

Supporting argument

3 Jubilee Gardens New Mills SK22 4PL

This is a re-submission of case 25/0497. The plans are amended, the size of the rear dormer remains unchanged but it is proposed to alter the materials as follows:

Existing brick slips to be replaced with Marley plain roof tiles Smooth Grey MA14028 to match existing roof. Visualizations are also enclosed.

When planning permission was granted in 1989 the council removed permitted development rights for *“Extensions garages loose boxes sheds greenhouses etc or storage tanks”*. Its reasoning was *“In order to retain a degree of control over the development”*. That condition would not satisfy the current 6 NPPG tests¹, moreover fundamentally it is contrary to NPPG²:

“Area-wide or blanket removal of freedoms to carry out small scale domestic and non-domestic alterations that would otherwise not require an application for planning permission are unlikely to meet the tests of reasonableness and necessity”.

It will be open to the applicant to apply to vary, but for present purposes, scheme merit is assessed against current policy below.

The 25/0497 report referred to the 2005 SPD and a design guide of 2018.

The former is hopelessly out of date being contrary to the Framework which has a whole policy chapter encouraging effective use of previously developed land, and given there was no justification for removing the right to enlarge the roof pursuant to permitted development, the starting point is that its size is to be judged against current policy.

Outdated policy

The chapter of the 2005 SPD at 9.0 refers to “street scene” and “neighbouring amenity”. The report confirmed there was no harm to amenity, and being a rear dormer there is no impact to relevant street scene. The paragraph quoted, 9.4.2, starts by referring to dormers posing difficulties in terms of design and overlooking. The latter does not arise and there was no explanation as to why they should be kept as simple and small as possible. The rest of the paragraph is not relevant as it's not to the front of the house.

Current local policy

The 2018 SPD does not say such should be ‘kept as small and as simple as possible’. Rather it refers to “respecting dominance of the original building” and being “subordinate” in terms of its size and massing. It is going to be subordinate, nothing visible from the street fronting the principal elevation. Given permitted development rights allow enlargement of house rear roofs this size and the proposal will now comply, there is no reasonable basis to refuse permission on this occasion, matters can be satisfactorily controlled by condition e.g. if the proposed tile is not satisfactory, details must be submitted pursuant.

¹ Tests 5 & 6

² 017 Reference ID: 21a-017-20190723

NPPF

Chapter 12 expects development to result in better places in which to live, optimise the potential for the site, promote health and well-being and a high standard of amenity for existing and future users. It will accomplish all these aims.

Conclusions

The council has already confirmed that there is no harm to the amenities of neighbours and relies upon outdated [2005] policy to contend the roof enlargement be reduced. There was no good reason to remove permitted development rights. All that is necessary is to comply with what Parliament expects in terms of matching materials. The proposal is, objectively tested, satisfactory and also sustainable as it complies with the Framework. Consequently, pursuant to s38(6) PCPA 2004 planning permission should be granted.