

**Application Number** 18/00004/FUL

**Proposal** The removal of 9 existing garages to be replaced with 2 semi-detached houses.

**Site** Land with Garages, Primrose Crescent, Hyde

**Applicant** DAY

**Recommendation** Approve, subject to conditions

**Reason for report** A Speakers Panel decision is required because, in accordance with the Council's Constitution a member of the public has requested the opportunity to address the Panel before a decision is made. Accordingly, the applicant, or their agent, has been given the opportunity to speak also.

## **REPORT**

### **1. APPLICATION DESCRIPTION**

- 1.1 The application seeks full planning permission to demolish and remove existing garages and to redevelop the site to provide a pair of semi-detached houses. The proposed houses would be 2-storey and brick-built, and would utilise the roof space, including rear dormers, to provide additional accommodation. The houses would be gabled at the sides. Both houses would have rear gardens and a small area of private amenity space in front
- 1.2 Each house would be provided with a discrete car parking space within the site.

### **2. SITE & SURROUNDINGS**

- 2.1 The site is located in an established residential area in the Gee Cross area of Hyde. Houses in the locality are typically 2-storey and semi-detached although there are a number of bungalows, both semi-detached and detached, on the approach to the site along Primrose Crescent.
- 2.2 The site slopes from south to north and from west to east. There is currently a row of 9 garages along the site's northern boundary. The garages are wholly dilapidated, many without roofs and in a state of collapse.
- 2.3 Access to the site is taken from a single carriageway track off Primrose Crescent. The site then adjoins the curtilages of neighbouring houses on all four sides with the track passing through a gap between the houses to the east and south. Because of the slopes in the land the houses to the east and south are at a higher level whilst those to the north and west are at a lower level.

### **3. RELEVANT PLANNING POLICIES**

#### **3.1 Tameside Unitary Development Plan (UDP) Allocation**

Unallocated

#### **3.2 Part 1 Policies**

- 1.3: Creating a Cleaner and Greener Environment.
- 1.5: Following the Principles of Sustainable Development.
- 1.12: Ensuring an Accessible, Safe and Healthy Environment.

### 3.3 **Part 2 Policies**

- H2: Unallocated Sites.
- H10: Detailed Design of Housing Developments.
- T1: Highway Improvement and Traffic Management
- T10: Parking
- C1: Townscape and Urban Form.
- MW11: Contaminated Land.

### 3.4 **Other Policies**

Residential Design Supplementary Planning Document.

It is not considered there are any local finance considerations that are material to the application.

### 3.5 **National Planning Policy Framework (NPPF)**

- Achieving sustainable development;
- Section 4. Promoting sustainable transport
- Section 6. Delivering a wide choice of high quality homes
- Section 7. Requiring good design

### 3.6 **Planning Practice Guidance (PPG)**

This is intended to complement the NPPF and to provide a single resource for planning guidance, whilst rationalising and streamlining the material. Almost all previous planning Circulars and advice notes have been cancelled. Specific reference will be made to the PPG or other national advice in the Analysis section of the report, where appropriate.

## 4. **PUBLICITY CARRIED OUT**

- 4.1 The application has been advertised by means of neighbour notification letters dispatched on 26 February 2018 to 22 addresses in Primrose Crescent, Greengate and Paddock Road. Neighbours were re-notified on 31 May 2018 following the plans being amended.

## 5. **RESPONSES FROM CONSULTEES**

- 5.1 The Head of Environmental Services (Highways) has raised no objections to the proposal and has suggested that conditions requiring the provision of parking spaces and a highways survey, and a note regarding postal addresses, be attached to any permission.
- 5.2 The Head of Environmental Services (Public Protection) has no objection to the proposal and suggested that condition a restricting the hours of demolition and construction work be attached to any permission.

5.3 United Utilities has no objection to the proposal, subject to foul water draining to the public sewer and surface water draining in the most sustainable way.

## **6. SUMMARY OF THIRD PARTY RESPONSES RECEIVED**

6.1 Representations were received from 9 neighbours in response to notification of the original proposals. Of these 8 were objections. The reasons given for objecting are:

- the development will result in have an over-bearing impact on existing houses resulting in over-looking and loss of light and privacy and this will be exacerbated by existing houses being at a lower level;
- the development will obscure views from existing houses;
- there is a history of subsidence on the site and this may be exacerbated, and existing garden fences may be undermined, by the development;
- construction vehicles would cause disturbance and damage and likely obstruction due to the narrowness of the access road
- hazards during the demolition of the garages, including asbestos removal, and disturbance during the period of construction
- the removal of the garages will expose the rear gardens of existing houses causing security issues
- that the design of the houses is out-of-keeping with the vernacular; and,
- inadequate parking would be provided leading to increased on-street parking and its attendant hazards.

6.2 One of the neighbours who has objected has requested that a decision on the application be deferred to a subsequent meeting of the Panel so that they can attend and speak in objection.

6.3 The other representation was in support of the proposal which would address the dereliction of the site and contribute to the borough's housing stock.

6.4 Neighbours were re-notified following receipt of the first amended proposals and 7 further representations were received. Of these 6 were objections, 5 being from neighbours who objected previously. The reasons for objecting previously were reiterated and fresh objections regarding:

- the resurfacing of Primrose Crescent following construction work is completed;
- the number of parking spaces having been reduced;
- that the parking spaces would face directly towards windows in a neighbouring bungalow and the disturbance this would cause by headlight glare;
- the height of the proposed houses being out-of-keeping; and,
- that the submitted plans are inaccurate.

## **7. ANALYSIS**

7.1 The issue to be assessed in the determination of this planning application are:

- 1) the principle of the development
- 2) the impact on existing residential amenities
- 3) the design and appearance of the proposed houses
- 4) the residential environment that would be created
- 5) the impact on highways and parking

## **8. PRINCIPLE OF DEVELOPMENT**

8.1 Relating to unallocated land in an established residential area and constituting the redevelopment of a brownfield, or previously-developed site, the proposal is inherently a sustainable development and so the principle is considered acceptable and compliant with the core principles and Section 6 of the NPPF and policy 1.5 of the UDP.

## **9. RESIDENTIAL AMENITY**

- 9.1 In order to provide a level floorplate in the proposed houses land on the site would be excavated and the level generally lowered. According to drawings provided by the applicant, due to these earthworks, the land the new houses would be built on would stand approximately 0.4m higher than the land on which the neighbouring houses to the north (numbers 31 – 33 Primrose Crescent) are built, and approximately 0.8m lower than the land on which the neighbouring house to the south (number 15 Primrose Crescent) is built. The ridge of the roofs of the new houses would then rise for approximately 0.7m above those of the houses to the north and be approximately 0.3m lower than that of the neighbouring house to the south.
- 9.2 There would be a distance of approximately 18m between the gable of the new houses facing towards the rear of the neighbouring houses to the north, and approximately 15m to a 2-storey extension on the rear of number 33 Primrose Crescent. There would be a distance of approximately 24m between the back of the new houses and neighbouring houses at the nearest of the neighbouring houses at the rear in Greengate.
- 9.3 In order to prevent undue over-shadowing and over-looking of neighbouring properties the SPD requires that minimum distances, measured from habitable room windows, be maintained. Whilst there are habitable room windows that would face towards the new houses in the rear of the neighbouring houses to the north there are none in the neighbouring houses to the south or in Greengate to the west, nor would there be any in the side of the new house facing towards the neighbours to the north.
- 9.4 The SPD requires that a minimum distance of 14m be maintained between habitable room windows and a 2-storey wall containing no habitable room windows. This distance increases by 3m for every additional storey. Although utilising the roofspace to provide accommodation, the proposed new houses would be 2-storey. The separation distance of approximately 18m from the rear of the neighbouring houses to the north is therefore considered adequate to prevent any undue over-looking or over-shadowing of these neighbours and compliant with UDP policy H10 (d) and SPD policy RD5.

## **10. DESIGN AND APPEARANCE**

10.1 There is no distinct vernacular beyond the nearby buildings being predominantly 2-storey, although there are bungalows also, and brick-built. The proposed houses would be of a traditional design and appearance, and would be brick-built with tiled roofs, which would not appear out-of-keeping the setting within the established residential area. The dormers would be situated centrally within the roof plane and other windows would be constructed with heads and sills. The proposed houses would not appear out-of-keeping in their setting within the established residential area and so, not causing undue harm to the local area, the proposal is considered acceptable in terms of the details and compliant with: Sections 6 and 7 of the NPPF; policies H9 (d), H10 (a) and C1 of the UDP: and, policy RD2 of the SPD.

## **11. RESIDENTIAL ENVIRONMENT CREATED**

11.1 The proposed layout provides for an adequate garden for both of the new houses and with a useable internal area each of approximately 98sqm provides adequate living space. In these respects it is considered that the proposal is acceptable and compliant with policy H10 (a) of the UDP and RD18 of the SPD.

## **12. HIGHWAYS AND PARKING**

12.1 One discrete parking space is proposed for each of the houses. The highway terminates immediately in front of the houses would so serves no others and any on-street parking that may ensue here would not impact on existing householders.

12.2 There would be a distance of approximately 32m between the new parking spaces and the facing bungalows. The parking spaces would not face directly towards the bungalows and there would be the garage of a neighbouring house at least partially in between. It is therefore considered that any headlight glare would not be unduly intrusive.

12.3 Having been consulted on the application the Head of Environmental Services (Highways) has raised no objection and so in these circumstances it is considered that the impact on the local highway network would not be severely detrimental and so the proposal is compliant with Section 4 of NPPF and policies H10 (b), T1 and T10 of the UDP.

## **13. OTHER ISSUES**

13.1 With regard to the other issues raised by objectors:-

- Views from existing houses are not safeguarded and, given that the proposed development satisfies the required spacing standards, not a material consideration in determining the application;
- No evidence has been presented to substantiate that there is a history of subsidence on the site and this is not in an area known to be affected by a legacy of mining. Any undermining of existing structures would be a civil matter that would have to be resolved by the parties concerned.
- Whilst there is bound to be some disturbance during the period of demolition and construction the removal of hazardous substances, if there are any, is controlled by other

legislative requirements, and it is recommended that any permission be conditional, among other things, upon a restriction on the hours of work so as to provide a reasonable safeguard against disturbance.

- Any obstruction of the public highway and its making good should any damage occur during the period of construction are again matters governed by other legislative requirements and so not material to the consideration of the application.
- despite the loss of the garages, which provide some physical barrier to the rear gardens of neighbouring houses, the introduction of an active use with appropriate boundary treatments will likely improve security.
- So far as can be ascertained, the submitted plans are accurate where these appertain to the proposed development.

## **14. CONCLUSION**

- 14.1 Without impinging unduly on any existing amenities, it is considered that the proposed development would not result in a cramped built environment but rather provide new dwellings that are well integrated with neighbours and constitutes a sustainable development that conforms to the relevant requirements of the Residential Design SPD, the UDP and the NPPF. The recommendation is therefore for approval.

## **15. RECOMMENDATION**

Grant planning permission subject to the following conditions:

1. The development must begin not later than the expiration of three years beginning with the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

the Location Plan, ref. AL-03-001 A, received on 17.04.2018;

the Proposed Elevations, ref. AE-20-001 B, received on 24.05.2018

the Site Plan, ref. AL-20-001 B, and Proposed Floorplans, ref. AL-20-002 B, received on 15.06.2018; and

the Site Sections, ref. AS-20-001 C, received on 08.06.2018.

3. Development shall not commence until the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority.
  - i) A preliminary risk assessment to determine the potential for the site to be contaminated shall be undertaken and approved by the Local Planning Authority. Prior to any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration.
  - ii) Where necessary a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment shall be approved by the Local Planning Authority prior to implementation.

- iii) Any additional or unforeseen contamination encountered during development shall be notified to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this approved by the Local Planning Authority.
- iv) Upon completion of any approved remediation schemes, and prior to occupation, a completion report demonstrating that the scheme has been appropriately implemented and the site is suitable for its intended end use shall be approved in writing by the Local Planning Authority.

The discharge of this planning condition will be given in writing by the Local Planning Authority on completion of the development and once all information specified within this condition and other requested information have been provided to the satisfaction of the Local Planning Authority and occupation/use of the development shall not commence until this time, unless otherwise agreed by the Local Planning Authority.

4. No development shall take place unless and until full details of the treatments to the site's boundaries have been submitted to, and approved in writing by, the local planning authority. The development shall then be implemented in accordance with such approval.
5. Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and/or a full specification of materials to be used externally on the building and in the construction of all external hard-surfaced areas have been submitted to, and approved in writing by, the local planning authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.
6. During demolition and construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.
7. The car parking facilities indicated on the approved plan, ref. AL-20-001 B, shall be provided prior to the first occupation of the development hereby approved and thereafter be kept available for the intended purpose at all times.
8. The boundary treatments indicated in the approved plan, ref. SK003 A, shall be provided prior to the first occupation of the development hereby approved.
9. All windows and external doors in the dwellinghouse hereby approved shall be constructed with reveals, or recesses, to a depth of at least 90mm
10. The site shall be drained on a separate system, with only foul drainage connected into the foul sewer. No development shall commence until full details of the means by which the external hard-surfaced areas shall be drained of surface water have been submitted to, and approved in writing by, the local planning authority. The development shall then be implemented in accordance with the approved details.