

Application No: **10/4817N**
Location: **10, Whitchurch Road, Audlem, CW3 0EE**
Proposal: **Outline Application To Erect Single Detached One and a Half Storey Bungalow. Resubmission of 10/4300N**
Applicant: **Mr & Mrs K Whalley**
Expiry Date: **04-Feb-2011**
Ward: **Cholmondeley**

SUMMARY RECOMMENDATION

Approve with conditions

MAIN ISSUES

- Principle of Development
- Design - Impact on the Character and Appearance of the Streetscene
- Impact on Amenity of adjacent properties
- Impact on Highway Safety
- Other Matters – Contaminated Land

REASON FOR REFERRAL

This application is to be determined by Southern Planning Committee as it has been called in by Cllr Bailey for the following reasons:

“issues relating to highways, including access/visibility problems, the design, scale and character and/or relationship of existing buildings and proposed buildings, the effect of the proposal upon the character or amenity of adjoining land and buildings and/or the impact on the surrounding area, and/or, there are significant policy or precedent implications”

DESCRIPTION OF SITE AND CONTEXT

The application site is the residential curtilage attached to No.10 Whitchurch Road which is located within the settlement boundary for Audlem as defined by the Borough of Crewe and Nantwich Replacement Local Plan 2011. The application dwelling is a two storey semi-detached structure sited within an irregular shaped curtilage. The site is accessed from Oak Tree Gate and has a historical closed point of access from Whitchurch Road to the south. To the east and northwest of the application site are bungalows whilst there are also two storey dwellings within the area. The northern boundary which fronts Oak Tree Gate is largely defined by a row of coniferous trees of 3m+ in height. There is also a 1.8m high close board fence sited around the site access. The north and eastern boundaries with No.2 Oak Tree Gate are defined by a 2.5m high Leylandii hedge, whilst the boundary with No.12 Whitchurch Road is a 2.5m high mixed species hedge.

DETAILS OF PROPOSAL

This is an outline application (with all matters reserved), for the construction of a detached dwelling within the residential curtilage of No.10 Whitchurch Road. The dwelling would be L shaped in footprint with a maximum width of 14.5m and maximum depth of 13.5m. The dwelling would be 1 ½ storeys in height with a ridge height of 5.85m and an eaves height of 2.4m. The dwelling would be accessed from Oak Tree Gate via the existing access which would be widened to 4.2m and would serve both the existing and proposed dwellings.

RELEVANT HISTORY

10/4300N – An application for Outline Planning Permission for the erection of a detached two storey dwelling was withdrawn on 21st December 2010.

7/07029 – Planning permission was approved for the Erection of 4 bungalows and 8 detached houses on 18th September 1980.

7/04931 – Planning permission was approved for residential development on 12th January 1979.

POLICIES

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

Local Plan Policy

BE.1 (Amenity)
BE.2 (Design Standards)
BE.3 (Accessing and Parking)
BE.4 (Drainage, Utilities and Resources)
BE.5 (Infrastructure)
RES.2 (Unallocated Housing Sites)

Supplementary Planning Documents

Local Development Framework - Development on Backland and Gardens Supplementary Planning Document (2008)

Other Material Considerations

PPS1: Delivering Sustainable Development
PPS3: Housing
PPS23: Development and Pollution Control

CONSULTATIONS (External to Planning)

Strategic Highways Manager – No significant impact on the surrounding highways network as a direct result of the proposal. No highways objections subject to conditions for access detail and visibility splays to be submitted and access to be constructed in accordance with CEC specifications.

Environmental Health – Conditions relating to pile driving and construction hours recommended.

Environmental Health (Contaminated Land) – Development is for a sensitive end use and could be affected by contamination. No information has been submitted to demonstrate that there are no constraints from previous or current land uses. The application should be refused for insufficient information.

United Utilities – No objection to the proposed development

VIEWS OF THE PARISH COUNCIL

Objects to the above application on the grounds of overdevelopment. A one and a half storey building on a small plot would be detrimental to the neighbours' enjoyment of their property at 12 Whitchurch Road, due to its necessarily close proximity. Attention is also drawn to the fact that parking issues in Oak Tree Gate would be exacerbated.

OTHER REPRESENTATIONS

Three letters of objection received from No.2 and 6 Oak Tree Gate and 12 Whitchurch Road. The salient points being:

- Development built almost on boundary with dwelling being 5m from living room patio windows of No.12 resulting in overshadowing
- Significant loss of light to living room of No.12
- Any windows in the east elevation will result in overlooking to No.12 and loss of privacy
- View from living room window of No.12 will be obscured by the proposed structure
- Access is insufficient for the proposed development
- Additional traffic on Oak Tree Gate will cause highways issues
- An access opening of 4.2m will be out of character with the area
- Difficult for cars to turn in the site and exit the site in a forward gear
- Will result in parking on the road and issues with passing of service vehicles
- Large structure in the plot

APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement submitted, the salient points being:

- Site is in a mature and well established residential area within Audlem Settlement Boundary
- Mixture of detached and semi detached houses of varying ages and styles.
- Sustainable location
- Mains drains and services available
- Access – road frontage to Oak Tree Gate, existing drive to be increased in width to 4.2m to serve both dwellings. Vehicles to enter and exit in a forward gear
- Amount – single one and a half storey dormer bungalow
- Scale – Similar in scale and proportion to neighbouring properties with double integral garage
- Appearance – Outline application, design considered at later date. Height to ridge to be 5.85m and height to eaves 2.4m.
- Landscape – will require removal of 4m of Leylandii hedge to road frontage to Oak Tree Gate and removal of some ornamental shrubbery. Remaining hedging to site boundaries to be retained.

OFFICER APPRAISAL

Principle of Development

As the application involves development on garden land it is important to consider the implications of the amendments made to Planning Policy Statement 3: Housing on 9th June 2010 which amended Annex B so that private residential curtilages are removed from the definition of previously developed land. An additional sentence has also been added to paragraph 41 of the PPS which states that brownfield land is the priority for development, to say that, *“there is no presumption that previously developed land is necessarily suitable for housing, nor that all of the curtilage should be developed”*.

Notwithstanding these amendments Local Plan policies contained within the Borough of Crewe and Nantwich Replacement Local Plan 2011 allow for the development of sites within settlement boundaries for housing subject to the proposals satisfying a number of criteria. There is nothing in these policies to restrict these developments only to previously developed land, or to rule out development on Greenfield land where it is located within the settlement boundary.

Consequently, this site, which is located within the settlement boundary, is considered to be suitable in principle for residential development, subject to compliance with Policy RES.2 (Unallocated Housing Sites) of the Local Plan and the Crewe and Nantwich Council SPD on Development in Backland and Gardens which is also relevant and provides more detailed advice. In order to fully accord with Policy RES.2 the development must also be in keeping with the requirements of policies BE.1 – BE.5 and the Council's Supplementary Planning Document on Extensions and Householder Development.

Design - Impact on the Character and Appearance of the Locality and Streetscene

As this application is in outline only with all matters reserved it is not possible to comment on the external appearance of the proposed development. Notwithstanding this, detail has been provided of the proposed height of the dwelling and an indicative layout has also been provided to show how the site could be developed.

The proposed dwelling would be sited between two detached bungalows which have L shaped footprints which comprise maximum widths of 16m and depths of 13m. The indicative plan shows an L shaped dwelling which would have a maximum width of 14.5m and maximum depth of 13.5m. The proposed curtilage in which the dwelling would be sited would also be of a similar size to those L shaped properties in the immediately surrounding area. It is therefore considered that the proposed layout of the development as shown in the indicative plan would be sympathetic to and respect the pattern of development in the area.

The proposed development is for a one and a half storey dormer bungalow. Within the immediate area there is a mixture of housing types. The adjacent semi-detached dwellings of 10 and 12 Whitchurch Road are two storey properties, whilst the adjacent properties along Oak Tree Gate (No.1 and 2) are detached bungalows. The proposed development would be sited between No.1 and No.2 Oak Tree Gate. The indicative site plan shows the taller dormer element of the dwelling to be set back from Oak Tree Gate and facing towards Whitchurch Road. At its closest point the taller element of the bungalow would be 11m from the edge of the highway of Oak Tree Gate, whilst the single storey projection would have a lower ridgeline to the remainder of the bungalow and would be 4m from the edge of the highway at its closest point. It is considered that this element could be conditioned to be single storey only so that it would not appear prominent on the

streetscene between the existing single storey bungalows. Notwithstanding this there is a substantial established coniferous screen between the application site and Oak Tree Gate which would be largely retained. With this in mind and with the suggested condition attached for the projection towards Oak Tree Gate to be single storey, it is considered that the scale of the proposed development would be sympathetic with the form of development in the area and there would be no detrimental impact on the character and appearance of the streetscene when viewed from Oak Tree Gate. When viewed from Whitchurch Road the dwelling would be visible between a bungalow and a two storey construction. The one and half storey dormer bungalow between these existing built features would result in a height which is higher than the bungalow but lower than the two storey building providing a hierarchy of built development. It is therefore considered that the proposed development, when viewed from Whitchurch Road, would respect the form of development whilst being of a height and scale which would not be prominent to adversely affect the streetscene. It is considered that a condition would be attached to any approval restricting the maximum ridge height of the dormer bungalow to 5.85m.

Further to the conditions highlighted above it is also considered that conditions should be attached requiring finishing and surfacing materials to be submitted and approved to the LPA, along with details of landscaping and boundary treatment. This will ensure that the proposed development is of satisfactory appearance and appropriately landscaped.

The proposed development would therefore be in compliance with Policy BE.2 (Design Standards) of the Local Plan and guidance contained within the Development on Backland and Gardens SPD.

Impact on the Amenity of adjacent properties

At its closest the proposed dwelling would be sited 2m from the boundary with No.12 Whitchurch Road. At this point the dwelling would be 2.4m in height at eaves level. At ridge height (5.85m) the proposed dwelling would be 4m from the boundary with No.12 at its closest. Within the north-western elevation of No.12 Whitchurch Road is a single opening at ground floor level. This opening is understood to be to the living room. The proposed dwelling at its closest point would be 11.5m from this window. However, the proposed structure at this point would be at its lowest (2.4m) and would be seen at a slight angle from that window rather than being directly opposite it. The boundary between the application dwelling at that property is a well established mixed species hedge which is approximately 2.5m in height. It is therefore considered that the proposed development would have little detrimental impact on the amenities of the neighbouring property through loss of daylight or overbearing.

The proposed dwelling would be sited between 12m and 14m from the nearest elevation of No.10 Whitchurch Road which faces the flank elevation of the dwelling. There are windows within this elevation which are likely to serve habitable rooms. This would be a slight breach of spacing standards between principal windows of one property and blank flank elevations of another which are recommended to be 13.5m in such circumstances. Notwithstanding this, the dwelling would be largely screened from these windows by an existing and well established mixed species boundary hedge. The presence of natural screening between developments is highlighted as a consideration in the SPD for Backland Development. It is therefore considered, given the context of the site, that there would be little loss of privacy or overbearing resulting from this one and a half storey bungalow. Furthermore, the proposed dwelling would be sited to the north of No.10 and 12 Whitchurch Road and therefore any impact through loss of daylight would be minimal.

The proposed dwelling would be sited directly to the rear of No. 2 Oak Tree Gate at a distance of 13.5m which satisfies spacing standards providing that there are no openings in the flank elevation of the proposed dwelling. Therefore, to ensure that there is no loss of privacy or overlooking on neighbouring properties it is considered that a condition preventing windows to habitable rooms within the flank elevations of the proposed dwelling (which face towards No's 10 & 12 Whitchurch Road, and No.2 Oak Tree Gate). The dormer windows may result in slight overlooking into the private amenity space of neighbouring properties. However, this is dependent on the precise siting of the openings and the proposed room to which they serve. This issue could be designed out at Reserved Matters stage.

The SPD for Backland and Garden Development suggests that new dwellings should have private amenity space of at least 50sqm. The proposed dwelling would have private amenity space which is well in excess of this suggested minimum whilst the remaining amenity space for No.10 would also be satisfactory.

Conditions relating to obscure glazing for bathrooms are also suggested along with construction hours and pile driving to ensure that the amenities of neighbouring properties are further protected.

Impact on Highway Safety

Access is a reserved matter. However, an indicative plan has been submitted to show the site being accessed from Oak Tree Gate. This would be a shared access for both the proposed dwelling and existing dwelling, No.10 Whitchurch Road. The indicative plan and supporting information propose that the existing access be widened to 4.2m. The Strategic Highways Manager has stated that the indicative access arrangements would be acceptable subject to conditions relating to details of access construction and visibility splays being provided and approved. It is considered that any approval should be conditioned as suggested along with a condition tying the access arrangements to be as shown on the indicative plan so that the site is not accessed from Whitchurch Road.

Concern has been raised that the proposed development would lead to greater pressure for on street parking. The application dwelling would have a double garage (as highlighted in the Design and Access Statement) and sufficient parking to the front of the dwelling for at least three further vehicles. The remaining hardstanding for No.10 Whitchurch Road would allow the off street parking of at least three vehicles. The proposed development would exceed parking standards for dwellings and it is therefore highly unlikely that the proposed development would result in any pressure for on street parking along Oak Tree Gate.

Other Matters – Contaminated Land

Environmental Health have objected to the proposed development on the grounds that no Contaminated Land Survey has been submitted. As the proposed development is for a sensitive end use contaminated land implications need to be considered in line with Planning Policy Statement 23. However in this instance it is considered that it would be unreasonable to refuse the application on the grounds of lack of information given the existing nature of the site which is residential curtilage and surrounded by residential development and also when a condition could be attached to any approval requiring, in the first instance, a Phase 1 contaminated land assessment to be carried out to determine whether there would be any implications. A condition would also require, in the event of contamination being found, mitigation measures to be proposed and implemented.

CONCLUSIONS

The proposed development is of an acceptable design which would not result in significant harm to the character and appearance of the streetscene. Furthermore, it is considered that there would be no significantly detrimental harm to the amenities of neighbouring properties, highway safety or any other matter. The proposed development, as conditioned, is therefore considered to be in compliance with Policies BE.1 (Amenity), BE.2 (Design Standards), BE.3 (Accessing and Parking), BE.4 (Drainage, Utilities and Resources), BE.5 (Infrastructure) and RES.2 (Unallocated Housing Sites) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within the Local Development Framework Development on Backland and Gardens Supplementary Planning Document (2008).

RECOMMENDATIONS

APPROVE with conditions

- 1. Commencement of Development**
- 2. Submission of Reserved Matters**
- 3. Time Limit for Submission of Reserved Matters**
- 4. Materials to be submitted and agreed**
- 5. Surfacing Materials to be submitted and agreed**
- 6. Landscaping scheme to be submitted and agreed**
- 7. Landscape Implementation**
- 8. Drainage Scheme to be submitted**
- 9. Details of Boundary Treatment**
- 10. Obscure Glazing**
- 11. Bin Storage to be provided**
- 12. Phase 1 Contaminated Land Survey to be submitted**
- 13. Hours of Construction - 08:00 to 18:00 Mon to Fri, 09:00 to 14:00 Sat, not at all on Sunday or BH**
- 14. Removal of all PD**
- 15. No windows at first floor level within flank elevations and no windows to habitable rooms whatsoever in flank elevations**
- 16. Ridge height to be no greater than 5.85m**
- 17. Indicative layout**
- 18. Access to be via Oak Tree Gate, detailed drawings to be submitted and access to be constructed to CEC standard**
- 19. Eastern projection towards Oak Tree Gate to be single storey**
- 20. Pile Driving**

