

Application No: 16/5848C

Location: 35, WOODSIDE AVENUE, ALSAGER, STOKE-ON-TRENT, CHESHIRE, ST7 2DL

Proposal: Change of use of an existing double garage into a two bedroom dwelling house, including the provision of a new pitched roof.

Applicant: Mr Steve Mellor

Expiry Date: 30-Jan-2017

### **Summary**

The site is within the Settlement Zone Line of Alsager where there is a presumption in favour of development.

From an economic sustainability perspective, the scheme will assist in the local building business and bring economic benefits to Alsager town centre.

From an environmental and social perspective the proposal is considered to be acceptable in the impact upon local amenities, parking, highway safety, bin storage provision, and traffic generation terms. It would be of an acceptable design that would have a minimal impact upon the amenities of neighbouring properties or future residents.

The proposals are considered to be a sustainable form of development which would comply with the relevant local plan policies and would not compromise key sustainability principles as set out in national planning policy.

Therefore there is a presumption in favour of the development and accordingly it is recommended for approval.

**RECOMMENDATION:**  
**Approve subject to Conditions**

### **CALL IN**

The application has been called in to Committee by Cllr Martin Deakin on the following grounds:

*1) It is contrary to section 6 paragraph 48 of the NPPF, "Local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such*

*sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance of development should be realistic having regard to the Strategic Housing Land Availability Assessment , historic windfall delivery rates and expected future trends, and should NOT include residential gardens". This application constitutes an example of such "garden grabbing" and was the principle factor in the Town Council's objection.*

*2) The proposed highway entrance is considered unacceptable and will result in highway safety concerns. The proposed development would include a shared access and it is also believed that the application will have an adverse environmental impact on the area's wildlife. This will result from the loss of the existing garden land which will harm the local wildlife habitat.*

## **DESCRIPTION OF SITE AND CONTEXT**

The site is located in Alsager in a wider area of established housing. The site is located within the rear garden of an existing two storey end terraced house (35) which has been converted to two, one bedroom self contained flats. To the east of the application site lies East Court Garage access road (un-adopted).

The site is within the Alsager Settlement Zone Line as designated in the adopted Congleton Borough Local Plan First Review (2005).

## **DETAILS OF PROPOSAL**

This is a full planning application for the creation of a two bedroom dwelling in the rear garden of 35 Woodside Avenue, Alsager. The dwelling would be created from a disused garage on the site, which is falling into disrepair. A new pitched roof would be added to the building and it would be converted to a two bedroom dwelling.

## **RELEVANT HISTORY**

16/1307C – Two semi-detached dwellings (Land rear of 31A Woodside Avenue) - Approved 11<sup>th</sup> May 2016

## **POLICIES**

### **National Policy**

The National Planning Policy Framework establishes a presumption in favour of sustainable development. Of particular relevance are paragraphs:

14 - Presumption in favour of sustainable development, 47-50 - Wide choice of quality homes and 56-68 - Requiring good design

### **Local Plan Policy**

GR1- New Development

GR2 – Design

GR3 - Residential Development

GR4 – Landscaping

GR5 – Landscaping

GR9 - Accessibility, Servicing and Provision of Parking  
H2 – Provision of New Housing Development

## **Cheshire East Local Plan Strategy Proposed Changes (Consultation Draft) March 2016 (CELP)**

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

MP1 - Presumption in favour of sustainable development,  
PG1 - Overall Development Strategy,  
PG6 - Spatial Distribution of Development,  
SD1 - Sustainable Development in Cheshire East,  
SD2 - Sustainable Development Principles,  
SE1 – Design,  
SE2 - Efficient use of land,  
SE3 - Biodiversity and geodiversity,  
SE4 - The Landscape,  
SE9 - Energy Efficient Development,  
SE12 - Pollution, Land contamination and land instability,

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

**Highways:** No objection.

**Environmental Health:** No objection subject to conditions/informatives relating to piling, hours of construction, contaminated land and air quality.

#### **Alsager Town Council:**

Objects to the proposal on the grounds of over-development, ‘garden grabbing’, highway safety and wildlife.

### **OTHER REPRESENTATIONS**

None received at the time of report writing.

### **SUSTAINABILITY**

The National Planning Policy Framework definition of sustainable development is:

*“Sustainable means ensuring that better lives for ourselves don’t mean worse lives for future generations. Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world. We must house a rising population, which is living longer and wants to make new choices. We must respond to the changes that new technologies offer us. Our lives, and the places in which we live them, can be better, but they will certainly be worse if things stagnate. Sustainable development is about change for the better, and not only in our built environment”*

The NPPF determines that sustainable development includes three dimensions:- economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

**an economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

**an environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

**a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being;

These roles should not be undertaken in isolation, because they are mutually dependent.

## **ENVIRONMENTAL ROLE**

### **Principal of Development**

The site is located within the Settlement Zone Line of Alsager, where there is a presumption in favour of development. It is surrounded by residential properties and has good access to services and facilities. Therefore it is considered that the principle of the development is acceptable and the development would be appropriate in this location.

### **Design**

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 building would take the form of a dormer bungalow, which is considered to be acceptable in its context. It would be constructed from traditional materials that are considered appropriate.

The dwelling would be sited within the rear garden of number 35 Woodside Avenue, to which the Town Council has objected. However, it should be noted that approval has been granted for two dwellings in the rear garden of 31A Woodside Avenue, which is next door but one to the site. As such it would be difficult to justify a reason for refusal on these grounds.

### **Landscape**

The site is currently very over grown with vegetation and it is not an attractive feature in the local area. The proposal would result in the site being cleared and landscaping and boundary treatments can be controlled by condition and it is therefore considered that the appearance of the area would be improved..

## **Highways Implications**

The parking provision is to standard and the residential access would be off an unadopted road. A number of properties off this track have previously been approved and the width of the track just off Moorhouse Ave is narrow, and should be widened to at least 4.25m for a length of at least 5m from the extent of highway (edge of footway). Visibility onto the adopted road of Moorhouse Avenue is adequate.

No objection is raised by the Head of Strategic Infrastructure with the condition that prior to occupation, the access track is widened as described above. This would be completed via a s184 Agreement.

## **Ecology**

The Town Council and local Ward Member have raised the issue of the impact on wildlife from the development. Whilst the site is over grown it is not considered to contain any significant habitats. The Council's Principal Nature Conservation Officer has assessed the application and concluded that there would not be any significant ecological issues associated with the proposed development.

## **Environmental Role Conclusion**

Subject to appropriate conditions the proposed development would not create any amenity, design, ecology or highway safety issues. It is considered that the proposal's impact upon the streetscene and the amenity of neighbours in general would be acceptable. On this basis, the proposal can be considered to be environmentally sustainable.

## **ECONOMIC ROLE**

The proposal would potentially provide local employment opportunities in construction and the wider economic benefits to the construction industry supply chain.

As such, it is considered that the proposed development would be economically sustainable.

## **SOCIAL ROLE**

### **Housing**

The proposed development would provide one open market dwelling within the established settlement boundary of Alsager which is a social benefit.

### **Amenity**

The proposed dwelling would be 13.4m away from the rear extension at number 35 Woodside Avenue. Whilst this would not meet separation distances, given the fact that there are no windows proposed in the first floor level of the proposed dwelling, the fact that it would be set at a lower level than this property and the fact that boundary treatments could screen views between ground floor windows, it is not considered that a refusal on these grounds could be sustained.

With regards the residential amenity of future residents, adequate amenity space (65sqm) would be provided for future occupiers of the proposed dwelling.

Subject to conditions the proposals would not result any significant loss of residential amenity of neighbouring properties and would provide adequate amenity provision for future residents, and accords with Policy BE.1 (Amenity) of the Local Plan.

The rear garden would be over looked by windows on number 35 Woodside Avenue, however this is not considered to be significantly detrimental in amenity terms. In addition this is a marketing issue for the developer. Weighed into the balance this issue is also outweighed by the benefits of providing additional housing within the settlement boundary.

Environmental Protection have requested information relating to noise from the neighbouring electricity sub-station. Following a site visit it was noticed that this building did not appear to generate noticeable noise levels, as such it is considered that this can be controlled by condition.

As such it is considered that the development would be socially sustainable.

## **PLANNING BALANCE**

The site is within the Settlement Zone Line of Alsager where there is a presumption in favour of development.

From an economic sustainability perspective, the scheme will assist in the local building business and bring economic benefits to Alsager town centre.

From an environmental and social perspective the proposal is considered to be acceptable in the impact upon local amenities, parking, highway safety, bin storage provision, and traffic generation terms. It would be of an acceptable design that would have a minimal impact upon the amenities of neighbouring properties or future residents.

The proposals are considered to be a sustainable form of development which would comply with the relevant local plan policies and would not compromise key sustainability principles as set out in national planning policy.

Therefore there is a presumption in favour of the development and accordingly it is recommended for approval.

## **RECOMMENDATIONS**

**APPROVE** subject to the following conditions:

**And the following conditions:**

- 1. Standard time 3 years**
- 2. Approved Plans**
- 3. Pile driving limited to 08:30 to 17:30 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sundays**
- 4. Submission and approval of details of materials**
- 5. Landscaping details including boundary treatment to be submitted and approved**
- 6. Implementation of landscaping**
- 7. Submission of a noise assessment**
- 8. Provision of an electric vehicle charging point**
- 9. If, during the course of development, contamination not previously identified is found to be present, no further works shall be undertaken in the affected area and the contamination shall be reported to the Local Planning Authority as soon as reasonably practicable (but within a maximum of 5 days from the find). Prior to further works being carried out in the identified area, a further assessment shall be made and appropriate remediation implemented in accordance with a scheme also agreed in writing by the Local Planning Authority.**

**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 Planning and Place Shaping Manager 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.**



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