

Planning Reference No:	09/2624C
Application Address:	Heathlands Cottage, Street Lane, Rode Heath, ST7 3SN.
Proposal:	Detached garage (retrospective)
Applicant:	Mr Stephen Gater
Application Type:	Full Planning Permission
Ward:	Sandbach East
Registration Date:	18 th August 2009
Earliest Determination Date:	22 nd September 2009
Expiry Date:	12 th October 2009
Date report Prepared	23 rd September 2009
Constraints:	Green Belt

SUMMARY RECOMMENDATION:

REFUSE on the grounds that the garage creates an inappropriate feature in the Green Belt, which detracts from the character of the area and the surrounding buildings.

MAIN ISSUES:

Inappropriate development in the Green Belt
Impact on the openness of the Green Belt

REASON FOR REFERRAL

The application has been called in By Councillor Andy Barratt on the grounds that the impact of these retrospective proposals upon the character, openness and amenity of the green belt needs to be sensitively considered having regard to the existence of a less satisfactory fall back position if the proposals are refused. The minimal impact which this development has on the character, appearance and amenity of the area would leave the Council in a vulnerable position if the application were to be effused and the matter taken to appeal.

The application was deferred from the last meeting for a Committee site visit.

DESCRIPTION AND SITE CONTEXT

The application site comprises a semi-detached cottage and detached garage situated on the eastern side of Street Lane, Rode Heath. The property is within the South Cheshire Green Belt.

The garage was included with a previous retrospective application for extensions to the dwelling and a patio cover, which was refused consent in January 2009. Consent was granted for extensions and a detached garage in 1995, following refusal of a larger scheme in the same year, however the extensions and garage were not constructed in compliance with the approved plans. The extensions are

currently subject to an application for a Certificate of Lawfulness. The applicant was the owner of the site at the time of the previous applications.

DETAILS OF PROPOSAL

The garage as constructed is 5.65m wide and 8.95m deep with an eaves height of 3.45m and a ridge height of 6.35m. The building as approved should be 5.5m wide, 8.5m deep with an eaves height of 2.5m and ridge height of 5.5m. It is rendered to match the cottage and has windows on both the front and rear elevations at first floor level.

RELEVANT HISTORY

08/1850/FUL 2009 Refusal for alterations to previously approved extensions and erection of a detached garage with roof space accommodation and timber-framed patio cover. (Retrospective)

27405/3 1995 Approval for living room, kitchen, hall, bathroom and bedroom extension with separate garage.

27165/3 1995 Refusal for living room, kitchen, hall, bathroom and bedroom extension with separate garage.

26435/3 1994 Approval for proposed new drive and off road parking area and reinstatement to two dwellings.

POLICIES

The site is not allocated in the Local Plan but the following policies apply:

National

PPG2 Green Belts

Regional

DP1 Spatial Principles
DP7 Environmental Quality
RDF12 Rural Areas

Local

PS7 Green Belt
GR1 General Criteria for New Development
GR2 Design
H16 Extensions to Dwellings in Open Countryside and Green Belt

CONSIDERATIONS (External to Planning)

Environmental Health:

No comments received at the time of report writing.

Highways:

No comments received at the time of report writing.

VIEWS OF TOWN/PARISH COUNCIL

No comments received at the time of report writing.

OTHER REPRESENTATIONS

No comments received at the time of report writing.

APPLICANT'S SUPPORTING INFORMATION

Supporting Statement

OFFICER APPRAISAL

Principle of Development

The site is contained within the South Cheshire Green Belt and as such the primary guidance that should be complied with is Planning Policy Guidance Note 2: Green Belts. This guidance states that the construction of new buildings within the Green Belt is inappropriate unless it is for limited extension, alteration or replacement of existing dwellings. In addition it is stated that extensions of or alterations to existing dwelling in the Green Belt are not inappropriate provided that it does not result in disproportionate additions over and above the size of the **original** building.

Policy H16 of the local plan has the following requirements:

- The proposed extension is well designed having due regard to the scale, style and materials of the existing dwelling; and
- The proposed extension is not disproportionate to the original dwelling and would not result in significant detrimental effect upon the character of the original dwelling; or
- The extension is necessary to provide a satisfactory standard of facilities in a very small existing dwelling and the resultant dwelling would still be in keeping with the character of adjoining properties and the wider area.

Taking into consideration the information outlined above, it is considered that the garage especially when viewed in conjunction with the extensions which are currently being assessed as to whether they are lawful development, does not comply with these policies. It is disproportionate to the **original** dwelling, out of character with the neighbouring properties and is not necessary to provide a satisfactory standard of facilities.

Impact on the Openness of the Green Belt

PPG 2 states that the most important attribute of Green Belts is their openness and as such new development should not contribute to the erosion of this. The garage as approved was 5.5m wide, 8.5m deep with an eaves height of 2.5m and ridge height of 5.5m, whereas as constructed it is 5.65m wide, 8.95m deep with an eaves height of 3.45m and a ridge height of 6.35m. The supporting statement

submitted with the application makes a comparison with the garage that was granted approval on the site in 1995, drawing the conclusion that the overall impact of the increased size of the garage is minimal and has no perceivable impact on the openness of the Green Belt. However it is considered that although the increase in height of the building both at eaves and ridge level is just less than 1m and the increase in width of 150mm and depth of 450mm, the cumulative increase and resultant impact on the openness of the Green Belt is considerable and therefore unacceptable.

CONCLUSIONS AND REASONS FOR THE DECISION

In conclusion it is considered that the garage does not comply with the national guidance or the relevant policies in the adopted local plan, by virtue of its unacceptable impact on both the openness of the Green Belt and the character and appearance of the original dwelling and neighbouring properties.

RECOMMENDATION:

Refuse for the following reason:

The garage by virtue of its height and massing, results in an inappropriate feature in the Green Belt and detracts from the character of the area, the original dwelling and the surrounding buildings, contrary to Planning Policy Guidance Note 2: Green Belts and Policies GR1, GR2 and H16 of the adopted Congleton Borough Local Plan First Review 2005.

LOCATION PLAN: East Council Licence No.100049045

