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# Appeal Decision

Site visit made on 18 December 2017

**by Alison Partington BA (Hons) MA MRTPI**

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

**Decision date: 28 December 2017**

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**Appeal Ref: APP/G4240/D/17/3183727**  
**165 Sunnyside Road, Droylsden M43 7QP**

- 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 Brian Brewster and Majorie Summers against the decision of Tameside Metropolitan Borough Council.
  - The application Ref 17/00064/FUL, dated 26 January 2017, was refused by notice dated 3 July 2017.
  - The development proposed is a first floor rear extension.
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## Decision

1. The appeal is allowed and planning permission is granted for a first floor rear extension at 165 Sunnyside Road, Droylsden, Manchester M43 7QP in accordance with the terms of the application, Ref 17/00064/FUL, dated 26 January 2017, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Existing and Proposed Floor Plans and Elevations dated 8.12.16.
  - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

## Main Issue

2. The main issue in the appeal is the effect of the proposed extension on the living conditions of the occupiers of No 2 St George's Road with particular regard to privacy and outlook.

## Reasons

3. The appeal property is a semi-detached dwelling that currently has a single storey flat roof extension that extends the full width of the rear of the house. The proposed extension would be located above this. The surrounding area comprises similar types of houses set in modest sized plots.
4. The rear elevation of No 165 faces towards the rear garden of No 2 St George's Road, and at present there are clear views into the garden of this property from the first floor rear windows. Although the windows in the proposed extension would be closer to the common boundary than these existing

windows, given the current level of overlooking of the garden from the house, the proposal would not result in any significant loss of privacy to the garden area of No 2.

5. The proposed extension would be less than 5m from the common boundary with No 2. However, as the two properties are perpendicular to each other, the proposal would not have detrimental impact on the outlook from the rear windows in this adjacent dwelling. The densely developed nature of the immediate area means that the rear gardens of the houses already have a high degree of enclosure. Taking this into account, I am satisfied that the distance from the common boundary would be sufficient to ensure that the extension would not have an overbearing impact on, or create an unneighbourly sense of enclosure to, the rear garden of No 2.
6. Consequently, I consider that the proposed extension would not have an unacceptable impact on the living conditions of the occupiers of No 2 St George's Road with particular regard to privacy and outlook. Accordingly, it would not be contrary to Policy H10 (d) of the *Tameside Unitary Development Plan (adopted November 2004)* which requires that developments do not have an unacceptable impact on the amenity of neighbouring properties.

### **Conclusion and Conditions**

7. For the reasons set out above, I conclude that the appeal should be allowed.
8. In addition to the standard implementation condition, I have imposed a condition specifying the relevant plans, as this provides certainty. In the interests of the character and appearance of the area a condition is required to control the external appearance of the extension.

*Alison Partington*

INSPECTOR