

Application No: 13/5199C

Location: Gwenstan, 14, SMITHFIELD LANE, SANDBACH, CHESHIRE, CW11 4JA

Proposal: Proposed construction of 2 dormer bungalows in garden area -
Resubmission of 13/3727C

Applicant: Mr Smithfield

Expiry Date: 03-Feb-2014

SUMMARY RECOMMENDATION: Approve with conditions.

MAIN ISSUES:

- Principle of the development
- Highways
- Design, layout and scale
- Impact on the amenities of neighbouring properties
- Amenities of future occupiers
- Landscaping

REASON FOR REFERRAL

Called in by Councillor S Corcoran on the following grounds:

"I was approached by the developers prior to their submitting this application. I welcome this approach and commend them for their actions. However, I still oppose this application.

The proposed development is out of keeping with the surrounding area and will disturb the amenity of the neighbourhood.

The proposed development would harm the character and appearance of the area.

I am also concerned about the access, which I believe should be constructed to adoptable standards and adopted.

The Inspector in rejecting the appeal on a previous planning application on this site (11/1722C) said,

"The access, which is relatively narrow and does not provide for a separate footway, would be shared by the four proposed semi-detached dwellings, for which five parking spaces would be provided. This would effectively create a courtyard between the rear of the proposed detached dwelling and No.12, and the front of the four proposed dwellings. The urbanising effect would be significant – transforming a garden setting into a high density, relative to the

surrounding area, urban courtyard."

"The proposed development would contrast sharply to the existing open and green character of the garden land to the rear of Smithfield Lane and to a lesser extent, behind Hawthorne Drive to the northeast. This would lead to significant harm to the garden suburb characteristics that help to define the pleasant character and appearance of the area."

The 2 new bungalows are 11.5m wide, compared to the 3 previously proposed bungalows which were 7.5m wide. This gives a total frontage with 2 bungalows of 23m compared to the previous application which had a frontage of 22.5m, so the urban courtyard effect will be greater rather than less than the previous application

Although described as 'bungalows', the proposed dwellings are in reality 2 storey 3 bedroom houses. The 'bungalows' are 6.5m tall, which compares with nearby 7m high 2 storey houses, so the 'bungalows' are not much different from 2 storey houses.

All the previous applications on this site have been recommended for approval, but have been rejected by the planning committee and the rejections have been upheld at appeal. Therefore I think that the planning committee should consider this application.

DESCRIPTION AND SITE CONTEXT

The application site is currently occupied by a bungalow with a large rear garden and is situated on the eastern side of Smithfield Lane. It is located within the Settlement Zone Line of Sandbach. The surrounding development comprises a mixture of styles of residential dwellings.

DETAILS OF PROPOSAL

The proposal is for two dormer bungalows and the retention of the existing bungalow.

Both dwellings would be sited in the rear garden and served off a private drive between numbers 14 and 16 Smithfield Lane. The proposed dwellings would be dormer bungalows with two dormer windows on the front roof slope and three on the rear roof slope.

Parking provision is proposed for number 14 to the front of the dwelling.

RELEVANT HISTORY

09/3069C	2009	Refusal for the erection of 7 dwellings
10/1179C	2010	Refusal for the erection of 7 dwellings (Appeal dismissed)
11/1722C	2011	Refusal for the erection of 5 dwellings (Appeal dismissed)
13/3727C	2013	Refusal for 3 dormer bungalows

POLICIES

National Guidance

National Planning Policy Framework

Congleton Local Plan 2005

PS4 – Plan strategy

GR1 - General criteria for new development

GR2 - Design

GR6 – Amenity & health

GR9 - Highways safety & car parking

H1 – Provision of new housing development

H2 – Housing supply

H4 – Residential development in towns

SPG2 –Private Open Space

Other Material Considerations

National Planning Policy Framework.

CONSULTATIONS (External to Planning)

Environmental Health:

Recommend conditions relating to contaminated land and hours of construction and piling.

Highways:

No response at the time of report writing. However, the consultation response to the previous application for 3 dormer bungalows is set out below.

The Strategic Highways Manager has assessed this application and notes that the development can only provide private drive status in terms of a private access road. The junction detail provides visibility in accordance with Manual for Streets and offers 4.2m radii kerbs and a carriageway width of 4.5 metres which is acceptable for a private drive arrangement. Parking provision is at a minimum of 200% and some units have 300% parking. This is in line with the new draft parking standards.

This proposal would not offer sufficient public utility to warrant formal adoption as public highway.

The Strategic Highways Manager recommends conditions related to detailed junction design drawings, and access formation prior to construction and occupation of the dwellings.

United Utilities:

No objection.

VIEWS OF TOWN/PARISH COUNCIL

None received at the time of report writing, these will be provided in an update prior to the committee meeting.

OTHER REPRESENTATIONS

At the time of report writing approximately 20 comments have been received relating to this application, these can be viewed on the application file. These comments raised the following concerns:

- Over intensive development of large bungalows
- Misleading to describe the dwellings as bungalows
- The private road could not accommodate emergency and service vehicles
- Bins would clutter Smithfield Lane
- Garden grabbing
- Will set a precedent for future garden development
- Loss of privacy
- Visual intrusion
- No garages are proposed that could lead to further pressure to develop on the site
- Highway safety due to additional traffic
- Cumulative impact of development in Sandbach

OFFICER APPRAISAL

Principle of Development

The site is designated as being within the Settlement Zone Line of Sandbach where there is a general presumption in favour of development provided that it is in keeping with the scale and character of the town.

Members should note that on 23rd March 2011 the Minister for Decentralisation Greg Clark published a statement entitled 'Planning for Growth'. On 15th June 2011 this was supplemented by a statement highlighting a 'presumption in favour of sustainable development' which has now been published in the National Planning Policy Framework (NPPF) in March 2012.

Collectively these statements and the National Planning Policy Framework mark a shift in emphasis of the planning system towards a more positive approach to development. As the minister says:

"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".

Given that the site is contained within the settlement zone line of Sandbach, the proposal is considered to be acceptable in principle.

Highways

It is noted that the Strategic Highways Manager on the previous application did not object to the proposal, subject to conditions being imposed. These conditions would ensure that detailed drawings of the access should be approved prior to the commencement of development, the access must be substantially constructed prior to the construction of the dwellings and the access must be completed prior to the occupation of the dwellings. In addition the Inspector that determined the previous appeal for 7 dwellings concluded that a development of seven houses would not have an adverse impact on highway safety. It is therefore considered that a refusal on the grounds of adverse impact on highway safety could not be sustained.

Design, Layout and Scale

Following the refusal and dismissal at appeal of the previous applications, the amount of dwellings has been reduced to 2 dormer bungalows and the retention of the existing bungalow. The bungalows would be constructed of traditional materials to match the existing bungalow.

Having regard to design, there are a variety of property types within the vicinity of the site including two new dwellings at the end of Mill Row, that are situated on the southern boundary of the site. These are large detached dwellings with rooms in the roof. To the east Booth Avenue contains semi-detached 2 storey properties and Smithfield Lane comprises a mixture of bungalows and two storey properties. As such it is not considered that the design of the dormer bungalows would appear incongruous in this location.

The existing dwelling is to be retained to help maintain the existing street scene with parking created to the front.

The existing bungalow has a ridge height of 5.43m and the neighbouring property (No16) has a ridge height of 7m. The proposed dormer bungalows would have a ridge height of 6.5m, which would have very limited impact on the street scene.

It is considered that subject to a condition requiring the submission of external materials for written approval, the development would be in compliance with Policies GR1 and GR2 of the adopted local plan.

Impact on Existing Amenity Levels

Having regard to neighbouring amenity, the properties at the rear of the site would face the rear elevations on Booth Lane. Both dwellings would be in excess of the required 21.3 metres away from the properties on Booth Avenue, which exceeds the requirements set out in SPG2 (Private Open Space). There would be no significant adverse impact on the amenities of the dwellings on the side boundaries of the site.

Conditions should be imposed relating to hours of construction and piling in order to protect the residential amenity of neighbouring properties during construction.

Amenity Levels of Future Occupiers

Having regard to the amenities of future occupiers of the proposed dwellings, it is considered that the usable amenity space provided for each dwelling would be in compliance with SPD2 and would be acceptable.

As discussed above, the new dwellings would be sited in such a way as to meet the required separation distances set out in SPD2.

Landscaping

The site is currently a large suburban garden containing a number of trees and some lengths of hedge. The plans do show basic landscaping details, however it is considered necessary to require submission of detailed landscaping and tree/hedge protection details by means of condition.

Previous Appeal Decision

The previous proposal for 5 dwellings at the site (11/1722C), was refused by Southern Planning Committee and a subsequent appeal was dismissed.

The Inspector highlighted the fact that the proposed dwellings would be higher than is typical on Smithfield Lane, where bungalows and dormer bungalows predominate. He concluded that the impact would be intensified by the five dwellings being grouped together in small plots and when seen in the context of the low density of development on Smithfield Lane, the development would be out of character.

The proposal put forward with this application has sought to address the issues raised by the Inspector by reducing the number of dwellings from five to two, changing the dwellings to dormer bungalows and retaining the existing bungalow at the front of the site to help retain the continuity of the street scene.

It is considered that this proposal has addressed the issues highlighted by the Inspector on the previous application when he dismissed the appeal and the concerns of Members about the previous applications. As such this proposal for two dormer bungalows on the site is recommended for approval.

CONCLUSIONS AND REASONS FOR THE DECISION:

In conclusion, it is considered that the proposal meets the requirements of the national policy and the development plan in terms of the issues addressed above and therefore approval of this application is recommended subject to the following conditions.

RECOMMENDATION:

Approve subject to the following conditions:

- 1. Commence development within 3 years**

- 2. Development in accordance with agreed drawings**
- 3. Submission of details/samples of external materials**
- 4. Submission of detailed drainage scheme**
- 5. Submission of a Phase 1 contaminated land survey**
- 6. Limits on hours of construction**
- 7. Limits on hours of piling**
- 8. Submission of detailed access and junction plans**
- 9. Access substantially completed prior to commencement of construction of the dwellings**
- 10. Access fully completed prior to occupation of the dwellings**
- 11. Submission of landscaping scheme**
- 12. Implementation of landscaping scheme**
- 13. Submission of details of boundary treatments**
- 14. Tree protection scheme**
- 15. Removal of PD rights for extensions (Class A)**
- 16. Removal of PD rights for new windows in the side elevations**

Application for Full Planning

RECOMMENDATION:

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