

Application No: 12/3164C

Location: Land South of PORTLAND DRIVE, SCHOLAR GREEN CHESHIRE

Proposal: Plot Substitution of Plots 14-40 and Elevational Variations to Plots 7-13 and 41-52 of Previously Approved Application 08/0712/FUL

Applicant: Ben Bailey Homes

Expiry Date: 14-Nov-2012

#### **SUMMARY RECOMMENDATION**

**Approve with conditions and subject to S106**

#### **MAIN ISSUES**

- Design - Character and Appearance
- Residential Amenity
- Other Issues Raised by Representation
- S106

### **1. REASON FOR REFERRAL**

This application is for consideration of amendments to a major application and has therefore been referred to the Southern Planning Committee for determination.

### **2. DESCRIPTION OF SITE AND CONTEXT**

The application relates to Plots 7-13, 14-40 and 41-52 of the approved development on the south side of Portland Drive, Scholar Green. This consists of a new health care centre & residential development comprising 39 no. open market units & 17no. affordable housing units with associated means of access, landscaping & alterations. The site is designated as being within the settlement zone line of Scholar Green.

### **3. DETAILS OF PROPOSAL**

This application proposes to substitute the dwellings on plots 14-40 and also proposes amendments to the elevations of plots 7-13 and 41-52. These are the dwellings that are positioned to the rear of the proposed row of terraced properties fronting Portland Drive, where members recently considered an application to vary the elevations (planning ref; 12/2869C).

## 4. RELEVANT HISTORY

- 08/0712/FUL – Demolition of dwelling & erection of new health care centre & residential development comprising 39no. open market units & 17no. affordable housing units with associated means of access, landscaping & alterations to Portland Drive, including parking bay & dedicated residents' car park (resubmission of 06/1146/FUL) - Amended Plans – Approved 07.10.2011
- 06/1146/FUL - Demolition of dwelling and erection of new Health Care Centre and enabling residential development comprising 39 No. open market units and 17 No. affordable units with associated means of access, landscaping and alterations to Portland Drive, including parking bay and dedicated residents' car park. Amended Plans - re-plan of south end of site; additional financial and legal info; tree survey; habitat survey. – Withdrawn - 17.04.2011
- 11/2999C - Variation of Conditions 2,3,5,10 & 11 of Planning Permission 08/0712/FUL – Approved 30-Apr-2012
- 12/2869C - Variations to Elevations of Dwelling Plots 1-6, 53-56 of Previously Approved Application 08/0712/FUL – Resolved to approve at Southern Planning Committee on 31-Oct-2012

## 5. POLICIES

### Local Plan Policy

PS5	Villages in the Open Countryside and Inset in the Green Belt
GR1	New Development
GR2	Design
GR3	Residential Developments of More than 10 Dwellings
GR4	Landscaping
GR6&7	Amenity & Health
GR9	Accessibility, servicing and parking provision
GR10	Managing Travel Needs
GR18	Traffic Generation
GR19	Infrastructure
GR20	Public Utilities
GR21	Flood Prevention
GR22	Open Space Provision
H1 & H2	Provision of New Housing Development
H4	Residential Development in Towns
H13	H13 Affordable and Low Cost Housing
NR1	Trees & Woodland
NR2	Wildlife & Nature Conservation
SPG1	Provision of Public Open Space in New Residential Developments
SPG2	Provision of Private Open Space in New Residential Developments
SPD4	Sustainable Development
SPD6	Affordable Housing and Mixed Communities

## **Other Material Considerations**

National Planning Policy Framework

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

### **Canal and River Trust:**

No objection

### **Public Rights of Way:**

No objection – informative recommended

### **Environment Agency:**

No further comments to those made on the original application ref; 08/0712/FUL

## **7. VIEWS OF THE ODD ROAD PARISH COUNCIL**

Requested more information on the proposed differential of the projected height of plots 7-13 and 41-52

## **8. OTHER REPRESENTATIONS**

Representations have been received from 7 neighbouring properties objecting to this application on the following grounds:

- Loss of privacy (roofline and character)
- Precedent has been set in the area where other proposals have been required to alter the rooflines of dwellings
- Why have the plans been changed – have adverse ground conditions been found?
- Contrast in design of the properties as viewed from A34
- Design of plots 33,34 & 35 – highest roof ridges on the site will appear intrusive, overbearing and will result in loss of light
- Loss of light / shading of neighbouring garden
- Loss of privacy
- Proposed garage should be flat roofed or the roof type amended
- Potential flooding of gardens at 178,176 & 172 Congleton Road
- Plot 32 has an upper side window – this should be obscured
- Loss of views of Mow Cop
- Decrease in property values
- Scholar Green is a village not a town – the town house will look out of place

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

Design and Access Statement

Amended Plans

## 10. OFFICER APPRAISAL

The principle of the development has already been accepted. This application seeks permission to substitute the dwellings on plots 14-40 and also proposes amendments to the elevations of plots 7-13 and 41-52. The key issues for Members to consider are the impact of the changes on the design of the scheme, the character and appearance of the area and neighbouring residential amenity. The numbers of units, access arrangements and general positioning of the plots would be similar and therefore there are no highways or parking issues.

### Design, Character and Appearance

#### Substitution of Plots 14-40

Plots 14-40 are those that would make up the rear portion of the site and would comprise of detached two-storey dwellings with the exception of a pair of semi detached units at plots 31 and 32.

Plots 14-22 would front the main spinal road leading through the site and would occupy a position along the eastern side of the site where there are fields situated beyond. The general positioning and layout of these units would remain the same as previously approved, although the front building line would be staggered slightly owing to the proposed mix of house types. Nonetheless, the proposed substitutions would provide a better variation in the street that would add interest and would improve the character and the quality of the development.

Plots 23-25 would be situated at the end of the main spinal road making up the most southerly part of the site. These units would be sited in the same position as previously approved and would be in the developer's 'Country Style', which would respect the southern extremities of the site where it is bounded on 2 sides by adjacent fields. The design would be appropriate having regard to its context. The size and scale would be commensurate with the units previously approved.

Plots 26-40 would make up the central portion of the site and would be predominantly arranged around a cul-de-sac situated at right angles to the main spinal road serving the site. Plots 26-30 and 36-40 would occupy the central core of the site and would comprise bespoke two-storey dwellings with attractive architectural detail and slight variations in the form and palette of materials to help add visual interest in the street scene. There would be a variation in the roof heights and the pitches of the roof would be steeper than those previously approved. However, owing to their position within the centre of the site, these units would not appear overbearing or intrusive.

With respect to plots 31-35, these would be positioned at the head of the cul-de-sac and would back onto the rear gardens of existing residential properties forming no.s 160-174 Congleton Road North. Some of these neighbours have expressed concern regarding the design of these units and the proposed roof and ridge heights. The roofs would have a steeper pitch than those units previously approved. The differences would be as follows:

- Plots 33 and 34 – 200mm
- Plot 35 – 1100mm
- Plot 32 – 1500mm

These differences would not be significantly higher than and the roof forms of those units backing onto the boundary of the site and plots 33 and 35 would have half hips so the massing along the

street would be broken up. Glimpses of these dwellings would be possible from Congleton Road North, however, owing to the distance and the fact that the roofs will be sloping away, it is not considered that they would appear overly dominant or intrusive.

Plots no.s 31 and 32 have been joined up to create a pair of semi-detached properties. These would be at the end of the row and as per the previous approval would be sited end-on (at right angles) to the rear gardens of 162, 164 and 166 Congleton Road North. Whilst the end unit (plot 32) would not come any closer to these neighbouring boundaries, the unit would be gable ended were as it was previously hipped. Consequently, to ensure that this unit has no greater impact than the consented scheme, amended plans have been secured hipping the roof away from neighbouring boundaries so as to reduce its dominance and so it does not appear overbearing.

#### Elevational Variations to Plots 7-13 and 41-52

The proposed changes to plots 7-13 and 41-52 would bring them in line with those changes that were recently permitted by Members when they considered changes to the terraced properties fronting Portland Drive. These changes would improve the quality and design of the scheme compared to the original consented scheme and therefore the impact on the character and appearance of the area would be acceptable. The ridge heights would not deviate significantly from those already approved

In overall design terms, the scale and size would commensurate with the consented scheme and would not materially harm the character or appearance of the area is therefore in accordance with local plan policies GR1 and GR2.

#### **Residential Amenity**

Supplementary Planning Document 2 (Private Open Space) sets out the separation distances that should be maintained between dwellings to prevent direct overlooking and to minimise loss of light and visual intrusion. Between principal elevations, a distance of 21.3 metres is recommended. This distance is reduced to 13.8 metres where side flanking elevations (i.e. those containing non-primary windows) face onto main principal elevations.

There are a number of first floor side facing windows within the proposed dwellings. To prevent overlooking of neighbouring windows and gardens, it is recommended that the first floor side facing windows be obscured and permitted development rights for any future windows / openings removed. Subject to such conditions, the proposals would not give rise to direct overlooking.

As discussed earlier, amended plans have been received returning the proposed gable ended roof at plot 32 (end unit siding on to western boundary of the site) to a hipped roof. This would help to minimise the impact on the nearest neighbours, no.s 162, 164 and 166 Congleton Road North and will prevent any significant overshadowing and / or loss of light. The separation between the sidewall of plot 32 and the nearest two-storey part of the neighbour would be 19 metres which exceeds the 13.8 metre recommendation.

Turning to the other plots along the western boundary of the site, plots 32-35, at their closest these would be sited 24 metres distance away from the nearest properties fronting Congleton Road North. Whilst the land slopes upwards to the east, the rise is gradual and as such these proposed plots would not appear overbearing.

With respect to the proposed detached garage at plot 31 and 32 (i.e. to the rear of no.s 166 and 168 Congleton Road North), this would remain single storey with the roof sloping away from the boundary and consequently would not unduly harm neighbouring residential amenity. As such, the scheme as amended, would not lead to increased overlooking, visual intrusion or loss of light. Consequently, the proposals are deemed to be in accordance with local plan policies GR6 and SPG2.

### **Other Issues Raised by Representation**

With respect to concerns expressed about potential flooding and drainage, the proposed changes would have no greater impact than the consented scheme. The Environment Agency has confirmed that they have no objection to the proposals.

In terms of loss of views of Mow Cop and the impact on neighbouring property values, these are not material planning considerations.

### **S106**

A revised S106 legal agreement will be required to link this scheme with the original S106 to ensure that the original contributions and provisions are secured.

## **11. CONCLUSIONS**

This principle of the development has already been established. This application proposes to substitute house types and vary elevations forms. There are no highways or parking issues to consider. The proposed amendments and plot substitutions would improve the design and quality of the scheme and would not materially harm the character or appearance of the area. Following the receipt of amended plans, subject to conditions, neighbouring residential amenity would be respected. The proposals are therefore deemed to be acceptable and compliant with the relevant local plan policies and guidance contained within the National Planning Policy Framework.

## **12. RECOMMENDATIONS**

### **APPROVE with conditions**

1. Standard time limit
2. Development in accordance with the approved and amended plans
3. Submission and approval of external materials and finishes
4. Submission of details of landscaping to include details of boundary treatments
5. Submission of arboricultural statement for retained trees
6. Details of drainage
7. Hours of piling restricted
8. Hours of construction restricted
9. Gas monitoring
10. Protected species
11. No works within bird breeding season without survey
12. Submission of details of levels
13. Obscured glazing

#### 14. Removal of permitted development rights for openings

Application for Full Planning

RECOMMENDATION:



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