



Appeal Decision

Site visit made on 19 July 2023

by R Jones BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 August 2023

Appeal Ref: APP/W4223/D/23/3320038

51 Parkway, Chadderton, Oldham OL9 0AP

- 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 Kirstie Whitehead against the decision of Oldham Council.
 - The application Ref HOU/349616/22, dated 4 August 2022, was refused by notice dated 17 January 2023.
 - The development proposed is two storey side extension and part two storey, part single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for two storey side extension and part two storey, part single storey rear extension at 51 Parkway, Chadderton, Oldham OL9 0AP in accordance with the terms of the application, HOU/349616/22, dated 4 August 2022, 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 development hereby permitted shall be carried out in accordance with the following approved plan: Development Control – drawing ref.51-PW-DC-01-05.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issues

2. The main issue in this case is the effect of the proposed two-storey extension on the living conditions of neighbours at No.53 Parkway.

Reasons

3. No.51 Parkway (No.51) is a two-storey semi-detached dwelling located to the south-east side of Parkway. To the side, No.51 is offset from the boundary with its non-attached neighbour at No.53 Parkway (No.53) by around 2m, providing access to the rear garden. A two-storey extension is proposed to the side, infilling this space up to the boundary, and projecting around 2.8m beyond the existing rear building line of the host dwelling.
4. There is a staggered relationship between No.51 and No.53, with No.53 Parkway sited closer to the road. This means that the proposed two-storey

extension would extend well beyond the rear building line of the neighbour at No.53 along the common boundary. However, I observed on my site visit that No.53 is itself offset from the common boundary and on the rear elevation, closest to No.51, are two doors (only one part glazed) at ground floor and a window to a bathroom (obscure glazed) at first floor. The principal habitable rooms to the rear are located closer to No.53's attached neighbour. Despite the depth of the proposed two-storey extension, the outlook from these rooms would remain over the rear decking and garden of the dwelling and would be relatively unobstructed by the proposed extension. It would not therefore cause particular harm to the outlook of the neighbours at No.53, or have an overbearing impact.

5. The rear of No.51 and No.53 have a south-easterly orientation. Because of this orientation and the staggered relationship described above, I observed that the existing dwelling at No.51 causes some overshadowing of the rear elevation of No.53. Although designed with a rear facing gable such that the roof slopes away from the common boundary, the proposed two-storey extension, where it extends beyond the rear building line, would result in some further overshadowing of No.53. I am not, however, persuaded that the extension would result in loss of light to such an extent to prevent enjoyment of the garden, which would still benefit from mid-afternoon and evening sunshine.
6. Consequently, I conclude on the main issue that the proposed development would not result in a harmful effect on the living conditions of the occupiers of No.53, with particular regard to outlook and light. There would therefore be no conflict with Policy 9 of the Oldham Development Plan Document – Joint Core Strategy and Development Management Policies (2011) because the proposed extension would not cause significant harm to the amenity of existing or future neighbouring occupants.

Conditions

7. In addition to the standard implementation condition, I have imposed a condition specifying the approved plan as this provides certainty. In the interests of consistency of appearance, it is also necessary to include a condition to ensure that the external materials of the extension match the existing dwelling.

Conclusion

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

R. Jones

INSPECTOR