Planning Inspectorate

Appeal Decision

Site visit made on 14 October 2026

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th November 2026

Appeal Ref: 6010982
70 Knott Lane, Hyde, SK14 5BS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Kate Singh against the decision of Tameside Metropolitan Borough Council.
- The application Ref is 26/00205/FUL.
- The development proposed is the conversion of existing garage and link extension to provide accommodation for foster children.

Decision

1. The appeal is allowed and planning permission is granted for the conversion of existing garage and link extension to provide accommodation for foster children at 70 Knott Lane, Hyde, SK14 5BS in accordance with the terms of the application Ref 26/00205/FUL 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: Location Plan (Scale 1:1250), Existing and Proposed Plans (Scale 1:50, 1:100) and Proposed Floor and Section Plan (Scale 1:50).

    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 Issues

2. The main issues are:

    - the effect of the proposed development on the character and appearance of the host property and the area; and

    - the effect of the proposed development on the living conditions of neighbouring residential occupiers with regards to daylight, sunlight and outlook.

Reasons

Character and appearance

3. The appeal property is a semi-detached dwelling in a predominantly residential area. Although there is some variation in the property types in the area, the appeal property is set amongst a group of similar buildings that have hipped roofs, front

bay windows and are predominantly formed in brick facing material. This, together with the setback of properties on a generally consistent build line, provides a cohesive residential character to the area.

4. The proposal includes an infill between the main dwelling and an outbuilding, identified as a garage on the submitted plan, situated to its rear. Although the appeal property has previously been extended, the appeal proposal itself is a modest single storey extension which would be around 2.63 metres deep and 2.74 metres wide. It would appear as a connecting element between the existing built form, rather than a substantial line of additional development.

5. The proposal would be entirely to the rear and would therefore not be prominent from public vantage points. The dwelling would retain a generous garden area and, given that the cumulative effects of the extensions would only be seen from private gardens, the modest proposal would not result in an overdeveloped appearance.

6. I conclude that the proposal would not harm the character and appearance of the host property and the area. As such, it would accord with Policies C1 and H10 of the Tameside Unitary Development Plan (UDP) which seek, amongst other matters, high quality design that complements the character of the area. It would also comply with the design aims of Policy RED1 of the Tameside Residential Design Supplementary Planning Document (SPD) and the National Planning Policy Framework (Framework).

Living conditions

7. The neighbouring property at No. 72 is situated to the north-west and has a habitable room window on its single storey rear projection. Its garden, which is set at a lower level than the appeal site, adjoins the boundary where the proposed outbuilding conversion and linking extension would be situated.

8. Reference has been made to SPD Policy RED3, which sets out the Council's standards for rear extensions, including the application of a 60-degree line taken from the nearest ground floor habitable room window of neighbouring houses. However, the existing outbuilding, already infringes this 60-degree line.

9. The conversion of the outbuilding would not materially worsen the effects on light or outlook because its scale and massing would remain largely unchanged. The link extension would introduce additional built form close to the boundary. However, its lowest part, the eaves, would be nearest the boundary, with the roof sloping away from No. 72. Furthermore, it would only adjoin a relatively limited part of this neighbouring garden. The extension would result in some additional shadow, but this would be for a short duration given the south-easterly position of the appeal property in relation to the neighbouring property at No. 72. The short extent of the infill between the existing dwelling and outbuilding would not result in a material loss of daylight or sunlight within the neighbouring building, or its garden.

10. I recognise that the link extension would close the gap between the outbuilding and the dwelling. However, the gap is small and the extent of the additional built form would be modest. I do not therefore consider that the outlook from No. 72's rear window or garden would materially change.

11. I conclude that the proposal would not unacceptably harm the living conditions of neighbouring residential occupiers with regard to daylight, sunlight or outlook. It would accord with UDP Policy H10, which seeks, amongst other matters, to ensure that there is no unacceptable impact on the amenity of neighbouring properties. It would also not conflict with the aims of the SPD or the Framework, which seek to ensure there is no detrimental impact on neighbouring properties.

Other Matters

12. A number of concerns are raised, including access during construction, encroachment, maintenance and surface water run-off. These are however private matters, and in some instances are covered by other legislation. There is also no substantive evidence that the proposal would give rise to fire safety concerns, as direct access would be provided to the rear garden.

13. The occupier of No. 72 has referenced the needs of a disabled child, the importance of sunlight and reliance on the outdoor garden to spend time outdoors safely. Disability is a protected characteristic under the Equality Act 2010. Section 149 of the Act sets out the Public Sector Equality Duty. In determining this appeal, I must have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between people who share a protected characteristic and those who do not. Advancing equality of opportunity includes having regard to the need to meet the particular needs of disabled people.

14. I have considered carefully the effect of the proposal on sunlight to the garden of No. 72. As set out above, given the position and scale of the proposed development, any additional shadow arising from the proposal would fall only on the part of the garden nearest the boundary, and for only part of the day. Most of the garden would not be affected by the proposal.

15. As such, I am satisfied that the proposal would not materially reduce the child's opportunity to spend time outdoors in sunlight, and consequently, would not place the child at a particular disadvantage because of their disability. Having due regard to the duty, it does not lead me to a different conclusion on the appeal.

Conditions

16. I have imposed the standard time limit condition and in the interests of certainty, I have also imposed a condition requiring the development to be carried out in accordance with the approved plans.

17. A condition requiring matching materials is necessary in the interests of the character and appearance of the host building and the area.

Conclusion

18. I conclude that the proposal would accord with the development plan as a whole, and there are no other considerations, including the Framework, that indicate that I should take a decision other than in accordance with this. The appeal should therefore be allowed.

F Rafiq

INSPECTOR