Appeal Decision

Site visit made on 23 December 2023

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 February 2024

Appeal Ref: APP/G4240/D/23/3331645

3 Linksfield, Denton M34 3TE

- 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 Alistair Rutherford against the decision of the Tameside Metropolitan Council.
- The application 23/00744/FUL dated 11 August 2023, was refused by notice dated 6 October 2023.
- The development proposed is described as a First Floor Front Elevation.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the development on (i) the character and appearance of the host property and area in general; and (ii) the living conditions of the occupiers of No. 4 Linksfield Road.

Reasons

Character and Appearance

3. The site is a detached two storey property within a predominantly residential area. The appeal property is set back considerably from No. 4 Linksfield. Property type and design are predominantly uniformed within the area, notwithstanding this there the appeal site has been extended and altered, along with other neighbouring properties.

4. The proposed development would extend forward from the existing property above the existing single storey front projections. Notwithstanding this given the set back of the property compared to No. 4 Linksfield and the proposed projection forward from the shared building line with No. 2 the proposed development would balance the currently substantial stagger in properties.

5. The change in roof design at the front whilst a departure from the prevailing design of two storey properties in the area would not appear incongruous given the two storey rear extension to nearby property, No. 20 Sandbrook Way which is visible in the context of the appeal site.

6. I find that the proposed development would not harm the character and appearance of the host property and area in general.

7. There is no conflict with Policies C1 and H10 of the Tameside Unitary Development Plan (2004) (the UDP) which seek amongst other things for developments to respect the character of an area.

8. There is no conflict with Policies RED1 and RED9 of the Tameside Residential Design Supplementary Planning Document (2010) (the SPD), which seeks amongst other things to ensure residential extensions acknowledge the character of the property and wider area, creating an extension that compliments and is proportionate.

Living Conditions

9. There is a considerable stagger between the appeal site and No. 4 Linksfield, No. 4 is located forward of the appeal property. Due to the location of the proposed extension, close to the boundary with No. 4 Linksfield, along with the projection and height the proposed extension which combined with the existing built form would create an oppressive and overbearing form of development.

10. Due to the mass and location the proposed development would exacerbate the sense of enclosure the existing built form creates for the occupants of No. 4. Whilst a detached single storey garage exists at No. 4 this would not mitigate the dominant form the proposed development would create.

11. I conclude that the proposed development would harm the living conditions of the occupiers of No. 4 Linksfield.

12. The proposal conflicts with Policy H10 of the UDP which seek amongst other things to protect the amenities of existing occupiers of neighbouring properties.

13. There is also conflict with Policy RED9 of the SPD which seeks amongst other things to ensure development do not impact on neighbour's outlook.

Conclusion

14. Whilst I have found that the proposed development would not harm the character and appearance of the host property nor the area in general this does not outweigh the harm I have identified in relation to living conditions of the occupiers of No. 4 Linksfield.

15. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR