

**Application No:** 17/00921/FUL

**Proposal:** Amendment to House Type 1 (alterations to fenestration and re-positioning of chimney) and House Type 2 (alterations to first floor accommodation and detached garages to Plots 1 & 2 repositioned) approved under planning permission ref. 13/00199/FUL

**Site:** Land to the rear of 243-245 Mottram Road, Stalybridge

**Applicant:** Strategic Team Group, Strategic Business Centre, Glass Houghton

**Recommendation:** Grant Planning permission subject to conditions

**Reason for report:** Councillor Doreen Dickinson has requested that the application be determined by Members of the Speakers Panel (Planning) on behalf of a local resident who is concerned regarding the impact of the development on the residential amenity of the neighbouring property at no.1 Inglewood Hollow.

## **REPORT**

### **1. APPLICATION DESCRIPTION**

- 1.1 The applicant seeks planning permission to amend the sizes of the dwellings at plots 3 and 4 (extending the first floor accommodation over the integral garage), the details of the elevations of the house types and the location of the detached garages associated with plots 1 and 2 within the development approved under planning application reference 99/P/0828/FL (and renewed by subsequent applications, with the last being 13/00199/FUL.)

### **2. SITE AND SURROUNDINGS**

- 2.1 The application site is the curtilage of 245 and land to the rear of 243-245 Mottram Road in Stalybridge. The neighbouring properties on Inglewood Hollow are located to the south east. No. 243 Mottram Road is located on the main road frontage to the north west, the property at 239b also abuts that boundary of the site, adjacent to the north western corner of the site. A dense area of trees is located beyond the north eastern boundary of the site.

### **3. PLANNING HISTORY**

- 3.1 13/00199/FUL - Application to extend time limit for erection of 4 No. four-bed houses (application No. 09/01108/FUL) – approved 13.05.2013
- 3.2 09/01108/FUL - Application to extend time limit for erection of 4 no 4 bed detached houses approved under planning ref. 04/01846/FUL - Approved 01.04.2010
- 3.3 04/01846/FUL - Renewal of planning application 99/P/0828/FL for the erection of 4 detached houses - Approved 02.02.2005
- 3.4 99/P/0828/FL - Erection of 4no. detached dwelling houses. - Approved 23.02.2000

### **4. RELEVANT PLANNING POLICIES**

- 4.1 National Planning Policy Framework (NPPF)

4.2 Planning Practice Guidance (PPG)

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

Unallocated, within the settlement of Stalybridge

4.4 **Part 1 Policies**

1.3: Creating a Cleaner and Greener Environment.

1.4: Providing More Choice and Quality Homes.

1.5: Following the Principles of Sustainable Development

1.10 Protecting and Enhancing the Natural Environment

1.12: Ensuring an Accessible, Safe and Healthy Environment

4.5 **Part 2 Policies**

H2: Unallocated Sites

H4: Type, size and affordability of dwellings

H10: Detailed Design of Housing Developments

T1: Highway Improvement and Traffic Management

T10: Parking

C1: Townscape and Urban Form

N4: Trees and Woodland

N5: Trees Within Development Sites

MW11: Contaminated Land

4.6 **Other Policies**

Greater Manchester Spatial Framework - Publication Draft October 2016;  
Residential Design Supplementary Planning Document; and,  
Trees and Landscaping on Development Sites SPD adopted in March 2007.

4.7 **National Planning Policy Framework (NPPF)**

Section 1 Delivering sustainable development

Section 6 Delivering a wide choice of high quality homes

Section 7 Requiring good design

Section 8 Promoting healthy communities

Section 11: Conserving and enhancing the natural environment

4.8 **Planning Practice Guidance (PPG)**

4.9 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.

**5. PUBLICITY CARRIED OUT**

5.1 Neighbour notification letters were issued in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement.

## **6. RESPONSES FROM CONSULTEES**

- 6.1 Local Highway Authority – no objections raised.
- 6.2 Borough Environmental Health Officer (EHO) - no objections raised.
- 6.3 Borough Tree Officer – no objections raised.
- 6.4 Greater Manchester Ecology Unit (GMEU) – no objections, subject to the imposition of conditions.

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

- 7.1 Councillor Doreen Dickinson has requested that the application be determined at Planning Committee due to the concerns of the occupants of the property at 1 Inglewood Hollow (south east of the site) in relation to the impact of the proposed changes to plot 4 on the residential amenity of their property.
- 7.2 2 letters of objection from neighbouring residents have been received, raising the following concerns (summarised):
  - There is a huge difference in ground levels between the proposed site and 239b Mottram Road. The proposals to bring the garage at plot 2 so close to the boundary would mean the current open aspect from that neighbouring property would be reduced to overlook proposed towering brick wall.
  - The neighbouring property at 1 Inglewood Hollow is a bungalow. The proposal includes extending the side gable of the property at plot 4 towards the common boundary and the result would be two storey development within close proximity of that neighbouring property. There are windows serving a bathroom, dining-kitchen and lounge on the corresponding elevation of the neighbouring property. These windows would be overshadowed by the proposed development.

## **8. ANALYSIS**

8.1 In accordance with the NPPF and Tameside UDP policies H2 and H10, the main issues raised by the application relate to the following:

- The principle of development;
- Impact on residential amenity;
- Impact on the character and appearance of the surrounding area;

8.2 The above matters are considered in more detail below.

## **9. PRINCIPLE OF DEVELOPMENT**

9.1 The principle of development of the site for 4 dwellings has been established under the 1999 planning permission and the subsequent extensions of time to implement that permission. That planning permission has been implemented and therefore the principle of development has been established and is not being revisited in the determination of this planning application.

## 10. RESIDENTIAL AMENITY

- 10.1 The NPPF outlines the importance of planning in securing good standards of amenity for future and existing occupiers of land and buildings. Saved UDP Policy H10 seeks to ensure that new development does not result in any detrimental impact on the residential amenities of existing occupiers through loss of privacy, overshadowing or traffic.
- 10.2 The Residential Design SPD expands on issues covered by criteria under Policy H10 with, amongst other matters, the requirement of new development to maintain adequate separation distances between proposed and existing dwellings in order to protect the amenities of future and existing occupiers.
- 10.3 In relation to the extension of the first floor over the garage of plot 4, it is acknowledged that this would result in the development extending closer to the common boundary between the application site and the property at no. 1 Inglewood Hollow to the east of the site. There is a relatively sharp drop in levels between that neighbouring property and the application site, to the extent that the ground level at 1 Inglewood Hollow is roughly level with half way up the height of the window at ground floor level within the proposed dwelling. Whilst the ridge height of the proposed dwelling would be taller than the neighbouring bungalow, the drop in levels to the application site would ensure that approximately 6.5 metres of the gable elevation of the dwelling would be visible above the ground level of the neighbouring property.
- 10.4 There would be some impact in terms of additional overshadowing to the windows on the western elevation of no. 1 Inglewood Hollow as a result of the development. However, one of the windows in that elevation is obscurely glazed and serves a bathroom, 2 are secondary windows to a living room and the other is a secondary window to a dining kitchen. Whilst the latter 2 rooms are considered to be habitable, the main outlook from the living room is from a window on the front elevation of the property and a fully glazed window provides outlook and a source of light to the dining kitchen on the rear elevation. On that basis, it is considered that sufficient light would serve those rooms and the outlook would be preserved to a degree that would not result in material harm to the amenity of the occupiers of that property.
- 10.5 The conservatory at the rear of no. 1 Inglewood Hollow has a side elevation facing the common boundary with the application site but is set in from the western elevation of the host property and also has outlook from the rear elevation into the garden area associated with that dwelling. It is therefore considered that there would be no unreasonable loss of light to that room as a result of the proposed development therefore. Overall, given that the proposed dwelling would be located due west of that neighbouring property, the potential additional overshadowing would be limited to the latter part of the day. Given that the windows affected are not primary habitable room windows, it is considered that the impact in terms of overshadowing would not result in adverse harm to the occupiers of no. 1 Inglewood Hollow.
- 10.6 In terms of overlooking, an oblique relationship would be retained between bedroom 4 of the proposed dwelling and the eastern elevation of no. 1 Inglewood Hollow and the rear garden areas associated with that property. Mature planting also exists within the lane that bisects the boundaries of the two properties (outside of the application site) which would provide some screening across the common boundary between the sites. The gable elevation of the extended dwelling would not include any openings and so no direct overlooking over the common boundary could occur from that elevation. On that basis, it is considered that harmful overlooking would be avoided.
- 10.7 In relation to the impact of the proposed extension to the first floor level of plot 3 and the neighbouring property at 239b Mottram Road to the west, this would be located on the north eastern end of that plot and so would not result in any unreasonable overshadowing

of that neighbouring dwelling. No additional opportunities for unreasonable overlooking would be created into that neighbouring property due to the fact that the window in the rear elevation of the extension to plot 3 would face north west. The perception of overlooking would also be reduced by the mature nature of the landscaping on the common boundary between the site and no. 239b Mottram Road.

- 10.8 Given that the footprint and location of the dwellings would remain the same as the previously approved scheme, it is considered that the alterations to the fenestration and the relocation of the chimneys on plots 1 and 2 would not result in any unreasonable overlooking into or overshadowing of any of the neighbouring properties. Likewise, given the single storey nature of the detached garages to serve plots 1 and 2, it is considered that the proposed revision to their location within the respective plots would not result in any unreasonable overlooking into or overshadowing of any of the neighbouring properties.
- 10.9 Following the above assessment, it is considered that the proposals would not result in a detrimental impact on the residential amenity of any of the neighbouring properties to the extent that would warrant refusal of the application.

## **11. IMPACT ON CHARACTER AND APPEARANCE OF SURROUNDING AREA**

- 11.1 Saved Tameside UDP Policies C1 and H10 together with the NPPF all seek to ensure that any new development respects or improves the character of the surrounding area and adjacent properties in terms of scale, massing, materials, layout, bulk and height.
- 11.2 The proposed extension to plots 3 and 4 are considered not to be of a scale or design that would have an adverse impact on the character of the host property or the surrounding area, subject to the use of materials to match the approved buildings, which can be secured by condition. Similarly, the relocation of the garages and minor changes to the elevations would not result in changes that would be detrimental to the character of the development or the surrounding area.

## **12. OTHER MATTERS**

- 12.1 The proposed changes would not affect the access arrangements serving the development or the configuration of the internal access road and as such would not result in any adverse impact upon highway safety.
- 12.2 The EHO has raised no objections to the proposals. A condition limiting the hours of construction was imposed on the original application and it is recommended that this be re-imposed in this case.
- 12.3 GMEU have also raised no objections, subject to conditions relating to mitigating the impact on badgers, limiting the timing of tree removal and securing biodiversity enhancements as part of the scheme. A condition requiring compliance with the conclusions and recommendations of the Habitat Survey and Bat Scoping Report submitted with the application would ensure that biodiversity enhancements are included within the development. The other recommended conditions are considered to be reasonable and are attached to the recommendation.
- 12.4 The Borough Tree Officer has not objected to the proposals, a scheme of landscaping was proposed as part of the original development and compliance with that scheme was secured by condition. A revised version of this condition is attached to the recommendation.

### **13. CONCLUSION**

- 13.1 At the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through decision taking. Paragraph 7 of the NPPF establishes three dimensions to sustainable development – economic, social and environmental and paragraph 8 of the NPPF indicates that these should be sought jointly and simultaneously through the planning system.
- 13.2 The layout and design of the proposed development has been assessed and is considered acceptable, in terms of its impact on the visual amenity of the area and the residential amenity of surrounding properties.
- 13.3 In view of the above, the proposal is considered to comply with relevant saved UDP Policies and the SPD on Residential Design. In considering the planning merits of the proposal against the requirements of the NPPF, the proposal is considered to represent sustainable development.
- 13.4 On this basis in accordance with the requirements of Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the application is recommended for approval.

### **RECOMMENDATION**

Grant planning permission subject to the following conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in accordance with the following approved plans/details:
  - 1:1250 Site location plan (drawing no. 4729/01)
  - 1:200 Proposed site layout plan (drawing no. 4729/03)
  - 1:50 Proposed plans and elevations (plots 03 & 04) (drawing no. 4729/05)
  - 1:50 Proposed plans and elevations (plots 01 & 02) (drawing no. 4729/04)
  - 1:50 Proposed garages plans and elevations (plots 01 & 02) (drawing no. 4729/06 Rev. A)
3. The materials used in the construction of the development hereby approved shall match in colour, type and external appearance the construction materials of the existing dwellings on the site, in accordance with the details submitted to discharge condition 2 of planning permission 13/00199/FUL. The development shall be retained as such thereafter.
4. The construction phase of the development shall be carried out in accordance with the following measures:
  - During the excavation works in the construction phase of the development, an escape route for animals that enter the excavated areas must be provided. Ramps should be no greater than 45 degrees in angle and holes should be securely covered.
  - Any excavations left open should be checked prior to the continuation of works or infilling. Back filling should be completed immediately after any excavations, as an on-going process during the construction phase of the works.

The above measures shall be adhered to during the entire period of the construction phase of the development.

5. The development hereby approved shall be carried out in accordance with the measures included in Section 5 (Conclusions and Recommendations) of the extended Phase 1

Habitat Survey and Bat Scoping Report produced by JCA dated 15<sup>th</sup> November 2017 submitted with the planning application. The bat bricks and boxes and bird boxes shall be installed prior to the occupation of any part of the development. The development shall be retained as such thereafter.

6. No tree felling or vegetation removal shall take place during the optimum period for bird nesting (March to July inclusive) unless otherwise agreed in writing with the Local Planning Authority.
7. The landscaping scheme to serve the development shall be carried out in accordance with the details submitted as part of planning application ref. 13/00199/FUL and shall be implemented and maintained in accordance with condition 11 of that planning permission.
8. During demolition/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 and Public Holidays.

Reasons:

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure that the development reflects the character of the area.
4. To ensure that the development does not result in harm to badgers, which are classified as a protected species.
5. To ensure that biodiversity enhancements are secured as part of the development, in accordance with the guidance contained within paragraph 118 of the NPPF.
6. In order to prevent any habitat disturbance to nesting birds in accordance with the National Planning Policy Framework.
7. To ensure appropriate landscaping of the development.
8. To ensure that the residential amenity of the future occupiers of the development is preserved, in accordance with policy H10 of the Tameside UDP and the NPPF.