

Application No: 12/1869N
Location: LAND ADJOINING SCHOOL LANE, BUNBURY, CW6 9NR
Proposal: Outline Application for One Two Storey Detached Dwelling With Detached Garage.
Applicant: Mr Potton
Expiry Date: 05-Jul-2012

SUMMARY RECOMMENDATION

Approve Outline, subject to conditions

MAIN ISSUES

Principle
Design
Amenity
Highways

REASON FOR REFERRAL

The application was 'called in' to Southern Planning Committee by Cllr Michael E Jones for the following reason

'This is an application which has been refused before, is on green space and is heavily refused by the parish council.

This proposal is a process of excessive development and is not in keeping with the village and the public amenity of the fields.'

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a parcel of land situated between 2No properties known as Hopwood House and Trigfa. The site contains an agricultural access gate off School Lane, and is generally overgrown. Common boundaries with adjacent properties are comprised of well established hedgerows/vegetation. The land falls within the Settlement Boundary of Bunbury, as defined by the Borough of Crewe and Nantwich Replacement Local Plan 201, and has no other formal designations.

DETAILS OF PROPOSAL

The application seeks outline consent for a detached dwelling and detached garage. All matters are reserved.

HISTORY

P06/1396 Erection of One Detached Dwelling (Withdrawn 19th January 2007)

POLICIES

Regional Spatial Strategy (NW)

DP7 Promote Environmental Quality
L4 Regional Housing Provision

Borough of Crewe and Nantwich Replacement Local Plan 2011

BE1 (Amenity)
BE2 (Design)
BE3 (Access and Parking)
BE4 (Drainage, Utilities, and Recourses)
RES4 (Housing in Villages with Settlement Boundaries)

Other Material Considerations

National Planning Policy Framework

CONSULTATIONS (EXTERNAL TO PLANNING)

Highways:

The Strategic Highways Manager has no objection to the application, but advises the following: (i) gates should be positioned at least 4.5 metres back from the edge of carriageway and that this part of the driveway will need to be in sealed material (i.e. concrete, tarmacadam or block paving) to prevent the carrying of loose material onto the highway; (ii) the dimensions of the vehicle hard standing and manoeuvring area must allow for vehicles to enter and leave the highway in forward gear.

The applicant should be made aware that an agreement under S184 of the Highways Act will need to be entered into for the upgrading of the crossing.

Environmental Health:

No objection subject to the following conditions:

- (i) The hours of construction of the development (and associated deliveries to the site) shall be restricted to:

Monday – Friday	08:00 to 18:00 hrs
Saturday	09:00 to 14:00 hrs
Sundays and Public Holidays	Nil

(ii) Should there be a requirement to undertake foundation or other piling on site it is recommended that these operations are restricted to:

Monday – Friday	08:30 – 17:30 hrs
Saturday	09:30 – 13:00 hrs
Sunday and Public Holidays	Nil

United Utilities:

No objection.

VIEWS OF BUNBURY PARISH COUNCIL

Object

OTHER REPRESENTATIONS

A neighbour objection has been received from Hopwood House. In summary the objection raises the following issues:

- (i) Agricultural plan is out of date and does not show Hopwood House.
- (ii) Reference is made to the overgrown state of the land and inability to maintain the boundary hedge. The proposed access for the dwelling is currently a much more practical and accessible agricultural access point than the alternative shown on the out of date plan. Lack of maintenance of the remaining 8 acres should be of concern.
- (iii) The existing site adds to the rural character of the village. For many years dog walkers have established a footpath from the field gate across the field to the public footpath.
- (iv) The boundary hedge should be maintained
- (v) Working hours should be restricted to no work after 5pm and no work at weekends
- (vi) Hopwood House would become overlooked. Loss of privacy to garden area
- (vii) Loss of light to Hopwood House
- (viii) Neighbours intention to buy the land if sold without planning permission

OFFICER APPRAISAL

Principle of Development

The application site is situated within the Bunbury Settlement Boundary, as defined by the Borough of Crewe and Nantwich Replacement Local Plan 2011. Policy RES4 (Housing in Villages with Settlement Boundaries) allows for the development of land or re-use of buildings for housing on a scale commensurate with the character of the village; and in accordance with policies BE1 to BE5.

Design

The application seeks outline consent for a detached dwelling and garage on land between Hopwood House and Trigfa. A revised indicative layout plan has been submitted which re-

orientates the dwelling slightly and re-sites the detached garage adjacent to the rear agricultural access gate. The revised layout provides a better relationship between the dwelling and the access points within the site, whilst providing more useable garden area.

The proposal would be a detached two storey dwelling, and whilst detailed design is a reserved matter, the dwelling type would be in-keeping with surrounding properties. The proposal would also sit comfortably within the plot and would respect the pattern of development along School Lane.

Detailed design would be considered at the reserved matters stage.

Amenity

All matters are reserved in this outline application, however as an indicative siting of the dwelling has been provided an assessment can be made in terms of the impact of the proposal on neighbouring residential amenity.

The adjacent property known as Hopwood is a detached dwelling situated to the south of the site. To the side elevation in proximity to the application site there is 1No obscure glazed window at first floor level and 2No windows at ground floor. These serve a kitchen and a dining room, but are considered to be secondary as they are also served by main windows to the front and rear respectively. The current plans show that the proposed dwelling could be positioned around 9 metres from the side elevation of Hopwood.

As the dining room is also served by a window to the rear and the kitchen is served by a window to the front, and all other windows are non-principal it is considered that if the proposed dwelling had no principal windows to the southern elevation, there would be no overlooking or loss of privacy issues. This would be conditioned accordingly. As the application site is to the north of Hopwood, there would be no significant loss of light issues, and given the level of separation the proposal would not be visually intrusive or overbearing. A condition would also be attached to secure the retention of the existing hedgerow boundary.

In terms of the property known as Trigfa this is situated to the north west of the application site. The plans demonstrate that a separation distance of 16 metres can be achieved between the side elevation of Trigfa and the side of the proposed dwelling. This property has a number of windows to the side facing elevation. This includes a glazed living room door; 2No kitchen windows which also benefits from a window to the rear; 1No bedroom window at first floor (also with a window to the rear); and 1No study room window at first floor (also served by a window to the front). As the aforementioned rooms are also served by other windows, those contained in the side facing elevation in proximity to the application site are secondary. Trigfa benefits from a relatively large side garden area that contains an outbuilding/garage and mature vegetation to the common boundary with the application site. Provided that the proposed dwelling had no principal windows to the side elevation facing Trigfa, there would be no overlooking or loss of privacy issues and an acceptable separation distance would be achieved. This would be conditioned accordingly. Whilst there might be some overshadowing to part of the garden area of Trigfa given the orientation of the properties, this is not considered to be significant given that the property benefits from a large rear garden and this is also occupied by an outbuilding. Due to the separation distances it is not considered that the proposal would be visually intrusive or overbearing to Trigfa.

'The Hollies' is situated on the opposite side of School Lane and would have a separation distance of 22 metres from the front elevation of the proposed dwelling. This would be an acceptable separation standard between principal elevations and as such it is not considered that a proposed dwelling would be detrimental to the residential amenity afforded to this property.

The proposal would provide an acceptable level of private amenity space within the rear garden area for future occupiers.

The neighbour objection from Hopwood House requests a restriction of construction hours to 5 pm and no working at weekends. Environmental Health have assessed the application and request a restriction to 08:00 to 18:00 hrs Monday – Friday, 09:00 to 14:00 hrs Saturday with no working on Sundays and Public Holidays. This is considered to be more reasonable and would be secured by condition. A restriction on pile driving hours has also been requested, and would also be secured by condition.

Parking

The application site includes the existing garage and access which serves (or previously served) number 25 Wayside. As the proposed use is the same it is considered that the use of this access would be acceptable and would not be detrimental to highways safety.

The proposal does however mean that number 25 would no longer have any off-street parking. As this property is in separate ownership and does not form part of the application site, the Local Planning Authority is unable secure any off-street parking for number 25 under this application. Most other properties along Wayside have off-street parking, and given the limited number of properties located along this road which does not carry passing traffic, it is not considered that there would be any detriment to highways safety.

Highways

The Strategic Highways Manager has no objection to the application, but advises the following: (i) gates should be positioned at least 4.5 metres back from the edge of carriageway and that this part of the driveway will need to be in sealed material (i.e. concrete, tarmac or block paving) to prevent the carrying of loose material onto the highway; (ii) the dimensions of the vehicle hard standing and manoeuvring area must allow for vehicles to enter and leave the highway in forward gear.

The above can be secured in the reserved matters application, as the current application is for outline consent only with all matters reserved.

Other Matters

Out of date plan

Whilst the Location Plan submitted with the application is out of date and does not show Hopwood House, the block plan and site plan does show this property and adjoining development.

Lack of maintenance of site

This is not a material planning consideration in the determination of the application.

Footpath

There is no official public right of way through the application site.

Sale of Land

The future sale of land with or without planning permission is not a relevant consideration to this application in planning terms.

CONCLUSIONS AND REASON(S) FOR THE DECISION

It is considered that the outline for a single detached dwelling is acceptable in principle and could be accommodated on site without detriment to neighbouring residential amenity. The indicative layout demonstrates that a dwelling could be accommodated on site and would respect the surrounding pattern of development. A detached two storey dwelling would also be in-keeping with house types in the immediate locality. The application is acceptable in principle and is therefore recommended for approval, subject to the following conditions:

1. Time
2. Time for Reserved Matters
3. Approval of Reserved Matters
4. Two Storey Dwelling
5. No windows to side facing elevations
6. Hours of construction
7. Hours of any pile driving activities
8. Retention of hedgerow boundaries between Hopwood and Trigfa

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