

Southern Planning Committee

Agenda

Date:	Wednesday, 4th January, 2012
Time:	2.00 pm
Venue:	Council Chamber, Municipal Buildings, Earle Street, Crewe CW1 2BJ

Members of the public are requested to check the Council's website the week the Southern Planning Committee meeting is due to take place as Officers produce updates for some or all of the applications prior to the commencement of the meeting and after the agenda has been published.

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. Apologies for Absence

To receive apologies for absence.

2. Declarations of Interest

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests and for Members to declare if they have pre-determined any item on the agenda.

3. Minutes of Previous Meeting (Pages 1 - 12)

To approve the minutes of the meeting held on 7 December 2011.

4. Public Speaking

A total period of 5 minutes is allocated for each of the planning applications for Ward Councillors who are not Members of the Planning Committee.

Please contact Julie Zientek on 01270 686466

E-Mail: julie.zientek@cheshireeast.gov.uk with any apologies, requests for further information or to arrange to speak at the meeting

A period of 3 minutes is allocated for each of the planning applications for the following individuals/groups:

- Members who are not members of the Planning Committee and are not the Ward Member
- The Relevant Town/Parish Council
- Local Representative Groups/Civic Society
- Objectors
- Supporters
- Applicants

5. **11/4228N 202, Crewe Road, Haslington, Cheshire CW1 5RT: Erection of Three Detached Dwellings for Cranford Estates** (Pages 13 - 28)

To consider the above planning application.

6. **11/3867N Land to Rear of 157 Crewe Road, accessed via Gutterscroft, Haslington CW1 5RJ: Construction of 11 Three Storey Dwellings for Lothlorian Ltd** (Pages 29 - 40)

To consider the above planning application.

7. **11/3928C 27, Heath Road, Sandbach CW11 2JD: Two Storey Extension to the Side & Rear of Property for Ms C Massey** (Pages 41 - 46)

To consider the above planning application.

8. **11/4222N PRG Engineering, Lightwood Green Avenue, Audlem: Proposed Extension to Existing Industrial Building and Enlargement of Rear Parking and Vehicle Turning Area for PRG Engineering** (Pages 47 - 52)

To consider the above planning application.

THERE ARE NO PART 2 ITEMS

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 7th December, 2011 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor G Merry (Chairman)
Councillor M J Weatherill (Vice-Chairman)

Councillors P Butterill, J Clowes, W S Davies, L Gilbert, A Kolker, D Marren,
M A Martin, G Morris, D Newton and A Thwaite

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillors Rhoda Bailey and Barry Moran

OFFICERS PRESENT

Nigel Curtis (Principal Development Officer, Highway Development Control)
Ian Dale (Heritage and Design Manager)
Sheila Dillon (Senior Solicitor)
Ben Haywood (Principal Planning Officer)
Chris Hudson (Senior Arboricultural and Landscape Officer)
Vikki Jeffrey (Strategic Housing and Development Manager)
David Malcolm (Southern Area Manager – Development Management)
Julie Zientek (Democratic Services Officer)

Apologies

Councillors M Jones and S McGrory

109 DECLARATIONS OF INTEREST

Councillor A Thwaite declared that he had expressed an opinion with respect to application number 11/3619C and therefore fettered his discretion. Councillor Thwaite exercised his separate speaking rights as a Ward Councillor and withdrew from the meeting during consideration of this item.

Councillor S Davies declared that he had expressed an opinion with respect to application number 11/1165N and therefore fettered his discretion. Councillor Davies exercised his separate speaking rights as a Ward Councillor and withdrew from the meeting during consideration of this item.

Councillor D Marren declared a personal and prejudicial interest in respect of application number 11/3695C on the grounds that the applicant was a

relative. In accordance with the code of conduct, he withdrew from the meeting during consideration of this item.

All Members of the Committee declared that they had received correspondence with respect to application number 11/2999C.

Councillor D Newton declared that he had received correspondence with respect to application number 11/2317C.

Councillor G Merry declared a personal interest in respect of application numbers 11/2317C and 11/2320C, on the grounds that she was a member of Sandbach Town Council, which had been consulted on the proposed development. In accordance with the code of conduct, she remained in the meeting during consideration of these items.

Councillor G Merry declared a personal interest in respect of agenda item 17 (Smallwood Storage), on the grounds that she knew the applicant. In accordance with the code of conduct, she remained in the meeting during consideration of this item.

Councillor J Clowes declared that she had called in agenda item 18 but that she had not expressed an opinion.

110 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 16 November 2011 be approved as a correct record and signed by the Chairman.

111 11/2317C OLD HALL HOTEL, HIGH STREET, SANDBACH, CHESHIRE CW11 1AL: RETROSPECTIVE APPLICATION FOR PERIMETER BRICK WALL AND TIMBER TRELLIS BETWEEN PIERS TO REAR BOUNDARY FOR BRUNNING AND PRICE LTD

Note: Councillor B Moran (Ward Councillor), Councillor A Wood (on behalf of Sandbach Town Council), Mr S Clarke (objector), Mr R Talbot (supporter) and Mr F Hill (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application, a written update, an oral update and an oral report of the site inspection by the Principal Planning Officer.

RESOLVED – That the application be APPROVED.

**112 11/2320C OLD HALL HOTEL, HIGH STREET, SANDBACH, CHESHIRE
CW11 1AL: RETROSPECTIVE APPLICATION FOR PERIMETER BRICK
WALL WITH TIMBER TRELLIS BETWEEN PIERS TO REAR
BOUNDARY FOR BRUNNING AND PRICE LTD**

The Committee considered a report regarding the above planning application, a written update and an oral report of the site inspection by the Principal Planning Officer.

RESOLVED – That the application for Listed Building Consent be APPROVED.

**113 11/3695C MOSSLEY HOUSE, BIDDULPH ROAD, CONGLETON CW12
3LQ: DEVELOPMENT OF USE CLASS C2 RESIDENTIAL
ACCOMMODATION WITH CARE COMPRISING 52 APARTMENTS FOR
PERSONS AGED 60 AND OVER, INCLUDING CAR PARKING,
LANDSCAPING AND ASSOCIATED WORKS FOR MR KEVIN
EDWARDS, GLADMAN DEVELOPMENTS LTD**

Note: Councillor A Kolker arrived during consideration of this item.

Note: Having declared a personal and prejudicial interest in this application, Councillor D Marren withdrew from the meeting during consideration of this item.

Note: Mr P Austen (objector) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application, an oral update and an oral report of the site inspection by the Principal Planning Officer.

RESOLVED – That the application be APPROVED subject to:

(a) the prior signing of a Section 106 agreement requiring the 'Approved Occupiers' to be over 60 years of age and to complete a written assessment to identify their care and support needs.

(b) the following conditions:

1. Standard time limit.
2. Compliance with the approved plans.
3. Submission of materials for approval.
4. Submission and implementation of a tree protection scheme.
5. Submission and implementation of an updated specialist construction scheme with accompanying detailed plan.
6. Submission and implementation of drainage scheme.
7. Submission and implementation of landscaping scheme.
8. Submission and implementation of boundary treatment scheme.

9. Submission of details of any fans compressors and other equipment with the potential to generate noise.
10. Submission and implementation of details of any external lighting.
11. Hours of construction (including deliveries) limited to 0800 to 1800 Monday to Friday, 0800 to 1300 Saturday with no working on Sundays or Bank Holidays.
12. Hours for any floor floating work limited to 0800 to 1800 Monday to Friday, 0800 to 1300 Saturday with no working on Sundays or Bank Holidays.
13. Submission of details of the method, timing and duration of any pile driving operations.
14. Deliveries to and from the site limited to 08.00 to 18.00 Monday to Friday, 08.00 to 13.00 Saturday with no deliveries on Sundays or Bank Holidays.
15. Compliance with recommendations in the submitted ecology reports.
16. Protection measures for breeding birds.
17. Submission and implementation of details for the incorporation of features suitable for use by breeding birds.
18. Prior to first occupation, submission of a Travel Plan Framework.
19. Within 6 months of first occupation, submission of a Travel Plan including the provision of a pool car.

114 11/2999C LAND SOUTH OF PORTLAND DRIVE, SCHOLAR GREEN, STOKE ON TRENT: VARIATION OF CONDITIONS 2,3,5,10 & 11 OF PLANNING PERMISSION 08/0712/FUL FOR BEN BAILEY HOMES(PART OF GLADEDALE GROUP)

Note: Councillor Rhoda Bailey (Ward Councillor), Miss S Jones (objector) and Ms A Freeman (agent on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

RESOLVED – That the application be DEFERRED to enable officers to request that the applicant establish a method by which the Health Centre can be guaranteed as part of the development.

115 11/3619C 66 & 68, LEEK ROAD, CONGLETON, CHESHIRE CW12 3HU: TWO DETACHED DWELLINGS INCLUDING ACCESS FROM BOUNDARY LANE FOR VWB ARCHITECTS -MR P BENTLEY

Note: Councillor P Butterill arrived during consideration of this item.

Note: Having exercised his separate speaking rights as a Ward Councillor, Councillor A Thwaite withdrew from the meeting during consideration of this item.

Note: Mrs H Jackson (objector) and Mr P Bentley (applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

RESOLVED – That the Head of Development be granted delegated authority to APPROVE, subject to consideration of the need for the contaminated land condition and the following conditions:

1. Time Limit (Outline)
2. Submission of reserved matters
3. Reserved Matters application made within 3 years
4. Development in accordance with approved plans
5. Details of materials to be submitted
6. The height of the dwellings shall be between 7.3 and 8.3 metres tall
7. PD removal (A-E)
8. Hours of construction
9. Hours of piling
10. Contaminated land
11. Boundary treatment

116 **11/4000C CLEDFORD INFANT AND NURSERY SCHOOL, LONG LANE SOUTH, MIDDLEWICH, CHESHIRE CW10 0DB: CHANGE OF USE TO OFFICES FOR CHESHIRE EAST COUNCIL CHILDREN AND FAMILY SERVICES FOR CHESHIRE EAST COUNCIL**

The Committee considered a report regarding the above planning application.

RESOLVED – That the application be APPROVED subject to the following conditions:

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Materials as application
4. External Lighting details to be approved
5. Provision of car parking layout prior to use commencing

117 **11/1165N STATION YARD, WRENBURY ROAD, WRENBURY CW5 8HA: OUTLINE PLANNING PERMISSION WITH ALL MATTERS RESERVED FOR SIXTEEN LOCAL AFFORDABLE HOUSES FOR MR TREVOR BATES**

Note: Having exercised his separate speaking rights as a Ward Councillor, Councillor S Davies withdrew from the meeting during consideration of this item.

Note: Mr Barlow (objector), Mr M Banks (supporter) and Mr T Bates (applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application, a written update, an oral update and an oral report of the site inspection by the Principal Planning Officer.

RESOLVED – That the Head of Development be granted delegated authority to APPROVE, subject to:

- (a) No objection from United Utilities, Network Rail and HM Railways Inspectorate
- (b) The completion of a legal agreement to secure the development as affordable housing in perpetuity
- (c) the following conditions:
 - 1. Standard outline time limit
 - 2. Submission of reserved matters
 - 3. Approved Plans
 - 4. No approval of indicative layout
 - 5. Implementation of noise mitigation measures
 - 6. Submission / approval and implementation of external lighting
 - 7. Construction hours limited to Monday – Friday 08:00hrs – 18:00hrs Saturday 09:00hrs – 14:00hrs With no Sunday or Bank Holiday working
 - 8. Piling restricted to Monday – Friday 08:30hrs – 17:30hrs Saturday 09:30hrs – 14:00hrs, Sunday Nil
 - 9. “Floor floating” restricted to Monday – Friday 07:30hrs – 20:00hrs, Saturday 08:30hrs – 14:00hrs, Sunday Nil
 - 10. Submission / approval and implementation of contamination report / mitigation.
 - 11. Materials
 - 12. Remove permitted development rights – extensions and ancillary buildings
 - 13. Submission / approval and implementation of access construction details
 - 14. Provision of parking to be 200% plus 5 visitor spaces
 - 15. Submission of Landscaping scheme
 - 16. Implementation / maintenance of landscaping
 - 17. Submission / approval and implementation of boundary treatment to include, inter alia, 1.8m palisade fencing to railway and acoustic fencing
 - 18. Submission / approval and implementation of drainage scheme
 - 19. Submission / approval and implementation of bat foraging area in the South East corner of the site
 - 20. No works within bird nesting season unless survey / mitigation submitted and approved
 - 21. Any future reserved matters application to be supported by an updated badger survey report to include updated mitigation/compensation proposals

- 118 **11/3160N WARMINGHAM GRANGE, WARMINGHAM GRANGE LANE, WARMINGHAM CW11 3LB: CONVERSION OF WARMINGHAM GRANGE INTO 3 APARTMENTS AND DEMOLITION OF OUTBUILDINGS AND REPLACEMENT WITH 8 HOUSES AND ERECTION OF 3 AFFORDABLE HOUSING UNITS FOR VISCOUNT HOMES LIMITED**

The Committee considered a report regarding the above planning application.

RESOLVED – That the application be APPROVED subject to:

- (a) the prior signing of a Section 106 agreement to secure 3No units as affordable housing stock
- (b) the following conditions:
 - 1. Approved Plans
 - 2. Landscape scheme – hard and soft landscaping
 - 3. Landscape implementation
 - 4. Details of boundary treatment and enclosures
 - 5. Remove Permitted Development Rights for Classes A to E of Part 1; Class A of Part 2; and Classes A to F of Part 40.

- 119 **11/3903N WHITE HOUSE FARM, HITCHENS LANE, BULKELEY SY14 8BX: DISCHARGE OF S106 AGREEMENT IN RELATION TO P97/0749 (DEMOLITION OF EXISTING BARN AND ERECTION OF OUTBUILDINGS COMPRISING GARAGE AND STABLE BLOCK) FOR MR T WALLACE**

Note: Mr S Goodwin (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

RESOLVED – That the signed Section 106 agreement attached to Planning Application P97/0749 be formally discharged by deed and the local land charge be cancelled from the site.

- 120 **11/3123N LAND ADJOINING WHITE HOUSE FARM, HITCHENS LANE, BULKELEY SY14 8BX: CHANGE OF USE OF EXISTING STABLES/GARAGE TO A SINGLE DWELLING FOR MR TERRY WALLACE**

Note: Mr S Goodwin (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

RESOLVED – That the application be APPROVED subject to the following conditions:

- 1) Standard Time
- 2) Approved Plans
- 3) Materials to Match
- 4) Openings to be timber
- 5) Conservation Style Rooflights
- 6) Phase I Contaminated Land Survey
- 7) Protected Species Mitigation
- 8) Landscaping to be submitted
- 9) Landscape implementation
- 10) Removal of all Permitted Development Rights, to include extensions and outbuildings
- 11) Details of any new or replacement Boundary Treatment to be submitted and approved
- 12) Hours of Construction
- 13) External Lighting to be submitted and approved in writing

121 **11/3608N TESCO STORES, LOCKITT STREET, CREWE CW1 7BB:
VARIATION OF CONDITION 2 OF PLANNING APPROVAL 10/3554N
TO EXTEND THE TIME LIMIT OF TEMPORARY STORE TO 17 JUNE
2012 FOR TESCO STORES LTD**

Note: Mr J Gartland and Ms K Webb (on behalf of the applicant) had registered their intention to address the Committee on this matter but did not speak.

The Committee considered a report regarding the above planning application.

RESOLVED – That the application be APPROVED subject to the following conditions:

1. Standard
2. Temporary until 17th June 2012, or opening of the new store, whichever is sooner.
3. Approved Plans
4. Materials to be in accordance with those shown in the application
5. Implementation / Maintenance of Landscaping in accordance with previously approved details.
6. Surfacing Materials to be in accordance with those shown in the application
7. No lighting other than that previously approved.
8. No works to take place except in completed accordance with previously approved contaminated land report
9. Foundations shall consist of stacked paving slabs placed at existing ground level.

10. No works to take place except in completed accordance with previously approved method statement to ensure than no dust emits from the site
11. No works to take place except in completed accordance with previously approved soil gas monitoring and confined spaces within the building should be ventilated.
12. No Development within 8m of side walls of culvert
13. No works to take place except in completed accordance with previously approved scheme of drainage

122 PLANNING APPROVAL P03/0494 - 24 NO. DWELLINGS AT HASTINGS ROAD - VARIATION TO S.106 AGREEMENT RELATING TO NO.21 THE GATEHOUSE

The Committee considered a report regarding proposed amendments to the wording of the signed section 106 agreement relating to the construction of 24 Dwellings on land adjacent to London Road, Nantwich, which had been deferred at the previous meeting to enable officers to provide further information.

The section106 agreement referred to three affordable units which were subject to a shared ownership lease, whereby the occupier acquired a percentage interest in the unit and a rent was payable to the Housing Association on the remainder of the unit. Occupiers of the affordable units in question had the right to acquire a greater interest in the unit by paying a percentage of the open market value of the property, but they were not permitted to staircase beyond acquiring a 90% share of that unit.

The joint owners of 21 The Gatehouse, Hastings Road, Nantwich had submitted an application to remove the 90% restriction on staircasing with respect to that property, thus allowing for outright ownership.

RESOLVED

- (a) That the wording of the section 106 Agreement in respect of application P03/0494 be varied to allow for 100% staircasing of the property known as 21 The Gatehouse.
- (b) That Plus Dane be requested to spend any surplus funds from the sale of the property in the Borough of Cheshire East

123 SMALLWOOD STORAGE

Note: Mr S Goodwin (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding planning application 11/0627C.

At its meeting on 13 July 2011, the committee had resolved to grant delegated authority to the Head of Planning and Housing to approve outline planning permission for the demolition of the existing warehouse and erection of a residential development of 15 dwellings at Smallwood Storage, Moss End Farm, Moss End Lane, Smallwood, subject to no objection being received from the Greenspaces Officer.

The Greenspaces Officer had subsequently requested a substantial financial contribution towards off-site provision of public open space, and the developer's response was that a requirement to make such a contribution would render the scheme unviable.

RESOLVED – That the application be APPROVED subject to:

- (a) the completion of a Section 106 agreement to secure £239,400 towards affordable housing provision elsewhere in the area
- (b) the following conditions:
 - 1. Standard
 - 2. Plans
 - 3. Materials
 - 4. Landscaping
 - 5. Implementation of Landscaping
 - 6. Boundary Treatment
 - 7. Tree Protection Measures & Arboricultural Method Statement.
 - 8. Implementation of Tree Protection
 - 9. Removal of Permitted Development Rights
 - 10. Contaminated Land Condition
 - 11. Construction of Access.
 - 12. Provision of parking
 - 13. Development shall be restricted to 08:00 to 18:00 hours on Monday to Friday, 08:00 to 13:00 hours on Saturday, with no work at any other time including Sundays and Public Holidays.
 - 14. Details of piling to be submitted
 - 15. Timing of works to avoid bird nesting season
 - 16. Provision of bat roost
 - 17. method statement covering mitigation for great crested newt as outlined in the supporting Phase 1 Habitats Survey Report
 - 18. Accommodation of the public footpath.
 - 19. Submission of scheme to limit the surface water run-off generated by the proposed development,
 - 20. .The discharge of surface water from the proposed development to mimic that which discharges from the existing site. Attenuation will be required for discharges up to the 1% annual probability event, including allowances for climate change.
 - 21. Provision of SUDS
 - 22. Submission of a scheme to manage the risk of flooding from overland flow of surface water,

23. site layout is to be designed to contain any such flooding within the site,
24. Submission of a scheme to treat and remove suspended solids from surface water run-off during construction works
25. Submission of a scheme to dispose of foul drainage
26. The existing business to relocate within the Borough of Cheshire East

124 **11/3879T BOTTOM WOOD, HATHERTON, NANTWICH: APPLICATION TO FELL 12 PROTECTED TREES (COMPRISING OF SIX OAK; TWO BEECH; TWO PINE, ONE LARCH AND ONE SILVER BIRCH) AND CROWN LIFTING OF OTHER PROTECTED TREES ADJACENT TO THE HIGHWAY FOR MR PETER JACKSON, PETER JACKSON DEVELOPMENTS LTD, FIELD HOUSE, 597 ETRURIA ROAD, BASFORD, STOKE ON TRENT, STAFFS ST4 6HP**

Note: Councillor D Marshall (on behalf of Hatherton & Walgherton Parish Council) and Mr T Baxter (supporter) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above application.

RESOLVED

1. That consent for the felling of Tree No.s 1089 (Pine); 1092 (Oak); 1097 (Beech) and 1116 (Silver Birch) be REFUSED.
 2. That, subject to the following conditions:
 - The works hereby authorised shall be carried out at least to the standards as specified within BS3998:2010 Tree Work Recommendations.
 - The works hereby authorised shall be carried out within 2 years of the date on which the consent is granted.
 - The Local Authority shall be advised of the date of commencement of the works hereby approved.
- (a) Consent for the felling of Tree No.s 1094 (Oak); 1100 (Oak) and 1119 (Pine) be GRANTED insofar as the works are considered in accordance with good woodland management;
 - (b) Consent for the crown lifting of Tree No.s 1086 (Oak); 1087 (Oak); 1090 (Oak); 1093 (Oak); 1096 (Beech); 1098 (Beech); 1122 (Oak); 1123 (Oak); 1125 (Oak); 1128 (Oak); 1130 (Oak) to a height no greater than 5.2 metres and no further back than the edge of the carriageway be GRANTED.
 - (c) Consent for the crown lifting of Tree No.s 1089 (Pine); 1092 (Oak); 1097 (Beech); 1103 (Oak); 1104 (Oak) (which are refused consent for felling or withdrawn for the purposes of

felling by the Applicant) to a height no greater than 5.2 metres and no further back than the edge of the carriageway be GRANTED.

- (d) Consent for the crown lifting of 1118 (Oak) to a height of 3 metres be GRANTED, to allow suitable clearance for pedestrians.
3. That a replanting direction be issued to secure the following:
- (a) 30 Oak and Beech (600-900mm in height) to be planted within the woodland known as Bottom Wood, Hatherton adjacent to Park Lane (positions to be agreed with the Local Planning Authority).
 - (b) Trees shall be suitably protected with guards to prevent damage from rabbits.
 - (c) The works shall be carried out within the first planting season following the removal of the trees specified.
4. That it be acknowledged that the felling of Tree No.s 1095 (Oak); 1101 (Beech) and 1121 (Larch) and the removal of deadwood from other trees are exempt from any requirement to obtain consent from the Council, by virtue of Section 198(6)(a) of the Town and Country Planning Act 1990.

The meeting commenced at 1.00 pm and concluded at 5.12 pm

Councillor G Merry (Chairman)

Application No: 11/4228N
Location: 202, CREWE ROAD, HASLINGTON, CHESHIRE, CW1 5RT
Proposal: Erection of Three Detached Dwellings
Applicant: Cranford Estates
Expiry Date: 06-Jan-2012

MAIN ISSUES

The main issues are:-

- Principle of the development
- Design and layout,
- Impact on highway safety,
- Living conditions,
- Ecology,
- Trees and landscape
- Contaminated land.

SUMMARY RECOMMENDATION

APPROVE subject to receipt of amended plans and conditions

OR

If amended plans not received REFUSE due to harm to protected trees

REFERRAL

The Application has been called into Committee by Councillor Hammond for the following reason:

“Haslington Parish Council has requested that the application be determined by Committee as it is considered that the proposed development significantly contravenes Policy NE2 of the Crewe and Nantwich Local Plan and represents unwarranted development in the Open Countryside. I strongly recommend that a site visit would be helpful to Members on this occasion.”

1. SITE DESCRIPTION AND DETAILS OF PROPOSAL

The site is located on the south side of Crewe Road to the north east of the settlement of Haslington. It comprises a single, pre-fabricated, dwelling set in substantial landscaped gardens. Towards the front of the site, but within the garden area, are foundations for a further dwelling. These extend above ground level and are clearly visible.

The site is surrounded to the north, east and west by existing residential development (mix of semi-detached and detached properties in large plots,) whilst to the south is open countryside.

The proposal involves demolition of the existing dwelling and the erection of 3 large detached family houses, with associated parking and gardens in a ribbon development fronting on to Crewe Road.

2. RELEVANT PLANNING HISTORY

7/14231	1987	Development of 2 dwellings – refused
P91/0157	1991	Development of detached house and garage – refused
P92/0344	1992	Full planning permission for the relation of a listed building for residential use – Approved
P95/0190	1995	Detached Dwelling – Refused
P98/0272	1998	Full planning permission for re-erection of timber framed listed building on land and construction of garage block- Approved
P99/0312	1999	Certificate of Existing Lawful Use for one dwelling and use of land as residential curtilage. - Approved

3. PLANNING 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:

Regional Spatial Strategy

DP1 (Spatial Principles)
DP2 (Promote Sustainable Communities)
DP4 (Make the Best use of Existing Resources and Infrastructure)
DP5 (Manage Travel Demand)
DP7 (Promote Environmental Quality)
DP8 (Mainstreaming Rural Issues)
DP9 (Reduce Emissions and Adapt to Climate Change)
RDF2 (Rural Areas)
L5 (Affordable Housing)
MCR4 (South Cheshire)

Cheshire Replacement Waste Local Plan

Policy 11A (Development and Waste Recycling)

Borough of Crewe and Nantwich Replacement Local Plan 2011

BE.1 (Amenity)
BE.2 (Design Standards)
BE.3 (Access and Parking)
BE.4 (Drainage, Utilities and Resources)
BE.6 (Development on Potentially Contaminated Land)
TRAN.9 (Car Parking Standards)

NE.2 (Open Countryside)
NE.5 (Nature Conservation and Habitats)
NE.9 (Protected Species)
RES.5 (Housing in the Open Countryside)

Other Material Considerations

PPS1 (Delivering Sustainable Development)
PPS3 (Housing)
PPS7 (Sustainable Development in Rural Areas)
PPS9 (Biodiversity and Geological Conservation)
PPG13 (Transport)

4. OBSERVATIONS OF CONSULTTEES

Highway Authority:

The highways authority has no objections to this proposal as it provides adequate visibility splays, turning facilities and a good level of off street parking.

Environmental Health:

This section recommends that the following conditions are attached to any planning permission granted:

- Due to the potential for noise disturbance to local residents, the development should be subject to the following hours of operation restrictions;

Monday – Friday	08.00hrs	18.00hrs
Saturday	08.00hrs	14.00hrs
With no Sunday or Bank Holiday working		

- Should there be a requirement to undertake foundation or other piling on site it is recommended that these operations are restricted to:

Monday – Friday	08:30hrs – 17:30hrs
Saturday	08:30hrs – 13:00hrs
Sunday	Nil

- The application is for new residential properties which are a sensitive end use and could be affected by any contamination present. The applicant submitted a Phase I preliminary risk assessment with their application which recommends Phase II site investigation works be undertaken. As such, and in accordance with PPS23, a Phase II investigation should be secured by condition.

5. VIEWS OF THE PARISH COUNCIL

No comments received at the time of report preparation.

6. OTHER REPRESENTATIONS

Letters of objection have been received from 227 and 229 Crewe Road making the following points:

- The current "Temporary" building occupies land which forms the Green Gap between the Haslington / Winterley parish boundaries and is the only clear divider between the two parishes.
- In the current East Cheshire SHLAA plan the land is not currently developable.
- The temporary building and the strip footings on the land do not change the land status to Brownfield as the land could quickly be reinstated to full greenfield status.
- The access to the property is below the brow of the hill and on a blind bend, with recent industrial development at Crewe Green the road traffic volume has increased significantly at peak periods creating an increased risk of traffic incidents.
- The access to the site also makes the preservation of existing trees extremely vulnerable to damage by construction vehicles.
- The housing design is not in keeping with the character of adjacent buildings or the building density on adjacent sized plots of land and would impinge on the open views of other properties adjacent to the proposal.
- Currently there is little demand for this type of property as there are in excess of 150 properties for sale in the village.
- Local schools and other facilities are currently at maximum capacity.
- Trees adjacent to Crewe Road on the northern boundary are covered by preservation orders
- Currently only one vehicle is at the existing single property. The new development of 3 detached dwellings (a total of 13 bedrooms) will involve more vehicles using the one access driveway, so there is a good chance that vehicles accessing from the east will be obstructed, creating a tail back that will reduce the viable stopping distance. The report maintains a line of sight of 70 metres to the east. The Highway Code states that a car at 40mph in wet conditions has a stopping distance of 72 metres (heavy vehicle would need more). In 1987 planning application 7/14231 stated "visibility from the site was substandard.
- Also note traffic on Crewe Road is increasing, especially at peak times possibility avoiding congestion at Crewe Green roundabout and future new developments will increase traffic density even more
- The report states that this plot is classified as greenfield with a part brownfield. This is confusing. Residents consider that brownfield is reclaimed industrial land which this has never been. In 1995 planning application P95/090 classified it as open countryside as did 7/14231 in 1987.
- The report also states existing footings on the site together with the dwelling implies the Council's acceptance of residential use. Acceptance was under the special circumstance of a temporary dwelling for the duration of re-erecting a timber framed listed building. This fell through so a further application a new building of the period design was refused by the High Commissioner on the basis there would be a nett gain in open countryside

- The report states an exception may be made where there is the opportunity for the infilling of a small gap with 1 or 2 dwellings. Residents interpret infilling as a small gap within a residential area. The gap in question is open countryside bounded to the west by the village and to the east but open countryside which has contained a plot for a dwelling many years before the adjacent properties to the west were developed. The southern boundary is also open countryside.
- The intention of infilling is not to expand town dwellings and this plot cannot be classified as infill.

7. APPLICANT'S SUPPORTING INFORMATION:

- Design and Access Statement
- Land Contamination Report
- Planning Statement
- Tree Survey
- Ecological Survey

8. OFFICER APPRAISAL

Main Issues

The main issues are the principle of development, design and layout, impact on highway safety, living conditions, ecology, trees and landscape and contaminated land.

Principle of Development.

The site is located within the Open Countryside, as defined in the Replacement Local Plan, where according to Policy NE.2 of the local plan there is a general presumption against new residential development, although an exception may be made where there is the opportunity for the infilling of a small gap with one or two dwellings in an otherwise built up frontage.

Whilst current local plan policy makes provision for infilling of a small gap with one or two dwellings, the current proposal is for three. However, an exception to the general policy of restraint in the Open Countryside can also be made for replacement dwellings. Therefore, given that there is an existing house on site, this proposal can legitimately be considered as comprising two elements: the replacement of the existing dwelling and the erection of 2 dwellings alongside. In principle, this is an acceptable form of development in the Open Countryside provided that the proposed replacement dwelling accords with Policy RES.10 and the site constitutes a small gap in an otherwise built up frontage.

This part of Crewe Road is characterised by ribbon development, with a strong building line, which is shared by both no 194 which bounds the site to the west and no. 204 which adjoins it to the east. It is therefore considered that the site sits within a built up frontage, which continues for some considerable distance to the west beyond no. 194. It is acknowledged however, that no 204 represents the end of that continuous built up frontage, given the considerable distance of over 90m and other intervening features which exist between no. 204 and the next dwelling to the east, no.212.

The application site is approximately 45m in width. Although the Local Plan does not define what constitutes a "small gap", the question has been considered on many occasions by Inspectors at

Appeal. In a decision relating to a property known as Esteete, like Crewe Road, the neighbouring properties were set in relatively large plots, and a single dwelling was proposed within a gap of 46m in width between Esteete and the adjoining dwelling, known as Hollies. At paragraph 5 the Inspector says there are “*significant separation distances between the properties which, in my opinion, give rise to a sporadic pattern of development rather than a cohesive group of dwellings.*” However, conversely, in another case at Hatherton, the gap between the properties was 60m, 14m wider than at Esteete, and yet the Inspector considered that it did form a “small gap”.

Therefore, Appeal decisions can be found to support the view both for and against this site constituting a “small gap.” In the Hatherton case, the Inspector gave weight to the relatively wide spacing of the other existing dwellings in the frontage and the fact the properties shared a building line. In respect of the current application, an examination of the layout plan demonstrates that once completed, the development would be similar in terms of both general spacing and building line to the existing dwellings along Crewe Road.

Planning permission has also been granted for the re-erection of a listed building on the middle of the site. Work has commenced to implement this permission and the foundations are visible on site. It therefore remains extant and the work could be completed. This would be similar in terms of general footprint and siting to Plot 2 and would narrow the gap in the frontage to approximately 18m. However, it is considered that whilst the extant permission for the listed building is a material consideration, it is one that should be given limited weight for two reasons. Firstly, it is not clear whether the option of completing this dwelling remains open to the owner, as no information has been provide as to whether the listed building remains available for re-erection. Secondly, the permission was granted specifically for the re-erection of a listed building to be moved from elsewhere, as a particular exception to the general policy of restraint on development in the open countryside. It does not permit or set a precedent for an ordinary new-build dwelling on the site. Any proposal for such a dwelling or dwellings on the site must therefore be judged on their own merits against the relevant planning policies in force at the time the application is made.

With regard to the proposed replacement dwelling, Policy RES10 states that replacement dwellings will only be permitted where:

- replacement would provide positive planning benefits;
- the existing dwelling is in such poor structural condition, or has been altered in such a way that it is not worthy of retention;
- the existing dwelling has been occupied within the last four years and is substantially intact;
- the replacement dwelling is not materially larger than the dwelling it replaces;
- the replacement dwelling should be appropriate in terms of scale, size, design and materials to the existing building and its setting and to the vernacular character of dwellings in the locality;
- unless there are special circumstances (eg highway reasons, protection of trees) the location of the replacement dwelling on the site is not materially different from the siting of the original dwelling; and

- existing outbuildings should, where possible, be re-used for storage and ancillary purposes. If they must be demolished, any replacements will need to be similar in size, scale, materials and appropriately sited in relation to the new house.

In respect of these criteria, whilst a structural survey of the existing dwelling has not been provided, it is a single storey pre-fabricated building, which is of no architectural merit and detracts from the general character and appearance of the site. It is not in keeping with the surrounding development and is likely to be constructed to very poor environmental standards. It is therefore unworthy of retention and replacement would therefore bring a number of benefits in terms of sustainability, energy efficiency and improvement in the appearance of the site. The existing dwelling has been occupied within the last four years and is substantially intact. The acceptability of the scale, size, design and materials are discussed in more detail below.

The proposed replacement (Plot 1) would not be sited on the same footprint as the existing dwelling. It would be brought forward to fall in line with the existing dwellings to either side at no. 194 and no. 204 Crewe Road, as well as the proposed infill dwellings on Plots 2 and 3 to the side. It is considered that this would appear more in keeping with the general character and appearance of the street scene and is sufficient to constitute “special circumstances” as referred to in criterion 6 of the above policy.

The existing dwelling benefits from an outbuilding to the rear. It is proposed to replace this with an attached garage to the property on plot one. This would be better related to the proposed dwelling and will help to consolidate the built form on the plot and minimise the extent to which the bulk of development protrudes beyond the rear building line and into the open countryside to the rear. Conditions will be applied to ensure that the existing storage building is also demolished.

The proposed dwelling is considered to be materially larger than that which it will replace and in this respect it does not comply with Policy RES.10. However, sec.38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications and appeals must be determined “*in accordance with the plan unless material considerations indicate otherwise*”. In this case there are a number of material considerations which weigh in favour of the proposal. The proposal will improve the appearance of the site, through the removal of the existing pre-fabricated dwelling and its replacement with a dwelling more in keeping with the character and appearance of existing neighbouring properties. The re-siting of the dwelling will also improve the appearance of the site, particularly when taken viewed in conjunction with the 2 proposed infill dwellings. The existing single storey pre-fab would appear even more out of place if these two, large, new dwellings were built alongside. By contrast, however, the three large dwellings, as proposed in this application, will provide a comprehensive redevelopment of the site and create a harmonious street scene which knits into the existing frontage. As stated above, there would also be sustainability benefits to the scheme. Furthermore, the demolition of the existing outbuilding will reduce the overall net-increase in the bulk of built development on the site. These are all considered to be important material considerations to off-set against the further criterion of policy RES.10.

Policy RES.10 states that any planning permission for such a replacement dwelling will be conditioned to require the demolition of the existing property prior to/upon occupation of the replacement dwelling and it is recommended that if Members are minded to approve this application, such a condition is applied.

Housing Land Supply

The proposal would also assist the Council to meet its housing land requirements and would ease pressure of Greenfield sites elsewhere within the Borough. National policy guidance (PPS3) states that Local Authorities should manage their housing provision to provide a five year supply. It is

acknowledged that the Council does not currently have a five year housing land supply and, accordingly, in the light of the advice contained in PPS3 it should consider favourably suitable planning applications for housing.

Furthermore, the Written Ministerial Statement: Planning for Growth (23 March 2011) by The Minister of State for Decentralisation (Mr. Greg Clark) states that *"The Government's top priority in reforming the planning system is to promote sustainable economic growth and jobs. Government's clear expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy."* It goes on to say that *"when deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Where relevant - and consistent with their statutory obligations - they should therefore, inter alia,*

- consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;*
- take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;*
- consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);*
- ensure that they do not impose unnecessary burdens on development"*

The proposal will help to maintain a flexible and responsive supply of land for housing, which is specifically identified above as a "key sector". The proposal will also create jobs and economic growth in the construction industry and all the associated supply networks. The Secretary of State for Communities and Local Government has made it clear that he will take the principles in this statement into account when determining applications that come before him for decision. In particular he will attach significant weight to the need to secure economic growth and employment.

Living conditions

The Councils adopted Supplementary Planning Document relating to development on backland and garden sites states that minimum distances of 21m and 13m should be maintained between two principal elevations and a principal and flank elevation respectively. There is no minimum separation distance between 2 flank elevations.

A distance considerably in excess of 21m will be maintained between the proposed dwellings and the properties on the opposite side of Crewe Road. The property at no 194 Crewe Road, has a single storey extension / annex adjacent to the application site, with principal windows at ground floor level facing towards the proposed dwellings. The property on plot 3, which will be closest to no. 194, also has a principal window at ground floor level, as well as a WC window. A further bathroom window is proposed in the gable at first floor level. It is considered that an appropriate boundary treatment will prevent any overlooking at ground floor level whilst an obscured glazing condition could be applied to the first floor bathroom window. This would avoid any loss of privacy to no.194. A distance of over 134m would be maintained between the two elevations which would avoid any overshadowing of either the existing or proposed dwelling.

Similarly the dwelling at no. 204 Crewe Road, also has side windows facing towards the site. The proposed dwelling on plot one has principal windows at ground floor level facing towards no. 204, but

any overlooking could be prevented through the use of boundary treatment. At first floor level one landing window is proposed which could be fitted with obscure glazing. A distance of approximately 10m will be maintained between the two dwellings. Whilst this is below the recommended 13m, this measurement is taken at the closest point, which is between the gable elevation of no.204 and the gable of a 1½ storey projecting garage element to the side of the proposed plot 1. Given that a distance of approximately 18m will be achieved to the two storey element of the proposed dwelling, this reduction is considered to be acceptable.

The proposed dwelling on plot 1 includes an open sided covered balcony to the rear. In it's current form this is considered to be un-neighbourly, as it will create both actual and perceived overlooking of the neighbouring dwellings. However, it is considered that if the balcony were to have solid sides, this could be reduced to an acceptable level. This could be secured by conditions.

The proposed dwellings will project slightly beyond both the front and rear building lines of the neighbouring dwellings. However, given the separation distance between them there will be no infringement of the 45 degree rule when measured from the nearest windows in the front or rear elevations of either no. 204 or no. 194. The proposal also provides for an adequate standard of amenity for future occupiers. There will be no overlooking between plots and substantial domestic curtilages, considerably in excess of minimum standards will be provided for each property.

Subject to the conditions as set out above the proposal is considered to be acceptable in terms of amenity and in compliance with Policy BE1 of the adopted Local Plan.

Design and Layout

The layout of the site is considered to be acceptable as it continues the pattern of existing ribbon development of large dwellings set within substantial gardens. The plot spacing is similar to that of the existing dwellings to either side and the established building line on this part of Crewe Road, which is set back significantly from the highway has been maintained.

The proposed dwellings would be 2 storeys with overall ridge heights of 11.11m, 11.09m and 11.06m. Whilst this is slightly higher than the neighbouring dwellings of 204 and 194 Crewe Road, which have ridge heights of 11.08m and 10.88m respectively, it is not considered that they will appear out of place or overly prominent within the street scene, particularly given the ample spacing between the dwellings. The overall scale and massing of the proposed dwellings is also similar to the substantial properties found to either side of the site and elsewhere in the ribbon of development along both sides of Crewe Road.

The surrounding development on Crewe Road, comprises pre-dominantly large Victorian and 1930's detached and semi-detached dwellings. The palette of materials is mainly red brick, render, small clay tiles and natural slate. This has been reflected in the proposed dwellings which will be finished in red brick and natural slate with a buff brick string course. The steeply sloping traditional pitched roofs and bay windows to the front elevations are also typical of the surrounding development. The proportions of the fenestration are also typical of dwellings from the late 19th and early 20th century period. It is therefore considered that the proposals will fit comfortably into the existing street scene. A slightly more contemporary approach has been applied to the rear elevations which are not visible from the public domain, with larger areas of glazing. This allows the occupants to maximize the views over the open countryside to the rear but is also desirable from a sustainability point of view as it maximizes solar gain from the south facing rear elevations.

Overall, this approach is considered to be acceptable and in accordance with Policy BE.2 (Design) of the adopted Local Plan.

Highways and Access

The proposal involves using the existing single point of access in order to serve the 3 proposed dwellings via a private drive. Such shared access arrangements are generally considered to be acceptable for small developments such as this. Minimising the number of points of access is beneficial to highway safety and it is not considered that the proposal for two additional dwellings would raise any significant concerns in respect of traffic generation. Adequate parking and turning space for the occupant's vehicles would be provided within the site and therefore the proposal would not result in any additional on-road parking which would be to the inconvenience of other residents or the detriment of highway safety.

Local residents have expressed concern about traffic generation and visibility from the proposed access. However, in the absence of any objection from the Strategic Highways Manager it is not considered that a refusal on highway safety / traffic generation grounds could be sustained.

The site is sustainably located on the edge of the settlement of Haslington which, as one of the larger villages in the Borough, benefits from a number of local shops, services and facilities and is located on a main bus route between the principal towns of Crewe and Sandbach. The bus route gives a direct connection to national rail services at Crewe Station.

Ecology

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places:

- in the interests of public health and public safety,
- for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment

and provided that there is:

- no satisfactory alternative
- no detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK implements the Directive in the Conservation of Habitats & Species Regulations 2010 which contain two layers of protection:

- a requirement on Local Planning Authorities ("LPAs") to have regard to the Directive's requirements above, and
- a licensing system administered by Natural England.

Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements. *“This may potentially justify a refusal of planning permission.”*

PPS9 (2005) advises LPAs to ensure that appropriate weight is attached to protected species *“Where granting planning permission would result in significant harm [LPAs] will need to be satisfied that the development cannot reasonably be located on any alternative site that would result in less or no harm. In the absence of such alternatives [LPAs] should ensure that, before planning permission is granted, adequate mitigation measures are put in place. Where ... significant harm ... cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused.”*

PPS9 encourages the use of planning conditions or obligations where appropriate and again advises [LPAs] to *“refuse permission where harm to the species or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm.”*

The converse of this advice is that if issues of detriment to the species, satisfactory alternatives and public interest seem likely to be satisfied, no impediment to planning permission arises under the Directive and Regulations.

In this case the application is supported by an ecological assessment, which has been examined by the Council's Ecologist who has found it to be acceptable.

He has commented that he is satisfied that the habitats affected by this development, including the pond within the site, are not reasonably likely to support roosting bats or great crested newts. No evidence of any other protected or priority species was recorded during the assessment and with the exception of breeding birds as discussed below, he advises that there are unlikely to be any significant ecological issues associated with the proposed development.

If planning consent is granted he recommends the conditions to safeguard breeding birds and to ensure some additional provision is made for breeding birds and roosting bats in accordance with PPS9.

Contamination

The Council's Environmental Health officer has commented that the application is for a new residential property which is a sensitive end use and could be affected by any contamination present. The applicant submitted a Phase I preliminary risk assessment with their application which recommends Phase II site investigation works be undertaken. Therefore, conditions are recommended requiring that, a Phase II ground investigation be undertaken and any necessary mitigation be identified and carried out. Subject to compliance with these conditions, it is considered that the proposal will accord with the relevant development plan policies in respect of contaminated land.

Trees and Landscape

The site comprises former residential curtilage and extensive landscaped gardens. There are a number of trees around the periphery of the site. Several trees on and adjoining the site are protected by the Crewe and Nantwich (Winterley) TPO 1977

By utilising the existing access to serve all three dwellings the need for removal of protected trees on the site frontage in order to provide multiple access points and associated visibility splays has been avoided. The Landscape Officer has reviewed the application and commented that subject to tree protection measures, she does not foresee any tree issues with plots 1 & 2. However, plot 3 raises some concerns. The access and driveway pass under the crown spread and within the root protection area of Sycamore T2 of the TPO and a further Sycamore on the western boundary.

The trunk of the protected tree divides at a low point and a major section of the tree extends a considerable distance over the application site with limbs at a low level. The Landscape Officer has concerns that it would be necessary to remove a major section of the tree in order to accommodate the access, to the detriment of the health and amenity value of the tree. The tree is afforded a Grade B in the tree survey.

The access would also pass very close to a further early mature Sycamore tree further back on this boundary. The tree is afforded a Grade A in the tree survey. It is likely that the tree could dominate the dwelling and as an early mature specimen, its future growth potential needs to be considered. Whilst no dig construction is proposed for the access and in principle could be used, because this involves increasing levels by more than 200mm, in the case of the protected tree this exacerbates the problem associated with limited clearance under its crown spread.

It is therefore suggested that the layout needs to be amended to address these issues. The applicant's agent has been made aware of this and amended plans were awaited at the time of report preparation. A further update on this matter will be provided for Members at committee. If the tree issues are resolved through the submission of amended plans conditions will be required to secure a revised tree protection plan to reflect requested layout amendments and an Arboricultural Method Statement.

To turn to proposed landscaping, in relation to the submitted layout, the landscape layout plan is acceptable in principle. However, the level of detail is insufficient and further details of planting proposals and boundary treatment design will be required. These can also be secured by condition.

Other Matters

Local residents have drawn attention to the previously refused applications on the site. The first application in 1987 for two dwellings on the site (7/14231) was refused on the grounds that the site was not allocated for residential development and therefore existing use of the site should remain. Also the site was primarily in the open countryside and the proposal would be contrary to the policies in the Structure Plan. Visibility from the site was also considered to be sub-standard and the proposal would not be in the interest of the free flow of traffic and highway safety. Further applications for single dwellings in 1991 and 1995 (P91/0157 and P95/0190) respectively were also refused on the grounds that without an agricultural justification the proposed development would be an unwarranted intrusion into the open countryside. However, these applications were determined under the structure plan and previous draft local plan which did not contain an infill policy for sites in the open countryside. Furthermore, at that time the lawfulness of the existing dwelling still had not been established. The lawful development certificate was issued in June 1999.

With regard to the highway safety reason for refusal relating to the 1987 application, this was issued, prior to the construction of the Haslington bypass and traffic calming / speed restrictions being introduced through the village. It is also unclear as to whether the access as it stands on site today, which is a well formed domestic access, had been constructed at that point. It should also be noted that

the planning permission for the re-erection of the listed building also demonstrated that the access was suitable to serve a single dwelling. Notwithstanding these points, in the absence of any objection from the Strategic Highways Manager, it is not considered that a refusal on highways grounds could be sustained.

9. CONCLUSIONS

The site is located within the Open Countryside, as defined in the Replacement Local Plan, where according to Policy NE.2 of the local plan there is a general presumption against new residential development, although an exception may be made where there is the opportunity for the infilling of a small gap with one or two dwellings in an otherwise built up frontage.

The current proposal is for the erection of three dwellings. However, an exception to the general policy of restraint in the Open Countryside can also be made for replacement dwellings. Therefore, given that there is an existing house on site, this proposal can legitimately be considered as comprising two elements. The replacement of the existing dwelling and the erection of 2 dwellings in a small gap, of approximately 45m, in an otherwise built up frontage alongside. This part of Crewe Road is characterised by ribbon development, with a strong building line, which is shared by both no 194 which bounds the site to the west and no. 204 which adjoins it to the east. It is therefore considered that the site sits within a built up frontage. Whilst there is no definition within the Local Plan of what constitutes a “small” gap, Appeal precedents can be found to support the principle that gaps of up to 60m can meet the policy requirement provided that the development would be similar in terms of both general spacing and building line to the existing dwellings, which would be the case with this application. It is therefore considered that the two “infill” dwellings are acceptable in principle.

With regard to the proposed “replacement”, the scheme complies with all the requirements of Policy RES.10, which deals with the replacement of existing dwellings with the exception of criterion 4 which states that the replacement dwelling must not be materially larger than the dwelling it replaces. However, there would be a number of visual and sustainability benefits that are sufficient material considerations to outweigh this about the increase in the bulk of built development, which, notwithstanding this point, would be partly off-set by the demolition of an existing outbuilding.

The proposal is acceptable in terms of design and layout, impact on highway safety, living conditions, ecology, and contaminated land and complies with the relevant local plan policies in this regard. Whilst there are concerns in respect of the impact of the proposed access to plot 3 on the protected trees to the front of the site, it is considered that this can be adequately addressed through the submission of amended plans.

Therefore, for the reasons stated above and having due regard to the relevant local plan policies, and all other material considerations raised, the proposal is recommended for approval subject to the receipt of amended plans and appropriate conditions.

10. RECOMMENDATION

APPROVE subject to receipt of amended plans and the following conditions:

- 1. Standard**
- 2. Plans**
- 3. Materials**

4. Revised tree protection plan to reflect requested layout amendments
5. Arboricultural Method statement
6. Detailed landscape scheme
7. Implementation of landscaping scheme
8. Boundary treatment
9. Prior to undertaking any works between 1st March and 31st August in any year, a detailed survey to check for nesting birds to be submitted and approved.
10. Submission approval and implementation of detailed proposals for the incorporation of features into the scheme suitable for use by breeding birds and bats
11. Obscured glazing to first floor bathroom window in west elevation of Plot 3
12. Obscured glazing to first floor landing window in east elevation of Plot 1
13. Balcony of plot 1 to have solid sides
14. Removal of PD Rights
15. Demolition of the existing property prior to/upon occupation of the dwelling on Plot 1.
16. Demolition of Existing Outbuilding
17. Construction hours limited to

Monday – Friday	08.00hrs	18.00hrs
Saturday	08.00hrs	14.00hrs
With no Sunday or Bank Holiday working		
18. Foundation piling on site restricted to:

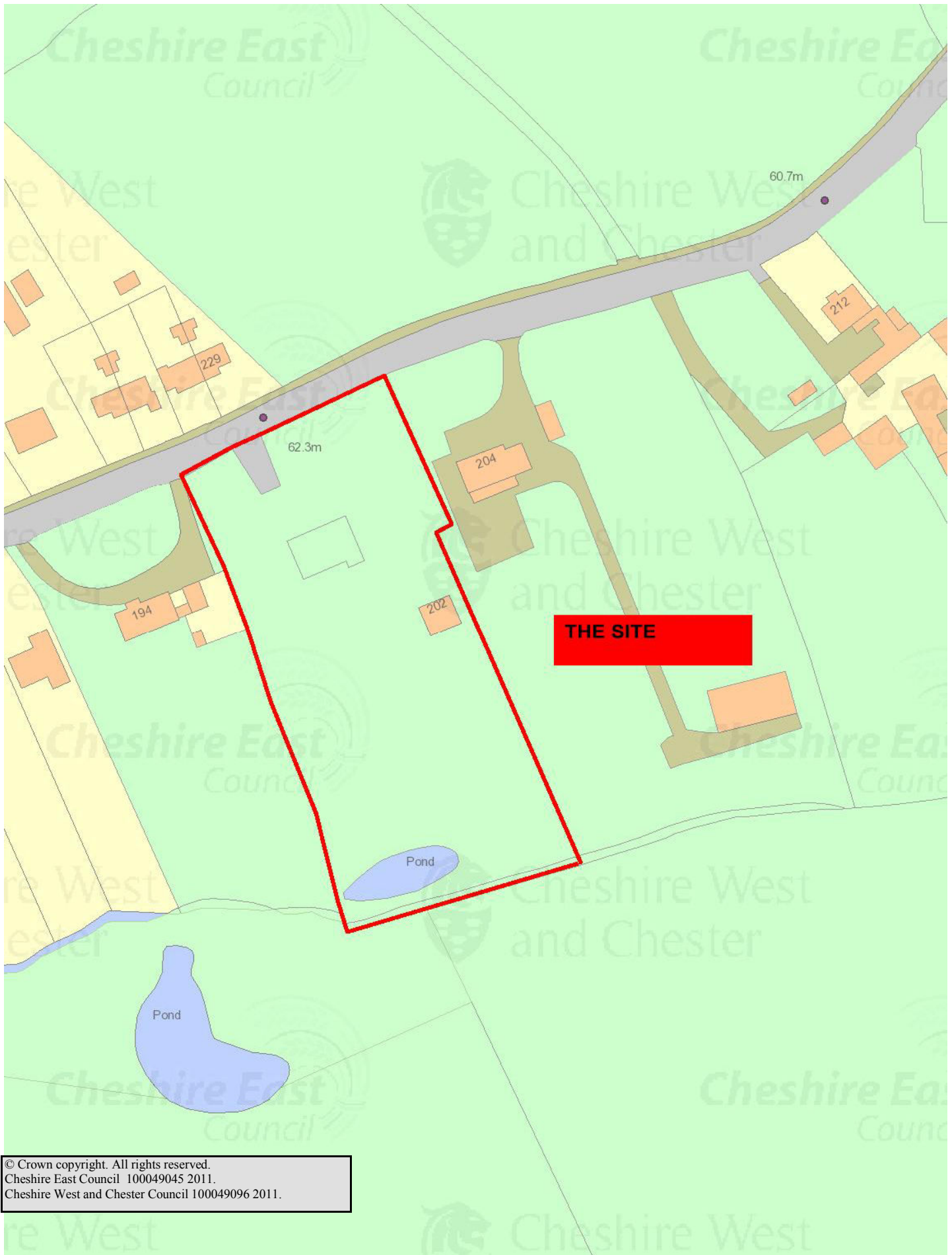
Monday – Friday	08:30hrs – 17:30hrs
Saturday	08:30hrs – 13:00hrs
Sunday	Nil
19. Contaminated land investigation / remediation
20. Scheme for the disposal of foul drainage
21. Submission, approval and implementation of bin storage.

OR

If amended plans not received REFUSE for the following reason:

1. In the opinion of the Local Planning Authority the proposed access to the dwelling on Plot 3 could not be accommodated without the unacceptable pruning of and threat to the trees within the site, which are the subject of the Crewe and Nantwich (Winterley) TPO 1977, the loss of which would be detrimental to the visual amenity of the area. The proposal is therefore contrary to Policy NE.5 (Nature Conservation and Habitats) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

Location Plan



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Application No: 11/3867N

Location: Land to Rear of 157 Crewe Road, accessed via Gutterscroft, Haslington CW1 5RJ

Proposal: Construction of 11 Three Storey Dwellings

Applicant: Lothlorian Ltd

Expiry Date: 19-Jan-2012

SUMMARY RECOMMENDATION

Approve with Conditions

MAIN ISSUES

Principle of Development

Design

Amenity

Highways

Ecology

1. REASON FOR REFERRAL

The application is referred to the Southern Planning Committee as the proposal is for residential development of over 10 dwellings.

2. DESCRIPTION OF SITE AND CONTEXT

The application site comprises a backland site to the rear of properties 153 and 157 Crewe Road, Haslington. This is accessed via a relatively unmade public right of way known as Gutterscroft which bounds the site to the south. A public footpath (Haslington PF45) also forms the western boundary leading from Gutterscroft to 'the Dingle'. Surrounding land uses are predominantly residential, with access to local amenities within Haslington. Properties within the locality are of varying types, design and age. To the north of the site is United Reformed Church which is locally listed.

3. DETAILS OF PROPOSAL

This is a full planning application for the provision of 11 dwellings with domestic garage accommodation. A pair of semi-detached dwellings would occupy the Crewe Road frontage close to the junction with the Dingle and vehicular access would be gained from within the site via Gutterscroft. 4No dwellings would provide a frontage to Gutterscroft with 5No dwellings forming a cul-de-sac within the site.

4. RELEVANT HISTORY

P02/1298 Demolition of Dwelling and Erection of Nine Dwellings (Refused June 2003) Refused due to the proposed site access from Crewe Road being too close to the junction of Guttercroft and substandard levels of visibility.

P03/0049 Outline Application for 43 Dwellings (Refused March 2004) Refused due to the following reasons: failure to secure affordable housing provision. Development allowed at Appeal (APP/K0615/A/04/1147933) 15th December 2004.

P06/0498 Land off Crewe Road / Guttercroft Haslington Crewe 17 Houses and 6 Apartments (Refused July 2006) Refused due to the following reasons: failure to secure affordable housing provision; failure to provide public open space; and design issues.
Appeal submitted and withdrawn.

P07/1103 Demolition of the Existing Buildings and Construction of 44 Dwellings and Associated Works (Approved with conditions January 2008).

P07/1693 Reserved Matters Application for the Demolition of Existing Buildings and Construction of 44 Dwellings and Associated Works (Duplicate Application) (Withdrawn).

5. POLICIES

Regional Spatial Strategy (NW)

Policy DP7 Promote Environmental Quality
L4 Regional Housing Provision

Borough of Crewe and Nantwich Replacement Local Plan 2011

RES4 (Housing in Villages with Settlement Boundaries)
NE5 (Nature Conservation and Habitats)
NE9 (Protected Species)
BE1 (Amenity)
BE2 (Design Standards)
BE3 (Accessing and Parking)
BE4 (Drainage, Utilities and Resources)
BE5 (Infrastructure)
TRAN9 (Car Parking Standards)

Other Material Considerations

Supplementary Planning Document 'Development on Backland and Gardens'
Cheshire East – Interim Planning Statement on Affordable Housing (2011)
PPS1 Delivering Sustainable Development
PPS3 Housing
PPS9 Biodiversity and Geological Conservation
PPG13 Transport

6. CONSULTATIONS (External to Planning)

Highways

The Strategic Highways Manager has requested additional plans to include a turning head within the site which could include the removal of the footpath on the left hand side of Meadow Bank; and the provision of an area for refuse collection at the boundary of each property. Reference is also made to the adoption of a section of Gutterscroft from Crewe Road to unit 1A and also a section of Meadow Bank.

Environmental Health:

Environmental Health have raised no objection to the application but request the following conditions:

(i) Restriction of hours of construction –

Monday – Friday 08:00 to 18:00 hrs

Saturday 09:00 to 14:00 hrs

Sundays and Public Holidays Nil

(ii) if pile driving is required, restriction of hours to –

Monday – Friday 08:30 – 17:30 hrs

Saturday 08:30 – 13:00 hrs

Sunday and Public Holidays Nil

(iii) Prior to its installation details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

(iv) Land contamination surveys prior to commencement of development

Ecology:

The Council's ecologist has assessed the application and does not anticipate there being any significant protected species issues associated with the development. The development does however have potential to support breeding birds and any impacts would be in the local context. In order to ensure the nature conservation interests of breeding birds the following conditions are necessary:

(i) Prior to undertaking any works between 1st March and 31st August in any year, a detailed survey is required to check for nesting birds. Where nests are found in any building, hedgerow, tree or scrub to be removed (or converted or demolished in the case of buildings), a 4m exclusion zone to be left around the nest until breeding is complete. Completion of nesting should be confirmed by a suitably qualified person and a report submitted to the Council.

Reason: To safeguard protected species in accordance with PPS9.

(ii) Prior to the commencement of development the applicant to submit detailed proposals for the incorporation of features into the scheme suitable for use by breeding birds including house sparrows and swifts. Such proposals to be agreed by the LPA. The proposals shall be permanently installed in accordance with approved details.

Reason: To secure an enhancement for biodiversity in accordance with PPS9.

7. VIEWS OF HASLINGTON PARISH COUNCIL

Object to the proposal.

In summary the objection relates to the following issues:

- The loss of green space within the village
- Removal of affordable homes from the previously agreed development
- The PC would like to see more specific detail on the proposed wider road and what it is capable of serving
- The previous developer agreed to resurface the road up to the Guttercroft Community Centre and resurface the car park – this would benefit the local community and minimise congestion with the development by users of the centre
- The 3 storey houses are out of character with nearby property
- Need to ensure the telephone box is retained at junction of Crewe Road / The Dingle
- The PC request that the Southern Planning Committee Members visit the site to assess the impact of the 3 storey structures on neighbouring properties, to consider whether the designs are in-keeping with existing properties, and that the proposed changes to Guttercroft Road are acceptable
- If the application is approved the PC request conditions to ensure the roads are provided prior to the development of the houses to minimise danger to residents and users of the busy community centre and Crewe Road.

8. OTHER REPRESENTATIONS

Neighbour objections have been received from 21 Batterbee Court, Ferndale House & Dove Cottage Guttercroft, 9 & 3 The Dingle; and a general observation from the United Reformed Church. In summary the issues raised relate to the following:

- Height of the development will restrict morning sunlight to 21 Batterbee Court and the noise factor will impact upon the quality of life and value of the property. The loss of 2 large trees and the height of the land compared to the back garden is also a concern
- 3 storey dwellings are out of character with the area – there are none in the village
- Height of the houses will be intrusive to residents
- The size of the dwellings will overlook the rear living room of 9 The Dingle, leading to a significant reduction in privacy and devalue the property
- The plot should contain bungalows or two storey house
- The application is not specific about the width of the road
- Guttercroft is unadopted, busy and unable to take heavy traffic i.e. construction traffic and refuse collection
- The whole of Guttercroft should be adopted
- Only part of the road being adopted would result in a safety hazard for both pedestrians and car users alike
- Only part of the road will be adopted and this will put extra traffic on the unadopted area of Guttercroft and incur extra costs to original residents
- There should be a double track access at the junction from Crewe Road to Guttercroft
- The footpath should be full length and not a partial footpath
- Amount of parking provision seems to be inadequate for the amount of new traffic on the proposed site and would mean further difficulties for the original residents

- Tree removal and loss of habitat in the hedgerows is a concern – the hedgerows should be retained. They are home to many type of bird as well as hedgehogs. The hedgerow is also a considerable sound buffer and will screen the development.
- Wildlife needs further consideration
- It is not a nursery at the end of the lane it is a community centre

Summary of comments from United Reformed Church:

- Maintenance of the church wall which borders the site – request a 1 metre gap between the wall and any fence to be erected.
- The ground level in the development area is lower than the churchyard, therefore any excavations close to the boundary wall will have the potential to undermine and damage it. It is requested that the developer takes great care not to damage the wall whilst working close to it.
- Retention of trees is requested particularly the holly tree growing close to the boundary wall which has considerable amenity value to the churchyard

9. OFFICER APPRAISAL

Principle of Development

The principle of residential development has previously been accepted on this site under application reference P03/0049. The site is situated within the Haslington Settlement Boundary where the key issues in the determination of this application is whether or not the proposal accords with Local Plan policies NE9 (Protected Species), NE5 (Nature Conservation and Habitats), BE1 (Amenity), BE2 (Design Standards), BE3 (Accessing and Parking), BE4 (Drainage, Utilities and Resources), BE5 (Infrastructure) and TRAN9 (Car Parking Standards)

Design

The surrounding area is comprised of a mix of housing types and styles, ranging from traditional cottages, large detached dwellings, dormer bungalows, and more modern houses. The application proposes 11No three storey dwellings with the second floor accommodation being in the roofspace. Typically the dwellings would be 5.6 metres in height to eaves level and 9.4 metres to ridge height. As there is no set roofline, height or dwelling type within the locality, the 3 storey dwellings are considered to be acceptable in this location. The proposed dwellings would be predominantly brick, some of which would be half rendered, and would have feature heads and cills. The dwellings and associated garages would be comprised of a mix of 5No styles which would add to the visual interest and variety when viewed in the context of the Gutterscroft streetscene. Whilst the proposed dwellings would have a distinct appearance, the site is a backland plot and it is not considered that the design proposals would be at significant odds with the surrounding pattern and form of development. The dwellings proposed along Crewe Road / Foxes Corner are more simpler in appearance and would sit comfortably with adjacent properties within the streetscene.

Some minor design amendments were requested for the more prominent units such as 10E (Foxes Corner) and 4A (junction of Gutterscroft and Meadow Bank) to introduce more visual interest to the side elevations. The revised plans are considered to be acceptable in design terms.

The layout of the development provides an active frontage to Gutterscroft, an infill plot along Crewe Road / Foxes Corner, and an internal cul-de-sac layout called 'Meadow Bank'. The public footpath (Haslington PF45) is to the west of the site and would share the boundary with the rear gardens of plots 1A, 5A, 6C, 7A and 8A. The boundary is defined by a well established hedgerow which is an attractive feature along the length of the footpath. This would provide soft screening and privacy for the development and it is considered that its retention should be secured by condition. A landscaping and hard surfacing scheme would also be required in the interests of the appearance of the development in the locality.

Having regard to the above and the imposition of relevant conditions ie retention of hedgerow, landscaping scheme and hard surfacing details, the proposal would be acceptable in design terms and would have an acceptable impact on the character and appearance of the area. The proposed development would accord with Local Plan policy BE2 (Design).

Amenity

A key consideration in the determination of the application is the impact of the proposed development on neighbouring residential amenity. Firstly with regard to plots 8A and 9D these would be situated to the north of the site at the head of the proposed Meadow Bank. These properties would back onto the rear blank elevation boundary of the United Reformed Church and would have a rear garden depth of between 9 and 10 metres. In this respect there would be no amenity impacts for the existing church or future occupiers of the dwellings.

In terms of plots 10E and 11E these properties would front Crewe Road and would be sited adjacent to number 157 Crewe Road. Whilst there are a number of windows to the side elevation of 157 these do not appear to be principal windows. There is currently an existing two storey building adjacent to 157 and given the orientation of the properties and the fact that there would be no principal windows proposed to the side elevation of plot 11E it is not considered that there would be any significant amenity impacts on this property. Property number 150 Crewe Road would be around 24 metres from plots 10 and 11E on the opposite side of the road which is a sufficient separation distance to avoid any significant amenity impacts associated with overlooking or loss of privacy. This separation distance is in excess of the standards provided in the Supplementary Planning Document 'Development on Backland and Gardens'. Property number 2 The Dingle is situated on the opposite side of the road from plot number 10E at a distance of over 20 metres. Whilst there are a number of windows to the side elevation of plot 10E, some of which would serve habitable rooms, given the separation distance and the road in-between it is not considered that this would in any adverse impacts on the amenity of number 2 The Dingle.

Turning to plots 5C, 6C and 7A these would back onto the boundary with the public footpath (Haslington PF45) and would have no direct relationship with any neighbouring properties to result in any adverse impacts associated with overlooking, loss of privacy, or loss of sunlight.

Plots 1A, 2B, 3C and 4A would front Gutterscroft and would be set back from the edge of the carriageway by 4-6 metres. On the opposite (south) side of Gutterscroft is a vacant parcel of land, with residential properties along Batterbee Court situated further beyond. Again these properties would not be sited directly opposite each other and given the separation distances and the forms of development in-between, it is not considered that there would be any significant amenity impacts on these nearby residences.

Whilst neighbour objections in relation to the height of the proposals and subsequent issues of overlooking or loss privacy to neighbouring properties 21 Batterbee Court, 3 & 9 The Dingle are noted; the report has explained that due to the position of the proposed dwellings there is no direct relationship with the aforementioned properties to result in any significant amenity impacts by reason of overlooking, loss of privacy or loss of sunlight. In particular number 21 Batterbee Court is situated offset to the southwest of the site at a distance of over 21 metres with Gutterscroft and a parcel of land situated in-between. Number 9 The Dingle is sited to the northwest of the site beyond the public footpath (Haslington PF45) with no proposed dwellings facing this property. In terms of number 3 The Dingle there are no directly facing properties within the proposal as these would back onto the rear of the United Reformed Church.

Noise impacts during construction would be controlled via a condition to restrict the hours of work and any associated pile driving activities.

With regard to the proposed dwellings, the SPD for Development on Backland and Gardens identifies that all new dwellings should have a minimum of 50sqm of private amenity space. The proposed scheme would have sufficient private amenity space to meet the above requirements.

Having regard to the above the proposed development would not be detrimental to the residential amenity afforded to surrounding properties by reason of overlooking, loss of privacy or loss of sunlight. The proposal would accord with the respective provisions of Local Plan policy BE1 (Amenity).

Affordable Housing

Concern has been raised about the lack of affordable housing provision as part of this proposed development. In relation to this issue the Interim Planning Statement on Affordable Housing states that within settlements with a population of 3,000 or more the threshold above which affordable housing should be sought is 15 dwellings or more. In this case Haslington has a population of 6,410 and as a result this development would not meet the threshold for affordable housing.

It is accepted that in this case the application site did form part of a larger site which benefitted from an approval under outline and reserved matters applications P03/0039 and P07/1103. These applications included land on the northern and southern sides of Gutterscroft and the approval related to the construction of 44 dwellings. These decisions have now expired and there is no planning consent for residential development on either parcel of land.

As the parcels of land are now in separate ownership and there is no extant planning permission, it is not considered to be reasonable to request affordable housing as part of this application when the development does not meet the threshold contained within the Interim Planning Statement on Affordable Housing.

Highways

The proposed development would be accessed off Crewe Road via Gutterscroft which is currently an unadopted right of way. Neighbour objections relating to the increased use of the road are acknowledged however the Strategic Highways Manager has raised no objections to the

application, subject to minor design amendments which include the provision of a turning head within the site. This detail would be conditioned accordingly.

The proposal would provide 200% parking provision with additional space within the site layout to accommodate parking for visitors. As such there would be no significant pressure for on-street parking along Gutterscroft or in the surrounding highway network. There is no detail within the application regarding the widening of Gutterscroft, however this has previously been conditioned in the past approval, and would be conditioned accordingly in the current application. A condition is also recommended for refuse areas to be provided at each property to assist with refuse collection.

In the previous application P03/0049 Gutterscroft was the main access for a wider site of 44 dwellings. In the absence of an objection from the Strategic Highways Manager the application is considered to be acceptable in highways terms, subject to the conditions referred to above i.e. details of the turning head, improvement details, and areas for refuse collection. In this regard the proposal would accord with the provisions of Local Plan policies BE3 (Access and Parking) and TRAN9 (Car Parking Standards).

Ecology

The application site has the potential to support breeding birds including widespread BAP priority species. The proposed development however would not have a significant impact upon breeding birds other than in the local context. In order to ensure the protection of breeding birds during the development, detailed surveys will be required prior to any works being undertaken between 1st March and 31st August. A condition would also be attached to secure an enhancement scheme for breeding birds within the development. Subject to the above conditions it is considered that the proposal would be acceptable having regard to nature conservation interests and the provisions of Local Plan policies NE5 (Nature Conservation and Habitats) and NE9 (Protected Species).

Other Matters

Gutterscroft

Haslington Parish Council have requested a condition for the improvements of Gutterscroft to be carried out prior to site works commencing. This however is not considered to be reasonable, and would be conditioned to be improved prior to the development being brought into use.

Resurfacing of the community centre car park and the length of Gutterscroft is not directly related to the development proposed and would not be a reasonable requirement.

The Highways Authority have stated their intention to adopt a section of Gutterscroft and Meadow Bank, and whilst local residents may wish the Authority to adopt the entirety of Gutterscroft, this is not entirely related to the current application.

Loss of Green Space

The loss of green space within the village has been cited in the objection from Haslington Parish Council; however the land is not allocated as protected open space in the Borough of Crewe and Nantwich Replacement Local Plan 2011, and as such is not afforded the same level of

protection. Furthermore residential development has been permitted on the site previously; therefore the principle of development is acceptable.

Telephone Box

Retention of the telephone box is not material to this application and is a matter for the telephone service provider.

Church Boundary

Maintenance of the church wall which borders the site will be a civil matter and cannot be controlled under this application.

Excavation works in close proximity to the boundary is not a material planning matter.

11. CONCLUSIONS

it is considered that the design and layout of the proposed development would not cause any significant harm to the character and appearance of the locality, and would have an acceptable impact on the Gutterscroft streetscene. There would be no significant impacts on the residential amenity of neighbouring properties. Subject to conditions i.e. details of the turning head, Gutterscroft improvement details, and areas for refuse collection, the proposal would be acceptable in highways terms. There would be no significant adverse impacts on nature conservation interests. Subject to the imposition of relevant conditions detailed below, the proposal would be in accordance with the relevant policies of the Development Plan and is therefore recommended for approval accordingly.

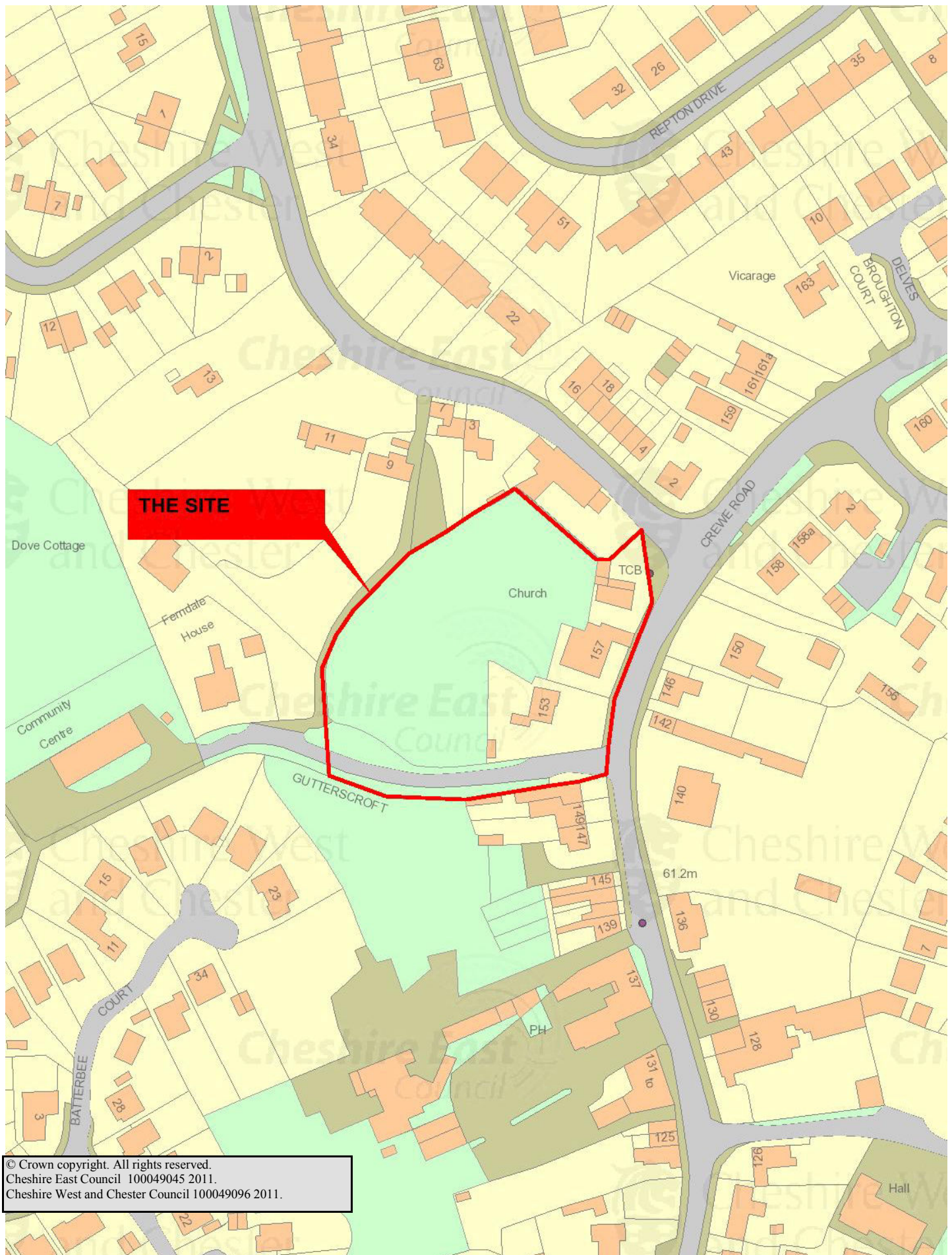
12. RECOMMENDATIONS

The application is recommended for approval, subject to the following conditions:

- 1) Commencement of Development (3 years)
- 2) Approved Plans
- 3) Materials to be submitted
- 4) Details of Surfacing materials to be submitted
- 5) Detailed Landscaping Scheme to be submitted
- 6) Landscaping Scheme Implementation and maintenance
- 7) Tree / hedgerow protection measures to be submitted and retention of hedgerow to western boundary with footpath (Haslington PF45)
- 8) Details of Boundary treatments to be submitted for approval
- 9) Parking to be made available prior to occupation
- 10) Hours of construction:
 - Monday – Friday 08:00 to 18:00 hrs
 - Saturday 09:00 to 14:00 hrs
 - Sundays and Public Holidays Nil
- 11) Hours of pile driving:
 - Monday – Friday 08:30 – 17:30 hrs
 - Saturday 08:30 – 13:00 hrs
 - Sunday and Public Holidays Nil

- 12) Phase II Contaminated Land Survey prior to commencement
- 13) Details of refuse areas for each dwelling to be submitted
- 14) Details of Gutterscroft improvements and widening to be submitted prior to commencement of development
- 15) Gutterscroft improvements to be implemented prior to occupation of development
- 16) Details of drainage to be submitted
- 17) Details of any lighting
- 18) Breeding birds surveys if any works are undertaken between 1st March and 31st August in any year,
- 19) Detailed proposals of features suitable for use by breeding birds to be submitted

Location Plan



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Application No: 11/3928C
Location: 27, HEATH ROAD, SANDBACH, CW11 2JD
Proposal: Two Storey Extension to the Side & Rear of Property
Applicant: MS C MASSEY
Expiry Date: 02-Jan-2012

SUMMARY RECOMMENDATION

Approved with conditions

MAIN ISSUES

- Impact on residential amenity
- Impact on streetscene

REASON FOR REPORT

This type of application would normally be dealt with under the Council's scheme of delegation; however it has been called into Southern Planning Committee by Cllr Sam Corcoran for the following reasons;

'It is out of keeping with the neighbourhood - the extension goes 1m beyond the building line and is 2 storey

It will block the light from 29's conservatory and will block the afternoon sun.'

DESCRIPTION OF SITE AND CONTEXT

The application site is a 2 storey detached dwelling situated on the residential Heath Road within the Settlement Zone Line for Sandbach. To the east is the attached neighbouring dwelling of number 29 Heath Road, while to the west is the detached bungalow of 25 Heath Road.

DETAILS OF PROPOSAL

The proposed development is to construct a 2 storey side and rear extension and a single storey rear extension. The side element of the proposed will be set back from the front building line of the host dwelling by 5.1 metres and project from the existing side elevation by 2.3 metres. It will have a total length of 7 metres.

The rear element of the proposal will project by 3.5 metres, with a width of 4.6 metres and a roof ridge height of 6 metres. A single storey lean-to extension will project from the rear of the proposed 2 storey rear extension by 0.8 metres

The proposed single storey extension will sit beside the proposed 2 storey element and project by 3.5 metres from the existing rear elevation; have a width of 2.2 metres and a mono pitch roof at a height of 3.5 metres.

RELEVANT HISTORY

None

POLICIES

Congleton Borough Local Plan First Review 2005 Policy

GR 1 – New Development

GR 2 – Design

GR 6 – Amenity and Health

PS.4 – Towns

VIEWS OF THE PARISH / TOWN COUNCIL

Sandbach Town Council objects to the proposed development on the following grounds:

- The proposed extension is not sympathetic to the area due to its height and scale and would have a detrimental effect on amenity of neighbouring property due to the loss of privacy, loss of natural light and visual intrusion; thus contravening policies GR2 and GR6 of the Local Plan.

OTHER REPRESENTATIONS

One letter of representation has been received from the occupiers of the neighbouring 29 Heath Road which makes the following points:

- Size of proposal not in keeping with number 29
- Potential loss of light to the conservatory of number 29

CONSIDERATIONS (External to Planning)

None

APPLICANT'S SUPPORTING INFORMATION

None received

OFFICER APPRAISAL

Principal of Development

The proposal is for a 2 storey side and rear extension and single storey rear extension to a dwelling within the Settlement Zone for Sandbach which is acceptable in principle providing that the design is appropriate and that the development does not give rise to any detrimental impact on the amenities of adjacent properties.

Amenity

The neighbouring dwelling, number 29, has a conservatory which lies adjacent to the application site. Between the conservatory and the proposed single storey rear extension is a timber boundary fence, further to this the conservatory has obscure glazing to the elevation facing the proposal. Taking account of this and the similar projection of the proposed single storey rear extension it would not have a detrimental effect upon neighbouring residential amenity. The proposed 2 storey rear extension is sited 2.4 metres away from the existing conservatory, and while it will lead to the loss of some light it is not considered that there will be a detrimental effect. A conservatory is also not considered to be a habitable room in the same way as a bedroom or kitchen.

Number 29 has a principal window to the first floor of the rear elevation lying adjacent to the application site. The projection of the 2 storey rear extension has been reduced from the original submission following concerns regarding the effect upon the amenity of the bedroom. The proposal is now within the normal parameters (the 45 degree rule) to ensure that there is no significant impact on the loss of light to that first floor window. Therefore it is considered that there will not be significantly detrimental effect upon residential amenity when viewed from this perspective.

To the west lies the neighbouring bungalow of number 25 Heath Road, this dwelling has a kitchen window in the side elevation facing the application site. The proposed side extension has been designed to begin just past this kitchen window so as not to appear overbearing. In terms of loss of light this kitchen window is already in shadow for the majority of the day, therefore it is not considered that the proposed development will lead to a significant further loss of light to this window or the room it serves. The proposed development is close to the boundary, however it is not directly opposite the kitchen window. Therefore it is considered that it will not have a significantly overbearing presence when viewed from this window.

As a result the proposed replacement pitched roof is in accordance with Policy GR.6 (Amenity and Health) of the Borough of Congleton Local Plan First Review.

Design

The proposed development is set well back from the front elevation and has a lower roof height than that of the existing dwelling allowing it to remain subordinate and not over dominate the host dwelling. It is considered to be of an appropriate size and scale when viewed in context with the existing dwelling and those in the surrounding area. It is not considered that the proposed development will have a detrimental effect upon the streetscene of Heath Road.

As a result the proposed development is in accordance with Policy GR.2 (Design) of the Borough of Congleton Local Plan First Review.

CONCLUSIONS

Overall it is considered that the proposed development will not have a significantly detrimental effect upon residential amenity.

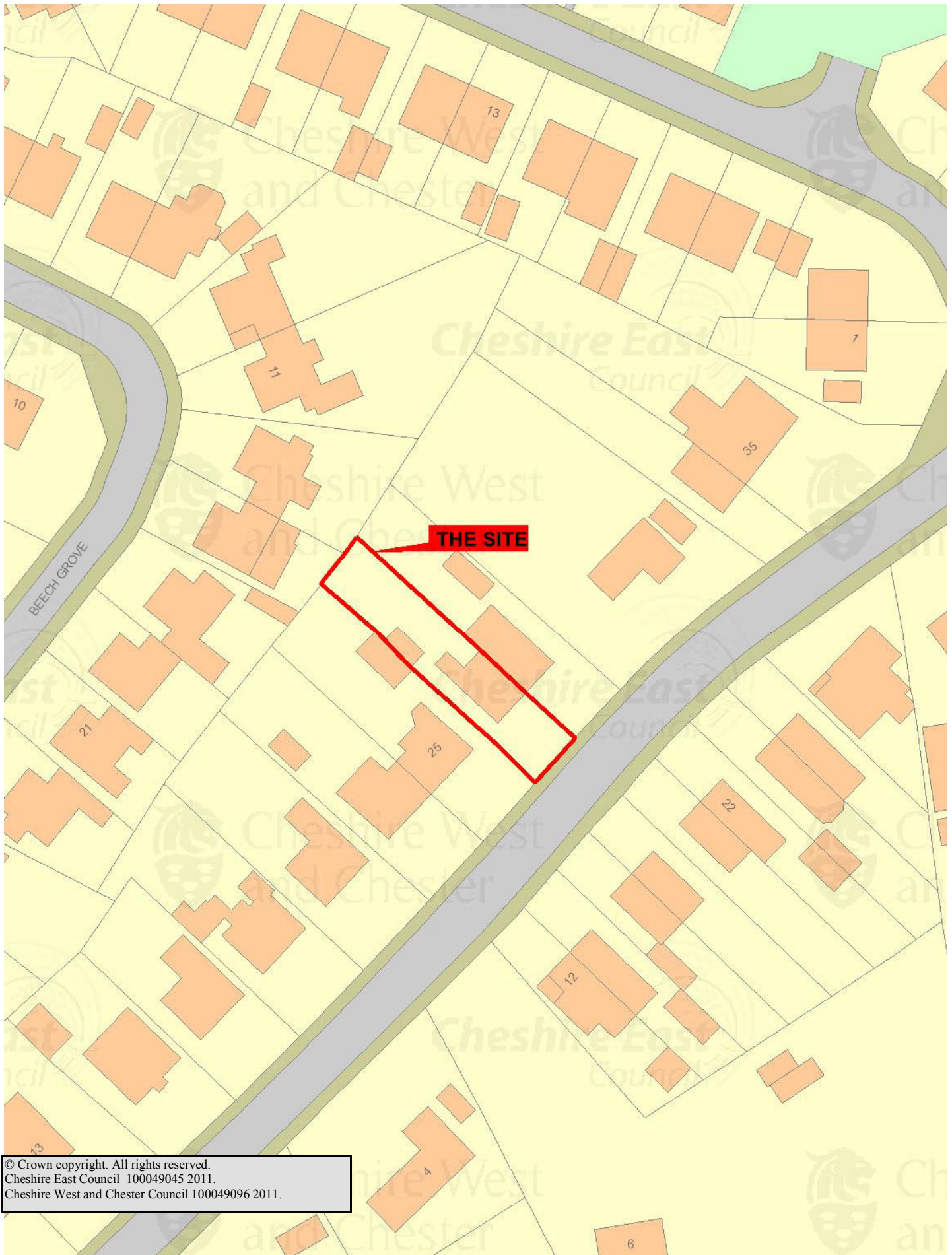
The design of the proposed development is considered to be acceptable in terms of its size, scale and location and will not have a detrimental impact upon the streetscene of Heath Road.

RECOMMENDATIONS

APPROVE subject to the following conditions:-

1. Standard time
2. Approved plans
3. Materials to match existing dwelling

Location Plan



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Application No: 11/4222N

Location: PRG ENGINEERING, LIGHTWOOD GREEN AVENUE, AUDLEM

Proposal: Proposed Extension to Existing Industrial Building and Enlargement of Rear Parking and Vehicle Turning Area

Applicant: PRG Engineering

Expiry Date: 09-Jan-2012

SUMMARY RECOMMENDATION

Approve with conditions

MAIN ISSUES

- Principle of Development
- Impact on Character and Appearance of Streetscene and Open Countryside
- Impact on the Amenity of Neighbouring properties
- Impact on Highway Safety

REASON FOR REFERRAL

This application was to be dealt with under the Council's scheme of delegation. However, the application has been called in by Cllr Rachel Bailey to ensure that Highways benefits are acceptable and to consider the impact of the loss of open countryside and the impact on the amenity of the neighbouring bungalow.

DESCRIPTION OF SITE AND CONTEXT

The application site is an industrial unit which is located within the Open Countryside as defined by the Local Plan Proposals Map. The building is an L shaped structure of part brick and part metal cladded construction with a height of approximately 7m to ridge. Vehicular access is off Lightwood Green Avenue with an existing parking, turning and external storage area to the rear. The application property is an isolated industrial premises located on an otherwise residential cul de sac.

DETAILS OF PROPOSAL

This application proposes the construction of an extension to the existing building which would be sited to the rear of the existing building. The extension would be 11.5m in width, 19.2m in length, 5m to eaves and 6.2m to ridge. The extension would be constructed from

part blockwork and part plastic coated steel cladding. The extension would be in General Industrial (B2) use.

The scheme also includes the change of use of paddock land to the rear of the property to allow additional land for HGV turning and parking. The scheme includes an extension of the curtilage into the paddock at a depth of between 8m and 14m at a length of 64m.

In addition to the above, proposals include the widening of the existing point of access by 2m.

RELEVANT HISTORY

P05/0437 – Planning permission approved for Single Storey Extension To Workshop on 24th May 2005.

P99/0962 – Planning permission approved for Extension on 30th March 2000.

P96/0952 – Planning permission approved for Workshop extension on 29th May 1997.

P94/0881 – Positive certificate issued for Certificate of proposed lawful use for general industrial purpose for the manufacture of agricultural and vehicle transportation trailers on 9th March 1995.

7/11498 – Planning permission approved for New spray shop for wood treatment on 18th October 1984.

POLICIES

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)
- E.6 (Employment Development with Open Countryside)
- TRAN.9 (Car Parking Standards)

Other Considerations

PPS1 – Delivering Sustainable Development

PPS7 – Sustainable Development in Rural Areas

Draft National Planning Policy Framework (2011)

CONSULTATIONS (External to Planning)

Environmental Health – No objection subject to conditions

Strategic Highways Manager – No comments received at the time of writing report

VIEWS OF THE PARISH COUNCIL

Would like to raise concerns about access. Currently HGV's trying to enter/exit the site. Suggest a site meeting and a condition put into any approval to ensure that the applicant widens the access.

OTHER REPRESENTATIONS

None received at time of writing report

APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement

OFFICER APPRAISAL

Principle of development

This application site is located within the Open Countryside. Policy NE.2 of the Local Plan only allows for appropriate development in such locations. However, Policy E.6, which relates to employment development in the Open Countryside states that employment development will be restricted to appropriate small industries and developments which are within or adjacent to existing employment areas.

The proposed development is of a relatively modest scale, in relation to the existing development on the site, and would be sited within/adjacent to an existing employment site. Therefore the proposed development is considered to be acceptable in principle. The main considerations therefore, are whether the proposed development is of acceptable design as to not cause any harm to the character and appearance of the open countryside/streetscene, and whether the proposals would result in any demonstrable harm on the amenities of nearby residential properties or highway safety issues.

Emerging Policy contained within The Draft National Planning Policy Framework states that a positive approach should be adopted towards economic growth within rural areas, through supporting the sustainable growth of rural businesses.

Impact on the character and appearance of the streetscene and Open Countryside

The proposals would include the construction of an extension to the rear of the existing building. The extension would be 11.5m in width, 19.2m in length, 5m to eaves and 6.2m to ridge. Its height would be the same as the adjacent building. As the proposed development would be sited to the rear of the property views would be limited, however there would be minor glimpses of the proposed development from Lightwood Green Avenue. Notwithstanding this, it would be seen in the context of the existing industrial development and would cause no demonstrable harm to the character and appearance of the streetscene.

The design of the proposed extension would be block work and plastic coated metal cladding. This would be of the same appearance as the existing building and is therefore considered to be of appropriate design.

The scheme also includes an increase of the overall curtilage of the industrial building. The curtilage would be extended into an existing paddock at a distance varying from 8m to 14m at a length of 64m. This would represent a significant incursion into the Open Countryside. Policy E.6 of the Local Plan does however allow for employment development adjacent to existing employment sites which this development would be. Furthermore, the proposals would not extend beyond an established boundary line further to the west and as such would not project into the wider open countryside. In addition to this, it is considered that there are other highways benefits brought by the scheme which would outweigh any harm caused to the open countryside through the loss of part of the paddock as explored below.

However, it is considered that further details would be required to ensure that the proposed change of use of land is acceptable. This includes details to be submitted to show what the new boundary treatment would be. Further conditions for details to be submitted of where any external storage and parking would be sited are also considered to be necessary.

Impact on the Amenity of Nearby Properties

The proposed development would bring built form closer to an existing bungalow to the rear of the site. This dwelling is within the ownership of the applicants but understood to be privately rented out. The proposed building would be sited at a distance of 15m from windows at the front of the bungalow, however it would not be set immediately to its front. In terms of spacing standards (which are generally applied between dwellings) there is an accepted spacing standard of 13.5m between principal windows and blank elevations. This proposal would therefore satisfy that accepted spacing standard and would not result in any significant harm on the amenities of that property through loss of daylight.

The proposed development would be sited 5m from the boundary with the dwelling to the rear, between which would be an existing single storey structure. The proposed development is therefore unlikely to cause any demonstrable harm through overbearing.

No objections have been raised from Environmental Health and have not suggested noise mitigation measures. This is because this is an existing noise generating employment site. As this is only an extension to an existing premises it is considered that it would be unreasonable to alter the operations of the whole unit in terms of hours of operation or hours of deliveries.

Impact on Highway Safety

The application proposals include the widening of the existing access to allow greater ease of access for HGV's visiting the site. The scheme also includes an increase in the level of turning space within the site so that HGV's can enter and exit the site in a forward gear. It is understood that at present HGV's when making deliveries often block Lightwood Green Avenue. This appears to be a significant benefit to the scheme and could be considered to provide weight against any harm that may be caused on the character and appearance of the Open Countryside. However, no comments have been received from the Strategic Highways

Manager and as such it is not clear at this time whether the proposals are fully practicable. A full update will be provided at Committee.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposed development forms employment development which is adjacent to an existing employment site within the Open Countryside. The scale of the proposed development is considered to be appropriate and is therefore acceptable. The design of the proposed extension is considered to be acceptable and there would not be any significant harm caused to the amenity of neighbouring properties. It is considered that any harm to the Open Countryside through an increase in curtilage would in this instance be balanced by the benefits which would arise from improvements to Highway safety. The proposal is therefore in compliance with Policies 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), E.6 (Employment Development with Open Countryside) and TRAN.9 (Car Parking Standards) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

RECOMMENDATIONS

Approve subjection to the following conditions:

- 1) Standard Time Limit (3 years)**
- 2) Development to be carried out in accordance with the Approved Plans**
- 3) Materials to be submitted and approved by the Local Planning Authority**
- 4) Details of Surfacing Materials to be submitted**
- 5) Details of any areas of external storage to be submitted**
- 6) Details of Boundary treatment to be submitted and approved**
- 7) Details of Car Parking Layout to be submitted and approved**
- 8) Proposed access improvements to be carried out to an adoptable standard and implemented prior to first occupation of extension**
- 9) Details of any lighting to be submitted prior to implementation**

Location Plan

