



Appeal Decision

Site visit made on 27 January 2025

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 February 2025

Appeal Ref: APP/G4240/D/24/3349780

381 Katherine Street, Ashton-under-Lyne, Tameside OL7 0AQ

- 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 Bashir Ahmed against the decision of Tameside Metropolitan Borough Council.
 - The application Ref is 24/00244/FUL.
 - The development proposed is a porch.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Bashir Ahmed against Tameside Metropolitan Borough Council. This is the subject of a separate decision.

Main Issue

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

Reasons

Character and appearance

4. This part of Katherine Street is characterised by terraced two storey properties, which are set back slightly from the highway in straight rows on one side of the road. Their front faces are finished in red masonry under a grey tiled roof, and they have a similar pattern of windows and doors, including prominent ground floor bay windows. The houses' siting, form, materials and design give a significant sense of cohesion and rhythm to the street scene.
5. The Tameside Residential Design Supplementary Planning Document 2010 ('the SPD') advises at RED1 and RED9 that extensions should appear subordinate to the original building and should reflect its architectural style. It continues that front extensions can fundamentally alter the character of the house and the street scene, but that modest porches which reflect its style may be acceptable.
6. As depicted on drawing no. 71/23-01 Rev B, the porch's side return would respect the splayed angle of the host's bay window; and its hipped roof, walls, sills and glazing would be in matching materials. However, it would project over 1 metre

forward of the bay window, and it would extend across over half of the property's front face to just short of the boundary with No 383. Given its scale and its front projection, and as it would overlap the bay window, it would significantly reduce the dominance of that locally distinctive architectural feature, and it would instead become the dominant feature in the building's façade.

7. I observed that many of the houses in this row have a small, simple canopy over their front door. As illustrated in the appendices to the appeal statement, some have canopies which have been extended to link onto the roof of the bay window, and a few have enclosed porches.
8. However, the canopies are open, fairly recessive features; and the enclosed porches are generally much more subservient than this proposal, being smaller in scale, and often detached from, or projecting less far forward of, the bay windows. Thus, having regard to this scheme's scale, form and front projection, it would significantly disrupt the cohesion and rhythm of the street scene.
9. The appellant points out that a porch could be erected outside the front door of his property in accordance with a lawful development certificate (Ref: 24/00062/CPUD) ('the CPUD scheme'). However, compared to it, this proposal would be larger as it would extend further towards the boundary with No 383, almost attaching to that property's simple pent-roofed porch. It would also appear notably wider than the host's bay window, thus providing less symmetry with it, and its section of blank masonry wall would amplify its sense of dominance and misalignment. As such, it would have a more harmful impact on the host and the street scene compared to that fallback.
10. For these reasons, the scheme would significantly harm the character and appearance of the host property and the area. It would therefore conflict with that part of Policy H10 of the Tameside Unitary Development Plan 2004 ('TUDP') which requires high quality design which complements or enhances the character and appearance of the surrounding area. It would also conflict with the advice in the SPD, and with the National Planning Policy Framework's requirement for good design which reflects local design policies.

Other matters and personal circumstances

11. I note the appellant's dissatisfaction with the Council's handling of this scheme, and previous proposals; and its alleged misunderstandings of this proposal compared to the CPUD scheme. However, I have dealt with the scheme before me on its planning merits.
12. I understand that the appellant has mobility issues, and that he requires the porch to enable him to store his mobility scooter in a safe place where it can be plugged in to charging facilities, thus helping him to live independently. However, whilst this design solution would meet his needs, as it would have an adverse effect on existing character it would still conflict with the stance in TUDP Policy H10.
13. Personal circumstances rarely outweigh general planning matters because the effect of the development would remain long after the personal circumstances cease to apply. The personal circumstances used to justify the development would inevitably change over time, but the identified harm would remain. The benefit to the appellant therefore carries only limited weight in the overall planning balance.

Planning Balance and Conclusions

14. Having considered the scheme on its planning merits, I conclude that although it would provide benefits to the occupant, that would be outweighed by the significant harm that it would cause to the character and appearance of the host property and the area.
15. I have had due regard to the Public Sector Equality Duty contained in Section 149 of the Equality Act 2010, and to rights conveyed in the Human Rights Act. However, the refusal of planning permission is a proportionate and necessary approach to the legitimate aim of ensuring that the significant harm I have identified is avoided.
16. Consequently, and having regard to all other matters raised, the appeal is dismissed.

Chris Couper

INSPECTOR