
Appeal Decision

Site visit made on 23 July 2019

by David Storrie Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 December 2019

Appeal Ref: APP/W4223/W/19/3224418

5 St. Thomas Court, Church Street, Delph, OL3 5ES

- 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 M Buckley against the decision of Oldham Metropolitan Borough Council.
 - The application Ref PA/342386/18, dated 27 September 2018, was refused by notice dated 14 December 2018.
 - The development proposed is loft conversion including dormer and velux windows/doors. Roof terrace and replace windows for Upvc.
-

Decision

1. The appeal is dismissed.

Preliminary matter

2. Post decision the appellant has suggested changing the proposed railings to the roof terrace to a frameless glass balustrade. The Council have had an opportunity to comment on this change. Whilst I have not been provided with any details of this, I have taken it into account in my consideration of the appeal.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host building and the Delph Conservation Area (CA).

Reasons

4. The appeal site is located within a former Victorian Conservative Club building that has been converted into apartments. It is sited within Delph and within a designated CA. The proposed alterations would be at roof level. An existing flat roofed dormer faces the car park to the apartments.
5. The proposed pitched roof dormer would be visible from side and rear views along Church Street although the rear view would be partly obscured by a chimney on the neighbouring property. The roof terrace and balustrade would be clearly visible when approaching the site from King Street. When viewed alongside the existing flat roofed dormer on this elevation it would present a disjointed roof profile with unsympathetic additions. The change from railings to a frameless glass balustrade does not change my view on this. The

introduction of a terrace set into the roof slope would be an alien feature in the roofscape.

6. Equally, the proposed dormer to the side and rear views would introduce a feature unsympathetic to the Victorian character of the host building that would be harmful to the character and appearance of the host building and the wider CA.
7. The existence of the existing flat roofed dormer window on the building carries little weight in my judgement as I consider that it detracts from the character of the building and the CA and the proposed development would add to this harm.
8. The statutory duty in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is a matter of considerable importance and weight in my consideration. The proposed alterations to the existing roof to accommodate the proposed dormer and roof terrace would have a negative effect on the host building and on the significance of a designated heritage asset. This would result in "less than substantial harm" in the words of the Framework. Whilst the appellant's desire to improve the level of accommodation is noted, this does not amount to public benefits that could be considered to weigh against this harm. This would be contrary to the Act and paragraph 196 of the Framework.
9. Taking all the above into account, I consider that the impact of the changes to the roof profile would be harmful to the character and appearance of the host building and would not preserve nor enhance the character or appearance of the CA. This would be contrary to the aims of Policies 9, 20 and 24 of the Oldham Local Development Framework Joint Development Plan Document (2011) that, amongst other things, seeks to ensure that new development does not harm visual amenity, be of a high quality of design that respects local character and preserves or enhances the character or appearance of conservation areas.
10. The appellant has referred to a number of dormer windows approved in the locality, but I have been provided with limited information. Nevertheless, I must consider the proposed development before me on its individual merits and the existence of other dormer windows in the area carry little weight in my determination.

Conclusion

11. Taking all the above into account, the appeal is dismissed.

David Storrie

INSPECTOR