

Appeal Decision

Site visit made on 11 December 2024

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 December 2024

Appeal Ref: APP/W4223/D/24/3353910

6 Rochdale Road, Denshaw, Oldham, OL3 5SE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Spencer Howard against the decision of Oldham Council.
 - The application Ref is HOU/353021/24.
 - The development proposed is a detached garage. Revised scheme to include slate roof.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. A recent application for the erection of a detached garage¹ was allowed at appeal².
3. The proposal the subject of this appeal would have the same footprint as the permitted garage. However, unlike the permitted garage, it would have a pitched roof. As permitted, the garage would have a flat roof, reaching a height of 2.6 metres. The proposal the subject of this appeal would have a pitched roof reaching a height of 4.6 metres.

Main Issue

4. The main issue in this case is the effect of the proposed development on the character and appearance of the Denshaw Conservation Area.

Reasons

5. The appeal property comprises a two storey end-of-terrace dwelling situated in a residential area, largely comprising semi-detached and terraced dwellings.
6. The terrace within which the appeal dwelling is situated comprises an attractive short terrace of brick and render dwellings with tiled roofs. The terrace has qualities of symmetry and uniformity. It has parking areas and gardens to the front and faces across the road to sweeping moorland views.

¹ Reference: HOU/3551871/23.

² Reference: APP/W4223/D/23/3336192.

7. The appeal dwelling has a wide driveway to the side, leading to the rear of the property. The proposed garage would be situated towards the end of this driveway.
8. The appeal dwelling is situated within the Denshaw Conservation Area which is largely characterised by the presence of a range of stone cottages, some within two storey terraces dating back over the Centuries and others comprising more modern terraced and semi-detached one and two storey dwellings. The presence of period dwellings, together with ornate stone-built public buildings, green spaces and views through to the surrounding moors provides for a strong sense of the settlement's heritage.
9. During my site visit, I noted that the driveway to the side of the appeal dwelling provides for an attractive, open aspect in keeping with the spacious qualities of its surroundings. It provides for significant intervisibility between a wide variety of small stone dwellings and allows for various aspects to and across this part of the Denshaw Conservation Area.
10. The proposed garage would have a very large footprint – considerably larger than that of the appeal dwelling itself. However, whereas the low, flat roof of the permitted garage would maintain the open and spacious qualities of this part of the Denshaw Conservation Area, the proposed garage would have a much taller pitched roof.
11. I find that the tall, pitched roof would combine with the very large footprint of the proposed garage to result in a development that would draw attention to itself as an unduly prominent feature. Its width, length and height would combine to create a large and bulky building that would appear entirely out of proportion with the host dwelling and that of nearby dwellings. The proposed garage would be of such scale and prominence as to unduly dominate its surroundings and would severely detract from the open and spacious qualities of the Denshaw Conservation Area.
12. In this regard I am also mindful that, in allowing the permitted garage, the Inspector was careful to note that the "flat roof would mitigate any undue dominance." By way of contrast, the introduction of the tall, pitched roof would result in the proposal appearing overly dominant in relation to the host dwelling, its overall plot size and the surrounding area.
13. The proposed development would comprise an unsympathetic addition that would detract from the identified qualities of the Denshaw Conservation Area.
14. Given all of this, I find that the proposal would detract from and would not conserve the appearance of the Denshaw Conservation Area. Having regard to paragraph 208 of the National Planning Policy Framework (the Framework) and to Planning Practice Guidance, I consider that the harm to the character and appearance of the Denshaw Conservation Area would be less than substantial. This needs to be balanced against any public benefits the development may bring.
15. In this regard, there is nothing before me that comprises or amounts to a public benefit that outweighs the harm identified.

16. Taking all of the above into account, I find that the proposal would harm the character and appearance of the Denshaw Conservation Area, contrary to the National Planning Policy Framework; to Oldham Local Development Framework Development Plan Document – Joint Core Strategy and Development Management Policies (2011) Policy 24; and to the Places for Everyone Plan (2024) Policy JP-P1 and JP-P2, which together amongst other things, seek to protect local character.

Conclusion

17. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR