

Application No: 12/4860C

Location: LAND ADJACENT TO IVY HOUSE, HOLMES CHAPEL ROAD,
BRERETON, CONGLETON, CW12 4SP

Proposal: Construction of two new dwellings

Applicant: Arthur Davies

Expiry Date: 12-Feb-2013

SUMMARY RECOMMENDATION

**Subject to no objection from the Council's Strategic Highways Manager,
APPROVE subject to conditions.**

MAIN ISSUES:

- Principle of the development
- Housing land supply
- The impact of the design and layout
- The impact upon neighbouring amenity
- Highway safety
- The impact on protected species

REASON FOR REFERRAL

Councillor J. Wray has called in this application to Southern Planning Committee for the following reasons:

'The proposal is not sustainable; road safety issues relating to the A54; the design and character of the proposal is not in keeping with the local area; the potential precedent implications on other proposals in the same area. The significant concerns or potential significant impact of the development and need for a Planning Committee decision are as follows; a recent planning application 12/3807C for land immediately adjacent to proposal 12/4860C was refused by the Southern Planning Committee on 13th December 2012 despite a recommendation to approve from the Planning Officer. This application 12/4860C should receive the same level of review by the Planning Committee to ensure consistency. The main reason for refusal of 12/3807C was a lack of sustainability which therefore also applies to 12/4860C. This relates to the lack of schools, shops and other facilities in the area. The proposal 12/4860C is for a 'tandem' development with one house behind the other which is not in keeping with the design and character of nearby houses. There is no pedestrian

pathway on the nearby A54 and there are significant concerns for the safety of local people from vehicular traffic if this proposal proceeds. The proposal is for large 'family' houses but there are no safe means for children to access leisure activities other than being taken by car and so the future of these people is compromised. There are a number of current and recent developments in the same area of Brereton Heath and a Planning Committee can look at the bigger picture implications.'

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a relatively flat, 'L-shaped' field to the southeast, south and southwest of Ivy House, a semi-detached dwelling on the southern side of the A54, Brereton within the Brereton Heath Infill Boundary Line.

DETAILS OF PROPOSAL

Full Planning permission is sought for the erection of 2 detached dwellings.

RELEVANT HISTORY

12/3807C - Proposed Residential Development Comprising of 25 no. Dwellings (inc.7no. Affordable Units) Together with the Creation of a New Access (Adjacent site)
– Refused 13th December 2012
10238/1 – Bungalow on plot of land – Refused 13th February 1980

POLICIES

National Policy

National Planning Policy Framework (NPPF)

Local Plan Policy

PS6 – Settlements in the Open Countryside and the Green Belt
GR1 General Criteria for Development
GR2 Design
GR6 Amenity and Health
GR9 Highways & Parking
NR1 – Trees and Woodlands
H1 & H2- Provision of New Housing Development
H6 – Residential development in the Open Countryside and the Green Belt

CONSULTATIONS (External to Planning)

Environmental Health – No objections, subject to conditions relating to hours of construction, hours of piling, the prior submission of a piling method statement and the insertion of a contaminated land informative.

University of Manchester (Jodrell Bank) – No objection, subject to a condition regarding the provision of electromagnetic screening measures.

Strategic Highways Manager – No comments received at time of report

VIEWS OF THE PARISH COUNCIL:

Somerford Parish Council – Object to the proposal. It has been advised that *'The plot does not lend itself to two properties being built, the site is not linear and the plots look inconsistent in size. This is speculative development due to recent activity on adjacent land, the area is still not sustainable and there are still no local amenities available.*

The A54 is a dangerous busy road and as before does not need anymore pressure with access. Walking to the 'bus stop' which is a necessity is not safe for children, to reach school and then the local bus is full.

Local feeling is against development here there is no need to build on this green field site.'

OTHER REPRESENTATIONS:

6 neighbouring letters of objection have been received. The main areas of concern:

- Site is unsustainable for residential purposes / lack of local amenities
- Proposal is contrary to the NPPF
- No proven demand for housing in this area
- Site is a rural area and the development would be 'out of character'
- Proposed dwellings are too large
- Highway safety

SUPPORTING INFORMATION:

Planning & Design and Access Statement

OFFICER APPRAISAL

Principle of development

Policy PS6 of the Local Plan advises that within the infill boundary lines, only limited development is permitted in accordance with Policy H6 where it is appropriate to the local character in terms of use, intensity, scale and appearance and does not conflict with any other policies of the Local Plan.

Policy H6 advises that residential development will not be permitted unless it falls into one of a number of categories. One of these categories is *'limited development within the infill boundary line of those settlements identified in Policy PS6 which must be appropriate to the local character in terms of its use, intensity, scale and appearance.'*

The principal acceptability of this application is determined as to whether the development should be considered as *'limited development'* and whether this development would be *'appropriate to the local character in terms of use, intensity, scale and appearance'*.

Given that the development is for 2 dwellings only, it is considered that the proposal should be considered as *'limited development.'*

The site is currently characterised by linear detached and semi-detached residential development which lies parallel to the A54. To the southeast is an open field and beyond that a cul-de-sac development (Broomfields). To the north are Wood View, The Orchard and The Poplars Nursery, to the northwest and west of the site there are a number of larger outbuildings that would extend further to the rear of the proposed development site.

As a result of the layout of this local existing development, it is considered that the addition of a further 2 detached dwellings in the layout proposed would respect the local character in terms of its use and intensity.

In terms of scale and appearance, the nearby properties are mixed with regards to their form and finish. There are semi-detached two storey dwellings, detached and semi-detached bungalows, dormer bungalows and detached two-storey dwellings. These units have a mixture of open brick and rendered finishes, dual-pitched and hipped roofs, white uPVC and wooden fenestration.

As such, the appearance and scale of the new units are not considered to appear incongruous within their immediate setting. It is considered that the development would adhere with Policy H6 and subsequently PS6 of the Local Plan.

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."***

In addition it states that local authorities should:

"identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land."

Given the current shortage of housing within Cheshire East and given that the proposed development falls within an infill settlement boundary, the principle of limited development in the form of 2 new dwellings at this site is deemed to be acceptable.

Design

Policy GR2 of the Local Plan advises that the proposal should be sympathetic to the character, appearance and form of the surrounding site in terms of; the height, scale form and

grouping, the choice of materials, external design features and the relationship with neighbouring properties.

As advised, the neighbouring development consists of a mixture of dwelling forms and finishes. As such, there is no particular local vernacular to adhere to. The development site is currently separated from the A54 by a post and rail fence. The first of the 2 proposed dwellings would be inset to the south of this road by approximately 25 metres. This dwelling would face the road and be constructed on a similar building line to the adjacent properties to the northwest. As such, it would not appear incongruous in terms of its siting.

The second property proposed would be to the rear of the site, approximately 32 metres behind (to the southwest) the first proposal. It would be sited parallel to a number of green houses that are sited to the rear of the properties adjacent to the site and to the rear of the dwellings that front the A54. Given the presence of this existing adjacent built development, the extension of the built environment in this location immediately adjacent would not appear incongruous.

A new access point onto the A54 servicing a proposed new shared driveway would extend along the western boundary of the site with access to both properties feeding from it.

The dwelling proposed on plot no.2 to the front of the site would be the smaller of the 2 with a footprint of approximately 179 metres squared and a height of approximately 8.3 metres. The dwelling proposed on plot no.1 (the the rear), would have a footprint of approximately 304 metres squared and a height of approximately 8.7 metres. Given the range of dwelling heights and footprints within the vicinity of this development, it is considered that the height and scale of these dwellings would be acceptable.

Limited information has been provided with regards to the proposed materials that would be used in the construction of these dwellings. As such, it is proposed that should this application be approved, a condition requesting the prior submission of material details be submitted.

The dwelling proposed on plot no.1 would be characterised by its elongated design. It would be a two-storey unit with a dual-pitched roof and would include a single-storey sun lounge and a two-storey rear outrigger. The dwelling proposed on plot number 2 would also be a two-storey unit but narrower in design. It would have a lower dual-pitched roof that the other dwelling and incorporate an integral garage and a single-storey side addition. It is considered that these dwellings would include acceptable design features that would not be out of character in this area of mixed forms.

As a result of the above, it is considered that the proposal would adhere with policy GR2 of the Local Plan.

Residential Amenity

Policy GR6 of the Local Plan advises that development should not be permitted if it would have a detrimental impact upon neighbouring amenity by way of loss of light, visual intrusion or loss of privacy.

The neighbour that would be most impacted by the proposal would be the applicant, Ivy House. The side elevation of the dwelling proposed on plot no.2 would be approximately 15 metres parallel to the side elevation of this neighbouring dwelling.

On the relevant side elevation of this proposed dwelling, the only opening proposed is a secondary lounge window. On the relevant side elevation of Ivy House there are 2 secondary side windows. Separating the two dwellings at present is a hedge approximately 1.8-metres tall.

Paragraph 2.8 from SPG2 advises that a minimum separation distance of 13.8 metres should be achieved between windows facing directly the flank elevation of an adjacent dwelling. As this distance is achieved and because none of the windows impacted would be principal windows to habitable rooms, it is not considered that the development would have a detrimental impact upon neighbouring amenity to this side in term of loss of privacy, loss of light or visual intrusion.

Given the 32-metre separation distance between this dwelling and the proposed dwelling to the rear, it is not considered that the development would have any impact upon the amenities of the other dwelling proposed (and vice-versa).

There would be no neighbouring amenity issues created to any other side due to the large separation distances.

With regards to environmental disturbance, Environmental Health have raised no objections, subject to an hours of construction, hours of piling, the prior submission of a piling method statement and the insertion of a contaminated land informative.

As a result of the above, once conditioned, it is considered that the development would adhere with policy GR6 of the Local Plan.

Highway Safety

The proposed development would involve the creation of a new access onto the A54 and the provision of an access road along the eastern boundary of the site which will access both properties. The Council's Strategic Highways Manager has not provided any comments at the time of this report. Should the Highways Manager raise no objections, it is considered that the development would adhere with Policy GR9 of the Local Plan. Should the Highways Manager object, it is considered that the proposal would be contrary to Policy GR9.

Other Matters

The refusal of planning permission 12/3807C on the adjacent site is a material consideration. This application was for the erection of 20 dwellings. The application was refused as it was considered that the site *'does not constitute sustainable development, due to its remote location, isolated from shops, services, employment sites, schools and other facilities...'*

As the site lies adjacent to the proposed development site, the same policies apply. However, the difference between this proposal and the adjacent refused application is the number of units proposed. It is considered that the addition of 2 units would constitute 'limited development' whereas the 20 units would not. As such, it is considered that the proposed

development adheres with Local Plan policy in this instance and is not a variance with the NPPF.

The relationship between the proposed properties of this development and the properties proposed on the adjacent, refused site is also a material consideration. No issues between the house proposed on plot no.2 (to the front of the site) and any of the properties that were proposed on the adjacent site would be created. This is due to the large separation distances between the two and their offset relationship.

In terms of the dwelling proposed on plot no.1, as it is proposed that this dwelling would be constructed at an angle within the site, it would not create any parallel relationships with the closest dwellings proposed on the adjacent site. Furthermore, the closest aspect of this neighbouring proposed development site impacted would be a detached garage. The only potential amenity issue that would be created would be a potential overlooking issue from the first floor windows of the dwelling proposed on plot no.1 and the rear garden of a dwelling proposed on the adjacent site. However, given that this relationship would be offset and given the limited weight that can be given to a recently refused planning application, it is not considered that this issue is significant enough as to warrant refusal of this application.

CONCLUSIONS

The principle of erecting 2 dwellings on a site within the infill settlement boundary is deemed to be acceptable in principle. The dwellings would respect the local character in terms of use, intensity, scale and appearance. In addition the proposal would not raise any concerns for neighbouring amenity or highway safety. In so doing, the proposal accords with policies PS6 (Settlements in the Open Countryside and the Green Belt), GR1 (General Criteria for Development), GR2 (Design), GR6 (Amenity and Heath), GR9 (Access and Parking), H1 (Provision of New Housing Development) and H6 (Residential development in the Open Countryside and the Green Belt) of the Congleton Borough Local Plan First Review 2005. The proposal would also accord with the NPPF.

RECOMMENDATION: Subject to no highways objection.

APPROVE subject to the following conditions:

- 1. Time (Standard)**
- 2. Plans**
- 3. Materials to be submitted**
- 4. Electromagnetic materials**
- 5. Hours of construction**
- 6. Pile driving hours**
- 7. Pile driving method statement**
- 8. Landscaping (Details)**
- 9. Landscaping (Implementation)**
- 10. Boundary Treatment (Details)**

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