

Appeal Decision

Site visit made on 28 August 2024

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 30 September 2024

Appeal Ref: APP/G4240/D/24/3346683

2 Balmoral Avenue, Hyde SK14 5HY

- 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 Nick Walker against the decision of Tameside Metropolitan Borough Council.
 - The application Ref is 23/00841/FUL.
 - The development proposed is a two storey side extension and single storey front extension.
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Decision

1. The appeal is allowed and planning permission is granted for two storey side extension and single storey front extension at 2 Balmoral Avenue, Hyde SK14 5HY in accordance with the terms of the application, Ref 23/00841/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos: Location Plan, 18/09/2023; L(20)25 Proposed Elevations; L(20)26 Proposed Floor Plans; L(20)27 Proposed Site Plan.
 - 3) The external materials of the extensions hereby permitted shall match those used in the existing dwelling.

Main Issue

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

Reasons

3. No 2 is a 2-storey semi-detached dwelling on the corner of Marlborough Road and Balmoral Avenue, the latter being a short road terminated by undeveloped greenspace. It is in a residential area characterised by substantially similar semi-detached properties set back from the road on consistent building lines. The treatment of corner plots varies, but the properties to either side of the Balmoral Avenue junction are set at roughly 45 degrees to the neighbouring roads. The coherent design, including bay

windows and hipped roofs, matching materials and regular arrangement of properties results in a harmonious character and appearance.

4. The single storey front extension, an entrance porch with a pitched roof, would be to the side of the 2-storey bay feature. While it would protrude forward of the ground floor bay, it would respect the front elevation of the appeal property. Moreover, taking into account the number and varied design of porches in the area, this element of the proposal would be acceptable.
5. The 2-storey side extension would be around 3.5m wide and finished in materials to match its host. It would be set back by around 0.3m from the front elevation and 0.9m from the rear elevation of its host. Its hipped roof would be set below the main 2-storey ridge line. Although slightly more than half of the width of No 2 and only shallowly set back from the principal elevation, nevertheless it would respect the front elevation and roof form of the appeal property. It would be a subservient addition that would not overwhelm and it would be in keeping with its host.
6. The side extension would protrude further towards the boundary than the existing property. However, at its closest point, its front corner would still be around 4m from the Balmoral Avenue boundary. As a result of the orientation of the property, the extension would not be parallel with the boundary and the bulk of development would recede away from it. Consequently, the extension would not be overbearing to the road or footway.
7. The corner of the extension would be forward of the building line of the neighbouring Balmoral Avenue properties. However, No 2 presents its side elevation to the road and its siting, orientation and separation set it apart from the neighbouring properties which are front facing and regularly spaced. No 2 is already out of keeping with and it is not read as part of the short row of neighbouring properties. The extension would not disrupt the uniformity or rhythm of Balmoral Avenue. Moreover, by virtue of its orientation and separation from No 4, the proposal would not result in a terracing effect.
8. The 2-storey form of the side extension would be more conspicuous than the single storey extensions to neighbouring and nearby corner plot properties. However, the treatment of corner plots varies and there are 2-storey extensions elsewhere in the area. Taking into account its sympathetic design, the greater prominence of the side extension would not disrupt a repeating or harmonious townscape feature. The proposal would not detract from local distinctiveness or sense of place.
9. I note the Council's concerns that none of the prominent corner properties in the immediate streetscene have extended at first floor level such that the proposal would be visually obtrusive and it could set a precedent. However, I do not find that the proposal would be visually harmful. There is little evidence that the neighbours would seek to extend at first floor level or that any such proposal would harm the street scene or wider townscape. Each scheme must in any case be considered on its individual merits.
10. Therefore, I conclude that the proposal would not harm the character and appearance of the area. It would accord with saved policies C1 and H10 of Tameside Unitary Development Plan Adopted November 2004 which require, among other things, that proposals complement and respect the character

and appearance and pattern of the settlement. The side extension would not be set back in accordance with the requirements of policy RED5 of the Tameside Residential Design Supplementary Planning Document Adopted March 2010 (SPD). Nevertheless, it would accord with the aims of SPD policies RED1 and RED5 including in terms of matching style and materials, subordinate scale, avoiding a terracing effect and not detracting from the street scene. The decision notice also refers to conflict with the Places for Everyone Joint Development Plan Adopted March 2024 but I am not aware of conflict in this regard. The proposal would not conflict with the design aims of the National Planning Policy Framework (the Framework).

Other Matters

11. My attention has been drawn to, and I observed, 2-storey side extensions to corner properties elsewhere in the area, most of which were approved after the SPD was adopted. The Council accepts that the examples on Knott Lane are valid and relevant, and it acknowledges that it raised no concerns in those cases in relation to established buildings lines. In this regard, the extension to No 10 sits squarely in its plot, but it breaks forward of the building line and appears less subservient to its host than would the proposal. No 43 also sits squarely and appears only shallowly set in and down from its host. No 75 appears most similar, although more prominently sited and its breaks forward of the Sandringham Road building line. None of these is directly comparable to the proposal or its immediate context but they demonstrate that corner plot extensions can break building lines without undue townscape harm.

Conditions

12. The Council suggested planning conditions in the event the appeal was allowed. I have considered these against the tests for conditions set out in the Framework.
13. In addition to the standard time limit condition, I have imposed a condition specifying the approved plans in the interests of certainty. A condition requiring that external materials match the existing building is necessary in the interests of visual amenity.

Conclusion

14. For the reasons given above, I conclude that the appeal should be allowed.

Sarah Manchester

INSPECTOR