

Application Number:	22/00433/FUL
Proposal:	Proposed upper level side patio and external steps and other external alterations including render to front and side elevation, new windows to the front elevation and landscaping works (re-submission further to 21/01204/FUL) (part-retrospective).
Site:	21 Richmond Crescent, Mossley, OL5 9LQ
Applicant:	Mr Doug Kenney
Recommendation:	Refuse planning permission.
Reason for Report:	A Speakers Panel decision has been requested by a Member of the Council.
Background Papers:	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

1. SITE & SURROUNDINGS

- 1.1 The application relates to 21 Richmond Crescent, a semi-detached bungalow sited within an established residential area within Mossley. The application property is built in a rustic red brick with a tiled gable roof and a sandstone clad stepped-out feature to the front elevation. The property is located in a raised position on a corner plot and forms part of a row of similar and equally spaced semi-detached bungalow properties. The original character of the street remains relatively intact with consistent scale and massing. As a result of its position, both the front and side elevations are visible from the public realm. To the north-facing side elevation there is an existing pitched gable single storey side extension. The original sloping garden has been excavated, exposing the brick foundations of the bungalow.
- 1.2 The application property is adjoined to no.23 Richmond Crescent to the south and shares a side boundary with no.19 Richmond Crescent to the north-east. The rear boundary is shared with no.17 Richmond Crescent.

2. PROPOSAL

- 2.1 The application seeks part-retrospective planning permission for a raised patio to the side of the property with associated external steps, new render to front and side elevations, new windows to the front elevation and landscaping works to the front and side of the property.

3. PLANNING HISTORY

- 3.1 82/01256/FUL Garage and Bedroom Extension – Approved 27.10.1982
- 3.2 12/01000/FUL Installation of windows in gable and excavation of front garden - RETROSPECTIVE and proposed verandah, erection of post and panel fencing and laying of paving at front of house – Approved 21.12.2012

4. PLANNING POLICY

National Planning Policy Framework

- 4.1 Paragraph 9 of the National Planning Policy Framework (NPPF) states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.
- 4.2 Paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay (as per section 38(6) of the Planning and Compulsory Purchase Act 2004). However, where the development plan is absent, silent or out of date, planning permission should be granted unless the application of policies in the NPPF that protects areas or assets of particular importance, provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 4.3 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.
- 4.4 The National Planning Policy Framework states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve, specifying within section 12 that good design is a key aspect of sustainable development. Consequently, it is stated that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design
- 4.5 **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.

Development Plan

The adopted development plan is the Tameside Unitary Development Plan (2004) and the Greater Manchester Joint Waste Development Plan Document (2012).

Tameside Unitary Development Plan (2004)

4.6 **Tameside Unitary Development Plan (UDP) Allocation**

4.7 Unallocated, within the Mossley Ward

4.8 **Part 1 Policies:**

- 1.3: Creating a Cleaner and Greener Environment;
- 1.5: Following the Principles of Sustainable Development

4.9 **Part 2 Policies:**

- H10: Detailed Design of Housing Developments
- C1: Townscape and Urban Form

Supplementary Planning Documents

Residential Design Guide Supplementary Planning Document:

- RED1: Acknowledge Character

Other Relevant Policies

4.10 National Design Guide (2021)

Illustrates how well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

Places for Everyone

4.11 The Places for Everyone Joint Development Plan Document was published in August 2021. It was submitted to the Secretary of State in February 2022 and inspectors are appointed to carry out an independent examination. It is a joint plan covering nine of the ten Greater Manchester districts, including Tameside, and is intended to provide the overarching framework to strategically manage growth across the boroughs.

4.12 Paragraph 48 in the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to: the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight may be given); the extent to which there are unresolved objections (the less significant, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

4.13 Whilst Places for Everyone has been published and submitted, a number of representations have been received objecting to policies, and so in accordance with paragraph 48 of the NPPF, only very limited weight can be given to those policies at this time.

Other Considerations

4.14 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in regard to respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.

4.15 The application has been considered in accordance with the Tameside One Equality Scheme (2018-22), which seeks to prevent unlawful discrimination, promote equality of opportunity and good relations between people in a diverse community. In this case the proposed development is not anticipated to have any potential impact from an equality perspective.

5. PUBLICITY CARRIED OUT

5.1 In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and the Tameside Statement of Community Involvement, the adjoining owner or occupiers were notified of the proposed development by neighbour notification letters.

6. SUMMARY OF THIRD PARTY RESPONSES

6.1 There have been 27 letters of support in relation to the proposal, including a response from Mossley Town Council and a call in request from Councillor Stephen Homer.

The letters of support received have been summarised below:

- The proposal improves the appearance of the property in contrast to the pre-existing situation

- The proposed development is aesthetically pleasing and enhances the appearance of the property
- No objection to the new windows to the lower ground floor level

Other Matters:

- Drainage
- Will add value to the property and other properties on the street will benefit from this

7. RESPONSES FROM CONSULTEES

7.1 None received.

8. ANALYSIS

8.1 The main issues to consider in the determination of this application are:

- The principle of the development;
- Design and local character;
- Residential amenity;
- Other matters.

9. PRINCIPLE

9.1 The site is unallocated, is a residential property and a proposed extension to the property would maintain the residential intensity of the site and subject to design/ amenity considerations, as outlined below. The proposal is therefore acceptable in principle subject to both design and amenity.

10. DESIGN AND APPEARANCE

10.1 Policies C1 and H10 of the Tameside Unitary Development Plan (UDP) state proposals should respect the nature of surrounding fabric and relationship between buildings and that housing developments should be of high quality, complementing and enhancing the character and appearance of the surrounding area.

10.2 Policy RED1 of the Residential Design SPD requires that proposals should apply an architectural style that reflects the existing dwelling and surrounding area and should not alter the scale and mass of the existing dwelling.

10.3 Officers consider the proposed raised terrace and associated external steps to be of a size and scale that is acceptable and a subordinate addition to the plot to which the application property is set and are not expected to cause undue impacts on the street scene.

10.4 The proposed stone-coloured rendering of the part front and part side elevation will not detract from the character of the property itself, nor the wider area and is therefore considered to be acceptable in accordance with SPD Policy RED1.

10.5 The Council acknowledges that a basement level of the property has been established and approved by the previous planning application under reference 12/01000/FUL. Notwithstanding this, we now have an application before us, which proposes external alterations, which will affect the character and appearance of the local area.

- 10.6 The street scene in this location of Richmond Crescent is characterised by semi-detached bungalow dwellings of a similar appearance. The addition of windows to the principle elevation at the lower ground floor level would be an unduly dominant addition to the application property, with the new windows perceived as an additional storey to the bungalow dwelling. The prominent positioning of the application property, which is sited on a corner-plot and raised from the street level, exacerbates the harm from the proposed development.
- 10.7 Moreover, the form and scale of the new windows fails to have regard to the existing style of fenestration, contributing on the whole towards the incongruent appearance of the scheme.
- 10.8 The proposal as presented would not harmonise with, respect or reference any other property within the locality or surrounding area and would appear as an insubordinate and incongruous feature. The extensions/alterations would cumulatively serve to unbalance the semi-detached pair and the scheme would be harmful to and detract from the character and appearance of the existing street scene.
- 10.9 For the aforementioned reasons, the proposed overall development would be out of keeping and visually jarring when taking into account the predominantly single storey, uniform appearance of the properties along Richmond Crescent. Overall, the proposed additions and alterations to the application property are unacceptable, failing to comply with UDP Policies C1, H10 and SPD Policy RED1.

11. RESIDENTIAL AMENITY

- 11.1 Paragraph 130 (f) of the NPPF seeks to secure a high standard of amenity for all existing and future occupants.
- 11.2 Locally, the adopted Tameside UDP Policy H10 requires that any development, including extensions, should not have unacceptable impacts on the amenity of neighbouring properties through loss of privacy nor overshadowing.
- 11.3 In addition, Tameside Residential Design Supplementary Planning Document (March 2010) (the SPD) contains specific standards and guidelines for different development types to ensure that no undue amenity impacts are caused to the occupiers of neighbouring properties. Policy RED2 establishes guidelines for sunlight distances; in order to ensure that developments do not cause unacceptable overshadowing or loss of natural light, minimum distance allowances have been implemented between new developments and existing properties.
- 11.4 It is considered that the proposals would not contribute to any undue impacts to the occupants of neighbouring properties in terms of overlooking/loss of privacy, overbearing impact, loss of light/overshadowing and is therefore acceptable in amenity terms.
- 11.5 In light of the above, the proposed scheme is deemed to meet the standards and guidelines set out under the SPD Policy RED2 and Policy H10 of the adopted Tameside UDP and the NPPF.

12. OTHER MATTERS

- 12.1 It is noted that 27 letters of support have been received in relation to the proposal. The letters of support primarily raise the issue of a bringing the dwelling back into use, however this is not a material planning consideration in the assessment of the application.

13. CONCLUSION

13.1 To conclude, it is considered the proposal would conflict with Policies C1 and H10 of the Tameside Unitary Development Plan and Policy RED1 of the Tameside Residential Design Supplementary Planning Document. The application is therefore recommended for refusal.

RECOMMENDATION

REFUSE planning permission for the following reason:

1. The proposed overall development would be out of keeping and visually jarring when taking into account the predominantly single storey, uniform appearance of the properties along Richmond Crescent, harming the character and appearance of the host property and semi-detached pair. Overall, the proposed additions and alterations to the application property are unacceptable, failing to comply with UDP Policies C1, H10 and SPD Policy RED1.