

Application Number:	22/00836/FUL
Proposal:	First floor side extension.
Site:	28 Angel Close, Dukinfield, SK16 4XA
Applicant:	Mr & Mrs Dawson
Recommendation:	Grant planning permission, subject to conditions.
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 a two storey, semi-detached dormer bungalow sited within the cul-de-sac of Angel Close, Dukinfield. The application property is brick-built with a gable roof above and benefits from an existing single storey side extension and detached garage to the rear. There are gardens to both the front and rear with off-street parking to the side.
- 1.2 Angel Close is a suburban minor street comprising of a mixture of both detached and semi-detached dwellings. No.29 Angel Close adjoins the application property to the north, with the common boundary shared with the front gardens of nos 26 and 27 Angel Close adjacent to the west. The rear boundary is shared with Dukinfield Cricket Club, allocated as Protected Green Space within the Tameside UDP.

2. PROPOSAL

- 2.1 The application seeks planning permission for the erection of a first floor side extension and a porch extension to the front elevation.
- 2.2 The first floor side extension will be constructed above the existing single storey side extension.
- 2.3 The first floor side extension has a width of approximately 3.6m and a length of approximately 7.3m. The proposed extension has a pitched roof with a total height of approximately 7.1m and an eaves height of approximately 3.4m. Flat roof dormers are proposed to both the front and rear of the extension, with both dormers projecting approximately 1.7m front the roof slope of the proposed side extension. Windows are proposed to the front and rear and the extension.
- 2.4 The proposed porch extension matches that approved as part of a previous application under reference 22/00374/FUL, projecting approximately 1.8m from the existing front wall and with a width of approximately 2.3m. The porch has a gable roof above with a total height of 3.4m and an eaves height of approximately 2.9m.

3. PLANNING HISTORY

- 3.1 22/00374/FUL New off road parking to front, front porch and single storey rear extension – Granted 6 June 2022

- 3.2 03/00151/FUL Proposed conservatory to rear – Granted 9 April 2003
- 3.3 93/00662/FUL Erection of single storey extension on side elevation – Granted 5 July 1993

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 **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)

- 4.5 **Tameside Unitary Development Plan (UDP) Allocation**
- 4.6 Unallocated, within the Ashton Waterloo 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 Documents

Residential Design Guide Supplementary Planning Document:

- RED1: Acknowledge Character
- RED2: Minimum Privacy and Sunlight Distances
- RED3: Size of Rear Extensions
- RED5: Design of Side Extensions
- RED6: Design of Dormers
- RED9: Front Extensions

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.

4.10 **Places for Everyone**

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.

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).

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.

4.11 **Other Considerations**

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 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.

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 letter. A site notice was also displayed.

6. **SUMMARY OF THIRD PARTY RESPONSES**

- 6.1 In response to the neighbour notification letters, there have been 3 representations received, two of which are from the same household one and including one call in request from Councillor Taylor. The following concerns have been raised within individual objection letters, which are summarised as follows:

Design issues:

- Development too big
- Visual amenity

Amenity issues:

- Impact on privacy, overlooking overshadowing and loss of light

Other matters:

- Noise and hours of operation
- Concerns regarding access due to site traffic

7. RESPONSES FROM CONSULTEES

- 7.1 No consultees were consulted on this application.

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 and
 - Residential amenity.

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 Guide Supplementary Planning Document 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 RED5 states that side extensions must align with their surroundings in terms of mass and scale and should be setback by a minimum of 1m at upper floors or 0.5m over both ground and upper floors in order to reduce a terracing effect and ensure existing scale and mass is retained; in some cases a greater setback is required to maintain an acceptable mass. Dormers to a property frontage will only be considered where the standards and guidelines of SPD Policy RED6 are met. Policy RED6 states that dormers must not:
- Detract from the character of the street / surrounding area;
 - Set an unwanted precedent;

- Fail to complement the existing roof scape of the surrounding area;
- Fail to align with the architectural style of the host dwelling and/or surroundings.

Policy RED9 sets out detailed principles for front extensions, acknowledging that they must not disrupt the existing building line, align with the architectural style of the property and surrounding area and so are not detracting, inappropriately proportioned, and does not impact on the neighbours outlook or natural light.

- 10.3 The application property is an existing dormer bungalow. The street scene along Angel Close is characterised by similar detached dwellings and pairs of semi-detached dormer bungalows. The proposed side extension is to be constructed above an existing single storey side extension, incorporating dormer extensions to both the front and rear of the proposed extension.
- 10.4 The proposed side extension is set back from the main front elevation of the existing house by approximately 200mm with the roof of the proposed extension set down from the main roof ridge, clearly identifying the proposed extension as a new addition to the host dwelling.
- 10.5 Although the set back of the proposed extension will not meet the requirements set out in SPD Policy RED5, the extension will not create a terracing effect in this instance due to the siting and orientation of the application property in relation to neighbouring properties, nos 26 and 27.
- 10.6 The use of a gable roof is an appropriate roof type, complementing the existing gable roof to the host dwelling. Proposed materials and fenestration are to match the existing throughout, which is suitable and reduces any impact the first floor side extension would have on the character and appearance of the host dwelling and the surrounding area.
- 10.7 Dormers are not encouraged at a property's frontage. They may be considered acceptable if they meet standards and guidelines as set out under SPD Policy RED6
- 10.8 The precedent of front and rear roof dormers already exists in the surrounding area, with dormer bungalows defining the character of Angel Close. As such, the dormers proposed to the front and rear of the first floor side extension would reflect the roof scape of the surrounding area.
- 10.9 The design of the front and rear dormers is acceptable, stepped back from the front eaves of the application property and in from the side of the roof plane. The overall height of the dormers is lower than the ridge height of the application property.
- 10.10 The proposed dormers to the front and rear mirror the architectural style of the dwelling and surrounding area, do not take up an unacceptable proportion of the front, nor the rear roof slope and are to be built with materials and fenestration that align with that of the existing dwelling. As such, the proposed dormers are acceptable on balance.
- 10.11 The proposed front porch extension would not disrupt the row of properties on Angel Close, given they are sited in a staggered form. Given its modest size/scale, the front porch would not dominate the building's façade. Further, there are several examples of front porch extension in the surrounding area. For these reasons, the proposed porch is not considered out of character or appearance within its context, in line with SPD policy RED9.
- 10.12 Overall, the proposed additions/alterations to the application property are considered to be acceptable, complying where appropriate with SPD Policies RED1, RED5, RED6 and RED9 and 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. If a neighbour has an existing extension and this is the nearest habitable room window, the rule should be applied from the extension.
- 11.4 The Council acknowledges the concerns/objections that have been raised by neighbouring residents.
- 11.5 The first floor side extension adjacent to the boundary shared with neighbouring properties, nos 26 and 27 Angel Close projects approximately 3.6m from the existing sidewall with a total height of approximately 7.1m and an eaves height of approximately 3.4m. Windows are proposed to both the front and rear.
- 11.6 In respect of SPD Policy RED2, the distance between neighbouring properties, nos 26 and 27 and the sidewall of the proposed extension meets the requisite separation distance as outlined within RED2.
- 11.7 The ground floor window to the front elevation of the existing side extension of the neighbouring property, no.27 Angel Close is noted and is understood to serve a habitable room (bedroom).
- 11.8 Due to the orientation of the application property in relation to neighbouring property, no.27 Angel Close, SPD Policy RED2 requires a separation distance of 7m between the rear facing opening of the proposed first floor side extension and the window of the nearest habitable room within the existing side extension of no.27. It is noted that the separation distance between the rear facing opening of the proposed extension and the nearest habitable room window of no.27 is in excess of 16m, thereby complying with SPD Policy RED2.
- 11.9 For the aforementioned reasons, the proposed first floor side extension would not be expected to significantly harm the outlook from neighbouring occupiers, or result in a loss of privacy, outlook or natural light.
- 11.10 Owing to the small scale and size of the front porch, Officers are satisfied that the proposal would not cause undue harm to the amenities of the neighbouring residents and would be compliant with policies RED2 of the SPD.
- 11.11 The proposed windows/openings meet separation distances as outlined in Policy RED2 and the proposed extensions/alterations are not expected to cause undue harm to the amenities of the neighbouring residents.
- 11.12 In light of the above, the proposal is deemed acceptable, having regard to the standards and guidelines set out under SPD Policy RED2 and Policy H10 of the adopted Tameside UDP and the NPPF.

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:
2022-003-001 Plans and Elevations as Existing and Location Plan (received by the Council 15 August 2022)
2022-003-002 Plans and Elevations as Proposed and Block Plan (received by the Council 15 August 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, RED5, RED6 and RED9 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.