

Application No: 14/1027N

Location: 7, CHESTERTON DRIVE, WISTASTON, CW2 8EA

Proposal: Extension to dwelling

Applicant: Mr D Gridnley

Expiry Date: 21-Apr-2014

#### **SUMMARY RECOMMENDATION**

Approve with Conditions

#### **MAIN ISSUES**

- **Principle of Development**
- **Residential Amenity**
- **Design**

#### **REASON FOR REPORT**

This application has been referred to the Southern Planning Committee by Councillor Margaret Simon for the following reason:

*"Over domination of neighbouring properties and the proposals are not in keeping with the character of neighbouring properties."*

#### **DESCRIPTION OF SITE AND CONTEXT**

The application site is a detached dormer bungalow situated on the residential Chesterton Drive within the Settlement Boundary for Crewe.

#### **DETAILS OF PROPOSAL**

The proposed development is for a two storey rear extension. This will project from the existing rear elevation by 3.7 metres, with a width of 6.1 metres and a roof ridge height of 6.7 metres to match the existing.

The east elevation will have a dormer window which will be obscure glazed. The proposed development also includes the provision of a pitched roof to the existing dormer.

#### **RELEVANT HISTORY**

None

## **POLICIES**

### **Crewe & Nantwich Borough Council Local Plan Policy**

Paragraph 216 of the National Planning Policy Framework (NPPF) states that, unless other material considerations indicate otherwise, decision-takers may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

In view of the level of consultation already afforded to the plan-making process, together with the degree of consistency with national planning guidance, it is appropriate to attach enhanced weight to the Cheshire East Local Plan Strategy - Submission Version in the decision-making process.

At its meeting on the 28<sup>th</sup> February 2014, the Council resolved to approve the *Cheshire East Local Plan Strategy – Submission Version* for publication and submission to the Secretary of State. It was also resolved that this document be given weight as a material consideration for Development Management purposes with immediate effect.

The relevant policies of the **Cheshire East Local Plan Strategy – Submission Version** are:

SD.1 Sustainable Development in Cheshire East  
SD.2 Sustainable Development Principles  
SE.1 Design  
MP.1 – Presumption in Favour of Sustainable Development

### **Crewe & Nantwich Borough Council Local Plan Policy**

BE.1 – Amenity  
BE.2 – Design  
RES.11 – Extensions and Alterations to Existing Dwellings

National Planning Policy Framework

### **Other Material Considerations**

Supplementary Planning Document – Extensions and Householder Development

## **CONSIDERATIONS (External to Planning)**

None

## **VIEWS OF THE PARISH / TOWN COUNCIL**

Wistaston Parish Council object for the following reasons:

The proposal is out of character with existing properties in the area. It would over dominate and create lack of privacy to neighbouring properties 5 and 9 Chesterton Drive and properties to the rear at 4, 6 and 8 Swift Close.

## **OTHER REPRESENTATIONS**

Five letters of representation have been received from the occupiers of neighbouring properties which object for the following reasons:

- Design is not in keeping with surrounding dwellings
- Proposal is too big for the size of the plot
- Reduction in privacy to 9 Chesterton Drive, 4, 6, and 8 Swift Close
- Reduction in house value
- Over domination
- Approval would set a precedent
- Impaired visual outlook and loss of light to 5 Chesterton Drive
- Proposed side window would infringed on privacy
- Impact on the amount of heat generate by sunlight to 5 Chesterton Drive

## **APPLICANT'S SUPPORTING INFORMATION**

None received

## **OFFICER APPRAISAL**

### **Principle of Development**

The proposal is for a rear extension to a dwelling within the Settlement Boundary for Crewe 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 or the surrounding streetscene.

### **Amenity**

The application dwelling is situated on a residential cul-de-sac with surrounded with neighbouring dwellings on all sides.

To the north are the neighbouring dwellings of Chesterton Drive which lie on the opposite side of the road to the application dwelling. It is not considered that the proposed development will have a detrimental impact upon these properties.

To the east stands the neighbouring dwelling of 5 Chesterton Drive and to the west 9 Chesterton Drive.

Number 5 is set back from the application dwelling and is separated by approximately 1.5 metres, plus the attached single storey garage of number 5 is in between. The glazing of the side dormer window of the proposed development faces towards 5 Chesterton Drive, however this is to be obscure glazed and conditioned as such. Therefore, this will mitigate any potential privacy issues from this perspective.

The proposed ground floor window to the east elevation will face onto the blank garage elevation of number 5. Further to this, there will not be a breach of the 45 degree code when applied to the rear principal windows of number 5. With the above in mind it is not considered that the proposed development would lead to a significantly detrimental impact upon the amenity of 5 Chesterton Drive either through loss of privacy/light or over domination. The potential on loss of heat generated by the sun is not a material planning consideration that can be considered as part of this application.

The neighbouring dwelling to the west, number 9 Chesterton Drive, has a rear elevation that is set forward of that of the application dwelling by approximately 1 metre. These two dwellings are also separated by approximately 1.5 metres with the single storey garage of number 7 in between.

There would be no breach of the 45 degree code when applied to the rear principal windows of number 9. Therefore, it is not considered that the proposed development will lead to a detrimental impact upon the amenity of number 9 Chesterton Drive.

To the south of the site lie the neighbouring dwellings of Swift Close, the closest being numbers 4, 6 and 8. The rear elevation of number 4 lies approximately 20 metres from the application site, number 6 approximately 19 metres and number 8 approximately 21 metres away. The rear boundary of the application dwelling consists of a 1.6 metres high timber fence and semi-mature hedging/shrubs standing at a height greater than the fence.

Paragraph 3.32 of the SPD states that:

*'As a general indication, to protect the privacy and living conditions of neighbouring properties, a distance of 21 metres should be achieved between any proposed principal window and a directly opposing principal window in a neighbouring dwelling.'*

Paragraph 3.34 concludes by stating that:

*'These distances are given as general guidance and there may be situations where mitigating measures or circumstances e.g. difference in levels, which mean that the distances can be reduced. Such a judgement will be dependent upon the context and character of the site or the proposal put forward.'*

A similar application at Shorthorn Close, Middlewich (11/4598C) to the proposed development was allowed by a Planning Inspector at appeal (APP/R0660/D/12/2174898). This application was for a two storey side extension which projected beyond the existing rear elevation of the application dwelling. The distance between the principal windows of the proposal and those of directly facing neighbouring dwellings was approximately 18 metres, sharing much the same relationship as the neighbouring dwellings to 7 Chesterton Drive.

In allowing the appeal the Inspector reasoned that:

*'...In my experience, some overlooking of this type is a common characteristic of the relationship between houses in residential areas. Given that a reasonable distance would still separate the proposal and the existing properties and the partial screening provided by existing vegetation and boundary treatment, it is my assessment that the additional overlooking in this case would not be so great as to significantly harm the living conditions of the occupiers of the Longhorn Close properties.'*

Given the separation distances and boundary treatment involved, as well as the above mentioned appeal decision it is not considered that the proposed development will have a significantly detrimental effect upon neighbouring residential amenity to sustain a refusal.

As a result the proposed development is in accordance with Policy BE.1 (Amenity) and Policy RES.11 (Improvements and Alterations to Existing Dwellings) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

## **Design**

Policy BE.2 states that new development will be permitted provided that it:

- Respects the pattern, character and form of the surroundings, and
- Does not adversely affect the streetscene by reason of scale, height, proportions or materials used.

Policy RES.11 states that development should:

- Respect the setting, design, scale and form and materials of the original dwelling.

In terms of design the proposed development is to be situated at the rear of the existing dwelling and, therefore, would not have a detrimental impact upon the surrounding streetscene.

The proposed materials are to match those of the existing dwelling as closely as possible which is considered to be acceptable.

The scale and form of the proposed development is considered to be acceptable in terms of its relationship with the host dwelling and those in the surround area. As mentioned above it is not considered that the design of the proposal will lead to a significant effect upon neighbouring residential amenity.

With regards to the setting of a precedent each application is judged on its own individual merits.

As a result the proposed development is in accordance with Policy BE.2 (Design Standards) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

## **Other Matters**

The potential devaluing of neighbouring dwellings is not a material planning consideration which cannot be considered as part of this application.

### **CONCLUSIONS AND REASON(S) FOR THE DECISION**

The proposed development respects the size and character of the existing dwelling and the surrounding area and will not have a significant impact upon neighbouring amenity. The proposed development is of a suitable design appropriate to the purpose it will serve in keeping with Policy SE.1 (Design). The proposal therefore complies with Policy BE.1 (Amenity), Policy SE.1 (Design), and Policy RES.11 (Improvements and Alterations to Existing Dwellings) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and the Emerging Local Plan Strategy Policy.

### **RECOMMENDATIONS**

**APPROVE** subject to the following conditions

- 1. Standard time 3 years**
- 2. Materials**
- 3. Plans**
- 4. Obscure glazing to the first floor window facing No. 5 Chesterton Drive.**



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