

Appeal Decision

Site visit made on 16 August 2016

by D Boffin BSc (Hons) DipTP MRTPI Dip Bldg Cons (RICS) IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30 August 2016

Appeal Ref: APP/G4240/D/16/3153112

49 Wilshaw Grove, Ashton-Under-Lyne, OL7 9QT

- 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 Mohammad Shamus against the decision of Tameside Metropolitan Borough Council.
 - The application Ref 16/00419/FUL, dated 26 April 2016, was refused by notice dated 22 June 2016.
 - The development proposed is described as "*first floor extension over garage with dormer loft conversion*".
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Notwithstanding the description of development set out above, which is taken from the application form, it is clear from the plans and accompanying details before me that the development comprises the erection of a first floor extension over the garage with dormer loft conversion and a two storey front extension. The Council dealt with it on this basis and so shall I.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the surrounding area.

Reasons

4. The appeal property comprises one of a pair of semi-detached houses located within a residential area. This part of Wilshaw Grove is characterised by semi-detached houses set back from the street and regularly spaced along a similar front building line. There are some front extensions, but for the most part these are single-storey and appear subservient to the original dwellings.
 5. The proposal would involve a first floor extension over the existing garage, dormer extensions to the side and rear roof slopes and a 2- storey extension to the front. The scheme is a resubmission of a previous proposal that was refused by the Council. I note the appellant's comments that the Council only objected to the roof design on the previous proposal. However, I have not been provided with the drawings for that scheme and as such I cannot be certain that the two schemes are comparable. In any case, I am required to determine this appeal on its own merits. I also note the appellant's concern
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- regarding the Council's pre-application advice. However, that is not a matter for my consideration in the context of this appeal decision.
6. Despite the use of sympathetic materials and general architectural style the mass and bulk of the 2-storey front extension would be an obvious element that would stand out forward of the main building line. Furthermore, the extension would create a prominent feature to the front elevation of the host building that would have an overly dominant impact on the property itself with consequent harm to the character and appearance of the area.
 7. The first floor extension over the garage would project outwardly at the rear of the dwelling and this reflects the 2-storey rear extension on the adjacent dwelling. However, even though the footprint of the dwelling would not increase substantially, taken in combination with the dormer extensions and the 2-storey front extension the overall proposal would add significant bulk and massing to the original dwelling. These factors would result in a dominant and incongruous development that would not be subordinate or sympathetic to the size and scale of the original dwelling.
 8. The appellant refers to dormer and first floor extensions that have been built in the area but I have no details of the circumstances of those cases or the policies that applied at the time of their consideration. Moreover, the first floor extensions that I saw in the immediate vicinity of the appeal site are not directly comparable to the size, scale and layout of the proposal. I have, in any case, determined the appeal on its own merits.
 9. I therefore conclude that the proposal would have a significantly harmful effect on the character and appearance of the host dwelling and the surrounding area. As such it would conflict with saved Policy C1 of the Tameside Unitary Development Plan (UDP) which, amongst other things, seeks development that understands the townscape character and respects the nature of the surrounding fabric.
 10. It would also not accord with guidance described as Policy RED1 in the Tameside Residential Design Supplementary Planning Document which, amongst other things, states that the scale and mass of the dwelling must not be significantly altered by an extension and extensions must be subordinate to the original dwelling. It would also be contrary to Paragraph 64 of the National Planning Policy Framework which expects development to take opportunities to improve the character and quality of an area. UDP saved Policy H10 is cited in the first reason for refusal but as this policy relates to the detailed design of housing developments I do not consider that it is relevant in this case.
 11. For the reasons given above I conclude that the appeal should be dismissed.

D. Boffin

INSPECTOR