



Appeal Decision

Site visit made on 8 August 2023

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 17th August 2023

Appeal Ref: APP/V4250/W/23/3318848

Land adjacent to 202 Manchester Road, Tyldesley, Manchester, M29 8NN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr Mark Jervis against the decision of Wigan Metropolitan Borough Council.
- The application Ref A/22/94000/VAR, dated 5 July 2022, was refused by notice dated 23 September 2022.
- The application sought planning permission for Erection of 2 semi-detached dwellings following the removal of existing garages together with associated access and landscaping without complying with conditions attached to planning permission Ref A/20/88498/FULL, dated 16 March 2020.
- The conditions in dispute are Nos 2 and 3 which state that:
'2. The development hereby approved shall be carried out in accordance with the details indicated on plan reference: 200ABMR/1 Rev A - Location Plan, 200ABMR/4 Rev B - Proposed Elevations and Section, 200ABMR/3 Rev B - Proposed Floor Plans, 200ABMR/3 Rev C - Proposed Site Plan/Proposed Ground Floor Plan'.
- *'3. Prior to the commencement in the construction of any external walls, particulars or samples of the materials to be used for the external walls and roof shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in full accordance with the approved materials'.*
- The reasons given for the conditions are: *'For the avoidance of doubt and to ensure a satisfactory standard of development, in accordance with the policies contained within the Wigan Local Plan Core Strategy, the saved policies of the Wigan Replacement Unitary Development Plan and the revised National Planning Policy Framework'.* and *'To ensure that the external appearance of the buildings is satisfactory, having regard to Policy CP10 of the Wigan Local Plan Core Strategy'.*

Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have taken the site address from the decision notice as it is more accurate than that provided in the application form.

Background and Main Issue

3. Planning permission was granted for the erection of 2 semi-detached dwellings, subject to conditions, in July 2022 (Ref A/20/88498/FULL). These conditions included 2 and 3, which require the development permitted to be carried out in accordance with the approved plans, and for samples of the materials to be

used for the external walls and roof to be submitted to the Local Planning Authority for its approval.

4. The appellant seeks to revise the design of the previously approved building to increase its depth to the rear and replace its hipped roof with a gable roof design. It is also proposed to incorporate white render to the gable elevations along with second floor windows, and roof lights to the rear.
5. Taking the above background into account, the main issue is the effect of the revised design on the character and appearance of the surrounding area.

Reasons

6. The appeal relates to a roughly rectangular shaped piece of land that is located in a predominantly residential area that comprises houses of various sizes, materials and styles.
7. Despite this variety, the appeal site sits within a continuous, clearly identifiable group of semi-detached dwellings along the southern side of Manchester Road. These houses share a number of distinctive features, including their untouched hipped roof planes. These roof forms, along with the open areas to the sides and between the dwellings in this group provide a degree of visual relief and separation in the built form, which positively contributes to the street scene.
8. However, the built-up gable ends would provide additional visual bulk and dominance to the proposed building. Whilst this would not exceed the roof ridge height of the immediate neighbouring properties it would appear conspicuous and at odds with the harmonious appearance of the hipped roof forms that predominate this part of the street. It would also adversely affect and erode the first-floor gaps between neighbouring properties and interrupt the rhythm and sense of spaciousness that currently exists in this group of buildings.
9. The Council has not raised any objections to the increased footprint and depth of the rear extension or to the introduction of render to the side elevations. Given the presence of render in the immediate area and the limited public views to the rear of the site I have no substantive reason to disagree with this. However, no specific details or samples of the materials are before me, and they are only indicated on the revised plan of the dwelling, which I have found to be unacceptable for the reasons given above. As such, I am unable to vary or reword condition 3.
10. Overall, and in light of the above, I find that the revised design would have a harmful effect on the character and appearance of the area. The proposal would therefore conflict with Policy CP 10 of the Wigan Local Plan Core Strategy Development Plan Document 2013 (Core Strategy). This seeks, amongst other things, for new development to respect and acknowledge the character and identity of the borough and its locality, including in terms of its siting, scale and design. It would also conflict with advice contained in the Council's 'Design Guide for Residential Development' Supplementary Planning Document 2006 in respect of local character and identity. Similarly, it would not accord with guidance within the National Planning Policy Framework, particularly Section 12.
11. The Council's reason for refusal also refers to Core Strategy Policy CP 17, which relates to environmental protection. However, given the Council's lack of

objection in respect of the living conditions of future and existing residents, I find no conflict with this policy.

Other Matters

12. My attention has been drawn to examples of other gable roofed extensions and properties within a 300-metre range of the appeal site, and these are shown in a number of submitted photographs. Nonetheless, on the evidence presented I cannot be certain that they represent a direct parallel to the proposal. In any case, none of these examples relate to dwellings that are within the group of buildings that I have referred to.

Conclusion

13. For the reasons given above, the appeal should therefore be dismissed.

Mark Caine

INSPECTOR