

Application No: **10/4955N**

Location : **58 South Crofts Nantwich CW5 5SG**

Proposal: **Demolition of Existing Semi-Detached Property and Erection of Replacement Dwelling**

Applicant: **Mr & Mrs K Nord**

Expiry Date: **Nantwich**

Date Report Prepared: 4th March 2011

SUMMARY RECOMMENDATION: Approve subject to conditions

MAIN ISSUES:

- Procedural Matters;
- Principle of Residential Development;
- Design Standards;
- Garage;
- Private Amenity Space/Density;
- Amenity Considerations;
- Impact on Trees;
- Drainage;
- Access and Parking;
- Protected Species;
- Impact on Conservation Area; and
- Other Matters

REFERRAL

This application was originally to be dealt with under the Council's delegation scheme. However, Councillor Moran has requested that it be referred to Committee for the following reason – *bulk and size of dwelling and garage out of character with streetscene in conservation area.*

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a rectangular shaped plot measuring approximately 40m deep by 22m wide (which equates to an area of 880m²) and is located wholly within the settlement boundary of Nantwich and the Nantwich Conservation Area. The application site contains a two storey semidetached property constructed out of facing brick under a tile roof. The building is vacant and appears to have been for some considerable time. Located around the periphery of the site are a number of trees some of which are protected by TPO's. The application site is accessed directly off South Crofts. In addition, within the application site is a small scale domestic cross sectional concrete

garage and timber shed. The site is enclosed on three sides by existing built development and South Crofts to the north.

The surrounding properties have been constructed over approximately the last 30 to 200 years and provide a real eclectic mix of architectural styles, forms and differing scales of dwellings. Located to the east of the application site is a row of 2 storey terraced properties constructed in the Victorian era. These properties are located in much smaller plots and are much closer to South Crofts. Located to the rear of the site is another residential property which is set within an extensive plot (slightly smaller than the applicants'). The adjoining property (no. 59 the other part of the semi) has undergone extensive refurbishment and has a relatively large footprint.

DETAILS OF PROPOSAL

This is a full application for the erection of a large detached dwellinghouse adjacent to no. 59 South Crofts, following the demolition of the existing property on site. The proposed dwellinghouse will be 2 storey high and will have a similar ridge and eaves height to no. 57 South Crofts. Located to the front of the proposal will be a detached garage.

RELEVANT HISTORY

10/4617N – Conservation Area Consent for the Demolition and Rebuilding of Existing Dwelling with Further New Extensions and Alterations and Detached Garage Block – Withdrawn – 7th January 2011

10/4597N – Demolition and Rebuilding of Existing Dwelling with Further New Extension and Alterations and Detached Garage – Withdrawn – 21st December 2010

7/13676 – Double Garage, Studio and Conservatory – Approved – 18th December 1986

POLICIES

National Policy

| | |
|-------|--|
| PPS1 | Delivering Sustainable Development |
| PPS3 | Housing |
| PPS5 | Planning and the Historic Environment |
| PPS9 | Biodiversity and Geological Conservation |
| PPG13 | Transport |

Local Plan Policy – Borough of Crewe & Nantwich Replacement Local Plan 2011

| | |
|-------|-------------------------------------|
| BE.1 | (Amenity) |
| BE.2 | (Design Standards) |
| BE.3 | (Access and Parking) |
| BE.4 | (Drainage, Utilities and Resources) |
| BE.5 | (Infrastructure) |
| BE.7 | (Conservation Areas) |
| RES.2 | (Unallocated Housing Sites) |
| RES.3 | (Housing Densities) |
| NE.5 | (Nature Conservation and Habitats) |

NE.9 (Protected Species)
TRAN.9 (Car Parking Standards)

Other Material Considerations

Supplementary Planning Document – Development on Backland and Gardens
Cheshire East Strategic Housing Market Assessment 2010

CONSIDERATIONS (External to Planning)

Environmental Health (Contaminated Land): No objections subject to the following condition:

The plot of land is located adjacent to commercial land where contamination migration may have affected the subject site. As such this division requests that should adverse ground conditions be encountered during development, all works in that area should stop and this division contacted for advice.

Environmental Health: No objections subject to the following condition:

The hours of construction (and associated deliveries to the site) of the development shall be restricted to 08:00 to 18:00 hours on Monday to Friday, 09:00 to 14:00 hours on Saturday, with no work at any other time including Sundays and Public Holidays. To protect the amenities of nearby residents and the occupiers of nearby property.

United Utilities: No objections

Highways: No objections

Ecologist: No objections

VIEWS OF THE PARISH / TOWN COUNCIL

No objections subject to the following comments: While the Council understand the need for refurbishment and regeneration of time-expired buildings, nevertheless it considers it extremely important that any demolition and new build should reflect the structure and character of the existing building and its surroundings. The Council request that the Conservation Officer specify and require materials which are in keeping with the existing structure and which are of the highest quality and finish. The Council would also ask that particular regard is given to adjoining properties and the effect on flora and fauna likely to be affected by the proposal.

OTHER REPRESENTATIONS

Letters of objection have been received from the occupiers of 5 South Crofts, 8 South Crofts, 41 South Crofts, 59 South Crofts, 27A Hospital Street and 17 The Gullet. The salient points raised in the objection letters are:

- The size of the garage is excessive and could very easily be converted into self contained accommodation or a separate dwelling. The garage is completely out of character and detracts from the streetscene;
- In order for construction vehicles to gain access to the property a section of boundary wall will need to be removed;
- According to the submitted plans the adjoining property is not drawn to scale and it is therefore impossible for anyone to get a realistic view of the size and scale of the development;
- The proposed development looks completely out of place due to its scale, design and mass;
- The proposal if approved will have a detrimental impact on the residential amenities of the neighbouring properties;
- The first floor window on the gable of the proposed dwellinghouse will look directly into the neighbouring property and there is already an alternative window serving this room;
- My property will appear out of place if the adjoining property is demolished;
- The developers have assured me that they would give me a strip of land adjacent to my property. It would then appear less like a semidetached property chopped in half and will help with on going maintenance. They have reneged on this promise;
- The proposed front stair well is out of keeping and will have a detrimental impact on the streetscene and the conservation area;
- There is no tarmac as detailed on the application forms and never has been;
- The proposal does not harmonise with the streetscene and does not preserve or enhance the Conservation Area;
- The scale and mass of the proposal is excessive and out of keeping with other properties in the streetscene;
- The large window in the centre of the upper storey of the south elevation. This space is shown on the application as a void above the living area but in the event of a floor being added to form a habitable room this would impinge severely on our privacy as it directly overlooks our main patio area. It should be noted that the bedroom in the existing property which currently occupies an almost identical footprint has its window facing east to overlook its own garden. We request approval should be subject to obscure glazing and non opening window in this elevation to prevent loss of privacy;
- The height of the building approximately half a metre higher than the existing building and neighbour makes it excessively dominant in a built environment comprising vernacular cottages. The garage being 2 storey high also looks out of context;
- There are additional velux windows which will look directly into the adjacent property and these velux windows will appear out of place;
- The Crofts comprise of small semi-detached and terraced cottages. A detached house of this magnitude would look completely out of place in this part of the Conservation Area;
- The scale of the proposed dwelling would be incongruent with both the adjoining property and those it would face;
- The proposal has a grossly oversized garage, and the proposed building is 3m proud of the adjoining building and that the overall increase in size of the new build looks to virtually double the existing and is not in keeping with the surroundings;

Letter from Colin Bowen (Agent), Bower Edleston Architects, Nantwich (Dated 31st January 2011)

- The central staircase has been removed. This has been replaced by two single storey bay windows with a central door;
- The garage has been reduced by 1m in length and the overall height of the garage has been restricted to 5m;
- The tree to the front of the site will be retained as indicated on the submitted plan.

Letter from Colin Bowen (Agent), Bower Edleston Architects, Nantwich (Dated 4th February 2011)

- The 45 degree line has been shown on the amended plan. The new proposal is entirely beyond this line, it is considered that there will be no loss of light;
- The first floor window will allow someone to look directly into the front area of the adjoining property. However, this area is wholly north facing and dedicated to car parking and turning. The existing boundary treatment will help to screen the proposal;
- The secondary window to the first floor bedroom is important to provide natural daylight and ventilation;
- The adjoining property's principal rear bedroom window looks directly over our proposal so the applicants were anxious to ensure the full height living room projection provides some degree of screening and shelter to what they will use as their private amenity space;
- The existing property no. 58 also has a principal side window that looks directly east over no. 57;
- We consider that the degree of separation from these windows to the boundary and the screening offered by the Ash tree, which is to be retained, and the proposed double garage, will ensure there is no overlooking or loss of privacy;
- I feel it is clear from the attached photographs that given the almost adjacent position of the windows to no. 59 South Crofts, it is impossible to look directly into the living space of the adjoining house from the proposed dwelling.

APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement

- The property has been much altered from its original Georgian appearance. In particular, sub-standard building techniques and poor quality additions have severely weakened the property;
- The proposals being submitted seek to demolish the existing dwelling and replace it with a new dwelling. Rebuilding the structure becomes the most viable option, considering the dwelling's condition;
- The application has been subjected to extensive negotiations with the Council;
- The replacement dwelling now proposed has the advantage of placing the accommodation more central to the plot, and allows the proposals to be clearly seen as a building of its present time;

- The original property had been built to the rear of the original plot of land, and therefore does not allow for any extension to the rear without impacting upon an existing protected tree. Any extension to the rear would also impact upon the adjoining property light and enjoyment of their private rear amenity space;
- The previous proposal discussed with the Planning Department allowed for the demolition of the current building and the erecting of a new dwelling more central to the existing space. The new proposal still allows for this aim, but creating a new dwelling of a scale and size appropriate for its setting;
- The planning policy for a Conservation Area stipulates that any proposal should not harm the character, appearance or setting of the Conservation Area. Previous discussions with the Planning Department allowed for the demolition proposed, and the erection of a new dwelling more central to the site. This application proposes a new dwelling of a scale and size appropriate to its setting so accords with planning policy. The submitted proposal has no detrimental impact upon the streetscene or Conservation Area.

Structural Report (Produced by Hughes and Crawford dated April 2010)

- The property was visited on 2nd March 2010 and the 28th April 2010, to carry out a purely visual inspection. We did not carry out any opening up works or investigations to uncover any otherwise hidden or buried elements. Only a very limited inspection of the roof space was possible;
- The property has suffered from extensive foundation movement, major lateral movement, slab settlement and roof spread and in our opinion there is evidence that the movement is progressive. The basic structure is of poor condition and extensive remedial measures would be necessary to put right the defects and to then upgrade to comply with current British Standards and Building Regulations, starting from underpinning of the foundations, rebuilding of the whole front elevation wall to replacement first and ground floors, roof and new underground drainage;
- From a Health and Safety viewpoint, the risks associated with extensive excavations/underpinning/rebuilding of an already weakened structure should be avoided if at all possible;
- From a financial viewpoint, the costs associated with the remedial measures and recommendations noted above, in our opinion, would not make economic sense;
- From a structural viewpoint, in order to provide a dwelling that would be structurally sound and robust, in our opinion, the existing property has reached the end of its useful life and should ideally be demolished and rebuilt using modern day materials and in accordance with current British Standards and Building Regulations.

Heritage Statement

- The proposal repeats the existing scale with the roof pitch, eaves and ridge level, all as the existing. It incorporates Victorian sliding sash windows as recommended, and repeats all the proportions of the adjoining dwellings, windows and opening head and cill details;
- Demolished materials, including the roof tiles and facing bricks are to be salvaged and re-used where possible or new materials to match will be specified. The building will incorporate high insulation values and energy efficient heating. It will provide a new sustainable home that protects the urban environment;

- As the roof pitch and overall height is as existing, the volume will be of a similar proportion to the existing. The proposed scale, mass and height of the proposals are identical to the existing, so that they are in keeping with the adjoining property;
- The location of the replacement dwelling does not impact upon the existing trees which are protected and retained. The proposal now sits more comfortably within the existing grounds and allows the south facing elevations to be developed to enjoy the south facing aspect. A private rear garden has now been created by the proposals.

Protected Species Survey (Produced by Ecologically Bats dated November 2010)

- The Building, Grounds and Emergence Survey were all completed on 27th July 2010
- The ridge tiles were all present and secure. Gaps were identified under the ridge and pitch tiles where mortar was missing, but the areas at the gable ends and around the chimney stack were well sealed;
- The external walls of brick were in good condition, and the render was in good condition. No suitable crevices were identified;
- No gaps were identified under the eaves;
- Potential roosting areas were identified – Gaps under pitch tiles and lead flashing, In stonework
- No evidence of bats or bat activity was found in the external search;
- No evidence of bat droppings or presence of bats was detected during the internal inspection;
- The grounds include an area of mature trees, shrubs and hedgerows along the northeast and eastern boundary which have the potential as foraging areas. No holes were identified within the hedgerows. The garage and shed were inspected and no evidence of bat activity was found in association with these structures. No suitable roosting sites were identified in these structures;
- A single species of bat was recorded during the activity survey. Single bats were recorded foraging across the neighbouring garden, along the roadside hedgerow and in the building site to the rear of the house;
- The results of the survey showed potential roosting sites in the house, under the roof tiles, but no evidence of bat activity in association with these sites;
- It is considered that there would be no conservation impacts based on this data from the proposed demolition of the house however the grounds were used as a commuting route and foraging site and this should be taken into consideration when planning any landscaping or alterations to the current surrounding habitat;
- Based on the results of this survey there are no implications with respect to bats from the proposed demolition and rebuild of 58 South Crofts.

Tree Survey (Produced by Peter Jackson Developments Ltd dated October 2010)

- There are several trees on this site. Only 5 trees are shown on the plans as being close enough to the proposed works. Other trees on to the site have been grouped according to their natural association and measurements have been taken from the trees closest to the area of the proposed development to form a cell that complies with the British Standard. Works to the trees may be specified but this report does not confirm that Cheshire East Borough Council has given any form of consent to undertake any works. No works should be undertaken to any trees on or adjacent to the site until the contractor has confirmed that planning permission, listed building or

conservation area consent has been granted or that the tree works have been separately approved by an alternative TPO consent where required.

OFFICER APPRAISAL

Procedural Matters

An objector states that the planning application forms have been completed inaccurately. It is acknowledged that this may be the case but does not mean the application is fundamentally flawed and this information as submitted is sufficient for it to be determined on its merits, and if necessary the issues raised could be controlled by the imposition of conditions.

Principle of Residential Development

The relevant policies are BE.1 (Amenity), BE.2 (Design Standards), BE.3 (Access and Parking), BE.4 (Drainage, Utilities and Resources), BE.5 (Infrastructure), BE.7 (Conservation Areas) and RES.2 (Unallocated Housing Sites) of the Borough of Crewe and Nantwich Replacement Local Plan 2011. In addition Planning Policy Statement 1 (Delivering Sustainable Development), Planning Policy Statement 3 (Housing) and PPS 5 (Planning and the Historic Environment) are also important material planning considerations.

On 9th June 2010 the Coalition Government amended PPS3. Garden land is now classed as Greenfield rather than Brownfield land. Nevertheless the application site is situated wholly within the settlement zone line of Nantwich as defined on the adopted Local Plan where there is a general presumption in favour of new development as indicated by policy RES.2 of that Plan. It is considered in light of the above, and considering the proximity of this site in relation to public transport and local services, the broad principle of residential development in this location is considered acceptable. Furthermore, the principle of residential development on this site must be balanced against other considerations including the impact of the development on the character and visual amenity of the area, highway safety issues and any other material planning considerations.

Design Standards

PPS1 and PPS3 support a mix of housing types within areas. Policy BE.2 is broadly in accordance with this guidance but places greater emphasis on the impact to the streetscene and encouraging development which respects the character, pattern and form of development within the area.

The design of new development should be of a high standard and wherever possible the built environment and surroundings should be enhanced. It is important that the relationship with the existing street scene is considered and improved, and not harmed by new development. (SPD – Development on Backland and Gardens: paragraph 3.5)

The collection of dwellings around the application site have been constructed over approximately the last couple of centuries and provide an eclectic mix of architectural styles, forms and differing scales of dwellings. The application site is a rectangular

(roughly) parcel of land located on the south side of South Crofts. According to the submitted plan the proposed dwelling will be more central and pulled slightly forward (3.2m at the furthest point). However, the building will still be located towards the rear of the application site.

The design of the proposal has been subject to extensive pre-application negotiations. The current proposal is for the demolition of the existing semidetached property and the erection of a 2 storey detached property constructed out of facing brick with a tile roof. The footprint of the property roughly resembles the shape of a letter 'T', with the main range fronting South Crofts and the central leg forming a 2 storey gable which is centralised at the rear. The access to the property will be maintained at the front, adjacent to number 57 South Crofts. Located to the front/side of the proposal is a large detached garage with garden located to the front and rear of the proposed dwellinghouse. According to the plans the proposal is set back from South Crofts by approximately 19.5m.

The proposed dwellinghouse is set off the boundary with no. 57 by approximately 7.6m (at the nearest point). The rear elevation of the property is located approximately 5m off the boundary with 17 The Gullet. The proposal is also set 1.9m off the boundary with no. 59 South Crofts. The case officer notes that the terraced properties on South Crofts create a strong building line. However, the applicants existing property is set within an extensive plot and already located towards the rear of it. Locating the proposed property slightly forward from no. 59 will not result in it appearing overly conspicuous.

The proposed dwelling will measure approximately 12.9m wide by 14.9m deep (at its maximum) and is 5.6m high to the eaves and 8.4m high to the highest part of the ridge. The proposal is slightly taller than the neighbouring properties (ranging from approximately 200mm to 500mm). It is acknowledged that the proposed building is larger than the building currently in situ. However, given the location of the property, plot size, and varying heights of the neighbouring properties, the proposal will not appear disproportionately out of place.

The front elevation of the property is relatively simple (apart from two projecting bays). The main body of the building has a long range and perpendicular to this on the rear elevation is a two storey projecting gable (forming the central leg of the 'T'). A number of other properties within the streetscene have these strong gabled elements and as such the proposal will not appear out of place. On the front elevation of the proposal are a number of windows. The windows are vertically aligned and there are larger windows at ground floor level and smaller windows at first floor level, which helps to retain the visual hierarchy. It is considered that the simple fenestration is in keeping with the character and appearance of other properties in the streetscene. Located centrally on this elevation is the main door into the property. On the rear roof plane, three roof lights are proposed and these will be conditioned to be conservation area style roof lights and as such will not appear out of place.

Located on the gable of the proposal facing number 57 South Crofts is a chimney which gives the property a vertical emphasis and helps to draw the eye. There are a number of windows on this elevation at both ground and first floor levels. Located on the side elevation facing no. 59 is another chimney and several other windows, which are located at ground floor and first floor level.

The central leg of the 'T' will project out approximately 4.3m by 4.8m wide and will be 5.3m high to the eaves and 7.1m high to the apex of the ridged roof. Located on the rear elevation of this outrigger is a large window. The proportions and design of the outrigger ensures that it remains a subordinate element retaining the existing visual hierarchy and it does not compete with the main residence. The extension is set down which further reduces its prominence. As such the outrigger will not form an alien or intrusive feature within the streetscene. The outrigger will stop approximately 5m short of the boundary with the property to the rear. Located on each roof plane are two roof lights. Located on the ground floor are several projecting extensions, which protrude out approximately 1.3m. It is considered that these extensions help to break up the bulk and massing of the proposal.

Overall, it is considered that the proportions and detailing of the proposed dwelling are similar to those within the surroundings mimicking its context without creating a pastiche form of development. The dwelling is set back from the road frontage and the proposal creates a balance between the need to respect the surroundings and provide a sympathetic and unobtrusive form of development.

Impact on no. 59 South Crofts

The objector is concerned that if the existing property is demolished and replaced with a detached dwellinghouse it will make her property appear asymmetrical resulting in a very stark and odd appearance. It was noted that there was an eclectic mix of properties along South Crofts and number 59 is set well back within its plot. It is considered that the resultant form of the neighbour's property following the demolition of the applicants' dwellinghouse will not appear overtly obtrusive or have a significant detrimental impact on the character and appearance of the streetscene or the Conservation Area.

Garage

The proposed detached garage will be sited within the established residential curtilage to the front of the proposed property and will be located 1.2m off the boundary with no. 57 South Crofts (tapering down to 700mm). The proposed garage will measure approximately 6m deep by 8m wide and will be 2.3m high to the eaves and 5m high to the apex of the ridged roof. The garage will be constructed out of facing brick under a tile roof and will be secured by condition, if planning permission is granted. Internally the garage will comprise of accommodation space for two vehicles. Located on the south elevation of the garage will be an external staircase, which will serve the first floor office. It is not considered that the staircase will have a detrimental impact on the character and appearance of the streetscene as it will be screened by the garage. On the gable (north facing elevation) at first floor level will be a window and two roof lights in the roof plane facing the applicants' property. In the front elevation of the proposed garage will be an up and over garage door. The garage will be set well back into its plot and the landscaping to the site frontage will help to assimilate it into the urban environment. Overall, it is considered that the garage as amended will not appear overly conspicuous and will not appear as an incongruous feature within the streetscene.

Private Amenity Space/Density

The Supplementary Planning Document 'Development on Backland and Gardens' states at paragraph 3.35 'dwellinghouses should have adequate open space provided; as a general indication/guideline this should be no less than 50m² per dwelling. The 50m² garden area excludes any parking provision which may have been made for the dwelling. The amount of garden area provided should be proportional with the size of the dwelling proposed. There should be sufficient open space provided to enable general activities such as drying of washing, storage of dustbins, play space for small children and sitting outside to take place in a private area'.

It is considered that the proposed layout would not represent an over-intensive development of the site in relation to the prevailing pattern and scale of the residential development and due to the amount of provision of external amenity space for the potential occupiers of the site. The amount of private amenity space would be in excess of 50m² and would be commensurate with other properties in the immediate locality. However, it is noted that the majority of the amenity will be located at the front of the property. This is not dissimilar to the existing on-site arrangements and the adjoining property (no. 59) has a similar arrangement. Consequently, it is considered that the proposal will not be out of keeping. However, it is considered prudent to attach conditions relating to boundary treatment and landscaping, in order to help assimilate the proposal into the local environment.

Amenity Considerations

The physical effect of the development upon the amenity of adjacent properties and the future occupiers of the proposed dwelling by reason of overshadowing, overlooking, visual intrusion, odour or in any other way is a key consideration.

The application site is surrounded by residential properties and as such it is considered that the addition of an additional dwelling is compatible with the character and uses predominant to the streetscene.

The neighbouring properties which are located directly opposite the application site comprise a row of 2 storey terraced properties. The Council's SPD – Development on Backland and Gardens states 'as a general indication, there should ideally be a distance of 21m between principal elevations'. According to the submitted plans there is a distance of approximately 28m separating the front elevation of the proposed dwellinghouse and the front elevations of the properties located directly opposite. Therefore, it is considered that the proposal will not have a significant detrimental effect on the residential amenities of the occupiers of these properties and the proposal accords with policy BE.1 (Amenity)

The proposal will have a marginal impact on the residential amenities of the occupiers of number 57 South Crofts. This property (no. 57) is set much further forward than the applicants' property. According to the plans the proposal is located approximately 7.6m off the common boundary with this property. The applicants are also proposing a garage which will be located adjacent to this boundary. Given its location and design with its pitched roof, it is not considered the proposed garage will over dominate the rear garden of no. 57. The case officer considers given the separation distances, intervening vegetation, boundary treatment and orientation of the property there will be no direct over looking or over shadowing. However, the case officer noted that on the side

elevation of the proposal at first floor level is a bedroom window which faces no. 57. It is noted that there is a tree with an extensive canopy in close proximity to this window (which will help to prevent any overlooking). Due to the proximity of the tree potential occupiers of the property may apply to do works to the tree and in order to mitigate any loss of privacy a condition relating to obscure glazing shall be conditioned.

The adjacent property no. 59 South Crofts is most intimately related to the application site. The occupier of this property is concerned that the proposal will block light and overshadow her property and result in loss of privacy. However, it is considered that the proposed development will have a marginal impact on the residential amenities of the occupiers of this property. According to the submitted plans the proposed dwellinghouse will be located approximately 3.2m forward of the existing building. The SPD – Extensions and Householder Development states that the 45 degree guideline is used to assist the assessment of a proposal where there may be the prospect of an overshadowing or overbearing effect in relation to an adjacent dwelling. The applicant has submitted a plan which clearly shows that the proposal does not breach the 45 degree line. However, it is noted that located on the side elevation of the proposed dwellinghouse (facing no. 59) are several windows (two windows at ground floor and one window at first floor). It is considered that the boundary treatment will help to mitigate any negative externalities caused by the ground floor windows and will be conditioned accordingly. However, the first floor window serves a bedroom and due to its position in relation to the applicants' property may result in some loss of privacy. Therefore, it is considered prudent to attach an obscure glazing condition. It is not considered that there will be any direct overlooking as a result of the roof lights, given their location.

The proposal will have a negligible impact on the residential amenities of the occupiers of no. 17 The Gullet, which is located directly towards the rear of the application site. The proposed development will be located approximately 5m off the common boundary separating these two properties. The proposal will be constructed on a similar footprint to the existing property and it is considered that there will be no significant adverse impact on residential amenity. The occupiers of this property (no.17) have requested that the large window at first floor level in the rear elevation in the two storey outrigger be obscurely glazed. According to the submitted plans this window is to be utilised for a ground floor living room. However, the objectors are concerned that if a first floor added above the living room and this was turned into an additional habitable room it may result in a loss of privacy. However, this is a hypothetical situation as this void may never be converted into additional living space. Therefore, it is not considered to be reasonable to attach a condition stating that this window shall be obscurely glazed.

Impact on Trees

The applicant has submitted a tree survey which has been undertaken by a qualified Landscape Architect. The Report identifies 5 trees within the site, three of these are protected by a TPO; a Sycamore on the South Croft frontage (T2 of the report; T1 of the TPO); an early mature Ash (T1 of the report; T2 of the TPO) and an Ash (T5; T3 of the TPO). Two further trees are mentioned in the accompanying Tree Schedule, a Laburnum (T3) and an Apple (T4). Both trees are afforded pre-emptive protection by virtue of their inclusion within the Conservation Area, but are not affected by the proposed development.

The report, however, fails to mention two early mature Hawthorn trees located adjacent to the central eastern boundary section of the site. Both trees will be located less than 0.5 metres from the proposed garage and their rooting environment will be significantly compromised by excavations required for the garage foundations. The two trees are however deemed relatively insignificant in terms of their contribution to the wider amenity and character of the Conservation Area, and in this regard their expected loss is considered acceptable. The agent has confirmed that both of these trees will be removed as part of the development.

The Tree Report Schedule also proposes the removal of the protected Sycamore (T2 of the Report; T1 of the TPO), but the Design and Access Statement confirms no trees are to be removed. The agent has also verbally confirmed and indicated on the amended plans that this tree which is located to the site frontage will not be removed. However, it is considered prudent to attach a condition stating that this tree is not to be removed.

According to the Council's Landscape Officer 'The proposed dwelling will intrude slightly into the root protection area of the protected Ash (T5) by approximately 1.5m²; a small triangular section of the southeast corner of the proposed kitchen. This is a minor intrusion and given that there appears to have been past excavations around the root plate of the Ash resulting in root loss I do not consider this intrusion will have any major long term implications for the tree' and concludes by stating 'A detailed Tree Protection Scheme and ground protection measures will be necessary as construction activity will intrude slightly within the RPA. However, I am satisfied that such measures can be dealt with by condition'. Overall, it is considered that the proposed development complies with policy NE.5 (Nature Conservation and Habitats).

Drainage

The proposed method for drainage would be via a septic tank. Development on sites such as this generally reduces the permeability of at least part of the site and changes the site's response to rainfall. Planning Policy Statement 25 (Development and Flood Risk) states that in order to satisfactorily manage flood risk in new development, appropriate surface water drainage arrangements are required. The guidance also states that surface water arising from a developed site should, as far as possible, be managed in a sustainable manner to mimic the surface water flows arising from the site prior to the proposed development. It is possible to condition the submission of a drainage scheme in order to ensure that any surface water run-off generated by the development is appropriately discharged.

Access and Parking

According to the amended plan the development would provide two off street parking spaces for the proposed dwellinghouse, which is in accord with Local Plan policy. Colleagues in Highways have been consulted regarding the application and they do not have any objection to the proposal. It is considered that the proposal complies with policies BE.3 (Access and Parking), TRAN.9 (Car Parking Standards) and Appendix 8.1 and there is insufficient justification to warrant a refusal of the application on highway grounds.

Protected Species

The application relates to a two storey semidetached residential brick dwelling built in the 1800's. The house constructed out of facing brick under a tile roof and is set within large mature gardens and as such there is potential for the presence of Bats to be affected by the proposal.

Circular 06/2005 paragraph 99 states that 'it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision'.

The applicants have submitted a protected species survey as part of their application, which concludes that the survey found no evidence of bats. The Council's ecologist has been consulted regarding the application and he has no objection to the proposal. Therefore, it is considered that the proposed development complies with policy NE.9 (Protected Species).

Impact on the Conservation Area

As stated previously in the report the applicants' property is located within the Nantwich Conservation Area and any proposal will need to be assessed against policy BE.7 (Conservation Areas), which states that any new building will not be permitted unless it would harmonise with its setting by being sympathetic on scale, form and materials to the characteristic built form of the area, particularly the adjacent buildings and spaces.

The aim of the conservation area is to conserve and enhance the special character of these areas by preserving existing buildings and features and promoting their appropriate enhancement.

Policy BE.7 states that development involving the demolition of a building will not be permitted which makes a positive contribution to the character and appearance of the conservation area. Although the building is a 2 storey semidetached property constructed out of facing brick under a tile roof, the property is set well back into its plot. In addition the structural report combined with a site inspection raises significant concerns about the structural condition of the building. The conclusions of the structural survey combined with the dwelling's location in the conservation area indicate that demolition of the building is acceptable.

It is considered that the proposal has been simplified (from the previous pre-application discussions regarding this site) and is in keeping with the characteristics of the Conservation Area. Whilst the proposed footprint and scale will make it more visually dominant than its neighbour its proposed physical separation will offset this to some degree. The building (as proposed) is far more sympathetic to the Conservation Area, given that the symmetrical design of its front elevation is now more in harmony with its neighbour. Whilst its design will both appear more stylised than previously and than the design of its neighbour, its location within this garden setting will serve to minimise the impact of this change within the streetscene. In addition, it needs to be recognised that both properties have been altered over time and there are properties in a variety of styles and stylistic periods within Southcrofts. The Conservation Officer has been

consulted regarding the application and does not raise any objections. It is considered that the proposal complies with policies BE.2 (Design Standards) and BE.7 (Conservation Areas).

Other Matters

One of the representations claims that the applicants promised them a strip of land down the side of their property in order to help with on going maintenance and 'to make the property appear less like a chopped in half semidetached building' and they have reneged on this promise. Whilst the concerns of the objector are noted the ownership of land is not a material planning consideration and as such cannot form a basis for refusing the application.

One of the objectors states that they consider that their house is not drawn accurately and as such it is impossible to get a realistic view of the size and scale of the intended development. This query has been raised with the applicants' agent and they confirm that the property is accurately scaled. Nevertheless, whilst the location and block plans should wherever possible be accurate the application is submitted in relation to development located within the defined application area denoted by the red line. It is not a requirement of the Town and Country Planning Applications Regulations 1988 or the Council's validation documents to ensure that all buildings outside the application area are shown accurately and correctly named. Buildings around the site are shown to help locate the application site but the detailed relationship of individual buildings to the application site will need to be assessed by means of a site inspection.

The objector is also concerned about the siting of the proposed dwellinghouse, which will result in the 'loss of my view of South Crofts and the gardens'. Whilst the concerns of the objector are noted, the loss of a view is not a material planning consideration and is not a sufficient justification for warranting a refusal. Another objector is concerned that the garage could be converted into a separate residential property. However, this is a hypothetical situation and the application must be determined on its merits. In any event, if the applicants wanted to convert the garage into a separate residential unit, this would require a new planning application.

Access to the property is directly off South Crofts and is via the existing access arrangements. A number of representations claim that part of the boundary wall which fronts the highway will need to be removed in order to allow machinery into the site. The dwarf boundary wall should be retained, as it is an important feature in the streetscene and adds to the simple secluded nature of the site. Therefore, if planning permission is approved for the proposed development a condition will be attached to the decision notice relating to the retention of the brick boundary wall.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The application site is located within the settlement of Nantwich and the principle of residential development is acceptable. The proposal would have minimal impact upon the amenities of surrounding residential properties and would not raise any highway issues. It is considered that the development would not appear out of character in this location and would help to preserve and enhance the Conservation Area. In addition, the proposal will not have a detrimental impact on any protected species or trees. The

proposal therefore complies with policies BE.1 (Amenity), BE.2 (Design Standards), BE.3 (Access and Parking), BE.4 (Drainage, Utilities and Resources), BE.7 (Conservation Areas), RES.2 (Unallocated Housing Sites), NE.5 (Nature Conservation and Habitats) and NE.9 (Protected Species) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

Approve subject to conditions

- 1. Standard Time Limit**
- 2. Plans**
- 3. Materials**
- 4. Drainage**
- 5. Surfacing Materials**
- 6. Boundary Treatment**
- 7. Remove PD Rights**
- 8. Car Parking**
- 9. Landscaping Submitted**
- 10. Landscaping Implemented**
- 11. Obscure Glazing First Floor Window Side Elevations Facing no's 57 and 59 South Crofts**
- 12. All proposed doors/windows to be fabricated out of timber and set behind a minimum 55mm reveal**
- 13. No Removal of the Tree T.2**
- 14. Conservation Area Style Rooflights**
- 15. Hours of Construction**
- 16. Tree Retention**
- 17. Tree Protection Measures**
- 18. Construction Specification/Method Statement**
- 19. Retention of Brick Boundary Wall**

Location Plan: Cheshire East Council Licence No. 100049045

