



Appeal Decision

Site visit made 20 November 2023

by Peter Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th December 2023

Appeal Ref: APP/P4225/W/23/3323455

13 Moss Hall Road, Heywood, Rochdale BL9 7JJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a grant of planning permission subject to conditions.
 - The appeal is made by Louise Jackson against the decision of Rochdale Borough Council.
 - The application Ref 22/01464/HOUS, dated 15 November 2022, was approved on 29 March 2023 and planning permission was granted subject to conditions.
 - The development permitted is a two storey side extension, including the addition of a front porch and canopy, alterations to fenestration and creation of two parking spaces after the demolition of existing garage.
 - The conditions in dispute state that:
 - 2 The permission relates to the following plans: Location plan; Existing ground floor plan and first floor plans Drg no. B/HJ/JJ/13Moss3 (Dated 20/06/2022); Existing elevations and second floor plan and existing and proposed block plans Drg no. B/HJ/JJ/13Moss11 (Dated 20/06/2022); Proposed ground floor plan Drg no. B/HJ/JJ/13Moss15. Rev A (Dated 20/02/2023); Proposed first floor plan Drg no. B/HJ/JJ/13Moss12. Rev A (Dated 23/02/2023); Proposed second floor plan and elevations Drg no. B/HJ/JJ/13Moss14. Rev A (Dated 20/02/2023). And the development shall be carried out in accordance with these drawings hereby approved.
and
 - 3 The materials used in the construction of the exterior of the development hereby permitted shall match those used in the construction of the exterior of the existing building in colour, form, type, size and texture.
 - The reasons given for the conditions are:
 - 2 For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Core Strategy and the National Planning Policy Framework.
and
 - 3 In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.
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Decision

1. The appeal is allowed and planning permission Ref 22/01464/HOUS, for a two storey side extension, including the addition of a front porch and canopy, alterations to fenestration and creation of two parking spaces after the demolition of existing garage at 13 Moss Hall Road, Heywood, Rochdale, granted on 29 March 2023 by Rochdale Borough Council, is varied by deleting conditions 2 and 3 and substituting for them the following conditions:
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- 2 The permission relates to the following plans: Location plan; Existing ground floor plan and first floor plans Drg no. B/HJ/JJ/13Moss3 (Dated 20/06/2022); Existing elevations and second floor plan and existing and proposed block plans Drg no. B/HJ/JJ/13Moss11 (Dated 20/06/2022); Proposed ground floor plan Drg no. B/HJ/JJ/13Moss15. Rev A (Dated 20/02/2023); Proposed first floor plan Drg no. B/HJ/JJ/13Moss12. Rev A (Dated 23/02/2023); and Proposed second floor plan and elevations Drg no. B/HJ/JJ/13Moss4 (Dated 20/06/2022). And the development shall be carried out in accordance with these drawings hereby approved.
 - 3 The materials used in the construction of the exterior of the development hereby permitted shall match the materials of the exterior of the dwelling in colour, form, type and texture.
2. For the avoidance of doubt, conditions 1, 4 and 5 remain in force.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The council granted planning permission for a two storey side extension. The submitted plans included a note that all new elevations would be in brickwork to match the existing. This was shown on approved plans: Proposed second floor plan and elevations Drg no. B/HJ/JJ/13Moss14. Rev A (Dated 20/02/2023). The appellant is now seeking to render both the original property and the extension to match. A revised plan has been submitted to show the property fully rendered, Drg no. B/HJ/JJ/13Moss4 (Dated 20/06/2022).
5. The council is of the view that the property should not be rendered as the other properties in this terrace and the terrace adjacent remain in brick. The properties to the rear, which are also visible from Moss Hall Road, are rendered. The end terrace in Heap Street is also rendered, despite the neighbouring properties remaining in brick. There is nothing before me to suggest that the appellant could not render this property without the need for planning permission, in advance of the proposed works. In any event however, I am not persuaded that the rendering of this property, given the other rendered properties in the area, would result in harm to the character or appearance of the area or would conflict with policies P3 or DM1 of the adopted Rochdale Core Strategy 2016.
6. Condition 3 requires that the extension match the existing house. Whilst this condition was not necessary when the application was approved, because the plans stated that the brickwork would match, it is now necessary as the revised plan, although illustrating that the elevations would be rendered, does not state that the render would match. Condition 3 is now necessary but I have amended it slightly to ensure that the extension would be rendered alongside the main house elevations. The council have suggested a condition that would require that the render detail be agreed by them. I am not satisfied that this additional control is reasonable or necessary.

7. I have altered condition 2 to include the revised plan showing the house and extension rendered; and condition 3 to require that the house and extension match.
8. I have considered the matters put forward by the council but consider that matching brickwork or matching render would be equally acceptable. I therefore allow the appeal.

Peter Eggleton

INSPECTOR