

Application No: 22/2887N

Location: HOLLY HEDGE HOUSE, NEWCASTLE ROAD, HOUGH, CW2 5JS

Proposal: Proposed demolition of stables and storage building and the construction of a detached one-bedroom dwelling.

Applicant: Mrs Angela Eardley

Expiry Date: 12-Sep-2022

## **SUMMARY**

The application site is found within the residential curtilage of Holly Hedge a two-storey detached dwelling on Newcastle Road within the Hough Village Infill Boundary as defined by the Site Allocations and Development Policies Document and the Wyburnbury Combined Parishes Neighbourhood Plan.

This application seeks approval for the demolition of the existing building and the construction of a two-storey detached dwelling.

The application site is located within the Hough Village Infill Boundary, as such Policy PG.10 (Infill Villages) of the SADPD applies. This Policy states that Infill villages have a defined village infill boundary, as shown on the adopted policies map, but are within the open countryside and do not have a settlement boundary. As the proposed development is a replacement building and not 'infill' development then Policy PG.6 of the CELPS also applies. This Policy permits development that is for the replacement of existing buildings (including dwellings) by new buildings not materially larger than the buildings they replace.

Following on from the above, Policy E.5 of the Neighbourhood Plan states that:

*All new development will be expected to respect and enhance the setting of the existing settlements and the surrounding countryside, maintaining, and where possible, enhancing locally important open spaces, significant local views and vistas.*

The proposed dwelling will be slightly higher than the existing building and larger in terms of volume, it will have a slightly smaller footprint. As such, it is not considered that the proposed dwelling would be materially larger than the building which it will replace. As such, it is not considered that the proposed development will have any significant visual impact upon the surrounding open countryside. Therefore, the proposal is in accordance with Policy PG.6 and E.5.

There are no significant amenity issues with regard to neighbouring dwellings, ecology or highways.

Therefore, it is considered that the principle of development is acceptable, given that the proposal accords with the above Policies.

## **SUMMARY RECOMMENDATION**

Approve with conditions

## REASON FOR REFERRAL

This application had been referred to the Southern Planning Committee at the request of Cllr Clowes for the following reasons:

Holly Hedge House is situated in its own domestic curtilage off Newcastle Road. I have had to register a number of planning enforcement issues in relation to this site together with the open countryside fields owned by Holly Hedge House to the rear of the property that have been subject to a number of unplanned developments, effectively creating a substantial equestrian business with extensive stables, menage and storage barns:

1. FS412625748 (01.04.2022)
2. FS373501755 (25.10.2021)
3. FS361650706 (07.09.2021)

In addition, the applicant currently lives in a large mobile home which has been placed in very close proximity of the rear boundaries of properties (Hough Cottages) on Newcastle Road, (these properties do not have gardens, just tiny yards) next to Holly Hedge House.

The mobile home has been 'enhanced' by permanent decking around the mobile home, a fenced boundary and hot tub. It was these developments (amongst others) that led to alerting planning enforcement on numerous occasions.

Clarification is required to identify whether or not the demolition and rebuilding of a one-bedroom dwelling on the footprint of the existing Holly Hedge Barn is intended to provide permanent replacement accommodation to replace the mobile home. As the barn is situated within the domestic curtilage of Holly Hedge House, it is not clear whether this new dwelling is intended to be "subservient to the principal dwelling" or not. This is important as both properties would have to share an access, not only with each other but also to the equestrian business beyond.

The new dwelling has no designated parking places. The shared access with Holly Hedge House and equestrian business, severely limits the area available within the domestic curtilage for levels of parking (3-4 spaces) and turning space.

The new dwelling has no allocated amenity space within the domestic curtilage of Holly Hedge House. Whilst this is a one bed-room dwelling, it is a spacious home but has no allocated outside space other than a balcony from the bedroom.

One concern raised with Planning enforcement relates to the access into the domestic curtilage of vehicles to both the equestrian business and Holly Hedge House.

The access has been significantly extended (including the removal of hedges on Newcastle Road) and in order to accommodate large equestrian, supply and construction vehicles, the access has been extended backwards into the domestic curtilage of Holly Hedge House and demarcated by substantial wooden gate (approximately 3.5m high). This has reduced the domestic curtilage available for parking spaces and was implemented without planning permission.

The proposed dwelling effectively lies immediately adjacent to the access/egress route to the business with minimal distancing (in safety terms) between the road and the access into the

dwelling. Horse boxes and business-related vehicles will have to pass (literally) within inches of the door.

If these significant concerns can be addressed, the parish council and affected residents have asked that a condition be applied that the mobile home and all related structures (decking, fencing, two sheds and hot tub) are removed from their position in the open countryside.

## **DESCRIPTION OF SITE AND CONTEXT**

The application site is found within the residential curtilage of Holly Hedge a two-storey detached dwelling on Newcastle Road within the Hough Village Infill Boundary as defined by the Site Allocations and Development Policies Document. The proposal will remain ancillary to Holly hedge and not be a separate dwelling in its own right.

The building to which this application relates is two-storey stable/store.

## **DETAILS OF PROPOSAL**

This application seeks approval for the demolition of the existing building and the construction of a two-storey one bedroom detached dwelling that will remain as ancillary to Holly Hedge.

## **RELEVANT HISTORY**

18/3913N - Provision of replacement stable block - approved with conditions 2018

P92/0122 - Erection of stable block - approved with conditions 1992

7/19755 - Stable block - approved with conditions 1991

## **POLICIES**

### **Cheshire East Local Plan Strategy**

PG6 – Open Countryside  
SD1 - Sustainable Development in Cheshire East  
SD2 - Sustainable Development Principles  
SE1 – Design  
SE2 – Efficient Use of Land  
SE3 – Biodiversity and Geodiversity  
SE4 – The Landscape  
SE5 – Trees, Hedgerows and Woodland

### **Site Allocations and Development Policies Document**

PG.10 - Infill Villages  
GEN.1 – Design Principles  
ENV.1 - Ecological Network  
ENV.3 – Landscape Character  
ENV.5 - Landscaping  
HOU.10 - Backland Development

HOU.12 – Amenity  
HOU.13 – Residential Standards  
INF.3 – Highway Safety and Access

**Neighbourhood Plan** - Wybunbury Combined - Made Plan

H.1 - Location of New Houses  
H.4 - Design  
E.1 - Woodland, Trees, Hedgerows and Boundary Fencing

**National policy**

NPPF

**CONSIDERATIONS (External to Planning)**

United Utilities - no objection

Environmental Protection - no objections

**VIEWS OF THE PARISH / TOWN COUNCIL**

Hough & Chorlton Parish Council

The Parish Council would like to OBJECT to this application on the following grounds -

1. Holly Hedge House is situated in its own domestic curtilage off Newcastle Road. There are a number of enforcement issues raised on the site - 1. FS412625748 (01.04.2022) 2. FS373501755 (25.10.2021) 3. FS361650706 (07.09.2021) In addition, the applicant currently lives in a large mobile home which has been placed in very close proximity of the rear boundaries of properties (Hough Cottages) on Newcastle Road, (these properties do not have gardens, just tiny yards) next to Holly Hedge House.

The mobile home has been 'enhanced' by permanent decking around the mobile home, a fenced boundary and hot tub. it was these developments (amongst others) that led to alerting planning enforcement on numerous occasions.

Clarification is required to identify whether or not the demolition and rebuilding of a one-bedroom dwelling on the footprint of the existing Holly Hedge Barn is intended to provide permanent replacement accommodation to replace the mobile home.

2. As the barn is situated within the domestic curtilage of Holly Hedge House, it is not clear whether this new dwelling is intended to be "subservient to the principal dwelling" or not. This is important as both properties would have to share an access, not only with each other but also to the equestrian business beyond.

3. The new dwelling has no designated parking places. The shared access with Holly Hedge House and equestrian business, severely limits the area available within the domestic curtilage for levels of parking (3-4 spaces) and turning space.

4. The new dwelling has no allocated amenity space within the domestic curtilage of Holly Hedge House. Whilst this is a one bed-room dwelling, it is a spacious home but has no allocated outside space other than a balcony from the bedroom.

5. One concern raised with Planning enforcement relates to the access into the domestic curtilage of vehicles to both the equestrian business and Holly Hedge House. The access has been significantly extended (including the removal of hedges on Newcastle Road) and in order to accommodate large equestrian, supply and construction vehicles, the access has been extended backwards into the domestic curtilage of Holly Hedge House and demarcated by substantial wooden gate (approximately 3.5m high). This has reduced the domestic curtilage available for parking spaces and was implemented without planning permission.

The proposed dwelling effectively lies immediately adjacent to the access/egress route to the business with minimal distancing (in safety terms) between the road and the access into the dwelling. Horse boxes and business-related vehicles will have to pass (literally) within inches of the door.

If these concerns can be addressed, the parish council and affected residents have asked that a condition be applied that the mobile home and all related structures (decking, fencing, two sheds and hot tub) are removed from their position in the open countryside.

## **OTHER REPRESENTATIONS**

One letter of representation has been received from the occupiers of a neighbouring property which makes the following general points:

- Concerns over ground works affecting neighbouring property
- Controlled working hours

## **OFFICER APPRAISAL**

### **Procedural Matters**

With regard to the comments submitted by the Parish Council, there have been a number of concerns raised regarding the application site and the equine activities. These have been investigated by the Council's Planning Enforcement Team with all cases now having been closed. In any event this application is concerned with whether the proposed dwelling is acceptable and not.

### **Principle of Development**

The application site is located within the Hough Village Infill Boundary, as such Policy PG.10 (Infill Villages) of the SADPD applies. This Policy states that Infill villages have a defined village infill boundary, as shown on the adopted policies map, but are within the open countryside and do not have a settlement boundary. As the proposed development is a replacement building and not 'infill' development then Policy PG.6 of the CELPS also applies. This Policy permits development that is for the replacement of existing buildings (including dwellings) by new buildings not materially larger than the buildings they replace.

Policy H1 of the WCPNP identifies that the site falls within the infill boundary for Hough and that limited infilling will be supported where it is in keeping with the scale, character and appearance of its surroundings and the local area; does not give rise to unacceptable impacts; and does not involve the loss of undeveloped land that makes a positive contribution to the character of the area.

Following on from the above, Policy E.5 of the Neighbourhood Plan states that:

*All new development will be expected to respect and enhance the setting of the existing settlements and the surrounding countryside, maintaining, and where possible, enhancing locally important open spaces, significant local views and vistas.*

In terms of scale of the proposed dwelling, the existing building has a footprint of approximately 60sq metres and a height of 6.1 metres, while the proposed dwelling will have a footprint of approximately 56sq metres and a height of 6.4 metres. The volume of the existing building is approximately 230cu.m, the proposed dwelling will have a volume of approximately 257cu.m. Following on from this the proposed dwelling will also occupy the same footprint as the existing building.

With the above in mind, it is considered that the while the proposed dwelling will be slightly higher than the existing building and slightly larger in terms of volume, it will have a slightly smaller footprint. As such, it is not considered that the proposed dwelling would be materially larger than the building which it will replace and is in accordance with Policy PG.6.

### **Design and Open Countryside**

Policy PG.6 states that development will be subject to compliance with all other relevant policies in the Local Plan. In this regard, particular attention should be paid to design and landscape character, so the appearance and distinctiveness of the Cheshire East countryside is preserved and enhanced.

As discussed above, the proposed dwelling is not considered to be materially larger than the building it will replace and is in accordance with PG.6 in that regard.

In terms of design, the proposed dwelling will be of a relatively simple design with a balcony area to the north elevation. It will not be too dissimilar to the existing building and will also be located on the same footprint within an existing linear development. In terms of scale, bulk and mass, it is not considered that the visual impact of the proposed dwelling would have a significant materially visual change to the existing streetscene or the surrounding open countryside.

With the above in mind, it is considered that the proposed development is of an appropriate design and will not cause any significant visual impact to the streetscene or the surrounding open countryside.

## **Amenity**

The nearest neighbouring dwelling is adjacent to the site to the west (known as Dale House). This dwelling has a side elevation facing towards the application site, which does not contain any windows, as such there will not be any significant amenity impact from this perspective. The north elevation of Dale House has a window, but it is unclear what room this window serves. However, the proposed dwelling will occupy the same footprint as the existing building, as such it is not considered that there will be any significant change to the existing amenity situation with regards to this window. Following on from this, the proposed balcony will be in such a position so as to prevent any easy viewing back towards the neighbouring dwelling.

To the east is a row of terraced dwellings with the closest to the application site being approximately 20 metres away. This dwelling has a side elevation facing towards the application site, however much of it is screened by the existing dwelling at Holly Hedge. There are three windows to the first floor of the east elevation of the proposed dwelling. One will serve a bathroom, while the other two are considered to be secondary windows serving the bedroom.

With the above in mind, it is not considered that there will be any significant amenity impact caused by the proposed development.

There are other neighbouring dwellings to the south on the opposite side of Newcastle Road, however the closest of these sits approximately 28 metres away and there will not be any directly facing principal elevation relationships.

In terms of private amenity space for the proposed development, there is no Policy requirement for this as it will remain ancillary to Holly Hedge and have use of the existing amenity space.

Overall, it is not considered that the proposed development will have any significant impact on neighbouring residential amenity.

## **Highways**

The proposal is for a single one bed dwelling in place of the existing stables, which will be ancillary to the existing dwelling. The existing dwelling has three bedrooms and the proposal will make use of the existing vehicle access off Newcastle Road which will also be shared with the equestrian site.

The existing vehicle access is wide and sufficient to cater for the additional vehicle trips the proposal will generate, which in any case will be minimal. The equestrian site is for personal use only by the applicant and does not generate a significant number of vehicle trips.

Given the total number of bedrooms, three car parking spaces are required. There is space to the front for a car and beyond the gate there is space for another four spaces at least, while maintaining access to the equestrian site.

The Council's Highways Officer considers that the access and parking provision are acceptable and no objection is raised.

## **Ecology**

The application has been supported by an Ecology Survey.

### Bats

A Protected Species Survey in respect of bats was submitted with the application. This survey did not identify any legally protected roosts.

There are no other Protected Species or ecology concerns.

With the above in mind, it is not considered that the proposed development will have any detrimental effect on Protected Species either on or close to the application site. Should approval be granted a condition will be attached requiring the submission of a strategy to enhance the biodiversity of the site.

## **CONCLUSIONS**

It is considered that the proposal is of an acceptable design that would have minimal impact upon the character and appearance of the countryside or the streetscene. No significant harm would be caused to the amenities of the surrounding residential properties or highway safety. The development complies with the Development Plan as a whole.

## **RECOMMENDATIONS**

### **APPROVE with conditions**

1. **Three year time limit**
1. **Approved Plans**
2. **Materials as per application**
3. **Electric Vehicle Infrastructure**
4. **Nesting birds**
5. **Biodiversity enhancement**
6. **Contaminated Land**
7. **Contaminated Land Contaminated Land**
8. **Verification Report**
9. **Imported soil tested for contamination**
10. **Ancillary to Holly Hedge**

**In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation with the Chair of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.**



