

Application No: 12/3846C

Location: 2, MOUNT PLEASANT ROAD & 50 THE BANKS, SCHOLAR GREEN,
ODD RODE

Proposal: Demolish 2 existing bungalows and erection of 5 new build dwellings
(Three detached and one pair of semi-detached)

Applicant: MR NEIL HAMAND

Expiry Date: 06-Dec-2012

SUMMARY RECOMMENDATION

Approve

MAIN ISSUES

- Principle of Development
- Impact on Character of the area
- Impact on Amenity of adjacent properties
- Impact on Highway Safety

1. REASON FOR REFERRAL

The application was called-into committee by Cllr R Bailey due to concerns regarding the proposed access points into and out of the site.

The application has been deferred in order to allow Members the opportunity to conduct a site visit of the site.

1. DESCRIPTION OF SITE AND CONTEXT

The application site is comprised of two semi-detached bungalows. The existing properties are set within an extensive residential curtilage. The existing semi detached bungalows were erected in 1927. The buildings are in a poor state of repair and comprise of internal/external asbestos, poorly insulated and being single glazed. Located to the south of the application site is a small copse of trees which is laid out as an orchard and the remaining boundaries are heavily vegetated apart from the front elevation fronting Mount Pleasant Road comprises Cheshire railings. The site is flanked on most sides by residential properties.

2. DETAILS OF PROPOSAL

Full planning permission is sought for 5 dwellings. Two pairs of semi-detached and one detached dwelling.

3. RELEVANT HISTORY

11/2595C Removal of 2 No bungalows both owned by the applicant. Replacement 2 No new build detached houses with improvement to existing vehicular accesses and provision of onsite turning area. Approved 8 September 2011.

4. POLICIES

National Planning Policy

National Planning Policy Framework (2012)

Congleton Borough Local Plan (2005)

PS5	Villages in the Open Countryside and Inset in the Greenbelt
GR1	General Criteria
GR2	Design
GR4	Landscaping
GR6	Amenity and Health
GR9	Accessibility, Servicing, and Parking Provision
H1	Provision of New Housing Development
H2	Housing Supply
H5	Residential Development in Villages

Other Material Considerations

Supplementary Planning Guidance Note 2: Provision of Private Open Space in New Residential Developments

5. CONSULTATIONS (External to Planning)

Environmental Health – No objection subject to conditions relating to hours of construction condition, piling, dust and contaminated land

United Utilities – No Objection

Strategic Highways Manager – No objections subject to a footway being provided to the site.

Strategic Housing – The population of the area is less than 3000, and the application seeks 5 units. There is a requirement of 30% of the units to be affordable this proportion includes the provision of social rented and/or intermediate housing as appropriate.

6. VIEWS OF THE PARISH COUNCIL

Odd Rode Parish Council: Object to the application on the following grounds;

- Development does not accord with the Odd Rode Parish Plan
- Does not comply with paragraph 89 of the NPPF as the height and layout of the proposed dwellings is greater than the existing bungalows
- 5 dwellings will result in the overdevelopment of the site
- Removal of Cheshire railings will have a detrimental impact on the character of the area
- Highway safety issues
- The previous outline approval for two dwellings was more in keeping with the character of the area

The Parish Council recommend that 3 dwellings on site would be more in keeping with the character of the area.

7. OTHER REPRESENTATIONS

21 letters of objection received from nearby residents regarding the first set of revised plan, the salient points being that:

- The density of the housing is too high
- Highway safety issues
- Does not comply with planning policy
- Removal of Cheshire railings
- Outline approval granted for two dwellings which is more in keeping with the area
- Impact upon pedestrian safety
- Concerns relating to the demolition of the fibreglass buildings
- Is there a market for the sale of the properties?
- Removal of mature trees
- Lack of street lighting
- Out-of-character with the area
- Impact upon wildlife
- Loss of amenity to the neighbouring dwellings and their rear amenity space

A petition was also submitted objecting to the proposal

In relation to the most recent set of revised plans, 5 letters of objection have been received. A summary of the objections has been provided below, however the full documents can be viewed on file.

- Does not comply with paragraph 89 of the NPPF
- Infringement on Human Rights Act; enjoyment of possessions including a garden area
- Development has a dominating impact
- Previous approval requested that the Cheshire Railings remain
- Does not meet with the guidelines of low density housing
- Over development of the site
- Impact upon amenity in terms of loss of privacy & overbearing impact

- Surface water issues
- Loss of wildlife land
- Highway safety issues resulting from the access points
- Issues surrounding parking of vehicles on the bend causing highway safety issues
- Concerns raised regarding the demolition of the existing buildings on site & whether there is any asbestos within them

8. APPLICANT'S SUPPORTING INFORMATION

- Design and Access Statement

9. OFFICER APPRAISAL

Principle of Development

The site is designated as being within the infill boundary line of Green Belt land where limited development is acceptable provided that it is appropriate to local character in terms of use, intensity, scale and appearance and complies with relevant policies in the adopted Local Plan. It is considered that due to the location of the site within a residential area, with adequate access to public transport and local services, that the broad principle of residential development within this location is acceptable. The principle of residential development must be balanced against other considerations including impact of the development on the character of the area, highway implications, impact upon amenities of residents and any other material planning considerations.

Design, Layout and Character of the Area

The surrounding area is comprised of numerous dwellings of varying style, scale and design being constructed over the last century. The application site is a triangular parcel of land, located to the south lie No.17 and 19 Meadowside Lane and to the north west a large detached dwelling. The remainder of the site is flanked by Mount Pleasant Road and The Bank. Revised plans have been submitted during the course of the application reducing the scheme from 5 detached properties to 3 blocks, comprised of two semi-detached dwellings and one detached house. Five properties are still proposed for the site.

The detached dwelling (Unit 1) would be hipped roofed, gable fronted property that would be fabricated in brickwork, modern roof tiles and UPVC doors and windows. It would have a footprint of 90sqm and measure 7m in height.

The proposed semi-detached properties (Units 2-5) would have gable frontages, would be fabricated in modern brickwork and tiles, have a footprint of 120sqm and a height of 7m.

The design of the properties is considered to be acceptable when assessing the mixed character of the area. To ensure that appropriate conditions are used a condition could be attached to any decision notice that is issued.

The layout of the proposed dwellings has been altered during the course of the application. The proposed dwellings would essentially follow the line of the road. When considering the layout of the proposal it is considered that the layout would generally match the layout of the area, and

would not result in an adverse impact upon the character of the area. The site itself is elevated, and clear views would be given from public vantage points, however the visual impact of the proposal within the existing street scene.

Impact on the Amenity of adjacent properties and future occupants

Unit 1, the detached dwelling is set closest to No.48 The Bank would retain approximately 14m between the rear elevation and boundary. The neighbouring property No.48 The Bank, is set at a lower level than the proposed dwelling, however a sufficient spacing distance would be retained in order to prevent any loss of amenity to this property.

Unit 5, the end semi-detached dwelling would be set facing towards the rear amenity space of No.19 Meadowside Lane. The Council's SPD requires 10.7m between properties. The proposed distance is short of the required standard, with only 9.5m retained between first floor windows and the boundary of the site. Existing planting with mature trees to the boundary should help prevent some of the impact upon this dwellings privacy. Whilst it is recognised that the proposal would impact upon No.19's amenity, it is not considered adverse enough to warrant refusal of the application. It is considered that Class A and B Permitted Development rights should be removed from the dwellings in order to prevent any loss of privacy in the future due to layout of the properties and the size of the proposed plots.

The Council's SPD2 requires a spacing distance of 21.3m between the front elevations of dwellings. Unit 5 would be positioned 25m away from the dwelling opposite, whilst Unit 4 would be positioned 23m away from No.3 opposite. This is considered to be acceptable, and would not result in an adverse impact upon the amenities of the dwellings opposite. Unit 1 and Unit 2 face onto open space, and as such comply.

According to SPD2 dwellings of this size should have amenity space of 65m². Each of the dwellings proposed has in excess of this amount of amenity space.

It is of merit to note that no objection has been raised by Environmental Health however they have suggested a number of conditions which could be attached to any permission.

Impact on Highway Safety

Numerous objections have been received with regards to the impact upon highway safety. Comments are currently awaited from the Strategic Highways Manager regarding the most recent set of revised plans.

The Strategic Highways Manager has viewed the proposal previously and raised no objections. Each dwelling has sufficient drive space in order to enable the parking of two vehicles on site, and sufficient turning space in order to allow vehicles to enter and leave the site in a forward gear.

Highways have also requested that a 2m footpath is provided to the south of the site which has been submitted on the proposed layout. Highways have requested that the detail on the proposed plan is implemented prior to the occupation of the dwellings on site.

Ecology

Protected species surveys have not been submitted as part of the application, however the Council's Ecologist was consulted under application 11/2595C and did not envisage issues relating to protected species. It is of merit to note that the consent above was outline, which appears to have lapsed.

11. CONCLUSIONS

The proposed development would be of acceptable design, layout and would have an acceptable impact upon the mixed character of the area. On balance the proposed dwellings would achieve sufficient spacing distances between the units and existing properties in the area.

12. RECOMMENDATIONS

Approve subject to the following conditions

- 1) Time Limit
- 2) Approved Plans
- 3) Facing and Roofing materials to be submitted
- 4) Landscaping scheme to be submitted including boundary treatment
- 5) Removal of Class A & Class B Permitted Development Rights
- 6) Prior to occupation of the development the footway and visibility splay will be constructed as identified on drawing number 5403.01 Rev G
- 7) No development shall commence until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in the NPPF or any future guidance that replaces it. The scheme shall include:
 - i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 30% of housing units of which 65% shall be social / affordable rent and 35% intermediate tenure;
 - ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
 - iii) the arrangements for the transfer of the affordable housing to an affordable housing provider;
 - iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Informative relating to a Section 278 agreement being entered into under the Highways Act

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