

Application No: 13/1864N

Location: LAND ADJACENT ROYAL OAK, 94, MAIN ROAD, WORLESTON, CHESHIRE, CW5 6DN

Proposal: Reserved Matters Application following Outline Planning Approval 11/2241N re Access, Appearance, Landscaping, Layout and Scale.

Applicant: Archway Homes Ltd

Expiry Date: 15-Jul-2013

SUMMARY RECOMMENDATION

APPROVE subject to conditions

MAIN ISSUES

- The acceptability of the Access, Layout, Scale, Appearance and Landscaping
- Impact on adjoining residential amenities
- The impact upon protected species
- Affordable housing requirements

REASON FOR REFERRAL

This application is referred to the Southern Planning Committee as it has been called in by Councillor Michael Jones for the following reason:

'The impact the design of the proposed dwellings would have upon the existing local character due to their detached two-storey form adjacent to a row of semi-detached bungalows'.

DESCRIPTION OF SITE AND CONTEXT

The application site forms land attached to the existing Royal Oak Public House within the settlement boundary for Worleston. The site comprises part of the existing beer garden and parking area to the south of the public house, and also land between the public house beer garden and residential properties to the south which is grazing land. Fronting Main Road is a hedgerow whilst the rear boundary is also vegetated. There is a pond located in the south eastern corner of the site.

DETAILS OF PROPOSAL

A Reserved Matters application has been submitted seeking permission for the erection of 3 detached and 2 semi-detached dwellings.

RELEVANT HISTORY

11/2241N - Outline Application for Residential Development, Associated Access and Landscaping Works – Approved 11th June 2012

10/2597N - Outline Application for Residential Development, Associated Access and Landscaping Works – Withdrawn 25th October 2010

P03/1168 - Outline application for Residential Development (8 Dwellings) – Refused 17th October 2003

P95/0420 - O/A for residential development – Refused 24th August 1995

POLICIES

National policy

National Planning Policy Framework (NPPF)

Local Plan Policy

BE.1 - Amenity

BE.2 - Design Standards

BE.3 - Access and Parking

BE.4 - Drainage, Utilities and Resources

BE.5 – Infrastructure

BE.6 – Development on potentially contaminated land

RES.2 - Unallocated Housing Sites

RES.4 - Housing in villages with Settlement Boundaries

TRAN 9 – Car parking standards

NE.5 – Nature Conservation and Habitats

NE.9 - Protected Species

Other Material Considerations

Supplementary Planning Document on Development on Backland and Gardens

CONSULTATIONS (External to Planning)

Strategic Highways Manager – No comments received at time of report

Environmental Health – No objections, subject to conditions relating to; prior submission of lighting, hours of construction, details of piling, plans showing the position of bin storage and an informative regarding contaminated land.

United Utilities – No comments received at time of report

Housing (Cheshire East Council) – Highlight the requirement for 2 affordable dwellings.

VIEWS OF THE PARISH COUNCIL:

Worleston Parish Council – No comments received at time of report

OTHER REPRESENTATIONS

No comments received at time of report

APPLICANT'S SUPPORTING INFORMATION

Design & Access Statement

Landscaping Layout

Pond enhancement

Tree report

OFFICER APPRAISAL

Principle of development

For the erection of 5 dwellings at this site, the following policies within the Borough of Crewe and Nantwich Replacement Local Plan 2011 would apply; NE.5 (Nature Conservation and Habitats), NE.9 (Protected Species), BE.1 (Amenity), BE.2 (Design Standards), BE.3 (Access and Parking), BE.4 (Drainage, Utilities and Resources), BE.5 (Infrastructure), BE.6 (Development on Potentially Contaminated Land), RES.2 (Unallocated Housing Sites), TRAN.9 (Car Parking Standards) and CF.3 (Retention of Community Facilities). The National Planning Policy Framework (NPPF) is also a material consideration.

It has already been established that the principal of the development is accepted following the approval of the associated outline planning permission numbered 11/2241N.

This approval concluded that *'The proposed dwellings would be sited within the settlement boundary for Worleston which is acceptable in principle. It is considered that the proposed development can be carried out on the site without causing harm to the character and appearance of the streetscene, the amenity of neighbouring properties or highway safety, through the submission of a satisfactory reserved matters application.'*

This approval was granted subject to a S106 agreement to secure the required affordable housing element of the scheme.

As such, the determination of a subsequent reserved matters application would be assessed on the 5 reserved matters categories; Layout, Scale, Appearance, Access and Landscaping, which are considered below.

Layout

As part of the outline application, an indicative layout plan was submitted which demonstrated that 5 dwellings could comfortably be sited on this land without appearing out of place or context with the village.

It was concluded that *'Worleston has a mixture of house types and ages ranging from two storey terraced properties, detached properties and semi detached bungalows. The latter would be sited*

immediately to the south of the proposed development. Whilst those properties are single storey, there are two storey properties directly opposite and the Royal Oak PH is also a two storey property. It is therefore considered that two storey dwellings would be appropriate on this site and would not appear out of character with the village. A condition to ensure that the dwellings are no higher than two-storey is considered to be appropriate.

The indicative layout demonstrates a staggered building line. The southern property would be in line with No.80 whilst the northernmost property would be in line with the public house. This is considered to be an acceptable building line.

Concern has been raised that the scale of the dwellings would be out of character with the village which is noted. This is an outline application and the design and appearance of the dwellings could be subject to change as part of any reserved matters application.'

The layout plan provided as part of this scheme is largely the same as the scheme now proposed. The only difference is that now, the proposal is to move back the semi-detached properties within the plot slightly, re-arrange the layout of the associated driveways and a slight change in the design of the dwellings.

As such, in light of the conclusions of the officer dealing with the outline application in conjunction to the minor changes proposed at this stage, it is considered that the layout of the scheme would be acceptable.

Scale

As part of the outline permission, it was concluded that the addition of two-storey dwellings at this site would be acceptable given the mixed form of the surrounding properties. The height of the dwellings was restricted to two-storey by condition to a height of 8 metres.

The submitted plans show that the dwellings would adhere to this condition. The height ranges of the dwellings are between 7.7 and 8 metres.

The submitted streetscene shows how the development heights would not appear incongruous given the presence of the two-storey public house adjacent to the site to the north and the properties on the opposite side of Main Road.

With regards to footprint, the dwellings would not appear incongruous due to the mixed size of footprints within the area.

As such, it is considered that the scale of the proposed development would be acceptable and would adhere with Policy BE.2 of the Local Plan.

Appearance

Worleston has a mixture of house types and ages ranging from two-storey terraced properties, detached dwellings and semi-detached bungalows.

In terms of design features, the surrounding properties are of various heights and fenestration finishes. However, the majority have open brick finishes and dual-pitched roofs which would reflect the design of the proposed dwellings.

Other local design features respected include partial gable frontages and half-dormers.

As the proposed development closely reflects these local design features, subject to the appropriate use of materials to respect the local character it is considered that the appearance of the proposed dwellings would be acceptable and would adhere with Policy BE.2 of the Local plan

Access

The proposed development would result in 5 new access points being created onto Main Road, Worleston. All 5 dwellings would be served by individual access points in order to adhere with Condition 20 of the associated outline permission.

As part of this outline permission, it was advised within the Officer Report that the Strategic Highways Manager concluded that *'...the site has good visibility and that the proposed accesses shown on the indicative plan would achieve the required visibility splays for this 30mph road. The indicative plan also shows that all vehicles could enter and exit the site in a forward gear.'*

Little appears to have changed from the indicative layout plan to differ from this original conclusion other than the change in the driveway shape of some of the properties to provide greater scope for manoeuvring.

As such, it is considered that the proposed development would adhere with the access aspect of the assessment and Policy BE.3 of the Local Plan.

Landscaping

The development would involve the removal of a section of hedgerow fronting Main Road in order to accommodate access to the properties and during construction. It was concluded within the Officer's Report that *'Hedgerows are also priority habitats. The scheme would require the removal of the roadside hedgerow. Notwithstanding this, a landscaping scheme could secure hedgerow planting to mitigate for its loss and a condition to this end is suggested.'*

This was subsequently added as a condition (Condition 10) to the outline permission.

The submitted landscape plan adheres to this condition.

In response to the submitted plan, the Council's Landscape Officer has advised that she has no significant landscape concerns. However, it is recommended that the hedge species is replaced with a different species to that currently proposed. Furthermore, it is recommended that a condition be inserted which secures the temporary protection of the pond area and trees to the east of the site during the building works.

In response to these comments, the applicant has submitted a revised landscape plan and associated schedule. The species specification has been revised to show a native species hawthorn hedge which is now considered to be acceptable.

With regards to the proposed boundary treatment, it was recommended that the applicant replace a proposed gravel board fence on the northern side boundary of the site with a higher quality fence design given its visible location from the streetscene.

The applicant agreed to this change to the benefit of the scheme.

To the rear of the site, it is proposed that the natural hedgerows and trees would be retained and reinforced.

On the southern boundary of the site, it is proposed that the boundary fence to the neighbouring property would be retained and repaired. The existing pond that is protected via condition is also shown be retained.

Separating the gardens of the proposed dwellings would be a 1.8 metre tall close boarded fence, which is considered to be acceptable.

It is considered that these boundary treatment / landscape features would be acceptable as part of this development subject to the conditions proposed.

Amenity

The layout plan shows a relationship between proposed dwellings and those on the opposite side of Main Road which would reflect the existing relationship of properties within the village and would be acceptable.

The plan shows that the southern-most dwelling would be approximately 1.5 metres from the boundary of No.80 and 5 metres from the flank elevation. Given the size of the curtilage of No.80 it is considered that the proposed dwelling would not be overbearing.

The development adheres with the standard separation distances quoted within the Development on Backland and Gardens SPD. This includes distances in excess of 21 metres between principal elevations.

With regards to the impact of the proposed dwellings themselves on each other, all of the side windows proposed serve as either secondary windows to principal habitable rooms or windows to non-principal habitable rooms e.g. bathrooms and utility rooms. As such, these relationships are considered to be acceptable.

As such, it is not considered that the proposed development would create any new amenity issues with regards to loss of privacy, loss of light or visual intrusion.

Environmental Health have requested conditions be attached to any approval for details of external lighting to be submitted, restriction of construction hours, details of pile driving and refuge details. An informative regarding contaminated land is also proposed. These can be secured by condition / informatives.

Subject to the addition of these conditions, it is considered that the proposed development would adhere with Policy BE.1 of the Local Plan.

Protected Species

As part of the outline planning permission, it was concluded that *'The application has been supported by a Phase One habitat survey for Great Crested Newts. The survey identifies that no Great Crested Newts were recorded as being present and therefore would not pose a constraint to development.'*

The Councils ecologist identifies that bats could be present within the trees within/adjoining the site. The indicative layout demonstrates that the trees would be retained; however this is an indicative layout which could be subject to change. A condition has therefore been suggested that these trees be retained and if they are required to be removed then a detailed bat survey be submitted.

The site has the potential to support breeding birds, including House Sparrow, and conditions are therefore suggested for surveys to be carried out if works commence during the breeding season. The House Sparrow is a biodiversity action plan priority species and therefore details should be submitted to incorporate features into the scheme.'

In response to this submission, the Council's Nature Conservation Officer has advised that he does not anticipate there being any significant ecological issues associated with the proposed development. He has advised that a condition for the protection of breeding birds and a condition for the incorporation of features into the scheme suitable for the use of breeding birds be added to the decision, should the application be approved.

Subject to these conditions, the development would adhere with Policy NE.9 of the Local Plan.

Affordable housing

As part of the outline permission, because the village within which the development was proposed had a population of 3,000 or less, there was a requirement for 30% affordable housing for housing schemes over 3 dwellings. As such, 2 of the 5 dwellings proposed were reserved for affordable housing and secured via the use of a S106 agreement.

As part of this submission, the Housing Officer has advised that the requirement for 2 affordable dwellings still applies. Although there is a greater need for 3-bed properties, the provision of 2-bed properties would still be satisfactory.

A number of other issues were raised, however, these issues were assessed and agreed upon at outline application stage and cannot be re-addressed at this stage.

As such, it is considered that the proposed affordable housing allocation is acceptable for the purposes of this application.

CONCLUSIONS

The principle of the development has already been established with the approval of outline permission. It is now subsequently considered that the layout, scale, appearance, landscaping and access of the scheme are also acceptable. It is also considered that the development would not have a detrimental impact upon neighbouring amenity or ecology.

As such, it is considered that the proposed development would adhere with Policies; flooding or drainage and therefore adhere with the Policies; BE.1 (Amenity) , BE.2 (Design Standards), BE.3 (Access and Parking), BE.4 (Drainage, Utilities and Resources), BE.5 (Infrastructure), BE.6 (Development on potentially contaminated land), RES.2 (Unallocated Housing Sites), RES.4 (Housing in villages with Settlement Boundaries), TRAN 9 (Car parking standards), NE.5 (Nature Conservation and Habitats) and NE.9 (Protected Species) of the Borough of Crewe and Nantwich Replacement Local Plan 2011. The proposal would also adhere with the NPPF.

RECOMMENDATION:

APPROVE subject to conditions

- 1. Time (Standard 3 years)**
- 2. In accordance with approved plans**
- 3. Material details/samples – Facing or roofing**
- 4. Materials details/samples – Hard surfacing**
- 5. Boundary treatment – Implementation**
- 6. PD Removal (A to E)**
- 7. Drainage details to be submitted**
- 8. Landscaping – Implementation**
- 9. Breeding birds mitigation to be submitted and approved**
- 10. Incorporation of features for breeding birds to be submitted and approved**
- 11. Lighting details to be submitted and approved**
- 12. Hours of construction (Mon-Fri 08:00 – 18:00, Sat 09:00 – 14:00 Sun & Bank hol – nil)**
- 13. Piling method, timing and duration to be submitted and approved**
- 14. Bin storage details to be submitted and approved**
- 15. Tree and pond protection measures to be submitted and approved and provided during construction period**

Informative

1. The applicant is advised that they have a duty to adhere to the regulations of Part IIA of the Environmental Protection Act 1990, the Town and Country Planning Act 1990 and the current Building Control Regulations with regards to contaminated land. If any unforeseen contamination is encountered during the development, the Local Planning Authority (LPA) should be informed immediately. Any investigation / remedial / protective works carried out in relation to this application shall be carried out to agreed timescales and approved by the LPA in writing. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.

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