

<b>Planning Reference No:</b>	P09/0179
<b>Application Address:</b>	Rear garden of 1 Berkeley Crescent, Wistaston
<b>Proposal:</b>	New Detached Dwelling in the Garden of No 1 Berkeley Crescent
<b>Applicant:</b>	Mr & Mrs M & J Jobling
<b>Application Type:</b>	Outline Planning Application
<b>Grid Reference:</b>	353668 369207
<b>Ward:</b>	Rope
<b>Earliest Determination Date:</b>	3 <sup>rd</sup> April 2009
<b>Expiry Dated:</b>	1 <sup>st</sup> May 2009
<b>Date of Officer's Site Visit:</b>	18 <sup>th</sup> March 2009
<b>Date Report Prepared:</b>	30 <sup>th</sup> March 2009
<b>Constraints:</b>	None

## **SUMMARY RECOMMENDATION**

**Approve with Conditions**

## **MAIN ISSUES**

**Impact of the development on**

- The living conditions of neighbouring properties
- Character and appearance of the locality

## **1. REASON FOR REFERRAL**

This application is included onto the agenda of the Development Control committee as the applicant is an employee of the Council.

## **2. DESCRIPTION OF SITE AND CONTEXT**

No 1 Berkeley Crescent is a large detached dwelling located at the junction of Crewe Road and Berkeley Crescent within the Crewe Settlement Boundary. The property is of red brick construction with a brown tiled roof; the property has projecting bays to both the Crewe Road and Berkeley Crescent elevations. The property is currently vacant and its overgrown rear garden contains a number of leylandii and self seeded trees. Crewe Road is characterised by large detached dwellings situated in large plots, with Berkeley Crescent being made up of predominantly semi-detached dwellings.

## **3. DETAILS OF PROPOSAL**

This is an outline application for one dwelling with all matters reserved. Indicative plans show the dwelling would be two-storeys in height with 3 bedrooms, vehicular access would be positioned adjacent to the access point at No 5 Berkeley Crescent.

## **4. RELEVANT HISTORY**

7/07243 – Bungalow. Refused 18<sup>th</sup> September 1980

## **5. POLICIES**

The development plan includes the North West of England Plan Regional Spatial Strategy 2021 (RSS) and the Borough of Crewe and Nantwich Replacement Local Plan 2011 (LP). The relevant development plan policies are:

### **Regional Spatial Strategy**

DP1 – Spatial Principles

DP2 – Promote Sustainable Communities

DP4 – Make the Best Use of Existing Resources and Infrastructure

L4 – Regional Housing Provision

### **Local Plan Policy**

RES.2 – Unallocated Housing Sites

RES.3 – Housing Densities

BE.1 – Amenity

BE.2 – Design Standards

BE.3 – Access and Parking

BE.4 – Drainage, Utilities and Resources

BE.5 – Infrastructure

### **Other Material Considerations**

PPS1 – Delivering Sustainable Development

PPS3 – Housing

Supplementary Planning Document – Development on Backland & Gardens

## **6. CONSULTATIONS (External to Planning)**

**Highways:** For the Highways Authority to support this application the proposed access will need to be constructed to CCC specification with visibility splays of 2.4m x 40m

**United Utilities:** No objection, the site must be drained on a separate system and a separate metered supply will be required.

## **7. PARISH COUNCIL**

Concerned that tandem development is spoiling the character of the neighbourhood and the proposal would cause overdevelopment of the site.

## **8. OTHER REPRESENTATIONS**

One letter of objection received from the occupiers of 6 Berkeley Crescent raising the following points;

- The site occupies an identical site to that of No 2 Berkeley Crescent for which there have been 3 previous refusals;
- The application site is too small and out of character with its surroundings;
- The new house is out of keeping with the surrounding 1930's buildings;
- Increased hardstanding would create drainage problems;
- Increased traffic would be detrimental to the environment.

## 9. APPLICANT'S SUPPORTING INFORMATION

### **Design and Access Statement (*Produced by the agent Terry Tew*)**

- The site lies within a residential area of mixed development which includes some large detached houses and other smaller detached and semi-detached properties, there is also a good mix of design and architectural features on properties within close proximity to the site;
- A 3 bedroom house with elevations to reflect the features of the surrounding properties is acceptable;
- A property with a floor area of 115sq.m could be erected on the plot and still leave ample surrounding space;
- The simple layout has been adopted with major windows on the front and rear of the proposal so as not to cause overlooking problems and loss of amenity to adjacent properties;
- The site is currently covered with self set shrubs and trees mostly because of neglect. None of these trees are protected and a scheme of landscaping would be produced should planning permission be granted;
- Vehicular access would be taken from Berkeley Crescent and disabled access will be provided.

## 10. OFFICER APPRAISAL

### **Principle of Development**

The site lies within the settlement boundary of Crewe where, in principle, residential development is considered to be acceptable. However, to fully accord with Policy RES.2 (Unallocated Housing Sites), the development must also be in keeping with the requirements of policies BE.1 – BE.5.

### **Design**

This is an outline application only with all matters reserved. However an indicative site plan and elevational drawings have been submitted for consideration as part of this application. The site history shows that a dwelling was refused on the site in 1980 for the following reason;

*'The site is of insufficient area to satisfactorily accommodate a bungalow in keeping with the size and spacing of neighbouring properties, having regard to the building line of the dwellings on the eastern side of Berkeley Crescent'*

Furthermore the property on the opposite side of Berkeley Crescent has received 3 refusals for the siting of a new dwelling, all of which are of similar to the reason for refusal above.

However it should be noted that the refusals referred to above were determined before the publication of PPS3. PPS3 states that the planning system should promote an '*efficient and effective use of land, including re-use of previously-developed land*'. Given the emphasis for efficient and effective use of land it is considered that the development of the site for one dwelling is acceptable in terms of PPS3. The indicative plans show that that a dwelling could be sited on the application site and that it would respect the current building line along Berkeley Crescent and would provide sufficient private amenity space and car-parking areas. The proposed development is therefore considered to be acceptable and the

proposed dwelling would not have such a detrimental impact upon the character and appearance of the area to warrant the refusal of this planning application.

## **Amenity**

To the south-east of the site Number 5 Berkeley Crescent has 5 windows to its side elevation facing the site. Only one of these windows is a principle window serving a kitchen. The indicative plans show that the proposed dwelling would be 8 metres from the nearest point of the side elevation of No 5 Berkeley Crescent. Although this separation distance is below the required 13.5 metres (as specified in the Councils SPD on backland and gardens) it is considered that the proposal would have minimal impact upon residential amenity at No 5. This is due to the orientation of the site with the application site being located to the north-east and therefore causing minimal impact through loss of light. Furthermore No5 has a kitchen/diner which has large windows in the rear elevation which give sufficient out-look and light to the kitchen/diner at No 5 Berkeley Crescent. The indicative plans show that a dwelling can be designed to have no principle windows to its side elevation overlooking No 5 Berkeley Crescent.

To the rear the indicative plans show that the proposed dwelling would have a rear garden of 6 metres in length. Although this distance appears short there is no rear garden length specified within the Council's SPD with the only reference made to the requirement for 50sq.m of open space which can be achieved. Despite the short separation distance to the rear the indicative plans show that a dwelling could be designed with only one principle window overlooking the rear garden of No 504 Crewe Road. The resultant overlooking would be limited to the rear section of the garden at No 504 Crewe Road only. In practical terms the most private area of a rear garden is widely accepted to be that closest to the dwelling and in this case the proposed dwelling would overlook the far end of the garden. It is not considered that this degree of overlooking would be sufficient to warrant the refusal of this planning application.

To the north west of the site No 1 Berkeley Crescent contains a number of windows to its side elevation facing the site. Floor plans of this property have been submitted which show 3 first floor principal bedroom windows facing the application site. The indicative plans show a dwelling can be positioned on the application site with a separation distance of approximately 8 metres. It is considered that this relationship is acceptable given that the applicant owns this property and the case is a case of buyer beware. Furthermore re-positioning this window would not be a viable alternative as the window would overlook No 504 Crewe Road.

## **Highways**

At the time of writing this report plans to show the required visibility splays were awaited. It appears that the required visibility splays can be achieved and this will be clarified as part of the Update Report.

## **Trees**

The site is overgrown and contains a number of trees. However the majority of these trees are leylandii or self seeded and as a result they are of limited value and their loss is considered to be acceptable. The site does contain an Ash tree and Cherry tree onto the road frontage with Berkeley Crescent. It is considered that these are worthy of retention

and a condition will be attached to ensure that they are retained and protected during construction works.

### **Other issues**

One letter of objection refers to the environmental impact of 1 dwelling due to increased traffic movement. This issue is not accepted as the proposal is for 1 dwelling only within the settlement boundary where residential development is considered to be acceptable.

## **11. CONCLUSIONS**

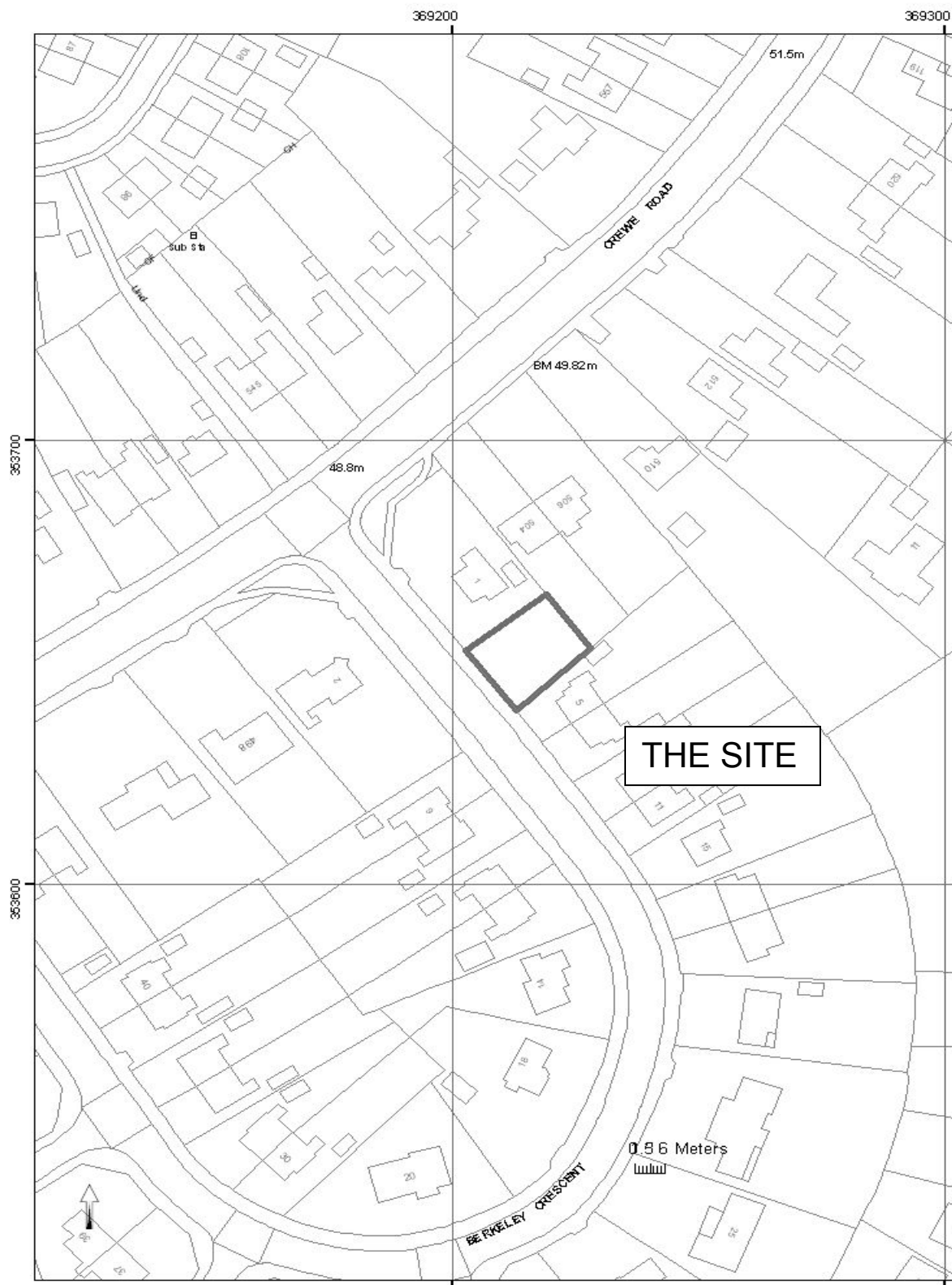
The application site is located within the settlement boundary of Crewe and the principle of residential development is acceptable under Policy RES.2 of the Borough of Crewe and Nantwich Replacement Local Plan 2011. The proposed development would have minimal impact upon the amenities of surrounding residential properties and would not raise any highway issues. It is considered that the proposed development would not appear out of character in this location as to warrant the refusal of this planning application.

## **12. RECOMMENDATIONS**

**APPROVE** subject to the following conditions

- 1. Standard**
- 2. Materials**
- 3. Permeable surfacing materials**
- 4. Plans**
- 5. Landscaping to be submitted**
- 6. Landscape to be completed**
- 7. Boundary treatment**
- 8. Drainage**
- 9. No extensions and alterations**
- 10. Window reveal**
- 11. No change in levels**
- 12. Retention of trees**
- 13. Tree protection**
- 14. Visibility splay**

## LOCATION PLAN:



P09/0179 – Rear Garden of 1 Berkeley Crescent Wistaston

N.G.R; - 369.217 353.652

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Not to Scale