

Planning Reference No:	10/0194C
Application Address:	17 Redesmere Close, Sandbach
Proposal:	Change of Use of 'Open Land' for Use as Garden (Class C3) with Erection of Fence to Enclose Land, with Planting to Respect Existing Street Scene
Applicant:	Mr & Mrs Kenilworth
Application Type:	Full Planning Permission
Ward:	Sandbach
Registration Date:	26-March-2010
Earliest Determination Date:	05-May-2010
Expiry Date:	21-May-2010
Date report Prepared	06-May-2010
Constraints:	None

SUMMARY RECOMMENDATION:

APPROVE subject to conditions.

MAIN ISSUES:

- Principle of Development
- Policy
- Impact on Character of the Street
- Other Issues Raised by Representation

1. REASON FOR REFERRAL

Councillor G. Merry has called this application in for consideration by the Southern Committee under Policy GR2 (Design) as the application to extend this garden would impact on the residents of Pickmere Close in terms of character and appearance and would alter the effect of the end of this quiet cul-de-sac, drawing in the end of the street, and thus impacting on the public open space.

2. DESCRIPTION AND SITE CONTEXT

This application relates to a redundant parcel of land situated directly to the rear of no.s 17 to 19 Redesmere Close in Sandbach. The land is bounded on 3 sides by 2 metre high boundaries and opens out onto the head of Pickmere Close, a residential cul-de-sac. The land measures approximately 12 metre deep by 13 metres wide at its footage with Pickmere Close. The site falls within the Sandbach Settlement Zone Line and is not allocated for any other purpose in the adopted Congleton Borough Local Plan First Review (2005).

3. DETAILS OF PROPOSAL

Full planning permission is sought to change the use of the land from 'open land' to 'residential garden land' (Use Class C3) serving as an extension to the garden associated with no. 17 Redesmere Close. Part of the land would be enclosed by the erection of a 1.8 metre high close boarded fence and some planting is proposed directly in front of this.

4. RELEVANT HISTORY

None

5. POLICIES

Regional Spatial Strategy

DP1 Spatial Principles

DP7 Promote Environmental Quality

Local Plan Policy

PS4 Towns

GR1 General Requirements for New Development

GR2 Design

GR4&GR5 Landscaping

GR6 Amenity and Health

Other Material Considerations

6. CONSIDERATIONS (External to Planning)

Environmental Health:

Recommend conditions relating to land contamination.

Highways:

No objection.

7. VIEWS OF SANDBACH TOWN COUNCIL

No objection.

8. OTHER REPRESENTATIONS

Letters and have been received from residents on Pickmere Close objecting to this application on the following grounds:

- The applicant's have not engaged in any consultation with neighbours prior to submitting the application.
- The land was always intended to be open space and the council have a duty to consider the status of the land taking into account the history of the estate.
- The provision of the proposed fence would impede vistas across the Golf Course. Where the golf course land abuts a cul-de-sac on the estate, there is always an open shrubed aspect.

- The height, materials, form and nature of the fence would be out of character and will spoil the outlook and appearance of the street scene.
- Any access via Pickmere Close would be detrimental to what is a peaceful cul-de-sac and the land should only be accessed by the existing garden.
- If the application were to be approved, the use applied for should be conditioned to prevent alternative uses such as 'vehicle storage'.
- There are inconsistencies between the design and access statement and the application form.
- The proposed extension is a natural extension of no19 but not no.17.
- Why is a pedestrian gate needed?
- The proposed laurel planting would eat into the open space.
- The proposal is contrary to local plan policies GR1, GR2 and GR5

9. APPLICANT'S SUPPORTING INFORMATION

Design & Access Statement

10. OFFICER APPRAISAL

Principle of Development

The application site is located within the settlement zone line for Sandbach where according to Policy PS4 there is a general presumption in favour of development provided that it is in keeping with the town's scale and character and does not conflict with other policies. The land subject of this application is a spare redundant piece of land that was left over following completion of the development on Redesmere and Pickmere Close. Although it has been maintained by the Council, it is not allocated as Public Open Space and offers no formal amenity value. As the area is predominantly residential, and this proposal is intended for use as garden for the occupants of the adjoining property, it is considered that the principle of this change of use is considered to be acceptable and in accordance with Local Plan Policy PS4.

Policy

Policy GR1 states *inter alia* that all development should conserve or enhance the character of the surrounding area and not detract from its environmental quality. Policy GR2 states *inter alia* that planning permission will only be granted where the proposal is sympathetic to the character and form of the site and the surrounding area in terms of the height, scale form and grouping of buildings, and the visual, physical and functional relationship of the proposal to neighbouring properties, the street scene and to the locality generally.

Impact on Character of the Street

In order to delineate the land, the application proposes the erection of a 1.8 metre high closed boarded fence. This would travel straight across from the boundary of the adjoining Golf Course which comprises of 2 metre high Palisade fencing and would travel across to meet with the similarly designed 1.8 metre close boarded fence associated with no 19 Redesmere Close. There are numerous examples of similar close boarded fences in the immediate vicinity of the site as well as brick walls where properties back onto open land and public footpaths linking the estate. As such, whilst the views along Pickmere Close

would terminate on the proposed boundary fence, it is not considered that the development would deviate or be out of keeping with the character or appearance of the area.

Furthermore, in order to soften the appearance of the fence and to ensure that it does not appear intrusive, the fence has been set back from the edge of the adjacent footpath to respect the line of the adjacent boundaries to help maintain the open plan nature and some planting has been proposed directly in front. Subject to this planting being secured by condition as part of a landscaping scheme, the proposed development would be sympathetic to the character and form of the site and the surrounding area in terms of the height, scale and form. As such the development is found to be in accordance with Policies GR1 and GR2.

Other Issues Raised by Representation

Whilst the application site is an area of open land leftover from when the estate was first built, this does not preclude it from being developed. It is the Officer's view that the land is not of any great amenity value as it is surrounded on 3 sides by existing boundaries and this is reflected by the fact that it is not allocated as Public Open Space and is unallocated for any other use within the Local Plan. With regards to the views across the adjacent golf course being impeded, there is no right to a view over third party land. In terms of access from Pickmere Close, whilst a pedestrian gate is proposed, this is not for vehicles and would lay adjacent to the existing footpath network. As such, the other issues raised by representations would not sustain a refusal.

11. CONCLUSIONS AND REASONS FOR THE DECISION

The principle of the proposed change of use is considered to be acceptable. The height, scale and form of the proposed boundary treatment would accord with those found elsewhere in the immediate vicinity of the site and therefore subject to conditions, the proposal would not materially harm the character or appearance of the site or the street scene on Pickmere Close. Consequently, it is not considered that the concerns expressed by the Local Ward Councillor or the neighbouring residents would warrant a refusal given that the proposed development accords with the requirements of the relevant policies of the adopted Congleton Borough Local Plan First Review (2005). As such the proposal is deemed to be acceptable and is recommended for approval.

12. RECOMMENDATION:

APPROVE subject to the following conditions:

- 1. Commencement of development within 3 years**
- 2. Accordance with approved plans**
- 3. Scheme of Landscaping to be submitted and approved**
- 4. 5 yrs maintain planting**
- 5. Removal of Permitted Development rights for gates walls and fences**

Location Plan

