



Appeal Decision

Site visit made on 15 December 2020

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 12th January 2021

Appeal Ref: APP/W4223/D/20/3258627

131 Gainsborough Avenue, Oldham OL8 1AJ

- 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 Govind Vekria against the decision of Oldham Metropolitan Borough Council.
 - The application Ref HH/344930/20, dated 20 June 2020, was refused by notice dated 24 July 2020.
 - The development proposed is single storey extension to side of existing dwelling.
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Decision

1. The appeal is allowed and permission is granted for single storey extension to side of existing dwelling at 131 Gainsborough Avenue, Oldham OL8 1AJ, in accordance with the terms of application ref: HH/344930/20, dated 20 June 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; SP 01 – Site Plans Existing & Proposed, Feb 2020; GA 02 – Plans & Elevations as proposed, Feb 2020.
 - 3) The external surfaces of the extension hereby permitted shall match those used in the construction of the existing building.

Main Issue

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

Reasons

3. No 131 is a 2 storey end of terrace property with a small angular side garden. It is in a prominent location at the junction of Gainsborough Avenue and Manley Road. Gainsborough Avenue has a harmonious character and appearance arising from the traditional terraced properties in matching styles and materials, set back from the street with small frontages behind decorative low brick walls. In contrast, the immediate Manley Road street scene comprises the side elevations of end terrace properties together with the backs of terraces with varied rear extensions and boundary treatments.
4. The single storey side extension would be finished in materials matching its host. It would be flush with the front elevation of No 131 and it would have a pitched roof. It. By virtue of its size and design, when viewed from

Gainsborough Avenue, it would be proportionate and subservient to the host property and the terrace.

5. The extension would finish immediately adjacent to the footway. The awkward shape of the appeal site would result in a marked difference in width between the front and rear of the proposal, but the extent of the taper would only really be apparent from locations to the rear. From these viewpoints, its irregular shape would be seen in the context of the varied Manley Road street scene which includes rear extensions to both Gainsborough and Burlington Avenues. In this context, the proposal would not be out of character or out of proportion with other extensions that provide a visual context for the scheme. Moreover, it would not disrupt a harmonious or consistent street scene.
6. Therefore, the proposal would not result in significant harm to the character and appearance of the area. It would not conflict with the design aims of Policies 9 and 20 of the Oldham Local Development Framework Development Plan Document – Joint Core Strategy and Development Management Policies Adopted November 2011. In the absence of significant harm, it would not conflict with the design aims of the National Planning Policy Framework.

Other Matters

7. The proposal would be a significant benefit to the appellant and his father, who's particular medical conditions and limited mobility make it difficult for him to use the stairs unaided in order to access the first floor bathroom. The ground floor bedroom and bathroom would allow him to continue to live at the property with some degree of independence. The evidence indicates that alternative solutions, such as a stair lift, have been explored and discounted on grounds relating to the extent of internal modifications that would be required.
8. My attention has been drawn to planning permissions for single storey extensions, including bed and shower rooms, elsewhere in the area. Some of these replace existing structures and some are to the rear of properties. While none of them is directly comparable to the appeal scheme, they demonstrate that small extensions can be accommodated without significant visual detriment to the street scene or townscape.

Conditions

9. In the event that the appeal was allowed, the Council has suggested planning conditions. I have considered these against the requirements of paragraph 55 of the National Planning Policy Framework.
10. In addition to the standard condition limiting the lifespan of the planning permission, I have specified the approved plans in the interests of certainty. A condition securing matching materials is necessary to protect the character and appearance of the appeal property and the area.

Conclusion

11. For the reasons set out above, I conclude that the appeal is allowed and planning permission is granted, subject to conditions.

Sarah Manchester INSPECTOR