



Appeal Decision

Site visit made on 8 May 2018

by Thomas Hatfield BA (Hons) MA MRTPI

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

Decision date: 18th May 2018

Appeal Ref: APP/G4240/D/17/3188159

3 Oxford Walk, Denton, M34 7DG

- 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 Paul Johnson against the decision of Tameside Metropolitan Borough Council.
 - The application Ref 17/00506/FUL, dated 19 June 2017, was refused by notice dated 8 August 2017.
 - The development proposed is single storey extension to rear of property.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey extension to rear of property at 3 Oxford Walk, Denton, M34 7DG in accordance with the terms of the application, Ref 17/00506/FUL, dated 19 June 2017, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan; Location Plan; Proposed Plans and Elevations; Existing Plans and Elevations.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the development on the living conditions of the occupiers of No 1 Oxford Walk with regard to loss of outlook and light.

Reasons

3. The appeal property is an end of terrace house on the north western side of Oxford Walk. It adjoins No 1 to the south west, and the extension would run along the boundary between these properties.
4. Following the Council's refusal of planning permission, a separate application (Ref 17/00818/HHPD) was made for a very similar extension under the provisions of Article 3(1) and Schedule 2, Part 1, Class A, paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). No adjoining owner or occupier objected to this proposal

and the Council confirmed that prior approval was not required on 8 November 2017. At the time of my site visit, this development was under construction. I therefore attach significant weight to it as a fallback position.

5. That extension is almost identical to the current appeal proposal in terms of its height, built footprint, and position along the boundary. There would be no significant additional impact resulting from the appeal proposal over and above that caused by the fallback position. In these circumstances, the effect of the development on the garden area to No 1 would be neutral.
6. For the above reasons, I conclude that the development would not significantly harm the living conditions of the occupiers of No 1 Oxford Walk with regard to loss of outlook and light. It would therefore be consistent with saved Policy H10 of the Tameside Unitary Development Plan (2004) and guidance contained in the Residential Design Supplementary Planning Document (2010). This policy and guidance seek to ensure, amongst other things, that new development does not have an unacceptable impact on the amenity of neighbouring occupiers.

Conditions

7. In addition to the standard time limit condition, I have imposed a condition that requires the development to accord with the approved plans. This is necessary in the interest of certainty. I have also imposed a condition that requires the external surfacing materials to match those used in the existing building. This is necessary to protect the character and appearance of the host property and the surrounding area.

Conclusion

8. For the reasons given above I conclude that the appeal should be allowed.

Thomas Hatfield

INSPECTOR