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## Appeal Decision

Site visit made on 25 September 2018

**by D Child BA BPL MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 23 October 2018**

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**Appeal Ref: APP/G4240/W/18/3205278**  
**120 Wakefield Road, Stalybridge SK15 3DB**

- 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 O Denton against the decision of Tameside Metropolitan Borough Council.
  - The application Ref 17/00555/FUL, dated 30 June 2017, was refused by notice dated 20 April 2018.
  - The development proposed is erection of 2 new dwellings.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues in the appeal are the effect of the development upon: 1) the character and appearance of the area and 2) the living conditions of the occupants of nos. 120 and 122 Wakefield Road, having particular regard to sunlight and outlook.

### Reasons

#### *Character and appearance*

3. The host property is an end-of-terrace dwelling and the appeal site is currently used as garden ground serving it. The appeal site forms a gap between nos. 120 and 122 Wakefield Road. Dwellings along Wakefield Road at this location are built off the back edge of the footway. Garden areas serving existing dwellings are generally located to their sides and rear. Whilst punctuated by gaps between dwellings there is a strong linear pattern of established development. Existing parking provision is predominantly either on-street or located to the side or rear of dwellings. The host property and adjacent terraced dwellings have windows of proportions with a vertical emphasis.
4. The appellant argues that the dwellings would be set back beyond the established building line to make efficient use of the land, and accommodate off-street parking. It is contended that usable amenity space to the rear would be provided, and that this layout results in a subservient development. However, in contrast, the dwellings would be set uncharacteristically well back from the footway and the established building line. The parking areas would be situated to their front dominating the frontage.

5. In addition, the fenestration detail would be visually confusing given the mix of window proportions with vertical and horizontal emphasis. In terms of layout and detailed design, the external appearance of the dwellings would run contrary to the prevailing pattern and detailing of existing development in the immediate locality.
6. I have considered imposing conditions. For example a landscaping scheme that would address hard and soft landscaping. Nevertheless, such a condition would not be capable of overcoming the harm I have identified above given the design and layout of the development.
7. For all of the above reasons, I conclude on this issue therefore that the development would be harmful to the character and appearance of the area. Accordingly, the proposal would conflict with policies H9(d), H10(a), T1(l) and C1 of the Tameside Unitary Development Plan (TUDP) as well as policies RD2, RD7 and RD20 of the Tameside Residential Design Supplementary Planning Document.

#### *Living conditions*

8. The dwelling on Plot 2 would be built close to the south-western boundary of no. 122 Wakefield Road. The corner of the dwelling would be chamfered but, in view of its orientation in relation to the sun, I consider that it would cast shade on the upper part of the garden to no. 122 for a substantial part of the day. It would also lead to a considerable loss of sunlight to habitable room windows to the rear.
9. Given the position of no. 120 Wakefield Road south-west of Plot 1, it would not be subject to shade cast or undue loss of sunlight. By virtue of its scale and proximity the dwelling on Plot 1 would however harm the outlook from windows at the rear of no. 120. I am not persuaded by the appellant's suggestion that windows on the rear elevation of no. 120 being set in satisfactorily addresses this concern.
10. I therefore conclude on this issue that the development would be harmful to the living conditions of the occupants of nos. 120 and 122 Wakefield Road. Accordingly, the proposal would conflict with policy H10(d) of the TUDP.

#### *Other matters*

11. The appellant advances that the scheme would create two dwellings in a sustainable location that would contribute to the local supply of housing. I do not however attach weight to this consideration given the harm I have identified above.

#### **Overall Conclusion**

12. For the reasons given above I conclude that the appeal should be dismissed.

*D Child*

INSPECTOR