
Appeal Decision

Site visit made on 11 January 2022

by David Murray BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 JANUARY 2022

Appeal Ref: APP/W4223/D/21/3282886

164 Wall Hill Road, Oldham, Lancs, OL3 5BL.

- 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 J Potts against the decision of Oldham Metropolitan Borough Council.
 - The application Ref. FUL/346887/21, dated 13 May 2021, was refused by notice dated 27 July 2021.
 - The development proposed is the erection of a first floor extension and conversion of garage to a one bedroom annex.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a first floor extension and conversion of garage to a one bedroom annex at 164 Wall Hill Road, Oldham, Lancs, OL3 5BL in accordance with the terms of the application, Ref FUL/346887/21, dated 13 May 2021 and the plans submitted with it, 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 materials used in the construction of the external walls and roof of the enlarged dwelling shall match those used in the existing dwelling.
 - 3) The development shall be undertaken in accordance with the plans hereby approved – Drawing No. 1B dated May 2021.
 - 4) The annex shall remain as part of the planning unit of No. 164 Wall Hill Road as a dwellinghouse and shall not be occupied as a separate unit of accommodation.

Preliminary matters

2. I have used the description of the development proposed as drafted by the Council as opposed to that set out in the application forms as it better describes the proposal shown on the submitted plans.
3. The 'South-West elevation' of the submitted plan (drawing 1B) shows two small windows at first floor level on this proposed new flank wall but these are not shown on the 'First Floor plan' as openings. Conversely, two bathroom windows are shown on the First Floor Plan which should relate to the North East Elevation. I have considered the position and type of fenestration as per the floor plans.

Main Issue

4. The main issue is the effect of the proposed additions on the character and appearance of the host property and its setting in the local street scene.

Reasons

Background

5. The appeal site comprises a single storey detached dwelling with elevations of both render and brickwork. There is a double garage to the side with a low pitched roof. The site lies at the south-western end of a frontage of mostly similar bungalow properties although many of these have been extended and had the roof space converted to accommodation with various forms of dormer windows on the front elevations.

Effect on character and appearance

6. The proposal is to add a first floor to the present bungalow whilst retaining the form of pitched roof with a hip at each end. The enlarged property needs to be considered in the context of the site's surroundings. The properties to the south-west of the appeal site are two storeys in height as are those in the enclave on the northern side of Wall Hill Road. To the east the immediately adjacent property has a two storey form in that it has full-width flat roof dormers on both elevations of the roof slope. Nearby properties in the frontage also have a two storey form due to roof conversions.
7. In this context the proposal to add a first floor of a similar design would not result in a building mass that would appear at odds with the setting of the site. The fenestration of the enlarged property would not be symmetrical on the ground floor facing the road, but this reflects the present arrangement on the building and the impact of this is mitigated by the changes to the land level in relation to the road.
8. I am satisfied that the design of the proposed alterations would not materially harm the appearance of the host property but would create a new form of house the design of which would be appropriate for the street scene. The character and environmental quality of the area would not be harmed and there is no conflict with the requirements of Policies 9 and 20 of the Local Plan or the general provisions of the National Planning Policy Framework to ensure that new development contributes to well-designed places.
9. This finding is not outweighed by any other considerations and therefore the appeal should be allowed.

Conditions

10. The Council indicates that only standard conditions are appropriate regarding: the timing of the development; accord with the approved plans; and external materials to match the existing building, and I agree that these are necessary and will impose them. However, given that the proposal includes the use of the garage as a residential annex, I consider it necessary to impose a condition to ensure that this annex is not used as an independent dwelling or separated from the planning unit of the main dwelling at No.164 to maintain the character of the area. I therefore sought advice from the main parties on such a condition and they are supportive of it.

Conclusion

11. For the reasons given above I conclude that the appeal should be allowed.

David Murray

INSPECTOR