



Appeal Decision

Site visit made on 14 December 2021

Decision by Andrew Owen MA BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 December 2021

Appeal Ref: APP/R2330/D/21/3284253

32 Haworth Street, Oswaldtwistle BB5 3EA

- 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 Andy Pratt against the decision of Hyndburn Borough Council.
 - The application Ref 11/21/0101, dated 2 March 2021, was refused by notice dated 13 August 2021.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 32 Haworth Street, Oswaldtwistle, BB5 3EA in accordance with the terms of the application, Ref 11/21/0101, dated 2 March 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan at 1:1250 scale, A101, A102, A103, B101 Rev A, B102 Rev A and B103 rev A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area which is within The Rhyddings Conservation Area (RCA).

Reasons

3. The appeal site accommodates a mid-terraced property in an area characterised by terraced houses built at a high density. Indeed, the significance of the RCA is strongly influenced by these tightly packed terraced houses of similar appearance with small rear gardens.
4. The terrace in which the appeal site sits is generally uniform in design with each dwelling having a single storey mono-pitched rear outrigger that adjoins a corresponding outrigger at the neighbouring house. This results in a series of pairs of outriggers with dual-pitched roofs, which provides a degree of visual rhythm. However, many of them have been extended, either to the rear, such as at Nos. 20, 22 and 34, or to the side, including at Nos. 22, 24, 26 and 34. As such there is not a strong sense of consistency at ground floor level along

the rear of this terrace. Moreover, the rear of this terrace is seen in the context of the rear elevations of the three other terraces which enclose a square of allotments behind the site. These houses also have rear outriggers, but they display a mix of designs and heights which, along with other alterations such as rear dormers, weakens the uniformity of the terraces and hence the strength of their contribution to the RCA's significance.

5. The proposal would involve the demolition of the existing mono-pitched outrigger, and its replacement with a dual pitched extension which would span the width of the garden and accommodate a larger kitchen. Beyond that, a further extension would provide a bedroom and bathroom in a slightly shorter building stretching to the rear boundary and replacing a shed.
6. The size of the enlargement would generally reflect that of other extensions to properties nearby, particularly at the neighbouring house; No. 34. The dual pitched roof design of the extension and the resultant exposure of the party wall with No. 34 would disrupt the rhythm provided by the pairs of outriggers. However, its dual pitch design would mimic the dual pitches of the pairs of outriggers, and the exposure of No. 34's wall would appear similar to the side wall of the extension to their outrigger. Also the proposed roof would be no higher than the existing roof and overall the scale of the change to the roofs would be limited. As such, and in the context of the other alterations that have taken place to houses in the terrace and in the nearby terraces, the extension would not unacceptably harm the character of the area or disrupt the significance of the wider RCA and hence its character and appearance would be preserved.
7. The development would therefore accord with policies Env6 of the Core Strategy and DM26 of the Development Management Development Plan Document, which both seek to ensure that proposals maintain the local distinctiveness of the townscape and the urban grain, and Design Guidance 1 in the Householder Design Guide Supplementary Planning Document (the 'SPD') which generally seeks the same. It would also accord with policy DM23 as the removal of the existing shed and outrigger would not harm the significance of the conservation area.
8. Design Guide 5 of the SPD states that extensions should project no more than 4m back from the rear wall of the property. The proposal would conflict with this advice by extending around 5m back from the existing outrigger. However, the guidance also says that a greater projection may be allowed where there is an overriding disability need. Evidence has been provided to demonstrate that an elderly relative of the appellant residing at the property requires a ground floor bedroom and washing facilities. I consider this addresses the requirements of this guidance.

Other Matters

9. I note the concerns of the neighbours at No. 34 with regard to having access to maintain their kitchen wall. However, that would be a private matter for the two parties to resolve. Also, although the plans show the extension would abut the common boundary, I do not consider this would necessarily result in an unacceptable impact on the living conditions of the neighbours, largely because of its modest height along the boundary. I hence find no conflict with Core Strategy policy Env7 which seeks to protect the amenity of neighbours.

Conditions

10. I have imposed the conditions suggested by the Council relating to the commencement of development and specifying the approved plans. These are both necessary in the interests of certainty. I have also imposed the suggested condition requiring the materials match those of the existing dwelling so as to preserve the character and appearance of the area.

Conclusion

11. The proposal would accord with the development plan as a whole. Therefore, for the reasons given, the appeal is allowed.

Andrew Owen

INSPECTOR