

<b>Planning Reference No:</b>	10/3581C
<b>Application Address:</b>	2 Rydal Way, Alsager, ST7 2EH
<b>Proposal:</b>	To Construct New Detached Dwelling on Part of Garden Land at 2 Rydal Way following Grant of Outline Planning Consent 08/1734/OUT
<b>Applicant:</b>	Mr S Palfreyman
<b>Application Type:</b>	Full Planning Permission
<b>Ward:</b>	Alsager
<b>Registration Date:</b>	13 <sup>th</sup> September 2010
<b>Earliest Determination Date:</b>	14 <sup>th</sup> October 2010
<b>Date of Officers Site Visit:</b>	19 <sup>th</sup> October 2010
<b>Expiry Date:</b>	8 <sup>th</sup> November 2010
<b>Date report Prepared:</b>	21 <sup>st</sup> October 2010
<b>Constraints:</b>	Settlement Zone Line Tree Protection Order

**SUMMARY RECOMMENDATION:** Approve with conditions

**MAIN ISSUES:**

- Principle of the Development
- Amenity
- Design and Scale
- Highways and Parking
- Landscaping and Trees

## 1. REASON FOR REFERRAL

This application has been referred to the Southern Planning Committee as Councillor Rod Fletcher called it in on the following grounds: "The proposed dwelling is much larger in size and appears to be overdevelopment for the size of the garden and the outline planning approval. May also be contrary to GR1, GR2, GR6 and latest PPS3. Significant impact on neighbours and the street scene."

## 2. DESCRIPTION AND SITE CONTEXT

This application relates to an area of the garden of 2 Rydal Way, Alsager, which is situated to the rear of 176 Sandbach Road North. It is defined in the local plan, as being within the settlement zone line of Alsager and to the north is open countryside. Adjacent to the northeast corner of the site is the Sandbach Road North No. 1, Alsager, Tree Preservation Order 1993.

## 3. DETAILS OF PROPOSAL

This proposal is for full planning permission for a single detached dwelling in the garden of 2 Rydal Way, Alsager. The dwelling would be an 'L' shaped dormer bungalow style property, sited to the rear of 176 Sandbach Road North. It would have 4 bedrooms, one at ground floor level with an en-suite bathroom and three on the first floor. Also on the ground

floor there would be two reception rooms, a kitchen, a cloakroom, a utility room and an integral garage. It should be noted that whilst outline consent was granted on this site, this application is for full planning permission and not for approval of reserved matters.

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

20709/3	1989	Approval for alterations and extensions
37071/3	2004	Approval for extension to dining room
04/0413/FUL	2005	Approval for conservatory to rear
08/1734/OUT	2008	Outline approval for one dwelling
09/2726C	2009	Withdrawn application for one dwelling

#### **5. POLICIES**

##### **National Guidance**

PPS1 Delivering Sustainable Development  
PPS3 Housing

##### **Congleton Local Plan 2005**

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

PS4 Towns  
H1 & H2 Provision of New Housing Development  
GR1 New Development  
GR2 & GR3 Design  
GR6 Amenity and Health  
GR9 Parking and Access  
NR1 Trees & Woodlands

SPG2 Provision of Private Open Space in New Residential Developments

#### **6. CONSIDERATIONS**

##### **Environmental Health:**

Request conditions relating to land contamination and protection from noise and disruption during construction.

##### **Highways:**

This development requires a properly constructed vehicular crossing with construction in accordance with Cheshire East Council Highways specification.

The S.H.M. recommends that any permission which may be granted for this application be accompanied with the following informative:

**Informative:** The applicant/developer will provide a properly constructed vehicular crossing in accordance with CEC specification, and enter into a Section 184 Agreement with CEC under the Highways Act 1980.

## **7. VIEWS OF TOWN/PARISH COUNCIL**

Alsager Town Council strongly object to this proposal and fully support the objections raised by the occupiers of 176 Sandbach Road North, which are outlined below.

## **8. OTHER REPRESENTATIONS**

At the time of report writing, 7 letters of objection had been received relating to this application, expressing the following concerns:

- Adverse impact on the amenities of neighbouring properties, in particular 176 Sandbach Road North and 2, 4 and 6 Rydal Way. In terms of the impact on 176 Sandbach Road North the concerns relate to the access drive being in close proximity to a downstairs bedroom window, leading to disturbance, loss of privacy once the existing garage is reduced in size, loss of privacy to the patio and visual intrusion. Having regard to the properties on Rydal Way, concerns are expressed relating to loss of privacy to the rear gardens.
- Overdevelopment of the site, by virtue of the size of the proposed dwelling.
- Loss of garden land.
- Adverse impact on the street scene, in particular when viewed from the road entering Alsager from Church Lawton.
- Adverse impact on highway safety.

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

### **Design and Access Statement**

This document provides details on the history of the site and the surrounding context of the local area. The statement also seeks to expand on the justification for the development proposed.

## **10. OFFICER APPRAISAL**

### **Principle of Development**

The principle of development on this site was established when the outline application for the scheme was approved. The outline planning permission is extant. The site is designated as being within the Settlement Zone Line of Alsager where there is a general presumption in favour of development provided that it is in keeping with the scale and character of the town. Therefore the proposal should be judged on the criteria laid out below.

### **Amenity**

The properties most affected by the development would be 2 Rydal Way and 176 Sandbach Road North.

Having regard to 2 Rydal Way, the lounge window and entrance door of the proposed dwelling would face the garden of this property. However, as these would be 12m away

from the boundary and a 1.8m fence is proposed on the boundary, it is not considered there would be significant adverse impact on the amenities of this property.

The occupiers of 176 Sandbach Road North have expressed several concerns regarding this proposal, relating largely to loss of privacy, visual intrusion and disturbance. Having regard to loss of privacy, one of the concerns relates to overlooking of a downstairs bedroom window once the garage has been altered at 2 Rydal Way. The window is completely screened by a conifer hedge and as such it is not considered that there would be any significant loss of privacy caused by overlooking from windows at first floor level on 2 Rydal Way. The other privacy issue raised is the fact that the drive will run alongside their patio, which they state is the only private part of their garden, however this area is well screened and is already close to the existing drive to 2 Rydal Way. As such a refusal on these grounds could not be sustained. Disturbance caused by the creation of the new driveway is also cited as an issue, but it is not considered that the vehicle movements generated by one dwelling would create a significant amount of disturbance to residential amenity. The issue of visual intrusion caused by the proposed dwelling has been given careful consideration and whilst the north easterly elevation would project 3.7m out, past the gable elevation of 176 Sandbach Road North, it is considered that this would not have a significant adverse impact especially given the existing screening provided by the boundary hedge.

Having regard to the amenities of future occupiers, the proposed dwelling would have in excess of double the amount of useable residential amenity space required by SPG2 (Provision of Private Open Space in New Residential Developments).

### **Design and Scale**

The outline consent (08/1734/OUT), established the principle of siting one dwelling on this site, but made clear that the dwelling shown on the indicative drawings would not be acceptable. This was because it showed a large, two-storey dwelling with a ridge height of 9m and a larger footprint than the one proposed in this application.

This proposal is for a one and a half storey dwelling with dormer windows and roof lights in the roof slopes to facilitate the use of the roof space. It would have a slightly smaller footprint than the indicative drawing approved at outline stage and would have a ridge height of 6.9m, which is 2.1m lower than that shown on the outline application. One of the concerns of the objectors is the impact on the street scene, especially when viewed from Sandbach Road North. However, it is not considered that the dwelling would create a significant, incongruous feature when viewed from the wider area, including the approach to Alsager from Church Lawton, given the development that already exists.

There are a variety of house types in the vicinity of the application site, and it is considered that the design of the proposed dwelling would not detract from the overall character of the area. Although the garden area would not be as extensive as others in the vicinity, it is not considered to be so small as to be completely out of character with the surrounding area.

### **Highways and Parking**

The proposal would provide adequate parking spaces for a property of this size and, due to the size of the turning area, vehicles would be able to enter and leave the site in a forward gear. The Strategic Highways Manager has raised no objection to the proposal subject to

the creation of an acceptable vehicular crossing. As such it is not considered that a refusal on highway grounds could be sustained.

### **Landscaping and Trees**

The Senior Landscape and Tree Officer has not submitted a response to this proposal, however she did not object to the outline proposal as it would not impact on the protected trees adjacent to the site. This proposal would be sited a similar distance from these trees and as such is not considered to be a threat to their health and future viability. Having regard to the hedges surrounding the site, it is considered that a condition should be imposed requiring measures for their protection during construction.

## **11. CONCLUSIONS**

In conclusion, the site is within the settlement zone line of Alsager in the adopted local plan and the proposed development complies with the relevant policies contained within that document. It is therefore recommended that the application be approved subject to the following conditions.

## **12. RECOMMENDATION:**

**Approve subject to the following conditions:**

- 1. Standard time limit**
- 2. Development carried out in complete accordance with the approved plans**
- 3. Submission of materials for approval**
- 4. Submission of a landscaping scheme**
- 5. Implementation of approved landscaping scheme**
- 6. Submission of scheme for measures to protect trees and hedges on the site**
- 7. Submission of full details of boundary treatments**
- 8. Submission of a Phase 1 contaminated land report**
- 9. Hours of construction restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 Saturday and no working on Sundays or Bank Holidays**
- 10. Submission of details of the method, timing and duration of any pile driving operations connected with the construction**
- 11. Removal of permitted development rights for extensions**

Location Plan : Licence No 100049045

