



Appeal Decision

Site visit made on 23 December 2023

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26.01.2024

Appeal Ref: APP/W4223/D/23/3330593

48 Cheviot Avenue, Oldham OL8 4HD

- 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 Majid Hussin against the decision of Oldham Metropolitan Borough Council.
 - The application Ref HOU/351189/23 dated 21 June 2023, was refused by notice dated 16 August 2023.
 - The development proposed is described as a front porch construction.
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Decision

1. The appeal is allowed and planning permission is granted for a front porch construction at 48 Cheviot Avenue, Oldham OL8 4HD in accordance with the terms of the application, Ref HOU/351189/23 dated 21 June 2023, and the plans submitted with it.

Procedural Matter

2. At the time of my site visit, I saw that the development had commenced. I also note that the application has been submitted retrospectively, I have dealt with the appeal on this basis.
3. Since the determination of the application the National Planning Policy Framework has been superseded by the National Planning Policy Framework (2023) (the Framework). However, in relation to this appeal the aims of both sets of policies are similar. No party would be prejudiced or caused any injustice by me proceeding with the appeal in light of this change in policy.

Main Issues

4. The main issue in this appeal is the effect the proposed development would have on the character and appearance of the host property and area in general.

Reasons

5. The application site is a detached two storey property located within a predominantly residential area. The property is located on a corner of Cheviot Road and Thorncliff Avenue and has been altered and extended historically. There is a uniformity to the design and form of properties within the area.

6. The development links the projecting ground floor front window and a single storey extension to the side of the property. The pitched roof design of the porch is not a common feature with the immediate area.
7. Notwithstanding this the large single storey side extension at the appeal site has altered the appearance of the property creating a divergence from the harmony of built form in the area.
8. Due to the projecting ground floor front window, and the side extension which also projects forward of the original front elevation, the development appears physically contained, and relatively unobtrusive with a slight step forward. Visually the porch as constructed provides a proportionate and subordinate link between the original property and the extension.
9. I conclude that the proposed development would not harm the character and appearance of the host property and area in general. There is no conflict with Policies 9 and 20 of the Oldham Development Plan Document – Joint Core Strategy and Development Management Policies (2011) which amongst other things seeks to ensure developments are high quality protecting the visual amenity of an area.
10. There is no conflict with the Framework which seeks amongst other things to ensure developments are of good design.

Conclusion

11. The Council consider a condition relating to plans to be adhered to should be imposed, however this is not relevant or necessary as the development is complete.
12. For the above reasons I conclude that this appeal should be allowed.

C Pipe

INSPECTOR