



Appeal Decision

Site visit made on 25 November 2025

by **D J Barnes MBA BSc(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 08 December 2025

Appeal Ref: APP/G4240/D/25/3375239

39 Eastwood Avenue, Droylsden, Manchester M43 6BN

- 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 Mrs Danielle Hardy against the decision of Tameside Metropolitan Borough Council.
 - The application Ref is 25/00661/FUL.
 - The development proposed is the erection of a first floor side extension and hip to gable roof alteration.
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Decision

1. The appeal is dismissed.

Main Issue

2. It is considered that the main issue is the effect of the proposed development on the living conditions of the occupiers of neighbouring properties.

Reasons

3. The proposed development includes a first floor side extension situated above an existing garage of a semi-detached dwelling located within a primarily residential area. By reason of the appeal property being sited close to a road junction, the rear elevations of 50 and 52 Buxton Lane face towards the property. These neighbouring dwellings possess single storey additions which project from their main rear elevations. From what could be observed, the rear windows within these additions serve kitchens. There are also windows at ground floor level within the main rear elevations of the dwellings which serve habitable rooms. However, the outlook from the rear windows of No. 52 is primarily towards the front garden of the appeal property rather than the existing garage.
4. The *Tameside Residential Design Supplementary Planning Document* (SPD) refers to extensions not causing unacceptable overshadowing, loss of natural light or reduced privacy to neighbouring properties. Minimum distances between extensions and existing properties are included in the SPD to guide the siting of extensions. However, as with any supplementary planning document, such distances can only be guidance and cannot address all planning circumstances. In this case, the proposed extension would be sited above the garage rather than increase the footprint of the property towards the neighbouring dwellings.

5. As identified by the appellant, the rear gardens of Nos. 50 and 52 are south facing and it was evident during the morning site visit that the property did not materially affect sunlight and daylight reaching their rear gardens and windows. It is acknowledged that later in the day the property could cast a shadow across the gardens, especially the amenity area of No. 50, and potentially the window within the rear addition of No. 50. Even taking this into account, significant amounts of sunlight and daylight reach the gardens and rear windows of Nos. 50 and 52 during the daytime, principally during the morning period.
6. Other than reference to the SPD minimum distance guidance, there is no specific evidence presented in the Planning Officer's report which clearly identifies how any potential overshadowing of Nos. 50 and 52 associated with the appeal scheme would be materially different to what currently exists. By reason of the significant amounts of sunlight and daylight already reaching the gardens and rear windows of Nos. 50 and 52, because of its siting it is judged that the appeal scheme would not result in such a material change to these levels of sunlight and daylight to be a reason why this appeal should fail.
7. The minimum distances referenced in the SPD are not identified as specifically applying to assessments concerning overbearing forms of development and, as such, this is a matter of judgement. The side elevation of the property's garage is stated in the Planning Officer's report to be sited circa 6.3 metres from the rear window of No. 50's addition. The appellant has not questioned this distance. The current outlook from this window is primarily towards the single storey flank wall of the garage. The roof of the garage slopes away from the shared boundary towards the first floor side elevation of the original property which is set well back from this boundary.
8. Although the proposed flank wall of the extension would be set back from the shared boundary, there would still be the impression of a 2-storey side elevation created by the appeal scheme. The outlook from the rear window of No. 50's addition would materially change because it would become visually and physically dominated by the height and massing of what would be seen as a 2-storey flank wall. This proposed flank wall would represent a visually and physically overbearing form of development in the outlook from the window and also from the rear garden of No. 50.
9. By reason of the change in outlook, it is concluded that the proposed development would cause unacceptable harm to the living conditions of the occupiers of neighbouring properties, specifically the occupiers of 50 Buxton Lane, and, as such it would conflict with Policy H10 of the Tameside Unitary Development Plan (UDP) which refers to there being no unacceptable impact on the amenity of neighbouring properties. UDP Policy C1 and Policy JP-P1 Places for Everyone Joint Development Plan Document do not include a specific criterion relating to the living conditions of the occupiers of neighbouring properties. Accordingly, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR