

Appeal Decision

Site visit made on 7 November 2023

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 November 2023

Appeal Ref: APP/W4223/D/23/3326632

15 Taunton Road, Chadderton, Oldham OL9 0BE

- 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 Kosar Sakib against the decision of Oldham Metropolitan Borough Council.
 - The application Ref HOU/350672/23, dated 13 March 2023, was refused by notice dated 11 May 2023.
 - The development proposed is described as 'proposed front dormer with single storey rear extension and increased size of existing rear dormer'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of my visit, the development had been carried out. Although the windows in the front dormer differ from those shown on the appeal plan, I have, nonetheless, dealt with the appeal on the basis that planning permission is being sought retrospectively.
3. The Council has raised no objections to the front and rear dormers and based on the information before me, I have no reason to disagree. I shall therefore limit my consideration to the single-storey rear extension only.

Main Issues

4. The main issues are the effect of the single-storey rear extension on:
 - the character and appearance of the host dwelling; and
 - the living conditions of the occupiers of 13 Taunton Road, with particular regard to outlook.

Reasons

Character and appearance

5. The appeal property is part of a pair of semi-detached bungalows. It is of a simple, pitched roof, red brick design that is consistent with many other semi-detached bungalows on Taunton Road.
6. The single-storey rear extension is visible in views from adjoining properties and from Taunton Road. It spans the full width of the host property and projects a considerable distance from the original rear elevation which results in a footprint approaching the size of the original dwelling. In addition, it takes up a significant proportion of the modest rear garden. Consequently, the

extension is a visually obtrusive and disproportionately large addition that unacceptably diminishes the character and appearance of the host dwelling.

7. I note the appellant's argument that a 6-metre extension could be built under permitted development rights. However, any extension that measures between 3 and 6-metres would need to gain prior approval before work could commence. I cannot prejudge the outcome of such an application and, accordingly, the suggested fall-back scenario attracts limited weight in my decision.
8. I therefore conclude that the development unacceptably harms the character and appearance of the host dwelling. The development therefore conflicts with Policies 9 and 20 of the Oldham Local Development Framework Development Plan Document – Joint Core Strategy and Development Management Policies (DPD). Such policies, amongst other things, seek to achieve development that does not have a significant adverse impact on visual amenity and responds to local character.

Living conditions

9. The single-storey rear extension is sited very close to the shared side boundary with 13 Taunton Road (No 13) and its small rear garden.
10. I acknowledge that planning permission has been granted for a single storey rear extension that projects 5 metres from the rear elevation of the host property, and that the flat roofed design reduces the overall height. Nonetheless, the height, increased depth, and proximity of the rear extension to the common boundary, results in it having a significantly enclosing and dominating effect on the outlook from the rear windows of No 13. Furthermore, as I observed on my visit, the extension also has an adverse impact on the enjoyment of the garden for the same reasons. The presence of the mature trees within the garden of the dwelling to the rear adds to such harm. The adverse impact on the living conditions of the occupiers of No 13 arising from the single-storey rear extension is significant.
11. I acknowledge that the occupiers of No 13 have not objected to the proposal. Nevertheless, it is a function of the planning system to secure good living conditions for existing and future occupiers. The absence of objection therefore carries little weight in my determination.
12. For these reasons the single storey rear extension unacceptably harms the living conditions of the occupiers of 13 Taunton Road with particular regard to outlook. It is therefore contrary to DPD Policy 9 and paragraph 130 of the National Planning Policy Framework which seek to ensure that development does not cause significant harm to the amenity of existing occupants.

Conclusion

13. The development conflicts with the development plan when considered as a whole and there are no other considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict. Accordingly, I conclude that the appeal should be dismissed.

Elaine Moulton

INSPECTOR