



# Appeal Decision

Site Visit made on 21 September 2021

by **M Russell BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 28 September 2021**

---

**Appeal Ref: APP/G4240/D/21/3277059**

**35 Marlborough Road, Hyde SK14 5HU**

- 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 Tom Hampson against the decision of Tameside Metropolitan Borough Council.
  - The application Ref 21/00197/FUL, dated 13 February 2021, was refused by notice dated 4 May 2021.
  - The development proposed is first floor extension to side above existing garage and utility room.
- 

## Decision

1. The appeal is dismissed.

## Main Issue

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

## Reasons

3. No 35 Marlborough Road is situated on a residential street predominantly characterised by two-storey semi-detached dwellings. Dwellings are generally of a similar width and design and mainly incorporate hipped roofs and two-storey bayed projections to their front elevations. This gives a strong degree of symmetry to many of the pairs of semi-detached dwellings on the street. Gaps between neighbouring pairs of dwellings are also more often similarly spaced. The common characteristics in terms of the scale, mass, design and spacing gives a broad consistency to the street scene and a pleasant residential character to the area.
4. RED1 (Acknowledge Character) of The Tameside Residential Design Supplementary Planning Document (2010) (SPD) requires amongst other things that extensions should be subordinate to the original building. Policy RED5 of the SPD sets out principles to be applied to the 'Design of Side Extensions' including amongst other things a minimum setback at upper floor level by 1.0 metre (m) to help reduce a terracing effect and to help ensure the existing scale and mass is retained. The principles set out also require a setback from the side boundary by 1.0m.
5. The proposal would extend close to the boundary with No 33 Marlborough Road and its front elevation would incorporate a minimal setback of half a brick from the principal elevation of the dwelling. The roof of the extension would be only marginally set back and set down from the main roof plane. Consequently, the

degree of subservience to the original dwelling would be very slight and would not be highly perceptible from the street. This would also unbalance the symmetry between the original principal elevations of the host dwelling and the attached dwelling at No 37. As a result, the scale and mass of the proposal and its tight positioning within the plot would appear at odds with the prevailing characteristics of the street.

6. My attention has been drawn to examples of existing extensions to dwellings on Marlborough Road which do not comply with the SPD guidance. The evidence before me indicates these examples only equate to 10% of the houses in the street. Some of these also relate to dwellings on wider plots or with a greater gap to the next neighbouring dwelling such as those at Nos 1, 43 and 70 Marlborough Road. In any case, where there are instances of side extensions similar to the appeal proposal, these do not convince me that they are well designed or positively contribute to the defining characteristics of the street scene.
7. I conclude, the development would have a significantly harmful effect on the character and appearance of the area. In that regard the proposal would conflict with the design and local character requirements in Policies 1.3 (Creating a Cleaner and Greener Environment) and C1 (Conservation and Enhancement of the Built Environment) of The Tameside Unitary Development Plan (2004) (UDP). The proposal would also conflict with the Council's SPD and the requirements for developments to be of a good design which is sympathetic to local character in the National Planning Policy Framework.
8. The Council's decision also refers to Policy H10 (Detailed Design of Housing Developments) of the UDP. This policy relates to proposed housing developments rather than extensions to existing dwellings. In any case, this does not diminish the overall conflict with the development plan with regards to the other policies identified.

### **Other Matter**

9. My attention has been drawn to Policy H10 part (a) which refers to 'a design which meets the needs of the potential occupiers'. As set out above, this policy relates to proposed housing developments. Even if I were to accept that its criteria could also be applied to extensions to existing dwellings, meeting the needs of occupiers should not come at the expense of the wider character and appearance of an area.

### **Conclusion**

10. The proposal would result in significant harm to the character and appearance of the area. In that respect it would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

*M Russell*

INSPECTOR