

Application No: 16/0014N

Location: ROSE COTTAGE, 50, STOCK LANE, WYBUNBURY, CHESHIRE, CW2 5ED

Proposal: All matters except access - to include, appearance, layout, landscaping and scale.

Applicant: M Beeston

Expiry Date: 29-Feb-2016

SUMMARY:

The application site lies almost entirely within the Open Countryside as determined by the Borough of Crewe and Nantwich Replacement Local Plan 2011.

Outline approval has been granted for the construction of one dwelling on the site and Members imposed a condition requiring the dwelling to be a bungalow. This condition was subsequently removed by Members in a subsequent application. The principle of the erection of any dwelling house on this site has therefore already been established.

Whilst there are bungalows fronting onto Stock Lane, given the distances between the existing bungalows and the proposed dwelling and the approved development on 'Shavington Triangle', a refusal on the basis that the proposed dwelling is two-storey is not considered to be sustainable.

In this case, the development would provide positive planning benefits such as; the provision of a market dwelling in a sustainable location and the knock-on minor local economic benefits such a development would bring.

RECOMMENDATION

Approve with conditions

PROPOSAL

This is reserved matters application for the erection of one detached dwelling. Outline planning permission was granted in June 2015, and at this stage the details of the access off Stock Lane were approved. This application seeks approval for the appearance, landscaping, layout and scale of the development.

The dwelling would be two storeys and have 4 bedrooms (2 with en-suite) and there would be a detached garage within the site. It would be of a traditional design similar to that of the existing dwelling adjacent to the site (50 Stock Lane). The dwelling would be 7.3m high at the ridge and 4.9m at the eaves. The garage would be 4m high at the ridge and 2.4m at the eaves.

SITE DESCRIPTION

The application site lies within the open countryside on the edge of the village of Shavington. It is an area of garden land to the rear of a linear form of development along Stock Lane. The housing fronting Stock Lane, adjacent to the site comprises largely bungalows and number 50 is a two storey dwelling.

RELEVANT HISTORY

15/0482N Outline approval for one dwelling – 25th June 2015

15/3336N Removal of condition 10 (bungalow) on 15/0482N – 3rd September 2015

LOCAL & NATIONAL POLICY

Development Plan:

The Development Plan for this area is the Borough of Crewe and Nantwich Replacement Local Plan 2011, which allocates the site as being within the within Open Countryside.

The relevant Saved Policies are: -

- BE.1 – Amenity
- BE.2 – Design Standards
- BE.3 – Access and Parking
- BE.4 – Drainage, Utilities and Resources
- BE.5 – Infrastructure
- BE.6 – Development on Potentially Contaminated Land
- NE.2 – Open Countryside
- NE.5 – Nature Conservation and Habitats
- NE.9 – Protected Species
- NE.17 – Pollution Control
- NE.20 – Flood Prevention
- RES.3 – Housing Densities

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

Local Plan Strategy Proposed Changes (Consultation Draft) March 2016

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

SD 1 Sustainable Development in Cheshire East
SD 2 Sustainable Development Principles
SE 1 Design
SE 2 Efficient Use of Land
SE 3 Biodiversity and Geodiversity
SE 4 The Landscape
SE 5 Trees, Hedgerows and Woodland
SE 9 Energy Efficient Development
SE 12 Pollution, Land Contamination and Land Instability
PG 1 Overall Development Strategy
PG 2 Settlement Hierarchy
PG5 Open Countryside
EG1 Economic Prosperity

National Policy:

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

Other Considerations:

North West Sustainability Checklist
The EC Habitats Directive 1992
Conservation of Habitats & Species Regulations 2010

CONSULTATIONS:

Parish Council:

Object on the grounds of size of the dwelling and drainage issues.

REPRESENTATIONS:

Neighbour notification letters were sent to adjoining occupants and a site notice posted.

At the time of report writing 2 representations have been received which can be viewed in full on the Council website. They express several concerns including the following:

- Drainage
- Design out of keeping
- Should be a bungalow
- Loss of privacy
- Overlooking
- Loss of outlook

APPRAISAL

The key issues to be considered in the determination of this application are set out below.

Principle of Development

The site lies largely in the Open Countryside as designated in the Borough of Crewe and Nantwich Replacement Local Plan 2011, where Policies NE.2 and RES.5 state that only development which is essential for the purposes of agriculture, forestry, outdoor recreation,

essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted. Residential development will be restricted to agricultural workers dwellings, affordable housing and limited infilling within built up frontages.

On 25th June 2015, outline consent was granted for a dwelling on the site, thereby establishing the principle of residential development on this plot.

Sustainable Development

The proposal was considered to be a sustainable proposal in environmental, economic and social terms as part of the earlier outline application and this conclusion remains unchanged.

The site is immediately adjacent to existing residential development and is within walking distance of services and facilities in Shavington. The issues of importance relate to the following impacts:

Landscape

There are no significant trees within the site that would constrain the development of a single dwelling.

It is not considered that the proposals would result in any significant landscape or visual impacts, due to its siting adjacent to existing development and the approved housing surrounding the site. The landscaping plans submitted with the application are considered to be satisfactory.

Design & Layout

The importance of securing high quality design is specified within the NPPF and paragraph 61 states that:

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”

The submitted plans show a substantial two-storey dwelling, not dissimilar to the neighbouring dwelling (50 Stock Lane). The original outline approval had a condition added by Members of Southern Planning Committee, which required the dwelling to be a bungalow. A subsequent application to remove this condition was approved by Members of Southern Planning Committee in September 2015. This was because Paragraph 206 of the NPPF states that *‘Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.’* The outline application was only seeking approval for the access and the scale of the development was therefore not a consideration at that stage. As such that condition was not necessary at that stage.

The objectors have put forward the argument that a two storey dwelling would be inappropriate as the dwellings to the front are bungalows. However 50 Stock Lane is a two storey dwelling and it is

not considered that two storeys would be inappropriate. It is acknowledged that the dwellings fronting Stock Lane are bungalows; however there are also two storey dwellings in the vicinity including 50 Stock Lane and the proposed dwelling would not front Stock Lane, and therefore not be seen in that context. Mention has also been made of the requirement for bungalows on the 'Shavington Triangle' site to the north, however this condition was also removed as it was not necessary. This is also an important factor in the determination of this application as there are in excess of 300 houses approved surrounding the site.

The design of the dwelling is that of a relatively traditional house, with pitched roofs and gable features. The supporting statement refers to materials, including 'buff' brick, which would not be acceptable. As such a condition should be imposed to require submission of the details of external materials.

Subject to conditions, the proposal is therefore considered to be in compliance with Policy BE.2 of the adopted local plan.

Highways

The Strategic Highways Manager has not commented on this application. However there was no objection to the proposal at outline stage when access was approved and the dwelling would use an existing access and there is adequate space for the parking of 3 cars. In addition there is adequate space within the site for vehicles to enter and leave in a forward gear.

The proposal is therefore considered to be acceptable and in compliance with Policy BE.3 of the adopted local plan.

Drainage

Concerns have been raised about drainage from the site; however this is addressed by the drainage condition attached to the outline approval.

ECONOMIC SUSTAINABILITY

The Framework includes a strong presumption in favour of economic growth.

Paragraph 19 states that:

'The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth'

Given the countryside location of the site, consideration must also be given to one of the core principles of the Framework, which identifies that planning should recognise:

'the intrinsic character and beauty of the countryside and supporting thriving rural communities within it'.

Specifically, in relation to the rural economy the Framework identifies that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

‘support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings’

The economic benefits of the development need to be balanced against the impact upon the open countryside.

With regard to the economic role of sustainable development, the proposed development will help to maintain a flexible and responsive supply of land for housing as well as bringing direct and indirect economic benefits to Shavington, including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

SOCIAL SUSTAINABILITY

The site is within walking distance of Shavington, which offers a wide range of essential facilities and would contribute to the supply of housing in the local area albeit in a limited manner.

Residential Amenity

The proposal is for one detached dwelling on this site. The separation distance between number 48 Stock Lane and the proposed dwelling would be in excess of 25m and therefore there would be no significant adverse impact on residential amenity caused by the proposed development.

The concerns of the residents of Stock Lane are understood, however given the small scale nature of the development itself, the existing surrounding development and the approved housing on ‘Shavington Triangle’, it would not be possible to credibly sustain a reason for refusal on the grounds that a two-storey dwelling on this plot is unacceptable.

Adequate private residential amenity space could be provided within the domestic curtilage of the property.

Response to Objections

The representations of the members of the public have been given careful consideration in the assessment of this application and the issues raised are addressed within the individual sections of the report. In particular the design and siting of the dwelling, loss of residential amenity and drainage and flooding, have been assessed by Officers and found to be acceptable.

Conclusion – The Planning Balance

The application site lies almost entirely within the Open Countryside as determined by the Borough of Crewe and Nantwich Replacement Local Plan 2011.

Outline approval has been granted for the construction of one dwelling on the site and Members imposed a condition requiring the dwelling to be a bungalow. This condition was subsequently removed by Members in a subsequent application. The principle of the erection of a dwelling house on this site has therefore already been established.

Whilst there are bungalows fronting onto Stock Lane, given the distances between the existing bungalows and the proposed dwelling and the approved development on ‘Shavington Triangle’, a refusal because the proposed dwelling is two-storey could not be sustained.

In this case, the development would provide positive planning benefits such as; the provision of a market dwelling in a sustainable location and the knock-on minor local economic benefits such a development would bring.

RECOMMENDATION

Approve subject to the following conditions:

- 1. Compliance with the conditions on applications numbered 15/3336N and 15/0482N (not condition 10)**
- 2. Approved plans**
- 3. Submission of materials for approval**

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) has delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

