

Application No: 13/2613C

Location: Wedding Bliss, Old Church Hall, Vicarage Lane, Elworth, Sandbach, CW11 3BW

Proposal: Demolition of existing building and change of use to erect 4 no residential dwellings

Applicant: C Wright, Forward Property Group

Expiry Date: 19-Aug-2013

SUMMARY RECOMMENDATION

Approve; subject to conditions

MAIN ISSUES

- Principle of development
- Design, layout, form & character
- Residential Amenity
- Highway implications
- Landscape and forestry issues

REASON FOR REFERRAL

This application was originally called in to committee by Cllr Merry for assessment by Members of the Sothern Planning committee due to the loss of the existing business unit on site. The item was heard at the 18 September meeting, however the item was deferred in order to provide additional information with regards to employment land and in order for a protected species survey to be carried out.

DESCRIPTION OF SITE AND CONTEXT

The application site is comprised of a former church hall that is currently used as a retail unit for 'Wedding Bliss' with associated hard standing for a parking area. The application site is situated within the Sandbach Settlement Zone Line as identified within the proposals map.

DETAILS OF PROPOSAL

This is a full planning application that seeks to remove the existing building on site and to replace with four residential properties.

RELEVANT HISTORY

None relevant

POLICIES

Local Plan Policy

PS4	Towns
GR1	New Development
GR2	Design
GR6	Amenity and Health
GR9	Accessibility, Servicing & Parking Provision
GR17	Car Parking
H1	Provision of new housing development
H2	Provision of new housing development
H4	Residential development in towns

Other Material Considerations

Supplementary Planning Guidance Note 2: Provision of Private Open Space in New Residential Developments

National Planning Policy Framework

Pre-application advice letter regarding the development issued on the 27 March 2013.

CONSULTATIONS (External to Planning)

United Utilities: No objections, advice letter issued

Highways: No objections to the proposal

Environmental Health: No objections subject to conditions relating to pile driving and dust control. A contaminated land investigation and risk assessment should also be submitted to and approved by the LPA.

VIEWS OF THE PARISH / TOWN COUNCIL

Sandbach Town Council: No objections to the proposal, however recognise that the proposal would result in the loss of a business which is regrettable.

OTHER REPRESENTATIONS

14 letters of objection have been received to date. The objections have been summarised below, however can be viewed on file.

- Loss of a business
- Loss of employment
- Out of character with the area in terms of layout, scale, design and form

- 2 storey properties would be better than 2.5 storey
- Bungalows would be more in keeping with the area
- Loss of light, privacy and overbearing impact of the development
- Insufficient parking provided for development and during the construction phase
- Impact upon the amenities of neighbours, specifically No.36 and the neighbouring nursery

A petition was also submitted objecting to the proposal.

APPLICANT'S SUPPORTING INFORMATION

A Design and Access Statement was submitted as part of the application

OFFICER APPRAISAL

Principle of Development

The application site is comprised of a former church hall building located within the Settlement Zone of Sandbach. The proposal seeks to remove the existing building on site and to replace it with 4 two storey dwellings.

As the site is located within the Settlement Zone of Sandbach, the principle of residential development is acceptable, subject to other considerations such as highways, visual impact and impact upon the amenity of nearby residents.

Policy H4 permits residential development on land not allocated for such purposes provided that the site is not allocated or committed for any other purpose.

In general, the principle of residential dwellings on the site is acceptable.

Policy E10

At the previous meeting, Members requested that the proposal be assessed against policy E10 within the Local Plan which relates to the redevelopment of employment sites. The site in question is a single retail unit, and is not an employment site. To assess the application against policy E10 would not be the correct interpretation of the policy.

Even so, the applicant has submitted an additional Planning Statement with regards to policy E10. They put forward that the site is not suitable for employment use as it falls within a residential area, with narrow streets.

The Planning Statement also states that the site requires redevelopment. The building in question is of poor quality and has degraded in recent years.

Design, Layout, Character of the Area

The character of the area is considered to be mixed, properties on Vicarage Lane are comprised of both modern and traditional properties, detached, semi-detached and dormer

bungalow style. A modern housing estate lies to the north west of the site on Vicarage Gardens.

The application site forms a prominent corner location within the area with clear views provided from Vicarage Lane. The layout of the proposed dwellings respects the linear form of Vicarage Lane, mirroring the building line of the existing properties in the area, and is therefore considered to be in keeping with the character of the area.

House type E would be positioned facing onto Vicarage Gardens, with gable feature and bay windows. The side gable elevation facing on to Vicarage Lane would also provide a bay window, and lintel detailing to ground and first floor. The property would stand at 8.3m in height which is considered to be in keeping with the adjacent dwellings to the north of the site on Vicarage Lane that are approximately 8m in height.

House types D and C are of similar design, with gable frontages onto Vicarage Lane. Properties C differ in form due to a large footprint providing a lean-to single storey extension to the rear. Each dwelling would provide accommodation over three floors, and would measure 8.9m in height. The proposal includes the reduction of ground levels within the site by approximately 0.3m, acting to reduce the visual impact of the properties within the streetscene.

Each property proposes parking and access off Vicarage Lane. The existing mature hedge that surrounds the site would be removed in order to accommodate the development. Whilst the loss of the hedge is regrettable, it is considered that a good quality landscape scheme could improve the appearance of the site in the context of the area.

All of the proposed properties would be fabricated in brick with clay tiles and UPVc doors and windows, which is considered to be acceptable.

Whilst it is recognised that the proposed dwellings would replace a single storey structure on site, it is not considered that the scale of the proposed development would be out of keeping with the mixed character of the area.

Precise details of the scheme relating facing materials, hard and soft surfacing, landscaping and boundary treatment could be secured through appropriate conditions.

Amenity

According to SPG2: *'Provision of Open Space in New Residential Developments'* a separation distance of 21.3m between principal elevations, 10.7m between rear elevations and plot boundaries, and 4.6m between habitable windows and side boundaries of plots is required in order to achieve an adequate standard of privacy and amenity between dwellings. The siting of the proposed dwellings ensures that a minimum distance of 27m is retained between the properties and dwellings opposite on Vicarage Lane.

Objections have been received from No.36 Vicarage Gardens to the west of the site, however each property is set in excess of the 10.7m required by the SPD. The proposed development would not cause a loss of privacy to this property, or its rear amenity space. The adequate

privacy distance in place would prevent the development from being overbearing when viewed from No.36.

The dwelling to the north of the site is positioned 20.5m from the site, with side gable facing on to the development. It is considered that the proposal would not adversely affect the amenity of this property.

Nyehome Nursery lies adjacent to the site and is currently in use. The proposed development should not adversely affect the amenities of this business, and the use is compatible in a residential area.

It is considered necessary to remove Permitted Development rights for extensions to the properties in order to retain adequate privacy distances between the properties and existing dwellings.

Each property would have adequate rear gardens ranging from between 87sqm to 116sqm, therefore complying with the guidance of SPG2.

Whilst a number of objections have been received regarding the development it is considered that the layout would prevent any impact to the amenities of neighbours. Environmental Health has not raised any objections with regards to the development.

Highways

Access points to each property would be created off Vicarage Lane, with parking provided for two vehicles on site. A number of letters of objection received relate to insufficient parking being provided on site. The Strategic Highways Manager has viewed the proposal and considers the scheme to be acceptable, subject to the applicant entering into a Section 184 Agreement with the Highways Authority for the accesses crossing an existing highway verge.

The proposed development is not considered to result in any adverse impact upon the existing highway network.

Protected Species

At the request of Members a bat survey has been conducted on the site. The survey submitted to the Council was conducted by a reputable ecologist and has been viewed by the Council's own ecologist. The building does not house roosting bats and the building and surrounding area offer only limited opportunity for bats. It is recommended that a condition is attached to the decision notice ensuring that the site is checked for breeding birds during the months of March and August.

Other Matters

A large number of objections to the development relate to the loss of the existing business use on site. The application site is situated within the Sandbach Settlement Zone Line as defined within the proposals map, and is not allocated as employment land. The agent has provided details that the existing tenant (Wedding Bliss) does not benefit from a lease, and as such could be asked to leave the premises at any time. Whilst it is understandable that the

tenant and their employees would like to see the premises remain open, it is not within the remit of the Local Planning Authority to dictate how the landlord chooses to run the site. The principle of residential development within a residential area is acceptable.

The Planning Statement submitted on the 3 October by the applicant states that the applicant would be willing to give the existing tenant a 12 month period in order to relocate. They have listed an alternative site, The Counting House on Sandy Lane that is within 1 mile of the existing location.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposed residential development is considered to be acceptable in principle, of suitable layout and design, would not adversely impact upon the amenities of neighbouring residents or the wider highway network. The proposal would comply with all relevant policies within the Local Plan, and the wider guidance within the National Planning Policy Framework. As such, the application is recommended for approval, subject to conditions.

Approve subject to following conditions:-

- 1) Standard time limit**
- 2) In accordance with approved plans**
- 3) Facing and roofing materials to be submitted to and approved by the LPA**
- 4) Details of ground levels to be submitted**
- 5) Landscaping scheme including boundary treatment to be submitted and approved**
- 6) Implementation of landscaping scheme**
- 7) Removal of Permitted Development Rights, Part 1 Classes A-C**
- 8) Pile driving operations restricted to Monday – Friday 9am to 5.30pm, Saturday 9am – 1pm and not at all on Sundays & Bank Holidays**
- 9) Submission of a construction method statement for pile driving**
- 10) Dust emissions scheme submitted to and approved by the LPA**
- 11) Contamination investigation and risk assessment to be submitted to and approved by the LPA.**
- 12) Standard breeding birds condition**

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