

Appeal Decision

Site Visit made on 19 July 2021 by Hilary Senior BA (Hons) MCD MRTPI

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 September 2021

Appeal Ref: APP/G4240/D/21/3274238

10 Reid Close, Denton, Manchester, M34 7QH

- 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 David Losty against the decision of Tameside Metropolitan Borough Council.
 - The application Ref 21/00156/FUL, dated 29 January 2021, was refused by notice dated 14 April 2021.
 - The development proposed is demolition of an existing detached garage and construction of single 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.

Preliminary Matters

3. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework (the Framework). Accordingly, and in light of the reference made to the previous iteration of the Framework within the submitted evidence, the parties have been provided with a further opportunity to make submissions in respect of the publication. In this respect, I am mindful that neither the appellant nor the Council have made any further submissions regarding the revised Framework. However, in light of this re-consultation, I am satisfied that any references made to the revised Framework within this decision would not be unreasonable to the parties.
4. Under the requirements of the Public Sector Equality Duty, during the appeal further information was requested from the appellant regarding the protected characteristics referred to in the documents and these have been taken into account in my consideration of this appeal.

Main Issue

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

Reasons for the Recommendation

6. The host dwelling is a single storey bungalow located on a corner plot in a mixed residential area of single and two storey dwellings. The dwelling is set back in the plot with an open frontage and side garden, reflecting the open character of the area.
7. The appeal proposal would extend the dwelling to the rear and side, and it would widen the built form to almost the full width of the plot. Whilst there is a detached garage that would be demolished, the bulk and massing of the proposal would be substantially greater than that which is currently on the site. Due to the scale of the proposal, particularly to the side of the host dwelling, it would introduce a prominent feature and harmfully reduce the open and spaciousness of the plot which is an important characteristic of the area.
8. For the reasons above the extension would cause significant harm to the character and appearance of the local area and would conflict with Policies C1 and H10 of the Tameside Unitary Development Plan (2004), which together seek to ensure that developments are of high quality and are sympathetic to local character. It would also conflict with policies RED1 and RED5 in the Tameside Residential Design Supplementary Planning Document (2010) which amongst other things, require that extensions are subordinate and side extensions on corner plots must not detract from the street scene, and guidance in the Framework.

Other Matters

9. In considering the appeal proposal, I have had due regard to the Public Sector Equality Duty contained in section 149 of the Equality Act 2010, which requires me to consider the need to eliminate unlawful discrimination, to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. Protected characteristics include a person's disability or age.
10. The proposed extension would allow extended family members, who due to their age and disability, need to be cared for at the property. However, this must be balanced against the harm to the character and appearance identified. Due to the size of the plot, I am not persuaded that there are no alternatives to the appeal proposal that could deliver similar benefits without conflict with the development plan. Therefore, whilst I acknowledge the personal circumstances of the appellant and his family, I conclude that these are not matters which outweigh the significant harm that would be caused by the proposal to the character and appearance of the area.

Conclusion and Recommendation

11. The proposed development conflicts with the development plan as a whole and there are no other considerations that outweigh this conflict. I therefore recommend that the appeal is dismissed.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

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

RC Kirby

INSPECTOR