

<b>Planning Reference No:</b>	10/3070N
<b>Application Address:</b>	Walgherton Garage, London Road, Walgherton, CW5 7LA
<b>Proposal:</b>	Proposed Change to the Design of 2 No. Houses and Garages as Established on Planning Permission P04/1482 and Proposed Re-use of Existing Vehicles Accesses into the Site of the Former Walgherton Garage Site
<b>Applicant:</b>	Robert Duncan Homes Ltd
<b>Application Type:</b>	Full Planning
<b>Grid Reference:</b>	369687 348989
<b>Ward:</b>	Doddington
<b>Earliest Determination Date:</b>	24 <sup>th</sup> November 2010
<b>Expiry Dated:</b>	5 <sup>th</sup> October 2010
<b>Date of Officer's Site Visit:</b>	22 <sup>nd</sup> November 2010
<b>Date Report Prepared:</b>	2 <sup>nd</sup> December 2010
<b>Constraints:</b>	Open Countryside, Contaminated Land

### **SUMMARY RECOMMENDATION**

**Approve with conditions and subject to the Completion of a Section 106 Agreement to secure contribution towards affordable housing**

### **MAIN ISSUES**

- Principle of Development
- Design - Impact on the Character and Appearance of the Streetscene/Open Countryside
- Impact on Amenity of adjacent properties
- Impact on Highway Safety
- Affordable Housing
- Impact on Contaminated land

## **1. REASON FOR REFERRAL**

This application is to be determined by Southern Planning Committee as it represents a departure to the Policies contained within the Crewe and Nantwich Replacement Local Plan.

## **2. DESCRIPTION OF SITE AND CONTEXT**

The application site is the former Walgherton Garage site located within the Open Countryside as defined by Local Plan Proposals Map. There are no other Local Plan designations affecting the site. The previous garage on the site comprised a single storey workshop to the rear of the site and a petrol filling station canopy towards the front of the site. The site is located on the A51 opposite the Boars Head Public House. There are a few isolated dwellings located along the A51 with no defined built-up frontage. To the north west of the site, immediately adjoining is a detached property known as The Bungalow.

### **3. DETAILS OF PROPOSAL**

Planning permission was approved for two detached dwellings with single garages on the site on 6<sup>th</sup> December 2007 under P04/1482. That permission was subject to a s.106 agreement for a financial contribution in lieu of the provision of affordable housing.

This application seeks a variation of the approved design and layout of the approved dwellings. The proposed dwellings under this application will be the same width and height as the approved dwellings however they will have a greater depth and overall volume. The dwellings would have a depth which would be a maximum of 2.8m greater than approved, however this includes a new rear facing projecting gable which projects by 1.8m from the rear elevation.

The scheme also includes a replacement of the approved single garages to double garages, and two points of access rather than a single shared access. The alterations to the layout include the dwellings being sited slightly closer together with the access and their garages to the side and rear of the dwellings rather than accessed between the dwellings.

### **4. RELEVANT HISTORY**

**P04/1482** – Planning permission approved for the erection of 2 dwellings on 6<sup>th</sup> December 2007. This was the subject of a legal agreement for the provision of a financial contribution in lieu of affordable housing.

**P04/1483** – Planning application withdrawn for erection of 4 cottages.

**P03/0962** - Planning permission refused for change of use to residential development

**P03/0112** – Planning permission refused for change of use to residential development

**P95/0751** – Outline Planning permission refused for the construction of 5 number dwellings. Appeal dismissed 16/5/96.

### **5. POLICIES**

The development plan includes the Regional Spatial Strategy for the North West (RSS) Borough of Crewe and Nantwich Replacement Local Plan 2011 (LP).

The relevant development plan policies are:

#### **Regional Spatial Strategy**

Policy RDF2 Rural Areas  
Policy L4 Regional Housing Provision  
Policy L5 Affordable Housing

#### **Local Plan Policy**

NE.2 Open Countryside  
BE.1 Amenity  
BE.2 Design Standards

BE.3 Access and Parking  
BE.4 Drainage, Utilities and Resources  
BE.5 Infrastructure  
BE.6 Development on Potentially Contaminated Land  
RES.5 Housing in the Open Countryside

## **National Policy**

PPS1: Delivering Sustainable Development  
PPS3: Housing  
PPS7: Sustainable Development in Rural Areas

## **6. CONSULTATIONS (External to Planning)**

**Contaminated Land Officer** – details submitted are acceptable, recommended site completion report to be submitted prior to occupation

**Strategic Highways Manager** - This proposed development will generate far less vehicular movements than the previous garage. The A51 is a very busy classified road and the proposed dwellings have gated driveways. The gates are positioned too close to the highway which will prevent any waiting vehicle to get off the highway before opening the gates. No highways objections subject to a condition relating to access details.

**Cheshire Fire Service** – provided general comments in relation to fire access and means of escape to be carried out in accordance with Building Regs.

## **7. VIEWS OF THE PARISH COUNCIL**

None

## **8. OTHER REPRESENTATIONS**

None

## **9. APPLICANT'S SUPPORTING INFORMATION**

Design and Access Statement (prepared by Harrison Wood Architecture, dated August 2010)

- Principle of development established
- Siting is similar
- Relocation of garages will assist with screening and maintaining privacy
- Accesses will be as existing crossing – principle discussed with Strategic Highways Manager
- Appearance drawn from existing dwellings in the area
- Each dwelling will have a floor area of 227.86sqm the total for both is 455.72. The houses and garages will cover a total floor area of 521.28sqm which is less than the 576sqm of the previous garage
- Scale will be similar when viewed from the front
- Overall building area is still less than the original garage
- The land coverage (foot print) of the dwellings and garages will be 300sqm

## **10. OFFICER APPRAISAL**

### **Principle of Development**

The principle of residential development on this site has been approved under planning permission P04/1482. Therefore, the principle of the proposal is not open for consideration. The main issue in this instance is therefore whether the proposed development is of an acceptable design in this Open Countryside location and whether the scheme would give rise to any highway safety issues. Other issues relate to the provision of affordable housing and contaminated land.

### **Design - Impact on the Character and Appearance of the Streetscene and Open Countryside**

The originally approved two storey dwellings have a width of 12m and a depth of 8m, however one dwelling had a depth on one side of 9m due to a front facing projecting gable. The height to eaves and ridge approved are 5m and 8.5m respectively. The floor area of the approved dwellings and garages totalled 445.6m<sup>2</sup>. The approved dwellings have a reduced footprint (248.6m<sup>2</sup>) over the previous garage buildings that were on the site (576m<sup>2</sup>) but there was an increase in mass as the approved structures are two storey.

The proposed dwellings would have a width which is 12m and would therefore match that of the existing approval. Furthermore the height to eaves and ridge would match those previously approved. However, the depth of the dwelling is proposed to be increased to 9.5m with a 1.8m deep rear outrigger set in from either side of the dwellings, making a maximum depth of 11.3m. The total floor area created by the dwellings and garages would be 573m<sup>2</sup>, with a total footprint (ground coverage) of 325.26m<sup>2</sup>. The dwellings and garages would therefore have an increase in footprint of 76.6m<sup>2</sup> and a total increase in floor area of 127.4m<sup>2</sup>. The total massing of the proposed dwellings would also therefore also increase.

There are no policies within the Local Plan which provide for new dwellings in the Open Countryside in such instances where they form the replacement of non-residential buildings. Therefore there is no guidance on what an appropriate scale of the dwellings would be. In this instance there were previous buildings on the site which could be used as a guide but is not definitive or exhaustive. It is however considered that the proposed dwellings should be of a scale and design which is appropriate to its rural setting, which is considered to be the key consideration in this instance.

The dwellings have been designed so that there is only a 1.5m (to one dwelling) and 0.5m (to the other approved dwelling) increase in depth when viewed from the A51, with the rear projecting gables set in by 5m from these more prominent side elevations.

Whilst the size of the dwellings have been increased in both footprint and volume it is considered that the combined footprint would be less than the previous development on the site. The dwellings have been designed in such a way that the bulk and mass would not be significantly apparent, over that previously approved. When approached from the A51 in either direction the development would not appear overly prominent. It is considered that there would be no significantly detrimental impact on the character and appearance of the Open Countryside.

The design of the proposed dwellings are not too dissimilar to those previously approved however both dwellings would have slight front projecting gables in this instance. It is therefore considered that the design of the dwellings is appropriate. However the quality of design/materials used is important and therefore a condition is suggested to ensure the LPA has control over the appearance which is appropriate to its rural setting.

The proposed landscaping and boundary treatment as shown on the submitted revised plans is not considered to be acceptable. More landscaping and hedgerows, along with appropriate fencing rather than close board fencing, would ensure that this site retains its rural character rather than the more urban feel which has been proposed. It is however considered that this could be conditioned to ensure that appropriate details are submitted and implemented.

It is therefore considered that in the absence of any policy that the proposed scale of the dwellings is appropriate in this rural context and the character and appearance of the area could be further improved by the materials used and landscaping treatment proposed, which the LPA can retain control over.

### **Impact on the Amenity of adjacent properties**

The adjacent property, The Bungalow, is sited within a large curtilage. Sited along the boundary of that property towards the rear is a garage. The siting of the proposed dwellings would be further away from The Bungalow than previously approved making the proposed development less overbearing, however this was not previously outlined as an issue. A driveway is proposed adjacent to the boundary with The Bungalow, however this is unlikely to cause any significant harm to the amenity of that property through noise and disturbance due to the position of their driveway and garage. There would be no windows within the side elevation of the proposed dwellings which would directly overlook The Bungalow. A first floor en-suite window is proposed in each new dwelling which would face towards the en-suite window of the other new dwelling. It is suggested that this should be conditioned to ensure that these are obscure glazed.

### **Impact on Highway Safety**

The application proposals include the use of two separate site accesses rather than the approved shared access. The existing site has two points of access which this proposal seeks to utilise. The Strategic Highways Manager has identified that visibility is reasonable in both directions and the proposed dwellings would generate less traffic than the previous use. They have therefore raised no objection to the proposed development subject to the submission of further access detail, and detail on the position of any proposed gates.

### **Affordable Housing**

The previous approval was subject to the signing of a s.106 agreement to secure a financial contribution in lieu of the provision of affordable housing as the proposed development involved more than one dwelling in an area where there was a proven need for affordable housing. This application would supersede the previous approval and also the legal agreement. Therefore it is recommended that any approval is subject to the signing of a s.106 agreement to ensure that financial contribution in lieu of the provision of affordable housing is secured.

## **Contaminated Land**

As the site is a former garage there is the potential for contaminated land to be present. Discussions have been ongoing between the applicant and the Council's Contaminated Land Officer with regard to this issue. The Contaminated Land Officer has confirmed that the detail submitted is acceptable. There is therefore no further requirement for any further contaminated land surveys to be carried out however it is recommended that a Site Completion Report detailing the conclusions and actions taken at each stage of the works, including validation works, shall be submitted to, and approved in writing by, the LPA prior to the first use or occupation of any part of the development hereby approved.

## **11. CONCLUSIONS**

The principle of the proposed development has been established under the previous approval for the site. This proposal seeks to amend the design of the proposed dwellings. The footprint and volume of the proposed dwellings, including their garages, will be increased under this scheme. However they have been designed in a way which would not result in a significantly detrimental impact on the character and appearance of the streetscene or open countryside. There will be no significantly detrimental impact on the amenities of neighbouring properties, highway safety or contaminated land. As this is an Open Countryside setting there is a requirement to secure a financial contribution towards the provision of affordable housing which can be secured by a legal agreement.

## **12. RECOMMENDATIONS**

**APPROVE** subject to the completion of a **Section 106 Agreement** to secure a contribution towards affordable housing, and subject to the following conditions:

- 1. Standard Time Limit**
- 2. Approved Plans**
- 3. Materials as submitted and approved**
- 4. Scheme of Landscaping to be submitted and approved (including details of grass verge)**
- 5. Implementation and Maintenance of Landscape Scheme**
- 6. Details of Boundary Treatment to be submitted and approved**
- 7. Access Detail to be submitted and approved and shall be formed in accordance with CEC specification (including the setting back of any gates)**
- 8. Details of surfacing materials to be submitted and approved**
- 9. Contaminated Land Site Completion Report to be submitted and approved prior to occupation**

**Informative(s): CEC Highways consent may be required before constructing or altering the accesses onto the A51**

**Location Plan : Licence No 100049045**

