
Appeal Decision

Site visit made on 11 November 2019 by Hannah Ellison BSc (Hons) MSc

Decision by Susan Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 5th December 2019

Appeal Ref: APP/G4240/D/19/3237577

23 Victoria Street, Denton, M34 3GU

- 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 Cull against the decision of Tameside Metropolitan Borough Council.
 - The application Ref 19/00190/FUL, dated 5 February 2019, was refused by notice dated 28 June 2019.
 - The development proposed is a two storey side and rear extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are the effect of the proposed development on:
 - (i) The character and appearance of No 23 Victoria Street and the wider area, and
 - (ii) The living conditions of occupiers at No 21 Victoria Street, with particular regard to outlook.

Reasons

4. The appeal property is a two-storey semi-detached dwelling, located within a residential area. Permission is sought for a two-storey side and rear extension.

Character and appearance

5. The area is predominantly characterised by two-storey semi-detached and terraced dwellings. The appeal dwelling is within a group of 3 pairs of semi-detached, red brick dwellings with characteristic hipped roofs, on the south side of Victoria Street.
6. Tameside Residential Design Supplementary Planning Document, March 2010 (SPD) provides guidance for household extensions. Policy RED1 requires that an extension must acknowledge the character of the house, creating an

extension that compliments rather than dominates. In particular, it requires extensions to be of an architectural style which reflects the existing dwelling, to be subordinate and not result in significant external remodelling. Policy RED5 sets out detailed guidelines for side extensions and also indicates that the roof of a side extension should be in the same style as the house.

7. The proposed development would significantly extend the host dwelling to the side and rear, over two storeys. It would span the full depth of the original dwelling and project beyond and across the original rear elevation. Due to its scale and overall massing, this proposal would fail to read as a subservient addition. Moreover, whilst I acknowledge that the extension has been set down and back from the front elevation of the building, the rear part of the extension would have a substantial gabled roof rather than a hipped roof to match the existing property. This would be noticeable both at the rear and at the side and would result in the extension having a bulky appearance that would dominate the host dwelling.
8. It is noted that extensions to the adjacent semi-detached dwellings to the west of the appeal site are limited to single-storey side extensions or garages. As such, the original form of the dwellings has largely been respected. This proposal would significantly alter the appearance of the original dwelling and it would not be in keeping with the character of the area.
9. My attention has been drawn to an existing two-storey side extension at No 43 Ruby Street. This has significantly extended the dwelling to the side and altered its original appearance. However, whilst I do not have the full details which led to the approval of that extension, I note that No 43 occupies a corner site and is adjacent a detached property. As such, unlike the appeal property, it is not read in context with a group of dwellings and does not justify the proposal.
10. Various other examples of extensions have been submitted in support of this appeal. Whilst I have noted these examples, some of which do not appear to relate well to the host property, I do not have the details of the context in which they were permitted and cannot therefore be certain they are directly comparable to the appeal proposal.
11. Therefore, taking all the above into consideration, the proposed side extension would have a harmful effect on the character and appearance of the host dwelling and wider area and is therefore contrary to policy H10 of the UDP, which requires new developments to complement or enhance the character and appearance of the surrounding area and the requirements of the SPD as set out above.

Living conditions

12. The Council has raised concerns that the proposed side extension, due to its scale and massing, would result in an overbearing sense of enclosure and loss of outlook from the side and rear garden of No 21 Victoria Street.
13. No 21 is at an angle to the appeal site, thus its side garden is highly visible from the highway. The main outlook from the side garden is to the front, beyond a low boundary wall. Whilst the extension would be highly prominent from within the side garden, it would not interfere with outlook in this regard.

14. The front elevation of this proposal would be within close proximity to the shared boundary and the side extension. However, due to the angled positioning of No 21, the separation distance between the side elevation and boundary increases as the proposed extension projects into the rear garden. As such, this proposal would not result in an overbearing sense of enclosure to the side garden of No 21.
15. With regards to the effect on the rear garden, there are large mature trees positioned along the boundary between both properties. Whilst I recognise that these trees are not necessarily a permanent feature, the outlook is already somewhat restricted for occupiers. Further, as noted above, the proposed extension would be set off the shared boundary due to the layout of the sites. Therefore, this proposal would not have an overbearing effect.
16. Consequently, taking all the above into consideration, this proposal would not significantly harm the living conditions of occupiers at No 21. As such it would comply, in this respect, with policies H10 and 1.3 of the Tameside Unitary Development Plan 2004 (the UDP), which collectively seek to ensure, amongst other things, that developments do not result in an unacceptable impact on the amenity of neighbouring properties through noise, loss of privacy, overshadowing or traffic, and are of a high quality which is sensitive to the character of the local area particularly in the relationship between buildings.

Other Matters

17. It is acknowledged that the proposed extension is required to provide additional living space for a growing family. However, this matter does not overcome the harm this proposal would have on the character and appearance of the dwelling and wider area. I understand that alternative layouts have been considered but weren't appropriate to meet the needs of the family. I can only determine the proposal before me on its own merits.
18. It is also noted neighbouring occupiers have not raised any concerns about the proposal. A lack of opposition for a proposal is not a ground for granting planning permission and does not overcome the issues identified above.

Conclusion and Recommendation

19. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

Hannah Ellison

Appeal Planning Officer

Inspector's Decision

20. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Susan Ashworth

INSPECTOR

