



Appeal Decision

Site visit made on 26 October 2022

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th November 2022

Appeal Ref: APP/W4223/D/22/3305544

22 Skipton Avenue, Chadderton, Oldham, Greater Manchester, OL9 0QA

- 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 Amar Manzoor against the decision of Oldham Council.
 - The application Ref HOU/348877/22, dated 11 April 2022, was refused by notice dated 15 June 2022.
 - The development proposed is described as a 'wrap around extension, single storey'.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. The Council's decision describes the proposal as a 'single storey side/rear extension'. As this describes the proposal more accurately, I have used this as the basis for my determination of the appeal.

Reasons

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the dwelling and the area. The development plan includes policies 9 and 20 of the Oldham Local Development Framework Development Plan Document – Joint Core Strategy and Development Management Policies (2011) which together seek to ensure that development is of a high quality and does not have a significant adverse effect on the visual amenity of the area. The National Planning Policy Framework has a similar objective.
4. The appeal site is located at the junction of Skipton Avenue and Thirsk Avenue within a modern housing estate. It comprises a boxy, linked detached house on a road of similar dwellings. It has a generous side garden which has an open boundary and a cherry tree. Together with a similar side gardens on the opposite corner and other corner plots on the estate, it makes an important contribution by providing some openness to the character and appearance of the area in which there is generally little space between dwellings.
5. The proposed development would extend the dwelling to the side and the rear with a single storey extension with a single pitched roof. A new side fence would also be provided. By reason of the lack of a set back from the front wall of the dwelling and the excessive width of the side extension, it would appear overly dominant on the front elevation. The roof pitch would be shallower than that of the main roof and this, together with the disproportionately small scale

of the window in the front elevation, would be at odds with the existing dwelling. Moreover, the ground levels of the side garden drop away from the existing dwelling down to the footway and as such, the resulting side elevation would be greater than is shown on the plans, appearing unduly dominant in the street scene. I saw no other corner plots in the surrounding area with side extensions of a comparable scale.

6. The proposal would also result in the loss of a cherry tree to the side of the existing dwelling. Saved policy D1.5 of the Oldham Metropolitan Borough Unitary Development Plan requires that where trees are lost to accommodate development, replacement is provided at a ratio of three new native trees for each mature or semi-mature tree lost.
7. Although the appellant considers that it is not a mature tree, from what I saw at my visit, the height of the tree is approximate to that of the first floor level of the property. On that basis I would disagree with the appellant and it is likely that it is at least a semi-mature tree. The tree is clearly seen in the street scene and contributes positively to the character and appearance of the area. The appellant has offered to provide a replacement tree at the front of the property but that would not accord with the requirement for three new trees in the above policy.
8. I conclude then that the proposed development, by reason of its siting, scale and massing, together with the loss of the cherry tree and the lack of adequate replacements, would significantly harm the character and appearance of the dwelling and the area.
9. The appellant has said that permission was granted in 2016 for a two storey rear and a single storey extension under ref HH/338321/16. The side extension in that development was significantly shorter and narrower than in this case and was set back from the front elevation and despite the two storey extension to the rear, had a lesser impact on the street scene. Although it did not include replacement tree planting, that permission has now expired and as it cannot be implemented, does not provide a fallback position or justification for the harm that would arise from this proposal.

Conclusion

10. For the reasons given above, I conclude that the proposed development would be contrary to the development plan policies referred to earlier and there are no material considerations that would outweigh this. The appeal should be dismissed.

Sarah Colebourne

Inspector