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# Appeal Decision

Site visit made on 9 January 2023

**by R Bartlett PGDip URP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 18 JANUARY 2023**

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**Appeal Ref: APP/W4223/D/22/3306601**

**1 Marfield Avenue, Chadderton, Oldham OL9 8PN**

- 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 Abdul Ali against the decision of Oldham Council.
  - The application Ref HOU/349173/22, dated 27 May 2022, was refused by notice dated 8 August 2022.
  - The development proposed is two storey side and rear extension with single storey rear extension.
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## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues are the effect of the development on i) the character and appearance of the area and ii) living conditions of occupiers of No.3 Marfield Avenue with regard to light and outlook.

## Reasons

### *Character and appearance*

3. No.1 Marfield Avenue is a two-storey end of terrace house with a hipped roof. It sits within a generous plot of land with garden space to the front, side and rear. There is a lane to the side of the property providing access to the rear of adjacent houses on Denton Lane.
4. It is proposed to erect a substantial extension that would wrap around the side and rear of the existing dwelling. The front of the proposed two-storey side extension, would extend up to the side boundary of the plot, making it appear an overly large and cramped addition. Other similar small terraces in this area tend to have space to the side, providing access to the rear. Although the extension would be set back from the front elevation and would have a lower ridge height than the host dwelling, the design and pitch of the roof would not match those of the existing property and would therefore appear visually incongruous on the end of this simple and traditional hipped roof terraced block.
5. At the rear of the property the proposed extension would span the full width of the plot at both two-storey and single storey level. The scale of the rear extension, together with its design and roof form, would not reflect the scale and appearance of the original dwelling.

6. I therefore conclude that the proposal would be harmful to the character and appearance of the property and its surroundings. It would therefore be contrary to Policies 9 and 20 of the Oldham Local Development Framework Joint Core Strategy and Development Management Policies Development Plan Document (November 2011) (Oldham DPD), which require amongst other things that new development is well designed having appropriate regard to its surroundings and local character.

*Living conditions*

7. The rear extension would be constructed up to the boundary of adjoining No.3 Marfield Avenue. This property contains ground and first floor habitable room windows in its rear elevation, close to the same boundary. The extension would project approximately 3 metres from the rear wall of the existing dwelling at first floor level and over 5.5 metres at ground floor level.
8. As the extension would be located to the north of No.3, it would not block any direct sunlight and any reduction in daylight would be minimal. However, due to its scale and proximity to the boundary, it would appear overbearing and oppressive.
9. I therefore conclude that the proposal would be harmful to the living conditions of occupiers at No.3 Marfield Avenue. It would therefore be contrary to Policy 9 of the Oldham DPD, which requires amongst other things that new development does not cause harm to the amenity of neighbouring occupiers.

**Other Matters**

10. The appellant has drawn my attention to a rear extension at No.5 Marfield Avenue, which projects 5 metres from the rear elevation of the house and that did not require prior approval. I observed on my site visit that this extension is entirely single storey and its roof slopes away from neighbouring properties. Consequently, the extension at No.5 does not justify this substantially larger and materially different proposal.
11. I acknowledge that there may well be a demand for larger homes in the area and a desire for local people to remain in their local communities, close to their families. However, these personal circumstances are not sufficient to outweigh the conflict I have found with the development plan and such objectives could be achieved by a more sensitively designed scheme.

**Conclusion**

12. For the reasons given above I conclude that the appeal should be dismissed.

*R Bartlett*

INSPECTOR