



Appeal Decision

Site visit made on 20 December 2019

by **Andrew McGlone BSc MCD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 2 January 2020

Appeal Ref: APP/G4240/D/19/3238644

24 Eaton Close, Dukinfield SK16 5SB

- 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 Mrs Chloe Gibson against the decision of Tameside Metropolitan Borough Council.
 - The application Ref 19/00501/FUL, dated 7 June 2019, was refused by notice dated 1 August 2019.
 - The development proposed is a new detached garage.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. Despite the description of development set out above, which has been taken from the planning application form, I consider the description found on the decision notice and the appellant's appeal form better reflect the scheme that is before me and that which the Council considered. Thus, my findings relate to this description of development which states "Erection of a detached garage to the front (South East) of the property, with associated formation of driveway."

Main Issue

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

Reasons

4. The appeal site comprises of a two-storey semi-detached house set back from Eaton Close. The close and surrounding roads are characterised by residential properties set back from the roads with front and rear gardens. The site includes an area of land that extends to the junction of Eaton Close and Westminster Way next to 51 Westminster Way.
5. Eaton Close has a curved alignment, but there is a degree of uniformity in terms of the front building line of properties and their relationship to the road. The open plan entrance to the close from Westminster Way adds to the spacious context in which the appeal property is viewed. While not every corner plot within the nearby area is grassed on the corner, dwellings are sited on an angle so that they respond to the character and appearance of the area.
6. The Tameside Residential Design Supplementary Planning Document (SPD) explains that as with any development, an extension must acknowledge the character of the house and wider area, creating an extension that complements rather than dominates. Policy 1.3 of The Tameside Unitary Development Plan

(UDP) Written Statement states that all developments must achieve high quality design which is sensitive to the character of the local area, particularly in the relationship between buildings and adjoining spaces, and in associated landscaping. This approach is broadly reflected in UDP policies C1 and H10.

7. The proposed garage would have a traditional appearance that would reflect its surroundings, but it would be sited forward of the host property and to the side of the plot next to the detached garage serving No 51. The appellant has made amendments to an earlier scheme¹ by changing its size and position. However, even if the effect on the street scene is not as great, the proposal would still erode the spacious character around the junction of Eaton Close and Westminster Way due to its size and siting forward of the established building line on Eaton Close. The effect would be harmful to the relationship between buildings and adjoining spaces, and thus the character and appearance of the area in what is a prominent location.
8. I note the appellant's intention to convert the existing integral garage into living space. While the current car may be expensive and desirable, there is no evidence before me relating to car crime or to demonstrate that the existing garage could not accommodate a vehicle of some sort. Any grant of planning permission runs with the land and it is not inconceivable that the appellant or any other future occupant would have a different vehicle in the future.
9. The appellant is of the view that planning permission was granted on appeal² for, among other things, a detached garage. While I have had sight of a plan showing the detached garage initially included as part of this scheme, I understand that paragraph 1 of the appeal decision stated that "By letter of 24 August 2004, the appellant withdrew the proposal for the erection of a detached garage. The Council considered the application as a proposed first floor extension and conservatory. I have considered the appeal on that basis." Therefore, it seems that a detached garage was not granted planning permission regardless of a Building Regulations application.
10. I have assessed the appeal scheme on its own merits and while the appellant is willing to consider further potential amendments with a view to finding a solution these should be discussed with the Council in the first instance.
11. I conclude that the proposed development would lead to significant harm to the character and appearance of the area. The proposal would not accord with UDP policies 1.3, C1 and H10, SPD Policy RED1 and paragraphs 124, 127 and 130 of the National Planning Policy Framework. Jointly, these seek, among other things, high quality design that complements or enhances the character and appearance of the area and which pays particular attention to layout and the relationship between buildings and their setting.

Conclusion

12. For the reasons set out above, I conclude that the appeal is dismissed.

Andrew McGlone

INSPECTOR

¹ Appeal Decision Ref: APP/G4240/D/14/2226296

² Appeal Decision Ref: APP/G4240/A/1168328 and Council Ref: 04/01027/FUL