



Appeal Decision

Site visit made on 2 February 2023

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 February 2023

Appeal Ref: APP/W4223/D/22/3309698

6 Poplar Avenue, Oldham, OL8 3UA

- 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 Mohammed Yasir against the decision of Oldham Metropolitan Borough Council.
 - The application Ref HOU/349475/22 dated 20 July 2022, was refused by notice dated 26 August 2022.
 - The development proposed is front porch and canopy.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have utilised the Council's description of the development as per the decision notice as I feel it more concisely describes the overall development.
3. The proposal is submitted on a retrospective basis and had been constructed at the point of my site visit. I note that an application for the proposal has been previously refused, however, this latest proposal differs as far as it seeks different cladding (to match the existing site materials). It is this latest submission which is within the scope of this appeal.

Main Issue

4. The main issue is the impact of the proposal upon the character and appearance of the area.

Reasons

5. The appeal site is a semi-detached property in a predominantly residential area. At the time of my site visit I noted that there is a porch at the neighbouring (attached) dwelling. Despite this, as can be seen from the photograph in the appellant's statement, the neighbouring porch is limited in depth and is an overall subservient, modest, addition to the front elevation which does not detract from the character or appearance of the host dwelling in question. Beyond this I noted several door width, modest and simple, canopies over the front doors in the pairs of properties either side of the appeal site, one opposite and some on Lilac Lane closest to the appeal site. These are similar to what would have originally been at the appeal site as shown on the existing front elevation plan.
6. The general street scene itself is limited in variation with properties taking similar design queues but I find it reasonable to conclude that front canopies,

and to a limited extent porches, are existing characteristic features of properties within the immediate area around the appeal site. Whilst the site is noted not to be within any designated Conservation Area, and is not next to any listed buildings or other designated heritage assets, this does not remove nor reduce the requirement for the design of proposals to be appropriate for the host dwelling as well as character and appearance of the street scene.

7. Despite this none of the front porch or canopy features noted in the surrounding area are remotely comparable to the combination of porch and canopy which is proposed before me at the appeal site. The appeal proposal seeks permission for a front porch which is of not insubstantial depth which is combined with a flat roofed canopy which extends across the entire front elevation of the host dwelling mounted on pilasters (pillars/columns). The latter being a design choice which I find contributes further to the uncharacteristic and unsympathetic nature of the proposal.
8. Based upon my assessment of the character of the area the proposal is entirely out of keeping with the existing character of the area and entirely dominates the front elevation of the host dwelling. This is then exacerbated by the contrast to the neighbouring, attached, semi-detached dwelling and the fact that the proposal is highly visible when entering Poplar Avenue from the Eastern end which further highlights the proposal as incongruous. The proposal is also highly visible in views from the junction with Elm Road, despite its general set back from the road, which further contributes to a wider negative impact upon the general character and appearance of the area.
9. Overall I find that the scale, design and siting (of the appeal site) result in a proposal which is overly dominant and incongruous which impacts negatively upon the character of the area causing significant harm. The proposal would be contrary to Oldham Development Plan Document 2011 (DPD) Policy 9 which seeks to ensure that development does not cause significant harm to the visual appearance of an area and DPD Policy 20 which requires proposals to make a positive contribution to the street scene and be of appropriate scale and sensitive to its context.
10. I note the appellant's assertion that the proposal will create a more versatile, long-term, living accommodation to improve health and wellbeing as a result of their circumstances. Despite this I have no evidence to demonstrate why the enclosed porch is necessary and, even more notably, there is nothing in terms of evidence or explanation before me to demonstrate how an open canopy across the front elevation contributes to any of the factors stated as a requirement for the appellant. I would not consider the proposal to represent usable enlarged accommodation of justifiable benefit. I can therefore place very limited weight on such a statement and this does not outweigh the harm I have identified as a basis for refusal.

Other Matters

11. I note three objections to the proposal. I have dealt with matters relating to design, and general views within the street scene, within the main body of this decision notice. Matters regarding how the proposal has been built are outside the scope of this appeal with Building Regulations being concerned with matters of actual construction. Potential impact upon property values is not a material planning consideration.

12. Concern has been raised with regard to light and privacy but there is no refusal reason based upon such matters. The Council have considered residential amenity within their delegated report and; having reviewed that assessment with regard to light, privacy and oppressiveness, I find no reason to come to a differing conclusion nor raise a refusal reason based upon residential amenity on this occasion.

Conclusion

13. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Randle

INSPECTOR