

Planning Reference No:	09/2341N
Application Address:	82 Barony Road, Nantwich
Proposal:	Demolition of 82 Barony Road and Erection of 14 Number Two Storey Residential Dwellings and Associated Access
Applicant:	Thomas Jones & Sons Ltd Winnington Hall, Winnington, Northwich
Application Type:	Full
Grid Reference:	365279 353215
Ward:	Nantwich
Earliest Determination Date:	20 th October 2009
Expiry Dated:	26 th October 2009
Date of Officer's Site Visit:	7th October 2009
Constraints:	None applicable

SUMMARY RECOMMENDATION: Approve with conditions

MAIN ISSUES:

- Impact on amenity of adjacent properties by reason of potential over domination, overlooking, noise and disturbance
- Design, layout and form of the development and impact on street scene
- Highway safety considerations
- Impact on potential development on adjacent land

1. REASON FOR REFERRAL

The application is included on the agenda of the Strategic Planning Board in order to enable the application to be determined by the 13 week target date.

2. DESCRIPTION OF SITE AND CONTEXT

The site consists of a detached two storey dwelling set within a large domestic curtilage. The existing property is set back from the road frontage by 12 metres with a small lawned area to the front and extensive lawned garden to the rear which includes a limited number of small ornamental trees. The boundaries of the site consist predominantly of hedgerows and trees although the northern boundary is generally open and defined only by a loose knit line of trees. The southernmost part of the site wraps behind the rear of the adjacent number 81 Barony Road and adjoins the rear gardens to properties on St Mary's Road. Access to the site is taken via a shared domestic access with the two storey property at The Nook.

3. DETAILS OF PROPOSAL

The proposal consists of the demolition of the existing two storey dwelling and construction of 14 two storey dwellings on the land at the rear. The proposed dwellings are semi detached properties and feature two house types. The proposed house type A (plots 3, 4, 5, 6, 9, 10, 11, 12) is a three bedroom property with a ridge height of 8 metres and 4.8m to eaves and includes a central projecting gable and porch. The proposed house type C (Plots 7, 8, 13, 14), also a three bedroom dwelling, is of a similar size to house type A although features a more simpler elevation with dormer style gables above the first floor bedroom windows and smaller bracketed porches. Finally house type B (Plots 1 & 2 at the front) features a taller ridge height of 8.5m and 5m to eaves and has a similar elevation to house type A. The applicant proposes to reposition, extend and widen the existing domestic access into the site in order to provide sufficient vehicular access and this would include new footways and a vehicular turning head at the southern end of the site. Off street parking would be provided at the front and side of each dwelling, as well as within attached and detached garages.

4. RELEVANT HISTORY

P08/0427 - Demolition of One Dwelling and Construction of Eight Dwellings and One Apartment Building comprising of Five Apartments. Approved with conditions 20th June 2008.

5. POLICIES

Regional Spatial Strategy

DP.1 (Spatial Principles)

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)

TRAN.3 (Pedestrians)

TRAN.9 (Car Parking Standards)

Other Material Considerations

PPS.1 (Delivering Sustainable Development)

SPD – Development on Backland and Gardens

6. CONSULTATIONS (External to Planning)

Highways:

Visibility is an issue at this location due to on street parking and a difference in height coming out onto Barony Road from this development

Previous application addressed the issue with a build out at the access increasing visibility in both directions, and the construction of parking bays and hatch markings in the centre of the carriage way up to the traffic signals to the south of the site.

Providing this issue is addressed as described above, the access and access road are constructed to CEC specification (to an adoptable standard) no highway objections.

Environmental Health (Contaminated Land):

This site is within 250m of a known landfill site or area of ground that has the potential to create gas.

The application is for new residential properties which are a sensitive end use and could be affected by any contamination present.

Recommends condition in regard to a Phase I contaminated land report prior to development commencing.

Sustrans:

The site lies adjacent to the Connect2 Crewe-Nantwich walking/cycling.

One of the issues we have been looking at is how to cross Barony Road safely. Therefore should this land-use be approved we would like the Council to negotiate for a modest contribution towards a safe crossing of the road which will allow residents to reach the Council's park and leisure centre.

7. VIEWS OF THE PARISH / TOWN COUNCIL:

None received at time of writing this report

8. OTHER REPRESENTATIONS:

Objections received from the occupiers of 1 Claytons Row, Nantwich; 3 Clayton's Row, Nantwich; The Nook, Vauxhall Place, Nantwich;

The main areas of concern relate to:

- Is the area for parking adjacent to the private road, Claytons Row to be fenced off so that it does not become a public right of way or give the new residents access from the Row?
- Is the substantial hedge separating the two areas to remain in situ and consequently preserve the privacy that the residents of Claytons Row currently enjoy?
- The previous application included a landscape plan for planting in front of The Nook subject to agreement. This application does not appear to have a landscape plan. Developer has promised to provide landscaping but concerned there is no landscape plan included.
- Amazed that the Highways department is still proposing to narrow barony road by including parking bays. Traffic has increased considerably since the expansion of Reaseheath College, and this expansion is due to continue. Cars currently park on both sides of the road and it is impossible for traffic to flow both ways when large vehicles such HGVs, buses and more importantly emergency vehicles are involved - this is a particularly important route for fire engines from Nantwich Fire Station.
- Cars regularly race down this section of Barony Road at speeds in excess of 60mph.
- Solution to highway problem is to convert the wide kerb into parking bays and leave the road width alone
- The access road to Claytons Row is privately owned and has very limited parking spaces for the existing houses.
- Claytons Row is a nice secluded cu de sac of six houses which provides an amount of privacy to the houses.
- Request covenant restricting pedestrian and vehicular access onto Claytons Row is included as part of the planning consent and as part of the deeds for properties numbered 3, 4 & 5.
- Two metre fence or hedge should be placed between Claytons Row and the new development, where required, to maintain the privacy currently enjoyed by Claytons Row
- Congested of Barony Road and cars have started parking on both sides of the road
- Double parking has narrowed the road to traffic and made the entrance to Claytons Row increasingly dangerous especially as visibility on the junction is bad and cars or vans have to reverse down Claytons Row from Barony Road. This is due to the fact that it is not possible to turn around in Claytons Row itself.
- The development can only increase traffic on Barony Road. A solution is required to these traffic and parking problems before rather than after an accident happens.

9. APPLICANT'S SUPPORTING INFORMATION:

Design and Access Statement and Addendum to Design and Access Statement: Submitted by

The main points are:

- Site measures 0.46 hectares
- Site occupies rear gardens to numbers 81 and 82 Barony Road and is covered mainly in mown grass
- Majority of the boundaries are hedge lined with some small fruit trees
- Would look to retain as many hedges as possible with introduction of some screen planting as previously proposed
- Site is in a sustainable position
- Character of the area is of mixed residential properties
- Overall scale of the area is generally 2 storey
- Facing brickwork and plain tiled roofs will be used to harmonise with the surrounding area
- Consideration given to the layout to limit any impact on adjacent properties
- Respect to the historical context of the site was given with photographs illustrating previous cottages on the site
- Development exceeding 14 dwellings would compromise the existing scale and character of the area
- Development will be accessed off Barony Road with new access head constructed to Highways adoptable standards
- Parking requirements exceeds the requirements of PPG.13 and will be clearly defined on driveways
- All front doors will have level access
- Pedestrian access will be a shared surface with vehicles via the new access road
- Proposed access will cater for all visitors including the fire brigade requiring a clear width of 2.75m

10. OFFICER APPRAISAL

Principle of Development

The site lies within the settlement boundary of Nantwich and is within a residential area. The site is therefore classed as previously developed land and the principle of residential development is accepted. However, any proposal is subject to detailed consideration in regard to the design, layout, scale, form, means of access, parking and the impact of the development upon the amenity of nearby properties. The loss of the existing two storey dwelling, which appears in good condition, is regrettable. However, this is not a listed building and is not worthy of inclusion on the list of buildings of local interest or within a conservation area and accordingly there is no policy support to prevent its demolition.

Affordable Housing

The development comprises 14 units in total and therefore falls below the threshold for affordable housing provision of 15 units as defined by Policy RES.7 of the local plan and as such there is no requirement for affordable housing.

Amenity

The impact of the development upon the amenity of nearby residential properties is a key consideration with this application given that the majority of the site is adjoined by the domestic gardens of existing properties.

The most intimately related property is the two storey detached property at The Nook which is located immediately adjacent to the existing domestic access to the site. This property has ground and first floor principal windows facing towards the application site and under the earlier approved application would have faced the then proposed apartment block. However, under the current scheme this property would face the side 2 storey gable of the dwelling at plot 1 which would sit forward of the existing dwelling. However, there would be at least 18 metres between the side elevation of the proposed dwelling at plot 1 and the existing property at The Nook. The proposed dwelling at plot 1 shows a first floor bathroom window in the facing side elevation which can be obscurely glazed and a small ground floor lounge window which will be screened by the side boundary fencing. Equally the proposed dwelling at plot 14 has its gable end broadly in line with that of The Nook and the windows on the side of this unit serve the non principle first floor landing and downstairs toilet. On this basis it is considered that the proposal will not result in a demonstrable loss of amenity through either over domination or overlooking onto the adjacent property.

The proposed development would lead to a material increase in activity along the existing vehicular access which will pass the front of The Nook. However, the existing access would be re-positioned several metres further from the front of The Nook and there would be a strip of land between the curtilage boundary of this property and the new access that would provide a reasonable degree of separation. When considering this and also the likely vehicle movements associated with 14 units it is not considered that the proposal would result in a loss of amenity to the adjacent occupants.

The impact of the development upon the adjacent number 81 Barony Road is also a key consideration. This property comprises a vacant detached bungalow. The proposed dwelling at plot 2 steps forward of the adjacent number 81 Barony Road by some 2.5m although would be some 8.5 metres from its side elevation. This relationship is satisfactory and would not have a significant impact upon this property either by over domination or overlooking. In addition the facing windows of plot 1 comprise a first floor bathroom which can be obscurely glazed and a small ground floor lounge window which will be screened by the side boundary treatment.

In regard to other nearby properties the proposed units would achieve satisfactory distances from any principal windows and garden areas. The proposed plot 5 would be set back by some 10m from the rear elevation of the nearby properties on Clayton's Row. However, the main two storey gable to this dwelling would be some 8 metres to the north of the gable end of number 1 Clayton's Row. Accordingly it is not considered to result in an overbearing physical impact upon the rear of the adjacent property. The

proposed first floor side elevation window on plot 5 would overlook the garden of the adjacent number 1 Clayton's Row although would serve a bathroom and so could be obscurely glazed.

The proposed dwellings would have garden areas to the side and rear and would have an area of at least 50m² for private amenity. This is considered to be acceptable although reinforces the need to withdraw permitted development rights for extensions to the units and detached structures such as sheds or greenhouses etc.

Design

National planning guidance requires development sites to achieve, where appropriate, a minimum density of above 30 dwellings per hectare (dph) in order to make more efficient use of land in built up areas. The density of the proposed development equates to 29 dph which is slightly below the density set out in PPS.3. However, it is considered that the proposal sits comfortably with the density of the surrounding area and also achieves minimum distance standards to adjacent residential properties.

The proposed dwellings would be arranged around a cul-de-sac. Historical photographs demonstrate that the site once accommodated a row of terraced cottages which when viewed from Barony Road dog-legged into the site. This created a sense of anticipation and made for an interesting street scene off the main Barony Road frontage. This layout was replicated as part of the earlier approved application and has also been incorporated into the current scheme.

The surrounding area features a variety of properties in both age and style although the existing dwellings within this stretch of Barony Road are predominantly two storey. The proposed dwellings at plots 1 and 2 whilst of a similar design to other plots within the scheme feature a taller ridge line. This is encouraged in order to ensure that the dwellings located to the rear are seen as subordinate in scale to those on the frontage. Overall it is considered that the proposal would sit comfortably with the surrounding area.

Concern has been expressed by the occupants of the adjacent The Nook in regard to the absence of a landscaping plan with the current application. A landscaping scheme was submitted as part of the last application which showed the area in front of The Nook to be landscaped "by agreement". Whilst it would be preferable to have a landscape scheme submitted with this planning application it is not essential and such matters are often secured by means of a planning condition. It is however, recommended that specific reference is made in the planning condition to the need for landscaping to the front of The Nook. For the most part the applicant proposes the retention of existing soft boundaries although there will be a requirement for new boundary fencing within the site. This can also be secured by a planning condition which will ensure that the amenities of adjacent properties are secured.

Drainage

The applicant proposes to use existing sewers for surface water and foul drainage. Whilst the surface water run off from the site will increase as a result of the development much of the site will be retained as garden areas and will therefore limit surface water run off. A condition is recommended to withdraw permitted development rights relating to additional hardstanding areas.

Access and Parking

As mentioned above the site would be accessed from Barony Road via the existing access point although this would be moved several metres to the south and also widened to allow sufficient space for two vehicles to pass. A vehicular turning area is proposed at the southernmost part of the site and this will allow for domestic and service vehicles to enter and leave the site in a forward direction.

As part of the previous application the Highway Authority expressed concern regarding the point of access onto Barony Road. There is a wide pavement at the front of the site and the road is at a higher level than the application site. In addition there are no on street parking restrictions on this section of Barony Road and these factors limit the visibility from the proposed access, particularly in the leading critical direction (to the south). As a solution the Highway Authority requested that the applicant provides a “build out” of the kerb into the carriageway and re-lines the carriageway to allow formal parking areas to be created along the road frontage and also to provide sufficient visibility in either direction. The carriageway width is sufficient to allow the centre line of the road to be re-aligned. The previous applicant produced a plan to show how this could be achieved and offered to provide this as part of the development. The works were determined not to amount to significant cost implications for the applicant and were therefore considered a reasonable solution to enable satisfactory visibility splays at the point of access onto Barony Road. These works are entirely within the adopted highway and can be secured via a condition and section 278 agreement with the Highway Authority. The current scheme repeats the earlier approved “build out” solution.

Turning to the parking provision the development incorporates over two off street parking spaces for each dwelling. This is considered satisfactory.

Residents of the adjacent properties on Claytons Row have requested that controls are put in place to prevent any access from the development site onto Clayton's Row. This is not shown the submitted plans although a condition could be attached to ensure that access is not taken from the site via Clayton's Row.

Other matters

Sustrans have requested that a contribution is made toward the proposed Connect 2 route. However, in the absence of any specific SPD or policy which formally sets out a requirement for developer contributions to the sustrans network such a requirement would be unreasonable. Furthermore this was not required as part of the earlier approved application.

11. CONCLUSIONS

The principle of residential development on this site is accepted as it is within the settlement boundary of Nantwich and within a predominantly residential area. The proposed development by virtue of its scale and layout will not result in a material loss of amenity to adjacent domestic properties. The design, layout and form of the proposal is considered acceptable and will not adversely affect the street scene or character of the area. Satisfactory vehicular access and parking arrangements are proposed.

12. RECOMMENDATIONS

APPROVE subject to the following conditions:-

- 1: Standard 3 years**
- 2: Materials**
- 3: Surfacing materials**
- 4: Boundary treatment**
- 5: Car parking provision**
- 6: Construction of access (no access from Clayton's Row)**
- 7: Highway works along Barony Road frontage**
- 8: Obscure glazing of windows**
- 9: Landscape scheme to include front of The Nook**
- 10: Landscape implementation**
- 11: Removal of PD – hardstanding**
- 12: Removal of PD – Extensions and detached structures**
- 13: Drainage details**
- 14: Contaminated land survey**
- 15: Site/slab levels**
- 16: Elevations of garages**
- 17: Approved plans**



Cheshire East Council
28 JUL 2009
Received

101 Barony Road, Nantwich
 Cheshire, Cheshire, CW5 9DU
 Tel: 01829 555 555
 Fax: 01829 555 555


barrie newcombe

PROJECT NO	1589 - 101	DATE	27.05.09
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