

Application No: 14/5029C
Location: 2, MOUNT PLEASANT ROAD, SCHOLAR GREEN, ST7 3LQ
Proposal: Detached 2 bed dwelling
Applicant: Neil Hamand
Expiry Date: 22-Dec-2014

SUMMARY

It is considered that the proposed development would have a detrimental impact upon the visual amenities of the area and compromise highway safety and therefore refusal of this application would have been recommended. The proposal clearly does not comply with the Local Plan Policies and the NPPF.

Recommendation

Minded to refuse for reasons of visual amenity and highway safety

REASON FOR REFERRAL

This application is subject to a call-in request from the former local ward member Cllr Barratt for the following reasons:

This is a corner plot whereby previous permission has been given for the demolition of two old bungalows and five residential properties built in there place. This extra house will lead to a gross overcrowding of the site. Its position on the site will have it being overbearing on its neighbouring house Meadowside. It will stand almost 2 metres higher than its neighbouring houses. Along with six houses there will be at least 9 cars to be accommodated on this site as a whole plot stands on a 90 degree bend in the road. I was not against the original planning but this extra one will lead to the site being overcrowded and overbearing.

DETAILS OF PROPOSAL

This application proposes to build a detached house with two bedrooms. The application is subject to an appeal against non determination.

SITE DESCRIPTION

The site is located in the Bank infill boundary which is washed over with Green Belt.

RELEVANT HISTORY

12/3848C – Erection of 5 new build dwellings – Approved with conditions – 12/12/13

POLICIES

National Planning Policy

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs:

14. Presumption in favour of sustainable development.

50. Wide choice of quality homes

56-68 requiring good design

Local Plan Policy

The Development Plan for this area is the Congleton Borough Local Plan First Review 2005.

The relevant saved policies are:-

GR1 (New Development)

GR2 (Design)

GR6 (Amenity and Health)

GR9 (Parking and Access)

PS6 (Settlements in the Open Countryside and the Green Belt)

Emerging Local Plan Policy

The following is considered a relevant material consideration as indication of the emerging strategy:-

SE 1 Design

PG3 Green Belt

SD1 Sustainable Development in Cheshire East

SD2 Sustainable Development Principles

CONSULTATIONS

Head of Strategic Infrastructure: Object as the condition on the adjacent site has not been discharged.

Environmental Protection: No objection; subject to conditions to control hours of construction and informative in respect of contamination.

VIEWS OF THE PARISH / TOWN COUNCIL- Recommend refusal on the grounds of overdevelopment, garden grabbing and access

REPRESENTATIONS - Two letters of objection has been received on the basis of there is:-

Already 5 new houses being built on this site, and parking is already an issue.

On a bad bend with a T- Junction opposite plus an un-adopted road running behind the development and one directly across from where this new house is proposed.

Does not comply with the local planning framework. High density development in low density area. Does not comply with village design statement. Does not comply with SPD distances

Not in keeping with the character or proportions of the street and house.

The full contents are available to view on the CEC website.

OFFICER APPRAISAL

Principle of Development

The site is located within the “inset in the green belt” as delineated by a infill boundary line of “The Bank” as defined by policy PS6. Limited development in accordance with policy H6 will be permitted where it is appropriate to the local character in terms of use, intensity, scale and appearance and does not conflict with other policies in the plan such as GR1, GR2 and GR6.

The NPPF also requires that good design is a key part of sustainable development and is clear that

“permission should be refused.....for development that fails to take the opportunity available for improving the character and quality of an area and the way it functions.”

Environmental Role

Amenity

Policy GR6 requires that proposals should not result in loss of privacy, sunlight/daylight, visual intrusion, environmental disturbance or pollution or traffic generation, access and parking. The development would meet all the required separation distances due to the orientation of the habitable room windows. Therefore the proposal is therefore considered to be acceptable in amenity terms.

Design

Policy GR1 requires that all development is of a high standard, to conserve or enhance the character of the surrounding area and not detract from its environmental quality. In addition Policy GR2 requires that proposals achieve a high level of design quality including the visual, physical and functional relationship of the proposal to neighbouring properties, the street scene and to the locality generally.

It is considered that the position of the proposed house would not be in keeping with the character and appearance of the locality. The design is shown in an alien position in front of

the building line. The design is therefore considered unacceptable and not in accordance with Policies GR1 and GR2 of the adopted local plan and SE 1 of the emerging Local Plan.

Access

There are very specific concerns in relation to the generation of traffic from the proposal as the pre-commencement condition. Of 12/3848C - condition 9 states:-

“The approved access shall not be brought into use until visibility splays have been provided at each side of the point of access in accordance with plans which have first been submitted to and approved in writing by the Local Planning Authority. The splays shall be kept clear of any object, vegetation or other obstruction of a height exceeding 1.0m above the level of the adjacent carriageway at all times and no planting will occur within the first 2m from the front boundary of the site.”

This condition has NOT been discharged. Without this information it is not possible to ascertain whether the access for this new site would be detrimental to highway safety without impinging on neighbouring visibility. Therefore, the application is unacceptable due to the lack of information on access.

Planning Balance

In the spirit of the NPPF, the applicants have been offered opportunities to submit revised and additional details or indeed withdraw the application to discharge or vary conditions on the adjacent site in order to overcome the outstanding issues. However, this has been declined and an appeal against non-determination has been lodged despite clear advice from officers on how to resolve issues.

Therefore, it is considered that the proposed development would have a detrimental impact upon the visual amenities of the area and compromise highway safety and therefore refusal of this application would have been recommended. The proposal clearly does not comply with the Local Plan Policies and the NPPF.

RECOMMENDATION

Minded to refuse for the following reasons:-

- 1. The proposed dwelling by reason of its siting and orientation would represent an alien feature within the street scene which would be detrimental to the character and appearance of the area. The development would be contrary to Policies PS6, H6, and GR2 of the Congleton Local Plan 2005 and guidance contained within the NPPF.**
- 2. The Local Planning Authority considers that insufficient information has been submitted in relation to traffic, parking and access. As such it is not possible to adequately assess the impact of the proposed development having regard to highway safety. In the absence of this information the development would be contrary to Policy GR9 of the Congleton Borough Local Plan (2005) and guidance contained within the NPPF.**

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