

Appeal Decision

Site visit made on 5 January 2022 by Hilary Senior BA (Hons) MCD MRTPI

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 January 2022

Appeal Ref: APP/W4223/D/21/3286567

31 Hollinhal Street, Oldham, OL4 3EJ

- 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 A Yousuf against the decision of Oldham Metropolitan Borough Council.
 - The application Ref HOU/346816/21, dated 29 April 2021, was refused by notice dated 4 October 2021.
 - The development proposed is first floor extension on top of existing.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of the occupiers of the host and neighbouring properties, with particular regard to light and outlook.

Reasons for the Recommendation

4. The host dwelling is a mid terrace property in a residential area, with an existing single storey extension to the rear. Other properties within the terrace have similar single storey extensions.
5. The existing single storey extensions to the rear of both the host dwelling and 29 Hollinhal Road creates a tunnelling effect limiting the outlook from, and amount of light available to the ground floor rooms on the rear elevation. However, the first floor windows are able to receive good levels of daylight and the outlook is not constrained.
6. Due to the depth and height of the proposal and its proximity to the joint boundary it would limit the amount of light to both the first floor rooms at the host property and no 29, making them less pleasant places to be particularly in the winter months. I noted that the first floor room of no 29 receives daylight for at least part of the day, which, the proposal would reduce due to its orientation and height making the room gloomy. It would also significantly intrude on the current open outlook from the first floor rear window, making the room that the window serves less pleasant to use.

7. On my visit I noted that there were examples of two storey outriggers in the local area. I do not have details of these before me, but they appear to be less deep than the proposal, so are not directly comparable. In addition, I am not aware of the circumstances that led to their approval including the relevant development plan policies in place at the time. In any event, I have determined this appeal on its own merits based on the site-specific circumstances of the case.
8. I conclude that the proposal would harm the living conditions of the occupiers of the host and neighbouring properties, with particular regard to light and outlook. It would conflict with Policy 9 of the Oldham Development Plan Document- Joint Core Strategy and Development Management Policies (2011) which seeks to ensure, amongst other things that development does not cause significant harm to the amenity of occupants through impacts on access to daylight and other nuisances.

Conclusion and Recommendation

9. The proposed development conflicts with the development plan as a whole and there are no other considerations, that outweigh this conflict. I therefore recommend that the appeal is dismissed.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

10. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis I agree that the appeal should be dismissed.

RC Kirby

INSPECTOR