
Appeal Decision

Site visit made on 1 June 2020 by Hannah Ellison BSc (Hons) MSc

Decision by Susan Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 June 2020

Appeal Ref: APP/G4240/D/20/3249064

103 Circular Road, Denton, Tameside M34 6NQ

- 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 Ms Charlotte O'Connor against the decision of Tameside Metropolitan Borough Council.
 - The application Ref 19/00957/FUL, dated 14 October 2019, was refused by notice dated 23 December 2019.
 - The development proposed is double and single rear extension to dwelling.
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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 103 Circular Road and the wider area, and
 - (ii) The living conditions of occupiers at No 101 Circular Road and Nos 2 and 4 Doddington Walk, with particular regard to outlook and light.

Reasons

4. The appeal property is a two-storey end of terrace dwelling, located within a residential area. Permission is sought to extend the property to the rear at ground and first floor level.

Character and appearance

5. The appeal dwelling and the adjoining properties along the terrace are similar in appearance and each has a single storey garage to the rear. This layout is characteristic of other terraced properties in the immediate locality. The garage of the appeal dwelling has been converted to habitable accommodation, however its scale and massing remains similar to that of adjacent garages.

6. The proposed two-storey extension would span more than half the width of the original property and would project significantly into the rear garden. This would result in a substantial two storey gable end fronting the highway, with two storey side elevations of considerable projection and height. The proposal would therefore significantly increase the massing of the property and would substantially alter its form and appearance. Thus, the extension would fail to read as a subservient addition and would be overly dominant to the host dwelling.
7. Additionally, as the rear of the appeal dwelling faces the front of a row of terraced dwellings on Doddington Walk and a vehicular parking area located at the end of the cul-de-sac it is highly visible from the public realm. The removal of the single storey converted garage and replacement with a two-storey extension would be readily apparent given the dwelling's prominent position and the extension's excessive scale and massing. The proposal would therefore read as an incongruous addition which would dominate the host terrace and appear at odds with the simple form of the properties in the wider area.
8. Consequently, the proposed extension would have a harmful effect on the character and appearance of the host dwelling and the wider area and is therefore contrary to policies 1.3, C1 and H10 of the Tameside Unitary Development Plan 2004 (the UDP) which collectively require developments to be sensitive to the distinct character of settlements and complement or enhance the appearance of the surrounding area.

Living conditions

9. The proposed two storey extension would project into the garden along the shared boundary with the single storey garage of No 101 Circular Road. To the side of the garage is a private rear garden of No 101. This area is already enclosed by their existing garage and the two-storey side elevation of No 99. However, despite the scale of the proposed extension, it would be set off from the garden beyond the existing garage. As such, it would not have a significantly overbearing effect on occupiers of No 101 when compared with the existing layout.
10. The front habitable rooms of Nos 2 and 4 Doddington Walk face the side elevation of the appeal dwelling. The Council are concerned that the proposed two storey extension would result in a loss of light to those rooms due to the orientation of the properties and lack of a sufficient separation distance between them. Policy RED2 of the Tameside Residential Design Supplementary Planning Document, March 2010 (the SPD) sets out the minimum distances between new buildings/extensions and existing properties to ensure proposals do not cause unacceptable overshadowing or loss of natural light. The proposal would fall marginally short of the 14m requirement of the SPD, however given the limited extent of the shortfall and the south to south west facing orientation of the front elevation of Nos 2 and 4, this proposal would only restrict direct sunlight at limited times of the day and would not result in substantial overshadowing.
11. It is noted that the original dwelling is within close proximity to the front elevation of Nos 2 and 4. Whilst I have no doubt that the proposal would be visible from habitable rooms of Nos 2 and 4, taking into consideration the offset positioning of the two storey extension and the established relationship between the properties, I do not consider that it would be so overbearing or

oppressive as to severely harm the living conditions within those habitable rooms.

12. Therefore, this proposal would not significantly harm the living conditions of occupiers at No 101 Circular Road or Nos 2 and 4 Doddington Walk. As such it would comply, in this respect, with policies 1.3, C1 and H10 of the UDP which seeks to ensure developments have regard to the relationship between buildings to ensure there is no unacceptable impact on the amenity of neighbouring properties. It would also satisfy the principles of the SPD as set out above.

Conclusion and Recommendation

13. Although I have found that the proposal would not be harmful to the living conditions of neighbouring occupiers, this would not outweigh the considerable harm I have found to the character and appearance of the host dwelling and wider area. Therefore, 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

14. 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