

Application Number:	22/00380/FUL
Proposal:	First floor side and ground floor rear extension.
Site:	22 Churchbank, Stalybridge, SK15 2QJ
Applicant:	Mr & Mrs Keyzer
Recommendation:	Grant planning permission, subject to conditions.
Reason for Report:	The applicant is an employee of Tameside 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 22 Churchbank, a two storey detached dwelling within Stalybridge. Churchbank is a suburban residential cul-de-sac comprising of both detached and semi-detached properties of a similar appearance. The application property is brick built with a gable roof above and features a canopy roof to the front elevation. To the first floor level there is a bay window with cross gable feature above. The application property benefits from an existing single storey attached garage to the side elevation. There is a garden and the provision for the parking of one vehicle to the front of the application property.
- 1.2 The application property shares a boundary with no.23 Churchbank to the south-west and no.21 Churchbank to the north-east. The rear boundary is shared with the rear gardens of properties on Breckland Close.

2. PROPOSAL

- 2.1 The application seeks planning permission for a first floor side extension above the existing garage and a single storey extension to the rear of the property.
- 2.2 The proposed first floor side extension projects approximately 3.3m from the existing side gable, in line with the existing garage below and flush with the front elevation at the first floor level. The proposed first floor side extension is approximately 8.4m in length. There are windows proposed to the front and rear elevations. The extension proposes a gable roof to match that on the existing property.
- 2.3 The single-storey rear extension projects approximately 2.2m from the existing rear wall and has a width of approximately 8m. The maximum height of the proposed single storey rear extension is approximately 3.7m and the height of the eaves is approximately 2.7m.
- 2.4 In order to address concerns regarding scale and mass new drawings were submitted by the agent on 11 May 2022, removing a forward facing bay window to the proposed first floor side extension.

3. PLANNING HISTORY

- 3.1 There is no relevant planning history relating to the application site.

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 **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)

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

4.6 Unallocated, within the Stalybridge South Ward

4.7 **Part 1 Policies:**

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

4.8 **Part 2 Policies:**

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

Supplementary Planning Document

Residential Design Guide Supplementary Planning Document:

- RED1: Acknowledge Character
- RED2: Minimum Privacy and Sunlight Distances
- RED3: Size of Rear Extensions
- RED4: Design of Rear Extensions
- RED5: Design of Side Extensions
- RED12: Car Parking and Access

Other relevant policies

4.9 **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

- 4.10 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.
- 4.11 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).
- 4.12 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

- 4.13 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a persons rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in relation 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.
- 4.14 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.
- Neighbour notification letters were sent to 6 addresses

6. SUMMARY OF THIRD PARTY RESPONSES

- 6.1 None.

7. RESPONSES FROM CONSULTEES

- 7.1 None.

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 (Highway Safety)

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. Policy RED4 of the Residential Design Guide states that extensions to the rear of a house must not dominate the host dwelling, align in terms of scale and mass and that roof styles should align with the host dwelling. With regard to side extensions, Policy RED5 states that side extensions should be setback by a minimum of 1m at upper floors or 0.5m over both ground and upper floors. This will help to reduce a terracing effect and ensure existing scale and mass is retained; in some cases a greater setback may be required to maintain an acceptable mass. RED5 goes on to state that extensions should be setback 1m from the side boundary to help prevent a terracing effect and ensure front to rear access is retained, and that extensions must align with their surroundings in terms of mass and scale.

10.3 Given the non-excessive scale and size of the single-storey rear extension, officers are of the view that the development will be a subordinate addition to the existing property and would not unacceptably alter the scale and massing of the main dwelling, compliant with Policies RED1 and RED4 of the SPD in this regard. The extension will be constructed with matching materials with matching roof and fenestration detailing and so will represent a complimentary addition to the main dwelling.

10.4 The proposed first floor side extension will be constructed above the existing single-storey garage and will be a relatively significant addition to the host dwelling, with a continuous roof form and first floor front elevation flush with the host dwelling's first floor front elevation.

10.5 Although the proposed extension will not be set-back from the existing front elevation with regard to SPD Policy RED5, the significance of the addition is mitigated by the continuation of the canopy/ground floor outrigger, which gives the appearance of the entire first floor being setback. Furthermore, a retained first floor bay window feature with gable roof above represents the main architectural feature of the house and further lessens the significance of the proposed first floor side extension.

10.6 Officers are of the view that the proposed first floor side extension will be a subordinate addition to the application property overall and would not unacceptably alter the scale and

massing of the host dwelling. The proposed first floor side extension will be constructed from matching materials with a gable roof above and matching fenestration detailing and so will represent a complimentary addition to the main dwelling.

- 10.7 Overall, the proposed single storey rear extension is deemed acceptable, having regard to the standards and guidelines set out under SPD Policies RED1, RED4 and RED5, Policies C1 and H10 of the adopted Tameside UDP and the NPPF.

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 privacy and sunlight distances; in order to ensure that developments do not cause unacceptable overshadowing, loss of natural light, or reduce privacy to neighbouring properties, minimum distance allowances have been implemented between new extensions and existing properties. Policy RED3 of the SPD states that if rear extensions are badly designed, it can result in overshadowing, loss of privacy and/or a reduced outlook for neighbouring properties and their inhabitants. In order to avoid such issues, the Council will limit the size of extensions using a 60-degree angle line rule. If a neighbour has an existing extension and this is the nearest habitable room window, the rule should be applied from the extension. The proposed development complies with the 60-degree angle requirement in respect of RED3 and the separation distance requirement in respect of RED2.
- 11.4 The single-storey rear extension projects approximately 2.2m from the rear elevation of the application property. Given that both neighbouring nos 21 and 23 Churchbank have a single storey rear extensions, this projection is acceptable and complies with the requisite 60-degree rule, as found under SPD Policy RED3.
- 11.5 The window to the gable elevation of no.23 Churchbank is noted, however, this window is understood to serve a non-habitable room (bathroom). No undue harm to the amenity of neighbouring occupants by virtue of loss of light, outlook or privacy is anticipated.
- 11.6 The proposed first floor side extension will have a window facing towards the side elevations of the adjacent neighbouring property, no.23 Churchbank. This window shall be conditioned to be obscure glazed and non-opening to ensure that the neighbouring residents are not overlooked. As such, it would not be expected that an unacceptable situation in terms of overlooking/loss of privacy would be created in this instance.
- 11.7 In light of the above, the proposed rear extension is deemed to meet the standards and guidelines set out under the SPD Policies RED2 and Policy H10 of the adopted Tameside UDP and the NPPF.

12. OTHER MATTERS (HIGHWAY SAFETY)

- 12.1 Whilst it is acknowledged that the decreased dimensions of the proposed integral garage would not be compliant with SPD Policy RED12, there is sufficient space for the parking of

one vehicle to the driveway at the front of the property, which would be unaffected by the proposed scheme. Furthermore, there is sufficient space for parking on the surrounding streets; therefore, it is not considered that the impact on the public highway would be severe as a result of proposed development, in accordance with paragraph 111 of the NPPF.

13. CONCLUSION

- 13.1 To conclude, the proposed first floor side extension and single-storey rear extension would not have a negative impact on the character and appearance of the existing dwelling and surrounding area. In addition, the proposed extensions would not significantly harm the outlook or result in overshadowing, loss of privacy or a loss of light to the surrounding neighbours. For the aforementioned reasons it considered that the application is in accordance with the revised NPPF, UDP policies 1.3, C1 and H10 together with the Councils adopted Residential Design SPD Policies RED1, RED2, RED3, RED4 and RED5 and is therefore recommended for approval.
- 13.2 The proposed first floor side extension and single-storey rear extension are considered to be sustainable development under the terms of the NPPF, whilst also complying with relevant policies of the Tameside Unitary Development Plan, as well as meeting the standards and guidelines set out in the Tameside Residential Design Supplementary Planning Document.

RECOMMENDATION

GRANT planning permission subject to the following conditions:

1. The development hereby permitted must begin before the expiration of 3 years from the date of this permission.

Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in full accordance with the following amended plans/details:

021/SCB/P1 Rev A Existing and Proposed Plans and Elevations (Received by the Council 11 May 2022)

Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policies and relevant national Planning Guidance (Policies RED1, RED2, RED3, RED4 and RED5 of the Tameside Residential Design SPD; Policies C1 and H10 of the Tameside UDP).

3. The external materials shall match those used in the existing building.

Reason: In the interests of the visual amenities of the locality, in accordance with UDP Policy C1: Townscape and Urban Form.

4. The window to the south-west facing side elevation at first floor, serving a bedroom shall be non-opening and at all times be fitted with obscure glass and retained as such thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of obscurity, or such equivalent as may be agreed in writing by the local planning authority.

Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential property and in accordance with UDP policy H10: Detailed Design of Housing Developments