

Application No: 15/2783N

Location: ADJ 16, HUNTERSFIELD, SHAVINGTON, CW2 5FB

Proposal: Variation of Condition 3 on Application 14/2082N - 2 no. semis and 2 no. detached houses and ancilliary works- resubmission of 14/0183N

Applicant: Renew Land Developments Ltd

Expiry Date: 11-Aug-2015

SUMMARY

The proposal is considered to be acceptable in principle, given the acceptability of development on the site has already been established under previous approved application 14/2082N and the allowed appeal under 14/0183N.

The proposal is considered to be acceptable in terms of its impact on residential amenity and its design and layout would respect the character and appearance of the surrounding area.

The proposal would not detrimentally impact on existing levels of highway safety and the proposed landscaping is considered to be acceptable subject to conditions.

RECOMMENDATION:

Approve subject to conditions

PROPOSAL:

The proposal is for the variation of condition 3 (plans) attached to approved application 14/2082N, granted on 18th January 2015.

The application involves revising the site layout to involve the alteration of the site access and parking layout, the reconfiguration of Plots C3 and C4 and a change in external appearance to the dwellings.

It should be noted that a portion of land to the west of Plot C3 has been omitted from this application, given there is a neighbouring dispute ongoing. The land still forms part of the application site as a whole, as demonstrated on the submitted Site Location Plan.

SITE DESCRIPTION:

The application site is a portion of land which forms part of the Shavington/Wybunbury triangle which benefits from outline planning permission for up to 365 no. new dwellings.

The site is located immediately south of Huntersfield which is a relatively modern close of dwellings located south of Newcastle Road.

RELEVANT HISTORY:

14/2082N - 2 no. semis and 2 no. detached houses and ancillary works- resubmission of 14/0183N. Approved 18th January 2015.

14/0183N – 4 detached houses and ancillary works – Refused 24/4/14. Appeal Allowed 24/9/14. (Full costs awarded to the appellant against Cheshire East Council)

12/3114N – Outline Application for Residential Development of up to 360 Dwelling, Local Centre of up to 700 sq m. Etc – Approved 23/01/14

P95/0310 - 4 detached dwellings – Refused (Restraint Policy and Proximity to Rear elevations) 01/06/95

NATIONAL & LOCAL POLICY

National Policy:

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

Of particular relevance are paragraphs:

17, 49 & 55

Development Plan:

The Development Plan for this area is the Borough of Crewe and Nantwich Local Plan 2011.

The relevant Saved Policies are: -

NE.2 - Open Countryside

BE.1 - Amenity

BE.2 - Design Standards

BE.3 - Access and Parking

BE.4 – Drainage, Utilities and Resources

RES.5 - Housing in the Open Countryside

TRAN.9 – Car Parking Standards

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

Policy PG 5 - Open Countryside

Policy SD 1 - Sustainable Development in Cheshire East

Policy SD 2 - Sustainable Development Principles

Policy SE 1 – Design

Policy SE 4 - The Landscape

Policy CS 6 – The Shavington/Wybunbury Triangle

Supplementary Planning Documents:

Development on Backland and Gardens

CONSULTATIONS:

Highway Authority: No objection.

Environmental Health: No objection.

CEC Drainage: No comments received at the time of writing.

United Utilities: No comments received at the time of writing.

View of the Parish/Town Council:

Shavington Parish Council:

Comments submitted in regards to previous application 14/2082N remain unchanged. Object to the proposal based on impacts in terms of privacy and overlooking into neighbouring properties, removal of a hedgerow prior to the submission of a formal application, removal of land which would create a buffer between the approved Shavington/Wybunbury Triangle and access into the site needs to be investigated.

Wybunbury Parish Council:

No comments received at the time of writing.

REPRESENTATIONS:

16 representations received, objecting to the proposal.

Concerns raised include increased noise and light pollution, adverse impact on the existing drainage system, increased traffic, adverse impact on the existing character and appearance of the area, adverse impact on overlooking and overshadowing, incorrect plan showing proposed access road, inadequate vehicular access and parking, damage to the existing hedgerow and wildlife.

OFFICER ASSESSMENT**Principle of Development**

The principle of development has already been established under the previous application 14/0183N for 4 no. detached houses and ancillary works, which was allowed on appeal on 24th September 2014. A subsequent application under 14/2082N to amend the layout of the approved scheme was granted on 18th January 2015.

The application site also forms part of the Shavington/Wybunbury Triangle which, under Policy CS 6 of the emerging Cheshire East Local Plan Strategy, the site forms part of a wider allocated site for 350 no. dwellings including retail provision.

In taking the above into account, the principle of development is considered to be acceptable.

Character and Appearance

The revised site layout would involve the removal of the turning head upon entrance into the site and reconfiguration of the parking layout and Plot C3.

The proposal for 4 no. two storey dwellings with integral garages, private driveways and front and rear gardens would be commensurate to the plot size and the revised layout would not appear cramped, sitting comfortably within the sites parameters.

The re-siting of Plot C3 would not appear discordant in the context of its position directly adjacent to No 16 Huntersfield and would result in a natural continuation of the existing building line which extends directly north of Plot C3.

Proposed principal windows would face onto the access road providing natural surveillance and active frontages.

It is considered that the appearance of the dwellings broadly reflect those which have been previously approved under 14/2082N, with retained features such as pitched roofs, chimneys and bay windows.

Planting including the retention of existing hedgerows and proposed new hedgerows along the site boundaries would help to soften the impact of the development, as would varying surface materials. Landscaping details would be secured by condition.

Overall, the scale and design of the proposed development is considered to integrate with the established character and appearance of the locality.

Residential Amenity

Separation distances between existing neighbouring properties and the proposed dwellings is considered to be appropriate in the context of the Authorities guidance on spacing standards within the 'Development on Backland and Gardens' SPD.

Plot C3 is sited in the western end of the plot, in a similar position to the dwellings allowed on appeal under application 14/0183N to which the Inspector concluded that impacts on existing levels of residential amenity to the adjacent property at No 16 Huntersfield was considered to be acceptable.

This is in the context that the existing window and door to the ground floor of the side elevation are considered to be secondary and the angle of overlooking into the rear garden is considered to be relatively acute and not uncommon in this type of residential development. The first floor side window to Plot 16 is an obscure glazed bathroom window.

The distance between the bay window serving the family room to Plot C3 to the rear principal window and door serving the kitchen and family room to Plot C4 would measure 20.2m. This is considered to be acceptable given the plots would be off-set from one another and in the context of the proposed boundary treatment running between both plots, which is indicated as a 1.8m high timber fence as well as some tree planting.

It is acknowledged that the rear (west) elevation of property C3 would be sited approximately 1.5m from the rear boundary fence. However, the property has been design to have a dual aspect style elevational treatment, with adequate sized windows and doors also positioned on the side (southern) elevation of the property, to which serve principal rooms. This is considered would help to mitigate against any overbearing or overshadowing impacts the fence would have on ground floor principal windows, to the rear of the property, particularly in the context of the adequately sized side garden serving the plot.

The submitted floor plan shows an open plan dining and living room serving Plot C3, to which the living room is served by a large principal window to the east. This would further help to mitigate against any loss of light to the dining room, in the context of the door sited to the rear elevation, to which it serves.

Proposed gardens and amenity space would exceed the Authorities recommended area of 50m², as set out in the 'Development on Backland and Gardens' SPD, accommodating basic amenity requirements.

Boundary fencing would help to provide screening between plots and defensible boundaries. Existing and proposed hedgerows would further soften the impact of the development and would provide clear delineation between the application site and adjacent properties.

Given the confines of the site, it is considered appropriate to attach a condition for the removal of permitted development rights.

Environmental Health raises no objections to the revised layout.

The proposed development would be in accordance with Policy BE.1 of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

Access and Parking

The revised site layout has removed the previously approved turning head and provision of parking bays, which were originally sited towards the east of the site.

The revisions are considered to be acceptable and the proposal would accord with the Authorities Maximum Car Parking Standards.

Highway Authority raises no objections.

The proposal would accord with Policy BE.3 of the Borough of Crewe and Nantwich Local Plan 2011.

Landscaping

The proposed hawthorn hedge would extend along the complete length of the southern boundary which would help to achieve an appropriate landscaping treatment between the application site and adjacent field.

Proposed landscaping and boundary treatments would be secured by condition.

The proposal would accord with Policy BE.2 of the Borough of Crewe and Nantwich Local Plan 2011.

Ecology & Trees

The Biodiversity Officer confirmed in the previous application that the proposal would be unlikely to have an adverse impact upon the features for which Wybunbury Moss was designated. The extent of the application site remains the same as the previous application and it is considered therefore that the same conditions would apply for this application which would include provision for breeding birds and roosting bats.

Comments made under 14/0183N in regards to trees are applicable to this application. Landscaping conditions are recommended to secure site enhancement.

Planning Balance

In the context of the site history and this application to vary condition 3 of approved application 14/2082N, the principle of development is considered to be acceptable.

The revised site layout and appearance of the proposal is considered to be acceptable and would not result in adverse impacts on existing and proposed visual or residential amenities, sufficient to warrant refusal of the application.

The proposal would be acceptable in terms of highway implications.

Conditions to secure boundary treatments, landscaping, provision for nesting and breeding birds are considered to be appropriate.

On the basis of the above, it is considered that the proposal is acceptable subject to the imposition of appropriate conditions.

RECOMMENDATION

APPROVE subject to the following conditions:

- 1. Standard time 3 years**
- 2. Plans**
- 3. Materials**
- 4. Landscaping Scheme**
- 5. Implementation of Landscaping Scheme**
- 6. Boundary Treatments**
- 7. Removal of P.D Rights**
- 8. Hours of Construction**
- 9. Nesting Bird Survey**
- 10. Breeding Birds**

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In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Strategic & Economic Planning, in consultation with the Chair (or in his absence the Vice Chair) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Should this application be the subject of an appeal, authority be delegated to the Interim Planning and Place Shaping Manager in consultation with the Chairman of the Southern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.



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