

Application No: 10/4280M
Location: CHRISOVALANTOU, MERESIDE ROAD, MERE, WA16 6QR
Proposal: REPLACEMENT DWELLING

For MR G CAVILL, BWD LTD

Registered 20-Oct-2010
Policy Item No
Grid Reference 373399 382244

Date Report Prepared: 10 December 2010

SUMMARY RECOMMENDATION: Approve with conditions.

MAIN ISSUES: Impact on Green Belt
Impact on character of the area
Impact on living conditions of adjoining property

REASON FOR REPORT.

The application has been called in by Councillor Macrae who considers the size and siting of the proposed re-development of the site together with ancillary buildings and structures could cause harm to current local policies, overdevelopment of the curtilage, un-neighbourly to adjacent dwellings.

DESCRIPTION OF SITE AND CONTEXT.

The application site is adjacent to Little Mere and is currently occupied by a large two storey house with detached double garage and rear raised terrace/patio. Access to the site is off Mereside Road.

The site lies between Little Mere to the west and Mereside Road to the east with large detached dwellings to both north and south.

The site extends along part of Little Mere and this area has mature tree coverage.

DETAILS OF PROPOSAL.

The proposal originally intended to include a tree house in the western area of the site and a boathouse. Both these structures were of a significant size and the applicant has confirmed these should now be deleted from the proposal.

The proposal now intends to demolish the existing building and provide a replacement dwelling with basement and detached double garage.

To the rear (west) of the proposed dwelling will be a patio area approximately 1.2 metres above ground level with glass panels around the perimeter.

There is also proposed a quadruple garage 4 metres from the front of the replacement dwelling. This will have living accommodation above comprising living room, bedroom and bathroom and will not be self contained accommodation. The size of the floor area of the garage will be approximately 18 square metres.

The garage will have a pitched roof with ridge running west to east. On the northern roof plane there is proposed two small dormers with 4no. small rooflights on the southern roof plane.

RELEVANT HISTORY.

10/2840M – Erection of garden fence with trellis on top. Approve 9/11/2010.

98/2377P – Two storey rear extension. Approve 24/2/1999.

79026P – Retention of 1.2 metre satellite dish. Approve 18/10/1994.

57391P – Extension to form additional bedroom. Approve 6/4/1989.

56202P – Extension for additional bedroom. Refused 26/1/1989.

POLICIES

Regional Spatial Strategy

DP1 Spatial Principles.

DP7 Promote Environmental Quality.

Local Plan Policy.

NE1 Areas of Special County Value.

BE1 Design Guidance.

GC1 New Buildings.

DC1 New Build

DC3 Amenity.

DC6 Circulation and Access.

DC9 Tree Protection.

DC38 Space, Light and Privacy.

DC41 Infill Housing Development or Redevelopment.

Other Material Considerations.

PPS 1: Delivering Sustainable Development.

PPS 2: Green Belts.

CONSULTATIONS (External to Planning)

Highways:

As the application is for a replacement dwelling and there are no changes to the access proposed there are no highway objections to the application.

Environmental Health:

VIEWS OF THE PARISH / TOWN COUNCIL

Mere Parish Council are concerned that the replacement dwelling being considerably larger than the original footprint. The 1% increase stated includes within the existing footprint a large patio and terrace area. The proposed replacement garage is larger than others in the immediate vicinity and very close to the road. Consider the proposed boathouse/treehouse is inappropriate development in the green belt area and detrimental to the neighbouring properties.

OTHER REPRESENTATIONS

Natural England originally objected to the proposal on the grounds of insufficient information. Now the ancillary buildings have been removed, their main objection is no longer relevant. They have requested details of a methodology statement covering issues of dust screens and storage areas to protect the Mere. Also requested were details of surface water drainage. Natural England have confirmed they would support a condition requiring the surface water to be directed straight to the mains supply instead of a soakaway system originally proposed. The applicant has confirmed agreement to this and with such a condition attached and sight of the methodology statement, it is anticipated Natural England will remove their objection.

APPLICANT'S SUPPORTING INFORMATION

The following supporting documents have been submitted that can be viewed online:

Design and Access Statement
Tree Report
Protected Species Survey.

OFFICER APPRAISAL.

The application seeks consent for the demolition of the existing detached two storey dwelling and detached garage and the erection of a replacement two-storey dwelling with basement accommodation and new detached garage. The existing vehicular access arrangement onto Mereside Road will be retained.

KEY ISSUES.

The site lies within the Green Belt and it is considered that the key issues to be addressed in relation to this application are.

- Whether the proposal represents appropriate development in the Green Belt and if not whether there are any very special circumstances which would warrant approval of the application.
- Whether the design and appearance of the proposal and its visual impact on the character and appearance of the area is acceptable.
- Whether the proposal would have a detrimental impact on neighbours.

Assessment.

Green Belt Policy GC1 seeks to prevent inappropriate development, except in very special circumstances, and protect openness and provides criteria for appropriate development which includes agricultural/forestry development and development essential for outdoor sport. Balanced against this is guidance provided in PPS 2 which indicates the replacement of existing dwellings need not be inappropriate development in Green Belt providing the new dwelling is not materially larger than the existing dwelling.

The difference in accommodation is:

	<u>Existing(m2)</u>	<u>Proposed(m2)</u>
Basement	-	347
Ground Floor	294.7	297.6
First Floor	172.2	276.9
Second Floor	47.6	158.1
Volume (m3)	1786	3346

(These figures do not include the accommodation above the proposed quadruple garage which is approximately 12 square metres)

The proposed dwelling will have a slightly larger footprint to the original dwelling of approximately 1%. However the replacement dwelling will have provision for basement accommodation of approximately 347 square metres and additional floorspace at both first and second floor.

The maximum height of the existing dwelling to ridge is 8.5 metres at the rear (west) and 9 metres to the front (east) and over 5.5 metres high to eaves on the two storey element. These dimensions are very similar to the proposed dwelling which is 9 metres to the front (east) and 9.5 metres to rear (west).

The maximum width of the existing dwelling is approximately 21.5 metres with a depth of approximately 19 metres. This needs to be assessed against the elevations of the proposed dwelling of 22.5 metres and 21 metres respectively.

The existing dwelling has areas which are single storey with associated lower eaves height of 3 metres. The increase in eaves height of the replacement dwelling is predominantly two storey and consequently the cumulatively impact of both proposed new eaves heights and increased dimensions is considered to have a significant impact on the massing of the building.

The assessment of what is materially larger needs to take in a numerous factors including footprint, floorspace, volume, height, massing, design, and position on the plot. With the provision of the basement accommodation and additional floor space at first and second floor (which increase the bulk and massing of the proposed dwelling), the replacement dwelling is considered to be materially larger than the existing dwelling and has an increased volume of approximately 96%. The proposal therefore constitutes inappropriate development, which is, by definition, harmful to the Green Belt.

National guidance PPG2 sets out the presumption against inappropriate development. Inappropriate development should not be approved, except in very special circumstances. It is for the applicant to demonstrate why permission should be granted. Very special circumstance will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

As it is established that the development is inappropriate development in the Green Belt, it is therefore important to establish *any other harm* before taking into account any considerations that may weigh in favour of the proposal.

The increased massing of the proposed dwelling compared to the existing dwelling has the effect of reducing the space around the building to the detriment of the openness of the Green Belt. Openness is the most important attribute of the Green Belt and therefore the loss of openness adds some weight against the proposal.

The basement accommodation whilst having a significant impact on additional floorspace, will not be entirely visible from any of the elevations being predominantly below ground level and has very little impact on the overall height/mass of the replacement dwelling. The proposed basement area will have no openings visible on any of the elevations and the swimming pool proposed within the basement will have rooflights along the floor of the proposed patio area to the rear. The elevated patio area will be formed by the part of the wall of the basement area. There is an existing raised patio area and it is considered the basement is acceptable and will have no visual impact or harm on Green Belt.

Whilst the massing of the proposed dwelling is increased and will impact on the openness of Green Belt, it is considered the increase in massing and dimensions are not significant enough to be detrimental to the visual appearance and character of the area or have an adverse visual impact on Green Belt as the properties along Mereside Road are of a significantly large size.

Other Considerations.

Whilst the proposal is materially larger, it is noted in the past there have been several cases along Mereside Road, Clamhunger Lane, Chester Road and Warrington Road where it has been considered that very special circumstances exist within this area and have been subject to a “flexible” approach to Green Belt policy, taking into account the large houses and suburban character of the area.

However, each planning application should be assessed on its merits, and it is not considered a sufficiently strong argument to rely on past decisions in determining this application. Furthermore, the recent judicial review that the Council has faced in relation to how replacement dwellings are assessed has focused attention onto this issue.

It is recognised that this part of Mereside Road does have a suburban character, however this in itself is not considered to be sufficient to outweigh the harm by reason of inappropriateness and the additional harm by reason of loss of openness that has been identified. No very special circumstances are considered to exist that could allow this proposal.

Residential Amenity

The application site has neighbours to the north and south. The substantial vegetation on the boundaries characterised by a large mature hedgerow and trees in places and the distance the properties are away from the boundaries, will minimise any impact of the development upon their residential amenity.

The detached quadruple garage will have a pitched roof with gable facing Mereside Road. The siting of the garage allows for a significant reduction in the visual appearance of the building and when viewed from the road with the backdrop of the replacement dwelling, it is considered the visual impact on the garage is considerably reduced.

For the avoidance of doubt, any approval granted could have a suitably worded condition attached ensuring the accommodation will not become self contained but is linked to the main dwelling.

Landscaping.

There is substantial mature tree and hedge planting around the perimeter of the site which will be retained. This will ensure the proposal is not only screened but will also protect privacy of both neighbours and occupiers. Submitted with the application are details of tree protection measures which should ensure retained trees are protected.

The majority of the tree cover is located adjacent to the Mere in the eastern area of the site. This area is a considerable distance away from the proposed dwelling and will not be affected by the proposal.

Nature Conservation

An ecological report was submitted with the application. The Council's Ecologist notes that there is no evidence of any protected species on site and does not anticipate there being any significant ecological impacts associated with the proposed development.

Highways/Transport

The existing entrance onto Mereside Road is to be retained and the Highway Engineer has no objections.

Ecology

The Ecology report submitted with the application confirms no evidence of bat activity and Natural England considers the proposal will not have any adverse impact on the Mere.

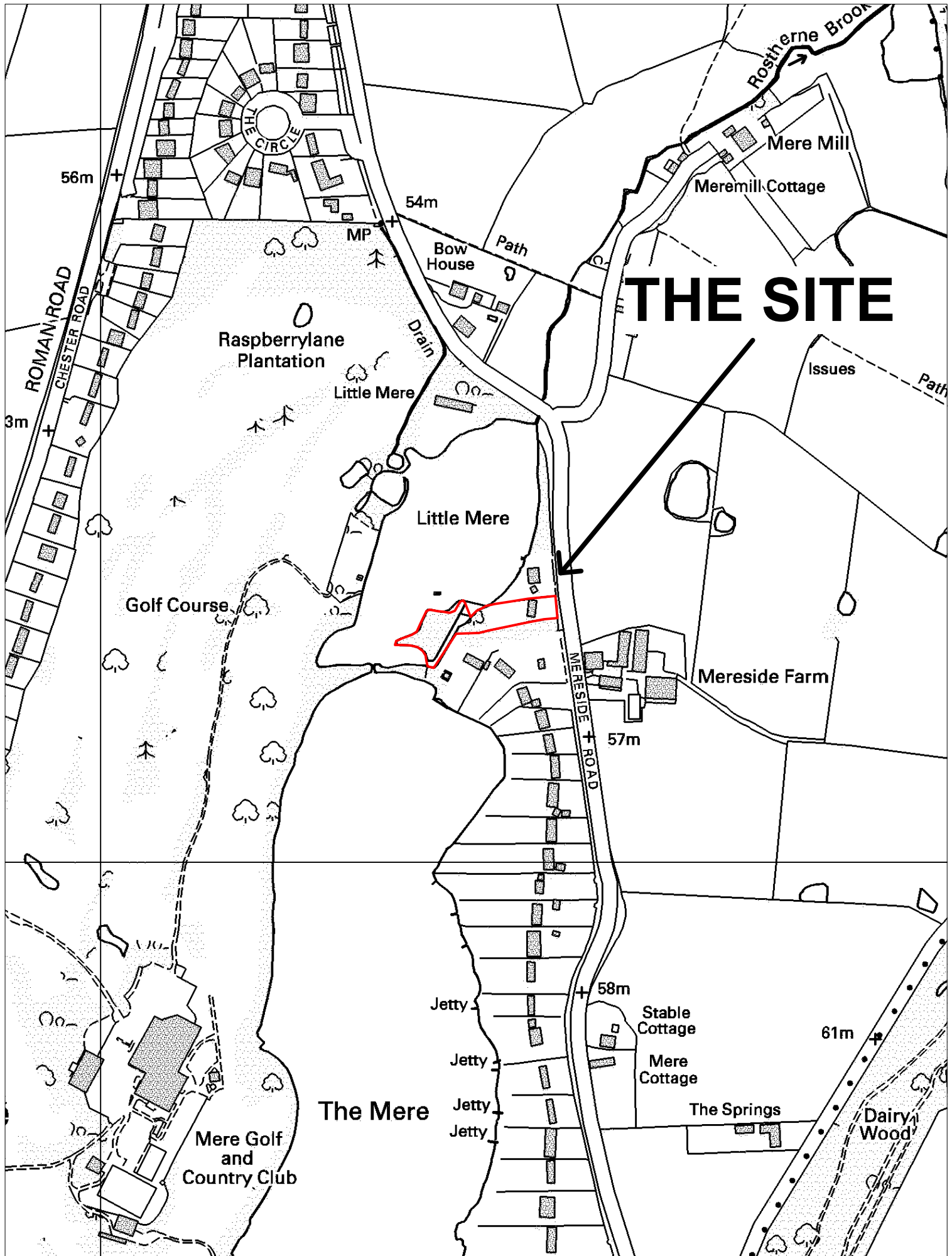
CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposed dwelling is materially larger than the existing dwelling it seeks to replace. The proposal amounts to inappropriate development in the Green Belt and the proposed dwelling will reduce the openness of the site within the Green Belt. The lack of harm to the character and appearance of the area or to visual amenity, and the character of surrounding properties, are not considered to be sufficient to clearly outweigh the identified harm to the Green Belt. As such the proposal is recommended for refusal contrary to national planning guidance PPG2 and Macclesfield Borough Local Plan policy GC1.

Application for **Full Planning**

RECOMMENDATION : Refuse for the following reasons

1. Contrary to Green Belt policy



10/4280M CHRISOVALANTOU, MERESIDE ROAD, MERE, WA16 6QR
 NGR- 373,400:382,260

Reproduced from the Ordnance Survey map with the permission of HMSO.

© Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to legal or civil proceedings. Cheshire East Council, licence no. 100049045.

 Scale 1:5000