

Application No: **10/4226C**

Location: **The Mews, Chancery Lane, Alsager, ST7 2HF**

Proposal: **Proposed Two Storey Extension and Internal Alterations**

Applicant: **Mrs Margaret Brown**

Expiry Date: **19th January 2011**

Ward: **Alsager**

Date Report Prepared: 14th January 2011

SUMMARY RECOMMENDATION: Refuse

MAIN ISSUES:

- Principle of development
- Design
- Amenity
- TPO trees
- Highway safety

REASON FOR REFERRAL

The following call in request was received from Councillor Hough:

There is a concern, firstly, that the size and mass of the development are not in keeping with this area of Alsager.

Secondly, the proximity of the extension to the neighbouring property, No2 Chancery Lane, may have an adverse effect on the amenity of the neighbour. Could I ask that the relevant houses on Crewe Road be notified of this application if not already done.

I hope that you accept these as valid reasons for a call in and hope that you will let me know if they are.

DESCRIPTION OF SITE AND CONTEXT

The application site relates to a detached brick built dwellinghouse located within the Alsager Settlement Zone Line. The dwellinghouse has its shortest gable end facing towards Chancery Lane and as such the dwelling is not highly prominent within the street scene.

Surrounding dwellings on Chancery Lane vary significantly in terms of design and appearance.

DETAILS OF PROPOSAL

Full planning permission is sought for the erection of a two-storey extension which would result in the dwellinghouse having an L-shaped footprint. The extension would provide a kitchen at ground floor level and two bedrooms and en-suite at first floor level.

RELEVANT HISTORY

There is no relevant planning history for this site.

POLICIES

Local Plan Policy

PS4 Towns

GR1 New Development

GR2 Design

GR6 Amenity & Health

GR9 Accessibility, servicing and parking provision

NR1 Trees & Woodland

SPG2 Provision of Private Open Space in New Residential Developments

CONSULTATIONS (External to Planning)

Highways:

[01.12.2010] The Strategic Highways Manager has no objection to the proposed development subject to an informative relating to highways authority consent being required for any works which may affect the public highway.

Environmental Health:

No response was received at the time of report preparation.

VIEWS OF THE PARISH / TOWN COUNCIL

[24.11.2010] Alsager Town Council raises concerns that the proposed development is infill and regarding the size of the development in relation to the plot.

OTHER REPRESENTATIONS

Two letters of objection has been received at the time of report preparation.

The following material planning considerations were raised within the objection letters:

- The proposed extension would overshadow the existing garden area of 2 Chancery Lane which is already significantly overshadowed by TPO trees. This would impact upon the enjoyment of the garden.
- The proposed extension would appear imposing to 2 Chancery Lane.
- The proposed extension would overshadow an existing patio area of 2 Chancery Lane.
- The proposed extension would restrict an existing access path.

- The proposal could affect drainage of an access path.
- The plans show no details of the existing shed that the proposal would replace.
- The proposal is overdevelopment of an already restricted site.
- The proposal would result in a less than standard amenity space for future occupiers.
- The principal windows do not comply with the accepted minimum space about dwelling standards, in the relationship to the rear boundary.
- The proposal would result in over domination of the rear gardens to the dwellings to the south of the site: (143 and 145 Crewe Road).
- Loss of privacy and amenity to 143 and 145 Crewe Road.
- Detrimental impact upon wildlife and wild flowers which currently live and grow around the wall which partially surrounds the house.
- Proposal would have a detrimental impact upon a TPO tree.

Issues relating to views from the existing property were raised however; such is not a material planning consideration which can be taken into account for the determination of this application.

OFFICER APPRAISAL

Principle of Development

The dwellinghouse is located within the Alsager Settlement Zone Line where there is a presumption in favour of residential extension subject to the proposal meeting all other relevant criteria in relation to design, amenity, highway safety, and TPO trees.

Design

The proposed extension would be located on the eastern elevation of the dwellinghouse and would measure 4.1 metres in width, 8.3 metres in depth, and 6.5 metres in height to the ridge of the roof. The extension would project to create an L – shaped footprint and would be constructed out of materials to match those used on the existing dwelling.

The dwellinghouse is located on the south side of Chancery Lane, amidst a wide range of dwelling types. It is accepted that the resultant dwellinghouse would not replicate existing properties in the vicinity however, given that the existing property is of an individual design and as other properties vary significantly in terms of scale, design, and appearance, it is not considered that the resultant dwellinghouse would appear incongruous or detract from the character of the surrounding area.

The design of the proposal, although of a large scale, is considered to be acceptable. As mentioned previously, the dwellinghouse is of an individual design and the extension would appear sympathetic to the form and character of the property. Subject to the use of appropriate materials, the design and appearance of the proposal are acceptable.

Whilst it is appreciated that concern has been raised in relation to the scale of the proposal, it must be noted that the application site is located within the Settlement Zone Line where there is no set restriction upon residential extension size. Whilst it is accepted that the extension is large, it is not considered that this alone is a reason for refusal, as the overall design of the proposal is considered acceptable and not harmful to either the existing dwellinghouse or the surrounding street scene.

An additional car parking space has been included as part of the development however, this space would not detract from the visual amenity of the surrounding area.

Amenity

143 and 145 Crewe Road are neighbouring properties located to the south of the site and are separated from it by a narrow passageway.

The proposed extension would be located a distance of approximately 23 metres from the rear of such properties. This distance exceeds the minimum privacy distances as required by SPG2 and as such the proposal is considered to have an acceptable impact in terms of privacy.

Whilst concerns have been raised that the extension would be dominant when viewed from 143 and 145 Crewe Road, this is considered unlikely due to the length of the garden which is approximately 20 metres. Also it would not cause overshadowing given that the application is located to the north of such properties.

Neighbouring property 2 Chancery Lane is located to the east of the application site and concerns have been raised that the proposal, which would be immediately adjacent to the common boundary, would overshadow No. 2's existing garden area/patio and appear imposing. It is acknowledged that the proposal would overshadow the garden area of No. 2 to some degree due to its position to the west, immediately adjacent to the common boundary. However, consideration must be given to the existing conditions of this garden. The garden is of a large scale and is overshadowed by existing trees to the south that are protected by Tree Preservation Orders. Due to such conditions, it is not considered that the proposed extension would exacerbate this situation to a degree which would sustain refusal of the application.

With regard to the proposal appearing imposing, it is accepted that the proposal would be visible to 2 Chancery Lane. However, given that a distance of approximately 18 metres would exist between the proposal and the side elevation of No. 2, it is not considered that the extension would appear oppressive or significantly overbearing.

With regard to the future amenity space of occupiers, the resultant amenity area consisting of a lawn and patio has been calculated at approximate 80 square metres. This area exceeds the recommended minimum garden area of 65 square metres and as such is considered acceptable.

TPO trees

There are two trees located in the rear garden of 143 Crewe Road which need to be taken into consideration. The larger specimen is a mature Lime tree subject to TPO protection (Part G3 of the Chancery Lane, No. 2 Alsager, Tree Preservation Order 2000). There is also a semi-mature Sweet Chestnut tree located at the same property. The submission does not include a comprehensive tree survey in accordance with BS 5837:2005 Trees in relation to construction. The only tree related information comprises a plan with symbols which are taken to represent the mature Lime tree and a tree in the garden of 141 Crewe Road.

The submitted plan does not appear to represent the situation on site accurately and overall it is not considered that the submission meets the requirements of Policy NR1 of the adopted Congleton Borough Local Plan as it has not been demonstrated that

the proposal includes sufficient information to enable assessment of the potential impact upon TPO trees.

Highway safety

The proposal would not impinge upon any existing parking or access arrangements and it would provide one additional car parking space. Given that there is no objection from the Strategic Highways Manager, it is considered that the proposal would have an acceptable impact upon highway safety.

Other issues raised within objections

Access path

Concerns have been raised that the proposal would restrict access to the existing access path to the rear of the site. However, given that the proposed extension is located entirely within the existing curtilage, this is considered unlikely.

Drainage

There is no indication of drainage within the submitted proposal. To ensure that drainage is sufficient and would not detrimentally affect the wider area, it is considered reasonable to condition drainage details via condition.

Details of existing shed

Whilst plans may not show details of the existing shed on the site, a site visit was undertaken to see the existing conditions on the site.

Wildlife

Due to the small-scale nature of the proposed development, which would be on an existing area of hardstanding, it is not envisaged that the proposal would have a significant impact upon local wildlife.

CONCLUSIONS

The principle of the development is acceptable, as is the proposal's design, impact upon neighbouring properties, highway safety, and the street scene. However, the submission fails to demonstrate that the proposal would have an acceptable impact upon a tree protected by a Tree Preservation Order as insufficient information has been submitted with the application. The application is therefore recommended for refusal.

RECOMMENDATION

Refuse for the following reason:

1. Insufficient information has been submitted with the application in order to assess adequately the impact of the proposed development having upon trees protected by the Part G3 of the Chancery Lane, No. 2 Alsager, Tree Preservation Order 2000. In the absence of this information, it has not been possible to demonstrate that the proposal would comply with policy NR1 of the adopted Congleton Borough Local Plan First Review 2005.

Location Plan: Cheshire East Council Licence No. 100049045

