metres above the ground. These works would significantly increase the massing of the dwelling, making it an over-dominant feature at this end of Cherry Grove. The scale of the works would be emphasised by the introduction of a structural support post to the front gable.
7. The design of the proposal would also significantly increase the amount of fenestration on elevations visible from Cherry Grove, including two pitched roof dormer windows in the enlarged roof of the existing extension and a large window in its front wall. Almost half of the enlarged front gable elevation would now be glazed as part of a two-storey entrance feature, with a new Velux-type window on the eastern roof slope. The extent and position of the new glazing would further emphasise the significantly different appearance of the appeal dwelling, which would be out-of-keeping with the nearby bungalows.
8. The appeal dwelling would be a similar height to the dormer bungalows at the northern end of the street, where there is an acceptable visual relationship between the two existing dwelling types. However, the scale, massing, and design of the appeal dwelling, at the southern end of Cherry Grove, where the gable fronted dwellings provide a coherent character and appearance, means it would be significantly different and in my view, incongruous.
9. The proposed use of a white render to the northeastern elevation and around the extended garage and the new gable entrance would also be a significant contrast to the other dwellings on Cherry Grove. The appellant has suggested that the render could be changed to a different colour or replaced by brickwork and that this could be controlled by a condition.
10. Government guidance is clear that the appeal process should not be used to evolve a scheme, and that *if an applicant thinks that amending their application proposals will overcome the local planning authority's reasons for refusal they should normally make a fresh planning application*¹. I have determined this appeal on the basis of the scheme that was refused planning permission by the Council. In any event, such a change would not overcome the harm to the character and appearance of the area that I have identified.
11. The proposed development would occupy a similar corner position relative to Cherry Grove as the existing dwelling, partly screened in some views by the next door dwelling, No 17. The use of stone on the gable front would also replicate the design of the existing dwelling.
12. However, for the reasons given above, the scale, massing and design of the proposed development would significantly detract from the character and appearance of the southern end of Cherry Grove. It would therefore conflict with Policies 9 (local environment) and 20 (design) of the Joint Core Strategy and Development Management Policies Development Plan Document 2011 and with the National Planning Policy Framework 2019 in this regard.

¹ Procedural Guide Planning appeals – England, August 2019 – Paragraph M.1.1

Conclusion

13. For these reasons, and taking into account all matters raised, I conclude that the appeal is dismissed.

Andrew Parkin

INSPECTOR