



Appeal Decision

Site visit made on 21 February 2024

by K Winnard LL.B Hons Solicitor

an Inspector appointed by the Secretary of State

Decision date: 8 March 2024

Appeal Ref: APP/W4223/D/23/3336192

6 Rochdale Road, Denshaw, Oldham, Lancs OL3 5SE

- 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 Spencer Howard against the decision of Oldham Metropolitan Borough Council.
 - The application Ref. HOU/351871/23 dated 25 October 2023, was refused by notice dated 14 December 2023.
 - The development proposed is the erection of a detached garage.
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Decision

1. The appeal is allowed and planning permission is granted for a detached garage at 6 Rochdale Road, Denshaw, Oldham, Lancs OL3 5SE in accordance with the terms of the application, Ref HOU/351871/23, dated 25 October 2023, 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 plans: Location Plan, and Drawing No. 12B February 2023 Revised October 2023.
 - 3) Notwithstanding the approved plans, details of the samples of all proposed external materials to be used in the development hereby permitted shall be submitted for the written approval of the Local Planning Authority. Thereafter the development to be carried out in accordance with the approved details.

Procedural Matter

2. In December 2023 the Government published its revised National Planning Policy Framework (the Framework). In this instance the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework and that no party would be disadvantaged by such a cause of action.

Main Issue

3. The main issue in the appeal is the effect of the proposed development on the character and appearance of the site and the area having regard to its conservation area status.

Reasons

4. The appeal property, No 6 Rochdale Road, (No 6) is an end of terrace property situate within the Denshaw Conservation Area (DCA) where there is a statutory duty to pay special attention to the desirability of preserving or enhancing the character and appearance of the area. In addition, the National Planning Policy Framework (the Framework) states that great weight should be attached to the conservation of designated heritage assets, in this case the DCA.
5. No conservation area appraisal is before me but I noted from my site visit that the DCA covers the historic core of Denshaw extending beyond its centre to its approach roads from surrounding moorland. Much of it covers old stone cottages, interspersed with larger public buildings. No 6 is a brick and rendered dwelling which appears to be of inter-war construction, located outside of the historic core and is not reflective of the features and materials found in the older buildings in the village. Overall, it does not make a positive contribution to the DCA.
6. As the end property in a short terraced group of five dwellings, No 6 has an untypically wide driveway. The topography of the area is such that the rear gardens of No 6 and the other properties within the terrace sit at a lower level than the adjacent Dumfries Avenue highway behind them, bounded by a retaining wall. The adjacent properties on Dumfries Avenue which back onto Rochdale Road to the south east are of more modern appearance, well set back and at an angle to No 6. Due to this and the width of its driveway the curtilage of No 6 is larger than others in the immediate area.
7. The proposed garage would be a sizeable building and would have a large footprint proportionately in relation to that of the original dwelling. It would replace an existing pebble dashed, large garage on the site. Whilst it would be larger than the existing garage, its style and design would be of simple form. An area of garden/amenity space at the rear would be retained. It would be well set back from Rochdale Road and the open aspect to the side of the dwelling would be retained due to the separation provided by the relatively wide driveway. The flat roof design would mitigate any undue dominance. In views from Dumfries Avenue the majority of the bulk of the garage would be below the level of the boundary wall and it would be sited flush to the wall. As such, this would prevent it from appearing overly dominant in relation to the host dwelling, its overall plot size and the area.
8. Glazing would be limited and its appearance would be that of a substantial outbuilding. Overall, despite its large size, the garage would not cause undue harm to the character and appearance of the host dwelling nor the area. I appreciate that the Council are concerned about the impact of a large outbuilding within the curtilage of a property within the DCA. However in this instance No 6 does not significantly relate to the pattern of development found generally within the DCA, nor does its architecture and materials contribute to the significance of the DCA.

9. Accordingly the proposal would not cause harm and thereby would preserve and enhance the character and appearance of the DCA. Accordingly, it would comply with Policies 9, 20 and 24 of the Oldham Development Plan Documents Joint Core Strategy and Development Management Policies (adopted 2011) which together require development not to have a significant adverse impact on the visual amenity of the area and to protect, conserve and enhance heritage assets. It would also not conflict with the Framework which requires development to be sympathetic to local character whilst enhancing the significance of heritage assets.

Conditions and Conclusion.

10. In addition to the standard time condition, I have specified the approved plans as this provides certainty. I have also included a condition in relation to materials in order to provide a satisfactory appearance. Subject to these conditions and having regard to all matters raised, the appeal is allowed as set out in the formal decision notice above.

K Winnard

INSPECTOR