

<b>Planning Reference No:</b>	09/3100N
<b>Application Address:</b>	Land Adj To Siloan, Marsh Lane, Ravensmoor, Cheshire
<b>Proposal:</b>	New Dwelling
<b>Applicant:</b>	Mr & Mrs K Allman
<b>Application Type:</b>	Full Planning
<b>Grid Reference:</b>	362137 350616
<b>Ward:</b>	Cholmondeley
<b>Earliest Determination Date:</b>	29 <sup>th</sup> October 2009
<b>Expiry Dated:</b>	22 <sup>nd</sup> November 2009
<b>Date of Officer's Site Visit:</b>	12 <sup>th</sup> October 2009
<b>Date Report Prepared:</b>	3 <sup>rd</sup> November 2009
<b>Constraints:</b>	Open Countryside

## **SUMMARY RECOMMENDATION**

**Approve with Conditions**

## **MAIN ISSUES**

- Principle of Development
- Impact on Streetscene
- Impact on Amenity of adjacent properties
- Impact on highway safety

## **1. REASON FOR REFERRAL**

This application was to be dealt with under the Council's delegation scheme. However Cllr Bailey has requested it to be referred to Committee due to design, impact on amenity and highways issues.

## **2. DESCRIPTION OF SITE AND CONTEXT**

The application site forms domestic curtilage to the side property known as Siloan on Marsh Lane within the village of Ravensmoor. Ravensmoor does not benefit from a settlement boundary and the site is therefore located within the Open Countryside. The site is located between residential development consisting of a pair of two storey semi-detached dwellings and a pair of semi-detached dormer bungalow. The existing property of Siloan is accessed from Barracks Lane to the west of the site. Between the application site and the adjacent property, Wyvern, is a disused access, which is understood to have served a electric sub station which has now been removed.

## **3. DETAILS OF PROPOSAL**

The application proposes the construction of a two-storey, three bedroom, detached dwelling. The property will be 'L' shaped with a projecting gable towards Marsh Lane. The dwelling will have a maximum height of 6.8m and maximum width of 8.5m. Original plans show the proposed dwelling to be accessed from Barracks Lane with the removal of the existing garage and the parking and turning areas for both the application site and Siloan to be provided to the rear of those properties.

#### **4. RELEVANT HISTORY**

No relevant on site planning history

#### **5. POLICIES**

The development plan includes the North West of England Plan Regional Spatial Strategy 2021 (RSS) and the Borough of Crewe and Nantwich Replacement Local Plan 2011 (LP).

The relevant development plan policies are:

##### **Local Plan policy**

NE.2 Open Countryside

BE.1 Amenity

BE.2 Design Standards

BE.3 Access and Parking

BE.4 Drainage, Utilities and Resources

BE.5 Infrastructure

RES.5 Housing in the Open Countryside

##### **Other Material Considerations**

Local Development Framework – Development on Backland and Gardens

#### **6. CONSULTATIONS (External to Planning)**

**Highways:** If the proposed access is taken off Barracks Lane no highways objection as this is an existing access with low use. If the access is to be taken off Marsh Lane, visibility splays of 2.4m X 215m will be required as Marsh Lane is a classified road with a speed limit of 60mph. The above visibility splays can be reduced subject to the results of a speed survey in accordance with TA22/81. All proposed parking spaces must be a minimum of 2.4m X 4.8m. Any new or alterations to an existing access must be constructed to CEC specification and approved by the LPA. Subject the above being carried out, no highways objections.

**Environmental Health (Contaminated Land):** No objection subject to Phase I contaminated land survey to be submitted

#### **7. VIEWS OF THE PARISH COUNCIL**

None received

#### **8. OTHER REPRESENTATIONS**

Four Letters of objection received from 1 & 3 Barracks Lane, Wyvern and 5 Ravens Corner. The salient points raised being

- Proposed demolition of garage adjoins garage of 1 Barracks Lane
- Concern over volume of traffic using Barracks Lane
- Concern over where visiting vehicles would park
- Overlooking from upstairs windows

- Noise and disturbance from vehicles using the track, at present this is garden and causes no nuisance
- Close proximity of development to Wyvern would have a detrimental impact on sun terrace/patio through loss of light
- View would become a brick wall
- Loss of privacy
- Overdevelopment of site not in scale with surrounding development
- Overshadowing across whole of garden – would impact garden plants
- Development would spoil the overall character of the village

## **9. APPLICANT'S SUPPORTING INFORMATION**

Short Design and Access Statement – Salient points being:

- Site complies with the infilling development within a string of residential development for one dwelling
- Plot can be development satisfactorily without interfering with the amenity of adjacent properties
- Adequate garden/amenity land will be available for both properties
- All habitable room windows facing front and rear to prevent overlooking and loss of privacy
- Dwelling has floor area of 134sqm
- Proposal is of similar size to adjacent properties
- Scheme of landscaping to be produced if approved
- Appearance will be similar to others in the area and will be constructed from brick and tile
- Access will be via Barracks Lane and with turning and parking to the rear.

## **10. OFFICER APPRAISAL**

### **Principle of Development**

Ravensmoor has no settlement boundary and is therefore located within the Open Countryside as identified by the Local Plan proposals map. Policy NE.2 allows for the infilling of a small gap within an otherwise built up frontage of 1 or 2 dwellings as an exception. The application site forms garden land to the side of a property known as Siloan. The land forms a gap of 14m between the properties of Siloan and Wyvern, which is considered to be a small gap. Marsh Lane at this location has an established built up frontage with a pair of semi detached properties either side of the application site, residential development continues in both a north east direction along this side of Marsh Lane and to the south west is the Farmers Arms PH. It is considered that this represents a built up frontage and the site is therefore a genuine opportunity for infilling. The development is therefore acceptable providing the scheme is in compliance with other Policies within the Local Plan.

### **Design**

The dwelling is proposed to be sited between two pairs of semi detached properties, the building is shown to be sited slightly forward of Siloan however it will be behind the building line of Wyvern. It is considered that the dwelling is appropriately sited to respect the pattern of development and would not result in a prominent form of development in this respect.

The application proposes the construction of a two storey detached dwelling adjacent to a pair of two storey semi detached dwellings and a pair of 1.5 storey dormer bungalows. The height of the dwelling would be no greater than the adjacent Siloan and would not appear significantly greater than the dormer bungalows as these have high ridge levels and would be sited slightly forward of the proposed dwelling. The footprint of the dwelling and its surrounding curtilage would be similar to those dwellings within the immediate area. It is therefore considered that the proposed dwelling would respect the scale of surrounding development.

The surrounding area is characterised by a number of styles of dwellings of varying ages, with no apparent prevailing character. The proposed detached dwelling is fairly simple in design and proposes a forward projecting gable. It is considered that the construction of a two storey detached property in this location would have no significant detrimental impact on the character and appearance of the streetscene in this area of mixed character.

The proposed dwelling will satisfy the criteria for design set out in Policy BE.2.

### **Amenity**

Policy BE.1 (Amenity) states that development should not have an adverse impact on adjoining properties through loss overshadowing, overlooking, visual intrusion or any other way.

The siting of the dwelling respects the building line of surrounding development. The adjacent property of Wyvern has an attached garage to the side of the dwelling and a kitchen door within its side elevation. The principal windows of that property are sited to the front and rear of the property it and also has an obscured glazed window at first floor level. The positioning of the proposed dwelling will mean that there will be no breach of the 45° standard from principal windows and would not therefore result in a loss of daylight to that property. The proposed dwelling is sited so that its rear wall is approximately 4m to the rear of Wyverns. The dwelling will be sited within close proximity to the boundary of Wyvern. The orientation of the buildings will mean that only a small area of private amenity space of that property will be overshadowed by the proposed development with a large area of the garden being unaffected by the development.

The principal windows to the front of the dwelling will be located over 40m from the principal windows of those properties opposite and would not result in a loss of privacy of those properties. To the rear there will be no direct facing principal windows. The first floor windows to the rear will be 12m from the rear boundary, beyond which is the private amenity space of No.3 Barracks Lane, it is considered that this is an adequate distance not to result in a significantly detrimental impact on the amenity of that property through overlooking.

The proposed access details as submitted will result in vehicles for both Siloan and the proposed dwelling being accessed off Barracks Lane with the parking and turning areas to the rear of those properties. It is considered that this would give rise to a significant detrimental impact on the amenity of No.3 Barracks Lane through noise and disturbance and would be unacceptable. Furthermore, these access arrangements would result in an erosion of the private amenity space of Siloan to an extent that would also be unacceptable. Although there is land to the front of the property which is used as garden this is not considered to be private due to its proximity adjacent to Marsh Lane.

Within the side elevation of Siloan are two ground floor windows which are understood to serve the kitchen of that property, this dwelling is within the applicants ownership. The siting of the application dwelling as proposed would result in poor relationship to these windows which could cause demonstrable harm through loss of light.

## **Highways**

The submitted plans show the site to be accessed from Barracks Lane. It is considered that this would give rise to an unacceptable level of noise and disturbance on the amenity of No.3 Barracks Lane and little private amenity space remaining for Siloan.

A more suitable access would be from Marsh Lane and the Highways Authority have stated that an access could be supported provided that visibility splays of 2.4m x 215m are achieved. Discussions with the agent have confirmed that these visibility splays cannot be achieved but splays of approximately 120m can be. Whilst this indicative figure is below that requested from the Highways Authority the visibility achieved would be no worse than those existing properties that currently access Marsh Lane.

## **Other Issues**

Environmental Health (Contaminated Land) require a Phase I survey to be carried out. This can be secured through an appropriately worded condition.

## **11. CONCLUSIONS**

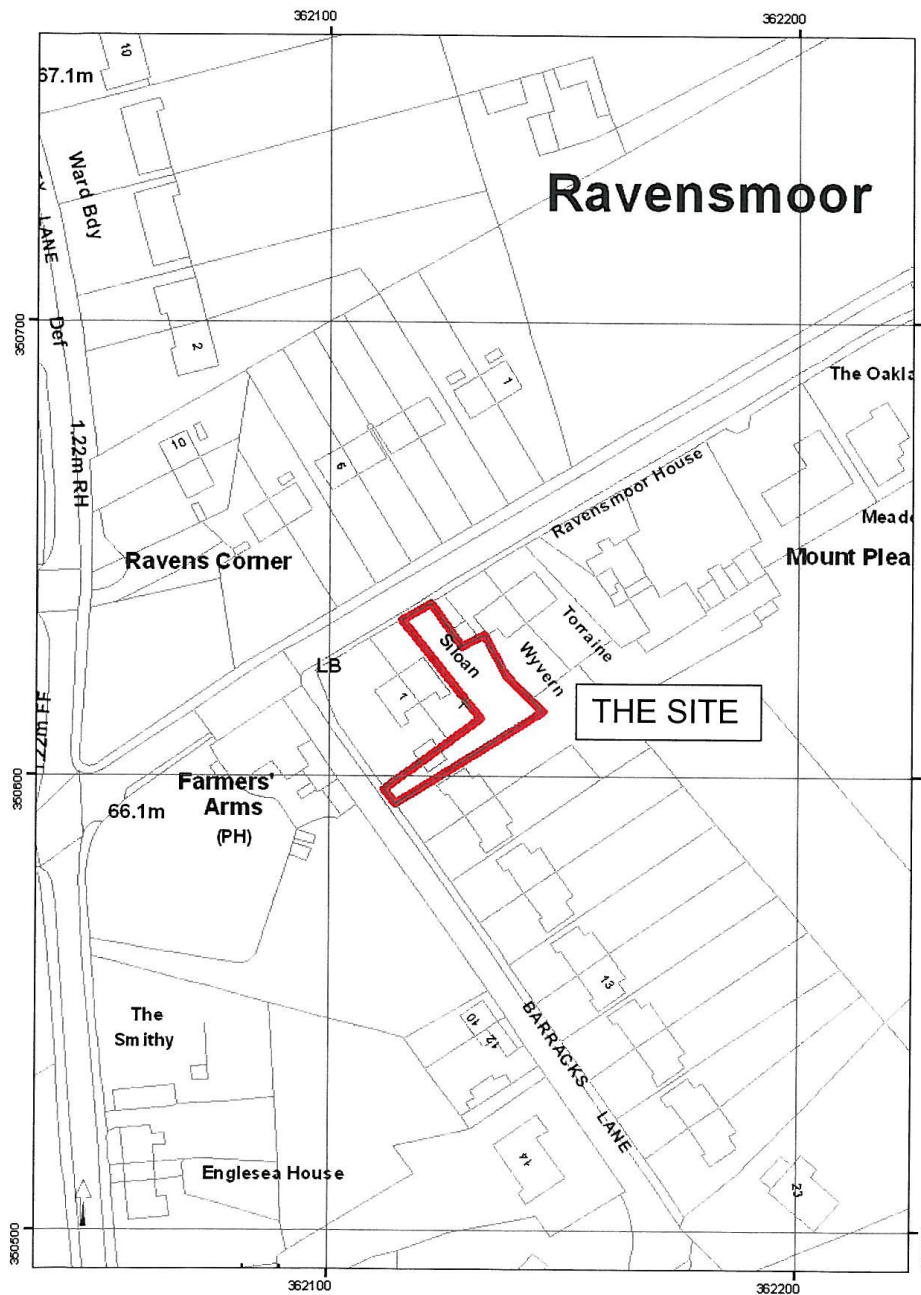
As submitted the proposed development by virtue of its access from Barracks Lane would result in a detrimental impact on the amenity of No.3 Barracks Lane through noise and disturbance, and Siloan through erosion of private amenity space. Insufficient information has been submitted to satisfy the Local Planning Authority that the proposed development can be satisfactorily accessed from Marsh Lane, which in doing could result in the re-siting of the proposed dwelling giving rise to further potential amenity issues on adjacent properties. Furthermore, within the side elevation of Siloan are two ground floor windows which are understood to be principal and the proposed development would therefore result in demonstrable harm on the amenities of that property.

## **12. RECOMMENDATIONS**

### **REFUSE for the following reason**

**1. The proposed dwelling and adjacent dwelling, Siloan, would be accessed from Barracks Lane with their parking and turning areas to the rear of those dwellings, which is immediately adjacent to the boundary with the rear garden space of No.3 Barracks Lane. This arrangement would result in demonstrable harm to the amenity of No.3 Barracks Lane through noise and disturbance from vehicular movements. Furthermore, the proposals would result in an unacceptable erosion of the rear private amenity space of Siloan and the siting of the dwelling would represent an undesirable relationship with side facing ground floor principal windows causing harm to the amenity of that property. The proposed development would therefore be contrary to Policy BE.1 (Amenity) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.**

## Location Plan



09/3100N – Land adjacent to Siloan Marsh Lane Ravensmoor

N.G.R.; - 362.132 350.617

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Not to Scale