

Application No: 14/1125C  
Location: 31, SPRING BANK, SCHOLAR GREEN, ST7 3LA  
Proposal: Regularisation of alterations to garage construction  
Applicant: Ruth Reeves  
Expiry Date: 22-Apr-2014

#### **SUMMARY RECOMMENDATION**

Approve with Conditions

#### **MAIN ISSUES**

- **Principle of Development**
- **Residential Amenity**
- **Design**

#### **REASON FOR REPORT**

This application has been referred to the Southern Planning Committee by Councillor Rhoda Bailey for the following reason:

*“Concerns have been expressed by residents that the building has not been designed and constructed in accordance with its permitted use as a garage but could be capable of being used for living accommodation. The application should be heard by the planning committee to decide the issues of permitted extent and use, be it garage or accommodation.”*

#### **DESCRIPTION OF SITE AND CONTEXT**

The application site is found to the front of a detached dwelling situated on Springbank, within the infill Boundary for Scholar Green. The closest neighbouring dwelling to the application site is application number 33 Springbank which is situated approximately 19 metres to the east.

#### **DETAILS OF PROPOSAL**

An application was approved in 2013 (13/0250C) for a detached garage measuring 9 metres by 6.3 metres with a flat roof height of 3 metres.

This application seeks retrospective approval for the existing detached garage which has been constructed larger than originally approved. The garage in question measures 10.9 metres by 6.3 metres with a roof height of 3 metres. Other changes from the approved scheme involve the addition of two additional windows to the north elevation, the substitution

of bi-folding doors in place of the two double doors to the west elevation and a set of French windows in place of the small window to the south elevation.

A flue projecting by 0.6 of a metre above the roof also forms part of this application.

The description of development states that the building is used as a garage, workshop, store and studio. It was evident from the site visit that this seemed to be the case.

## RELEVANT HISTORY

10/0831/FUL – New dwelling – approved with conditions 2010

13/0250C – Detached garage – approved with conditions 2013

## POLICIES

Paragraph 216 of the National Planning Policy Framework (NPPF) states that, unless other material considerations indicate otherwise, decision-takers may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

In view of the level of consultation already afforded to the plan-making process, together with the degree of consistency with national planning guidance, it is appropriate to attach enhanced weight to the Cheshire East Local Plan Strategy - Submission Version in the decision-making process.

At its meeting on the 28<sup>th</sup> February 2014, the Council resolved to approve the *Cheshire East Local Plan Strategy – Submission Version* for publication and submission to the Secretary of State. It was also resolved that this document be given weight as a material consideration for Development Management purposes with immediate effect.

The relevant policies of the **Cheshire East Local Plan Strategy – Submission Version** are:

Policy SD 1 Sustainable Development in Cheshire East

Policy SD 2 Sustainable Development Principles

Policy SE 1 Design

The Relevant policies of the **adopted Congleton Borough Local Plan First Review 2005** are:

**Local Plan policy**

PS4 Plan strategy

GR1 General criteria for new development  
GR2 Design  
GR6 Amenity & health  
PS5 - Settlements in the Open Countryside and Green Belt

## **National Planning Policy Framework**

### **CONSIDERATIONS (External to Planning)**

None

### **VIEWS OF THE PARISH / TOWN COUNCIL**

Odd Rode Parish Council objects to the above application on the grounds that it's scale is obtrusive and it is not in keeping with the local street scene.

Furthermore, the flat roof structure is not as stated in the previous permission, i.e. it is not a moss/grass roof, and is an eyesore. A pitched roof would have been far more appropriate.

### **OTHER REPRESENTATIONS**

Two letters of representation have been received from neighbouring dwellings which object to the proposed development for the following reasons:

- Completed structure is larger than and has more windows
- Building has been built as a studio and not a garage
- Not possible to get a car in
- Building is very large and an eye sore

### **APPLICANT'S SUPPORTING INFORMATION**

None received

### **OFFICER APPRAISAL**

#### **Principle of Development**

The principle of a detached garage on the application site has been accepted with the previous approval.

The main thrust of this application is whether the changes to the approved development will have a detrimental effect upon neighbouring residential amenity or the surrounding streetscene.

The garage as built and described within this application is an additional 1.9 metres in length than the approved scheme, the width and height are as approved.

Concerns have been raised over the building not being used as a garage as originally described and approved. The existing use of the garage appears to be for general storage and an ancillary residential use as there is area for seating. No conditions were attached to

the original permission requiring the garage to be used exclusively for the storage of a motor vehicle, therefore the garage can be used for various uses, such as general storage and ancillary residential uses, which fall within the remit of Permitted Development.

Policy PS.5 states that development within villages inset within the Green Belt will be permitted where it is appropriate to the local character in terms of use, intensity, scale and appearance and does not conflict with the other policies of the Local Plan.

### **Amenity**

In terms of residential amenity the closest residential dwelling is approximately 19 metres away to the east. The additional windows do not directly face any neighbouring dwellings. Therefore, it is not considered that the development raises any new amenity issues since the previous approval.

With this in mind it is not considered that the proposed development will have an effect upon the amenity of any neighbouring dwellings.

As a result the proposed development is in accordance with Policy BE.1 (Amenity) and Policy RES.11 (Improvements and Alterations to Existing Dwellings) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

### **Design**

The comments of the Parish Council are noted, however the principle of a detached flat roof garage has already been accepted.

The changes to the previously approved scheme and the introduction of a flue are not considered to be significant and, therefore, do not materially alter the development other than in the length.

The design of the proposed development is such that it will respect the host dwelling, those in the surrounding area and will not have a significantly detrimental effect upon the street scene. Furthermore, given the scale of the proposed development it is not considered that there will be a harmful effect on the wider Green Belt.

As a result the proposed development is in accordance with Policy GR2 (Design) of the Congleton Borough

### **CONCLUSIONS**

The proposed development respects the size and character of the host dwelling and the surrounding area and will not have a significant impact upon neighbouring amenity. The proposed development is of a suitable design appropriate to the purpose it will serve in keeping with Policy (Settlements in the Open Countryside and Green Belt), Policy GR.1 (New Development). The proposal therefore complies with Policy GR.2 (Design) and Policy GR.6 (Amenity & Health) of the Borough of Congleton Local Plan First Review 2005 and the Emerging Local Plan Strategy Policy.

## **RECOMMENDATIONS**

**APPROVE** subject to the following conditions

### **1. Plans**

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