

Application No: 12/4833C

Location: THE BRAMBLES, SCHOOL LANE, SANDBACH, CHESHIRE, CW11 2LS

Proposal: All matters included; appearance (materials e.g brick finish) tbc

Applicant: Christine Simms

Expiry Date: 11-Feb-2013

SUMMARY RECOMMENDATION

Approved with conditions

MAIN ISSUES

- **Impact on residential amenity**
- **Impact on streetscene**
- **Impact on highway safety**

REASON FOR REPORT

This type of application would normally be dealt with under the Council's scheme of delegation; however it has been called into Southern Planning Committee by Cllr Sam Corcoran for the following reasons;

"It is an over intensive garden grab development contrary to GR1.

I remain very concerned about the sewage which still appears to be flowing uphill into a septic tank. This could lead to pollution of the environment contrary to GR6, 7 & 8"

DESCRIPTION OF SITE AND CONTEXT

The application site is the garden area to the south of The Brambles, a detached bungalow situated on School Lane within the Settlement Zone for Sandbach. The site is bordered to the east and south by a mature hedgerow, while to the west is a timber panel fence of approximately 1.7 metres in height.

School Lane runs past the site to the east, beyond this is open countryside, to the south lies an electricity substation and to the west are the residential dwellings of St Johns Way.

There are several trees and shrubs on the site at present; however none are subject to Preservation Orders.

DETAILS OF PROPOSAL

This application seeks outline approval for one detached single storey dwelling on the site. All matters are reserved for subsequent approval, however indicative plans have been submitted to provide parameters of what could be achieved. These plans show a footprint of approximately 83 square metres with a roof ridge height of 4.5 metres at the highest point of the middle section of the proposal and 3.5 metres to the side out rigger elements.

This application sees a substantial reduced scheme from the previously withdrawn application.

RELEVANT HISTORY

12/1440C – Outline application for a single storey dwelling – withdrawn 2012

POLICIES

Congleton Borough Local Plan First Review 2005 Policy

GR 1 – New Development
GR 2 – Design
GR 6 – Amenity and Health
GR 9 – Accessibility, Servicing and Parking
PS 4 – Towns
H1- Provision of New Housing Development
H2 - Housing Supply

National Planning Policy Framework

VIEWS OF THE PARISH / TOWN COUNCIL

Sandbach Town Council has no objection

OTHER REPRESENTATIONS

Two letters of representation have been received at the time of writing the report which object to the proposal on the following grounds:

- Proposed building will have direct views into bathroom and bedroom of 14 St John Way as this dwelling is set at a lower ground level than the application site
- Privacy of garden on St John Way will be affected
- Proposed dwelling is too close to boundary
- Concerns over the proposed septic tank
- Poor visibility when existing application site

CONSIDERATIONS (External to Planning)

Environmental Health

No objection with recommended conditions relating to:
Hours of construction

Contaminated land

Highways

No comments received at time of report writing

United Utilities

No comments received at time of report writing

APPLICANT'S SUPPORTING INFORMATION

Contaminated land report
Design and Access Statement

OFFICER APPRAISAL

Principal of Development

One of the core principles of the NPPF is that planning should:

*“proactively drive and support sustainable economic development to deliver the **homes**, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made to objectively identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.”*

Further to this Paragraph 47 of the NPPF requires that there is a five year supply of housing plus a buffer of 5% to improve choice and competition. The SHLAA has put forward a figure of 3.94 years housing land supply and once the 5% buffer is added, the Borough has an identified deliverable housing supply of 3.75 years.

The NPPF clearly states at paragraph 49 that:

“housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

This must be read in conjunction with the presumption in favour of sustainable development as set out in paragraph 14 of the NPPF which for decision taking means:

“where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or*
- *specific policies in the Framework indicate development should be restricted.”*

Consequently, the application turns on whether the development is sustainable and whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits in terms of additional housing land supply.

PS4 (Towns) of the Congleton Borough Local Plan First Review 2005 states that “*within the settlement lines of towns, there is a general presumption in favour of development provided it is in keeping with the town’s scale and character and does not conflict with other policies of the Local Plan*”.

The application site being a residential garden is designated as a Greenfield site, however it is located within the Settlement Zone for Sandbach therefore the principal of residential development is acceptable provided that the design is appropriate and that the development does not give rise to any detrimental impact on the amenities of adjacent properties, the surrounding streetscene of highway safety.

Amenity

The only neighbouring dwellings to be potential affected by the proposed development are those found along St Johns Way to the west of the site. No. 10 and 16 St John’s Way are single storey dwellings while No. 12 and 14 are two storey, these two dwellings also share a boundary with the application site which stands at approximately 1.7 metres when measured from the application side. The dwellings of St John’s Way also stand at a lower ground level than the application site.

The Supplementary Planning Guidance Note 2: Provision of Private Open Space in New Residential Developments recommends that there should be a distance of 21.3 metres between principal windows directly facing dwellings and 13.8 metres between a principal elevation and a side elevation, however this can be reduced to 10.7 metres in the case of single storey developments.

No. 16 St John’s Way has a side elevation partially facing the application site and lies approximately 15.8 metres away at the closest point.

The two storey dwelling of No. 14 St John’s Way has a rear elevation facing the application site at approximately 10.7 metres at the closest point; however this is not a directly facing relationship.

The two storey dwelling of No. 12 St John’s Way also has a rear elevation facing the application at approximately 13 metres at the closest point; again this is not a directly face to face relationship.

The single storey No. 10 St John’s Way lies to the south of the application site approximately 14.6 metres away at the closest point; however the principal rear elevation of this dwelling does not directly face the application site.

With the above in mind it is also important to note that the west elevation (rear) of the proposed dwelling is blank, furthermore the distances stated above are taken from the closest possible points of the dwellings i.e. the corner of each. Therefore there is no amenity issue with regards to directly facing principal windows.

The proposed dwelling is to be a distance of 4.6 metres from the shared boundary of No. 12 and 14 St John's Way. The dwellings along St John's Way are at a lower level than the application site, however given the above spacing distances and the existing boundary treatment it is not considered that the proposed single storey dwelling will result in a significant loss of light or amenity to the principal windows of these dwellings.

As a safeguard to the future amenity of neighbouring dwellings Permitted Development rights regarding extensions and alterations will be removed.

As a result the proposed development is considered to be in accordance with Policy GR.6 (Amenity and Health) of the Borough of Congleton Local Plan First Review.

Design

Although this is only an outline the applicant has submitted indicative elevations of the proposed dwelling with the final design being decided at a later date if applicable.

With regards to the design of the proposed dwelling School Lane is home to a variety of differing house types. Directly to the north of the site lies the detached single storey dwelling of The Brambles, past this are a pair of two storey dwellings and then a single storey dwelling. To the south of the site, past the electricity substation, are three single storey dwelling and a pair of two storey dwellings.

Policy GR.2 (Design Standards) states that planning permission will only be granted where the proposal is sympathetic to the character, appearance and form of the site and the surrounding area in terms of:

- Height, scale, form and grouping, and
- The visual, physical and functional relationship of the proposal to neighbouring properties, the streetscene and to the locality in general

Given the overall height and scale of the proposed development it is considered that it will not be viewed as an incongruous form of development within the streetscene of the wider area when viewed in context with the rest of School Lane.

As part of the hedgerow along the eastern boundary will be removed, should the application be approved, a condition requiring landscaping details to be submitted will be attached.

As a result it is considered that a suitably designed single storey dwelling could be achieved on the site which would be in accordance with Policy GR.2 (Design) of the Borough of Congleton Local Plan First Review.

Highways

Comments are yet to be received from the Strategic Highways and Transport manager.

Other matters

The issue regarding the proposed position of the septic tank is something that cannot be controlled by the LPA and is dealt with by other authorities.

CONCLUSIONS

As already mentioned this is an Outline application with the final design and materials of the proposed dwelling to be approved with subsequent applications should approval be granted.

Overall it is considered that the principle of the proposed development will not have a significantly detrimental effect upon residential amenity.

The indicative design of the proposed development is considered to be acceptable in terms of its size, scale and location and will not have a detrimental impact upon the streetscene of School Lane.

It is therefore considered that the proposals conform with appropriate policies, and is recommended for approval accordingly.

RECOMMENDATION

APPROVE: subject to the following Conditions

1. Standards
2. Approved Plans
3. Materials to be submitted
4. Drainage scheme
5. Landscaping scheme
6. Removal of Permitted Development rights
7. Hours of construction
8. Contaminated land assessment

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