

Application No: 11/0680C
Location: 2, RYDAL WAY, ALSAGER, ST7 2EH
Proposal: Proposed Erection of a New Dwelling
Applicant: Mr Simon Palfreyman
Expiry Date: 15-Apr-2011

Date Report prepared 19 May 2011

SUMMARY RECOMMENDATION: Approve with conditions

MAIN ISSUES:

- Principle of the Development
- Amenity
- Design and Scale
- Impact on the Street Scene
- Highways and Parking
- Landscaping and Trees

1. REASON FOR REFERRAL

This application has been referred to the Southern Planning Committee as Councillor Rod Fletcher called it in on the following grounds: "I request that this application should go before the planning committee as it still seems to be of similar size to the earlier one refused and may still be contrary to GR1, GR2, GR6 and PPS3."

2. DESCRIPTION AND SITE CONTEXT

This application relates to an area of the garden of 2 Rydal Way, Alsager, which is situated adjacent to the common boundary with the gable end of 176 Sandbach Road North. It is defined in the local plan, as being within the settlement zone line of Alsager and to the north is open countryside. Adjacent to the northeast corner of the site is the Sandbach Road North No. 1, Alsager, Tree Preservation Order 1993.

3. DETAILS OF PROPOSAL

This proposal is for full planning permission for a single detached dwelling in the garden of 2 Rydal Way, Alsager. The dwelling would be an 'L' shaped dwelling, sited to the rear of 176 Sandbach Road North. It would have 4 bedrooms at the first floor, at ground floor level there would be two reception rooms, a kitchen, cloakroom, utility room, study and an integral double garage. In order to allow the creation of an access to the rear of the site it is proposed to remove the existing garage at 2 Rydal Way, this will be replaced with an attached double garage forward of that existing.

In 2008 outline consent was granted for a detached dwelling on this site (08/1734/OUT), however the indicative plans submitted with the application were considered to show a dwelling of excessive size. This consent is no longer extant, but the local policies under which it was assessed remain the same. Subsequently a full application for a detached dormer bungalow (10/3581C) was refused by the Southern Planning Committee on the grounds that the proposal was inappropriate in terms of size and design and would have an overbearing impact on the occupiers of 176 Sandbach Road North.

4. RELEVANT HISTORY

| | | |
|-------------|------|---|
| 20709/3 | 1989 | Approval for alterations and extensions |
| 37071/3 | 2004 | Approval for extension to dining room |
| 04/0413/FUL | 2005 | Approval for conservatory to rear |
| 08/1734/OUT | 2008 | Outline approval for one dwelling |
| 09/2726C | 2009 | Withdrawn application for one dwelling |
| 10/3581C | 2010 | Refused application for detached dwelling |

5. POLICIES

National Guidance

PPS1 Delivering Sustainable Development

PPS3 Housing

Regional Spatial Strategy

DP1 Spatial Principles

DP2 Promote Sustainable Communities

DP4 Making the Best Use of Existing Resources and Infrastructure

DP5 Manage Travel Demand: Reduce the Need to Travel, and Increase Accessibility

DP7 Promote Environmental Quality

DP9 Reduce Emissions and Adapt to Climate Change

RDF1 Spatial Priorities

L2 Understanding Housing Markets

L4 Regional Housing Provision

RT2 Managing Travel Demand

RT9 Walking and Cycling

EM1 Integrated Enhancement and Protection of the Region's Environmental Assets

Congleton Local Plan 2005

The site is not allocated in the Local Plan but the following policies apply:

PS4 Towns

H1 & H2 Provision of New Housing Development

GR1 New Development

GR2 & GR3 Design

GR6 Amenity and Health

GR9 Parking and Access
NR1 Trees & Woodlands

SPG2 Provision of Private Open Space in New Residential Developments

6. CONSIDERATIONS

Environmental Protection:

None received at the time of report writing.

Highways:

None received at the time of report writing.

7. VIEWS OF TOWN/PARISH COUNCIL

Alsager Town Council strongly objects to this application and fully support the objections raised by Mr and Mrs Pickersgill of 176 Sandbach Road North.

8. OTHER REPRESENTATIONS

At the time of report writing, 7 letters of objection had been received relating to this application, expressing the following concerns:

- Adverse impact on the amenities of neighbouring properties, in particular 176 Sandbach Road North. In terms of these impacts, the concerns relate to the access drive being in close proximity to a downstairs bedroom window leading to disturbance, loss of privacy once the existing garage is reduced in size and loss of privacy to the patio.
- Development out of character with the surrounding area.
- Loss of garden land.
- Adverse impact on the street scene, in particular when viewed from the road entering Alsager from Church Lawton.
- Over development of the site.
- Adverse impact on highway safety.
- Inadequate space for the parking and manoeuvring of vehicles.

9. APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement

This document provides details on the history of the site and the surrounding context of the local area. The statement also seeks to expand on the justification for the development proposed and address the issues raised in regard to the refusal of the previous application.

10. OFFICER APPRAISAL

Principle of Development

The principle of development on this site was established when the outline application for a detached dwelling was approved in 2008, however this approval is no longer extant. The site is designated as being within the Settlement Zone Line of Alsager where there is a general presumption in favour of development provided that it is in keeping with the scale and

character of the town. Therefore the proposal should be judged on the criteria laid out in the individual sections of this report.

As some of the objectors have stated, PPS3 has now been amended to remove gardens from the designation of brownfield land and create a new designation of garden land. It should be noted however that this does not preclude development and the proposal should still be determined having regard to the policies contained within the adopted local plan.

Amenity

The properties most affected by the development would be 2 Rydal Way and 176 Sandbach Road North.

Having regard to 2 Rydal Way, a study window and entrance door of the proposed dwelling would face the garden of this property. However, as these would be 8m away from the boundary and a 1.8m fence is proposed on the boundary, it is not considered there would be significant adverse impact on the amenities of this property.

The occupiers of 176 Sandbach Road North have expressed several concerns regarding this proposal, relating largely to loss of privacy, access and parking, impact on the street scene and disturbance. Having regard to loss of privacy, one of the concerns relates to overlooking of a downstairs bedroom window once the garage has been altered at 2 Rydal Way. The window in 176 Sandbach Road North is largely screened by a conifer hedge and the window at 2 Rydal Way is at a much higher level than this window; as such it is not considered that there would be any significant loss of privacy caused by overlooking. The other privacy issue raised is the fact that the drive will run alongside their patio, which they state is the only private part of their garden. Having regard to this issue it is considered that a condition requiring the submission of details of boundary treatments to ensure that privacy could be maintained would address this. In addition the drive of 2 Rydal Way is already close to the boundary and could be extended without the need for consent from the Local Planning Authority. As such it is not considered that a refusal on these grounds could be sustained. Disturbance caused by the creation of the new driveway is also cited as an issue, but it is not considered that the vehicle movements generated by one dwelling would create a significant amount of disturbance to residential amenity.

Having regard to the amenities of future occupiers, the proposed dwelling would have an adequate amount of useable residential amenity space, as required by SPG2 (Provision of Private Open Space in New Residential Developments), as would the occupiers of 2 Rydal Way.

The previous proposal involved a building that was forward of the gable elevation of 176 Sandbach Road North, this proposal is for the building to be in line with this elevation, therefore there would be no adverse impact on the outlook from windows in this dwelling, thereby addressing previous concerns.

It is considered that permitted development rights for extensions should be removed in order to ensure that the amenities of the neighbouring properties in the future.

Environmental Protection have not commented at the time of report writing, however it is considered necessary to impose conditions relating to contaminated land, hours of construction and pile driving.

Design and Scale

The outline consent (08/1734/OUT), established the principle of siting one dwelling on this site, but made clear that the dwelling shown on the indicative drawings would not be acceptable. This was because it showed a large, two-storey dwelling with a ridge height of 9m and a larger footprint than the one proposed in this application. Objectors have referred to the fact that this consent required that the dwelling should be of a 'modest' size, it should be noted that this refers to the scale and massing of the building, not the level of internal accommodation.

This proposal is for a largely one and a half storey dwelling, with a two-storey element, with dormer windows and roof lights in the roof slopes to facilitate the use of the roof space. It would have a smaller footprint than the indicative drawing approved at outline stage and would have a ridge height of 7m, which is 0.4m lower than that of 176 Sandbach Road North. Given the variety of property styles that exist in the vicinity, it is considered that the proposal is acceptable.

Impact on the Street Scene

One of the concerns of the objectors is the impact on the street scene, especially when viewed from Sandbach Road North. However, it is not considered that the dwelling would create a significant, incongruous feature when viewed from the wider area, including the approach to Alsager from Church Lawton, given the development that already exists and the ridge height of the proposed dwelling. As such the building would be viewed in the existing urban context.

There are a variety of house types in the vicinity of the application site, and it is considered that the design of the proposed dwelling would not detract from the overall character of the area. Although the garden area would not be as extensive as others in the vicinity, it is not considered to be so small as to be completely out of character with the surrounding area.

Highways and Parking

The proposal would provide adequate parking spaces for a property of this size and, due to the size of the turning area, vehicles would be able to enter and leave the site in a forward gear. The Strategic Highways Manager has not commented at the time of report writing; however no objections were raised to the previous proposal subject to the creation of an acceptable vehicular crossing. As such it is not considered that a refusal on highway grounds could be sustained.

Landscaping and Trees

The application proposes a dwelling that would be sited in excess of 12m from the protected trees on the corner of the site and is therefore not considered to be a threat to their health and future viability. Having regard to the hedges surrounding the site and the landscaping adjacent to the proposed new drive, it is considered that conditions should be imposed requiring measures for the protection of the hedges during construction and submission and implementation of a landscaping scheme.

11. CONCLUSIONS

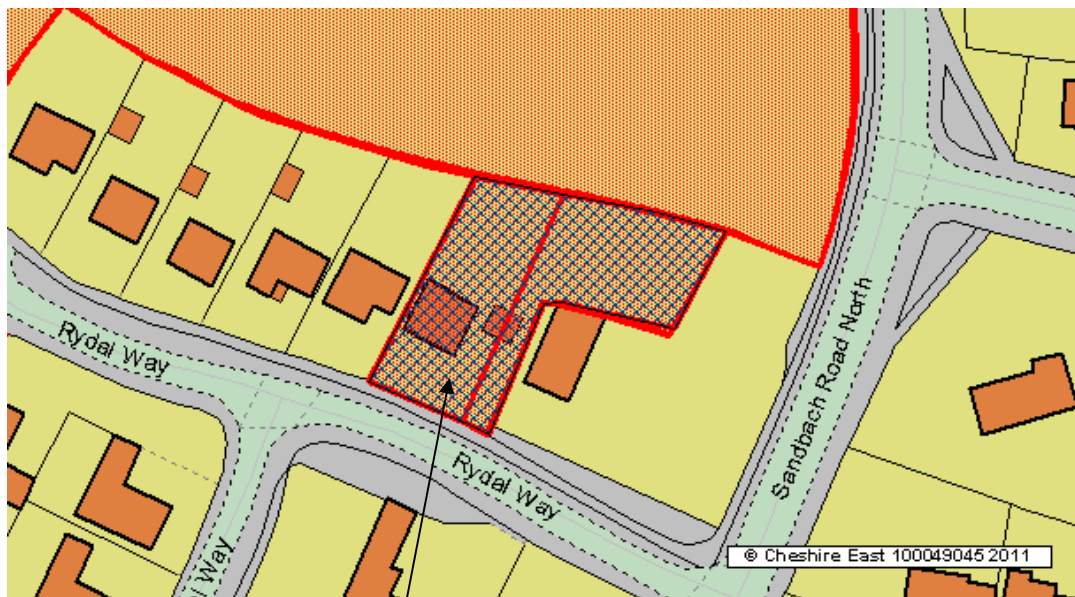
In conclusion, the site is within the settlement zone line of Alsager in the adopted local plan and the proposed development complies with the relevant policies contained within that document, in relation to design, amenity, highway safety and tree protection. It is therefore recommended that the application be approved subject to the following conditions.

12. RECOMMENDATION:

Approve subject to the following conditions:

- 1. Standard time limit**
- 2. Development carried out in complete accordance with the approved plans**
- 3. Submission of materials for approval**
- 4. Submission of scheme for measures to protect trees and hedges on the site**
- 5. Submission of full details of boundary treatments**
- 6. Submission of a Phase 1 contaminated land report**
- 7. Hours of construction restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 Saturday and no working on Sundays or Bank Holidays**
- 8. Submission of details of the method, timing and duration of any pile driving operations connected with the construction**
- 9. Removal of permitted development rights for extensions**

Location Plan



The Site