

Application No: 14/2867C

Location: SANDY LANE, CRANAGE, KNUTSFORD CW4 8HR

Proposal: Construction of new house

Applicant: Helen Edwards

Expiry Date: 07-Aug-2014

### **SUMMARY RECOMMENDATION**

**APPROVE** subject to conditions

#### **MAIN ISSUES:**

- Principle of the development
- The impact of the design and layout
- The impact upon neighbouring amenity
- Highway safety
- The impact upon protected trees
- The impact on protected species

### **REASON FOR REFERRAL**

The application has been called into Southern Planning Committee by Councillor A. Kolker for the following reasons;

*'I would like to call the application in on the grounds that it is a controversial backland development in woodland and possibly inappropriately positioned on site.'*

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

The application site comprises of a parcel of land to the rear of Fiveways, a detached dwelling which lies on a corner plot between Northwich Road and Sandy Lane within the Rudheath Woods Infill Boundary Line.

The site is largely square in shape, flat and comprises of lawn and trees. The site currently has no boundary between the boundary with Fiveways to the south, but is largely enclosed on the other 3 sides by a combination of fencing, mature shrubbery and trees.

There are a number of TPO protected trees either on or within close proximity of the application site.

The application site also falls within the Jodrell Bank Radio Telescope Consultation Zone Line.

## **DETAILS OF PROPOSAL**

Planning permission is sought for the erection of a detached dwelling.

## **RELEVANT HISTORY**

**36578/3** - 2 storey dwelling and single storey garage – Withdrawn 12<sup>th</sup> November 2003

**33996/1** - One detached house and garage (Outline) – Refused 4<sup>th</sup> March 2002

**27971/1** - Erection of detached dwelling (Outline) – Refused 2<sup>nd</sup> April 1996

**27071/1** - Erection of detached dwelling (Outline) – Withdrawn 3<sup>rd</sup> April 1995

**21456/1** – Dwellinghouse (Outline) – Refused 3<sup>rd</sup> October 1989

**20085/1** – Dwellinghouse (Outline) – Refused 23<sup>rd</sup> August 1988

**10610/1** - Infill development to form one detached two storey dwelling and garage – Refused 15<sup>th</sup> May 1980

**7949/1** - One detached dwelling and garage (Outline) – Refused 15<sup>th</sup> November 1978

**6448/1** - One detached dwelling and garage (Outline) – Refused 21<sup>st</sup> March 1978

**5041/1** - Proposed infill development to form 1 detached two storey dwelling and garage (Outline) – Refused 3<sup>rd</sup> May 1977

## **POLICIES**

### **Local Plan Policy**

PS6 – Settlements in the Open Countryside and the Green Belt

GR1 -General Criteria for Development

GR2 - Design

GR6 - Amenity and Health

GR9 - Highways & Parking

NR1 – Trees and Woodlands

H1 & H2- Provision of New Housing Development

H6 – Residential development in the Open Countryside and the Green Belt

### **National Policy**

National Planning Policy Framework (NPPF)

### **Cheshire East Local Plan Strategy – Submission Version**

PG1 – Overall Development Strategy

PG2 – Settlement Hierarchy

PG5 – Open Countryside

SD1 - Sustainable Development in Cheshire East

SD2 - Sustainable Development Principles

SE1 – Design

SE2 – Efficient Use of Land

SE3 – Biodiversity and Geodiversity  
SE4 – The Landscape  
SE5 – Trees, Hedgerows and Woodland

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

**Environmental Protection** – No objections, subject to an hours of construction restriction informative.

**Strategic Highways Manager** – No objections.

**Jodrell Bank (University of Manchester)** - No comments received at time of report

**United Utilities** – No objections, subject to a drainage condition and a number of informatives relating to drainage / water connections

### **VIEWS OF THE PARISH COUNCIL:**

**Cranege Parish Council** – No objections - but raise drainage concerns

### **OTHER REPRESENTATIONS:**

Letters of objection have been received from the occupiers of 7 neighbouring properties. The main areas of objection include;

- Administrative matters – Adequacy of notification process, non-dated photographs submitted which do not reflect the existing situation
- Principle of development
- Impact upon Open Countryside
- Dwelling not required for Cheshire East 5-year housing land supply figures / No need for further housing in area
- Locational Sustainability
- Proposal contrary to PPS3 – Housing self-assessment
- Proposal been refused numerous previous times
- Impact upon Trees and Landscape
- Amenity – Loss of privacy, air pollution (dust), overbearing, visual intrusion, loss of outlook
- Design – Layout, scale, impact upon local character, plot size too small
- Highway safety – Traffic volume, visibility, regular speeding, pedestrian / cyclists and horserider safety.
- Ecology – impact upon badgers, green woodpeckers

Other matters have been raised which are not material planning considerations such as; a loss of view.

### **SUPPORTING INFORMATION:**

Planning & Design and Access Statement

Tree survey  
Tree report  
Arboricultural Impact Assessment  
Tree Location Plan

## **OFFICER APPRAISAL**

### **Principle of development**

Policy PS6 of the Local Plan advises that within the infill boundary lines, only limited development is permitted in accordance with Policy H6 where it is appropriate to the local character in terms of use, intensity, scale and appearance and does not conflict with any other policies of the Local Plan.

Policy H6 advises that residential development will not be permitted unless it falls into one of a number of categories. One of these categories is *'limited development within the infill boundary line of those settlements identified in Policy PS6 which must be appropriate to the local character in terms of its use, intensity, scale and appearance.'*

The principal issue to which this application falls to be determined is whether the development should be considered as *'limited development' for the purposes of Policy PS6* and whether this development would be *'appropriate to the local character in terms of use, intensity, scale and appearance'*.

Given that the development is for 1 dwelling only, it is considered that the proposal should be considered as *'limited development.'*

The surrounding area is currently characterised by linear detached residential development which lie either parallel to the Northwich Road on either side of the road or either side of Sandy Lane again, on either side of the road. All these properties generally sit within larger plots.

As such, the use of the site for residential purposes is acceptable.

It should be noted that planning permission has been granted for a number of new dwellings on this road. More specifically; 11/3868C (1 new dwelling at Land Adj The Glen, Sandy Lane) and 13/3159C (2 new dwellings at Land Adj Tamarau, Sandy Lane).

As a result of the layout of this local existing development, it is considered that the addition of a further detached dwelling on the western side of the road which would follow a similar building line to the adjacent properties would respect the local character in terms of its use and intensity.

In terms of form, height, scale and appearance, all of the nearby properties are detached and as such, the form of further detached dwelling would be acceptable.

The height of the property would be approximately 9.5 metres.

The height of the closest neighbouring dwellings, according to their planning history are Fiveways at 9.6 metres and Hazelmere at 7.5 metres. As such, the proposal would fall within the range of heights of the immediate dwellings.

The footprint of the proposed dwelling would be approximately 147 metres squared.

The footprints of the closest surrounding properties include; Fiveways at 216 square metres and Hazelmere at approximately 199 square metres.

As such, the proposed footprint of the proposed dwelling would be smaller than the footprint of the properties immediately adjacent. However, given the range of dwelling footprints in the area, it is not considered that a detached dwelling of a slightly smaller footprint would appear incongruous.

With regards to the appearance of the dwelling, it is proposed that this is acceptable also given the varying appearance of the surrounding properties.

The NPPF largely supports the Local Plan policies that apply in this case.

## **Design**

Policy GR2 of the Local Plan advises that the proposal should be sympathetic to the character, appearance and form of the surrounding site in terms of; the height, scale form and grouping, the choice of materials, external design features and the relationship with neighbouring properties.

The proposed dwelling would be inset from the highway by approximately 37 metres, from the side boundary with Hazelmere by approximately 1 metres, from the rear/side boundary with The Chalet by approximately 11.2 metres and from the side boundary with Fiveways, the applicant's property by approximately 17.4 metres.

As such, it would largely sit towards the northern side boundary, pushed back within the site. It appears that this dwelling has been sited as such in order to minimise the impact upon existing trees on site.

It is considered that the layout of this dwelling, in terms of its inset into the plot, would not appear incongruous within the local area and as such, is considered to be acceptable.

In terms of scale, the development would be approximately 9.5 metres tall and have a footprint of approximately 144 metres squared.

It has already been established that that these measurements would not appear incongruous within the area given the scale of the properties immediately adjacent to the proposal.

The neighbouring development consists of a mixture of dwelling styles. As such, there is no particular local vernacular to adhere to. Notwithstanding this, the proposed design of the dwelling would be proportionate and would be in keeping with the general character of the streetscene.

With regards to materials, it is advised within the submission that the walls would be finished in brick, the roof would be of a dual-pitched style constructed from tiles, the fenestration would be timber with stone surrounds and the driveway would be finished in stone paving.

Subject to the materials being conditioned, it is considered that the materials to be utilised will be acceptable.

As a result of the above, it is considered that the proposal would adhere with policy GR2 of the Local Plan.

### **Residential Amenity**

Policy GR6 of the Local Plan advises that development should not be permitted if it would have a detrimental impact upon neighbouring amenity by way of loss of light, visual intrusion or loss of privacy.

The neighbours that would be most impacted by the proposal would be the occupants of the applicant's property, Fiveways to the south, the occupants of Hazelmere to the north, the occupants of The Chalet to the southwest and the occupants of The Paddocks and Holly Cottage to the east.

The applicant's property would be approximately 41 metres away to the south, Hazelmere would be approximately 23.5 metres away to the north, No.32 Northwich Road would be approximately 35 metres away to the southwest and the properties on the opposite side of Sandy Lane would be over approximately 50 metres to the east.

Supplementary Planning Guidance Note 2 (SPG2) advises that in all new residential developments, the minimum spacing between main windows of properties directly facing each other or with a front to rear relationship is 21.3 metres.

The minimum separation standard between the main windows of a dwelling directly facing the flank walls of another dwelling is 13.8 metres.

The proposed dwelling adheres with all of these standards and as such, is deemed not to create any significant issues with regards to dwelling-to-dwelling issues in relation to loss of privacy, light or visual intrusion.

With regards to overlooking, within the south-facing side elevation of the property facing Fiveways, the only window proposed would be a ground-floor secondary kitchen/living room window.

Given that this window is at ground floor level only and positioned approximately 11 metres away from the boundary with this property, it is not considered that overlooking to this side would be a concern.

On the proposed northern side of the dwelling, facing the side elevation of Hazelmere, 2 ground-floor windows and a first-floor window are proposed. The first-floor window would serve a bathroom.

It is proposed that should the application be approved, the proposed first-floor window in this northern elevation be conditioned to be obscurely glazed and non-opening in order to prevent overlooking.

The ground-floor windows would be predominantly screened to this side by existing boundary treatment.

On the rear elevation of the proposed dwelling, 4 ground-floor openings, 3 first-floor windows and 6 roof lights are sought. Given that these openings would be positioned approximately 11 metres from the rear boundary of the site which comprises of mature, tall shrubbery and trees

and given that beyond this would lie the rear portion of the rear garden of The Chalet, it is not considered that the overlooking created to this side would be sufficient to warrant refusal of the application.

With regards to environmental disturbance, Environmental Health has raised no objections, subject to an hours of construction informative.

As a result of the above, subject to conditions, it is considered that the development would adhere with policy GR6 of the Local Plan.

### **Highway Safety**

The proposed development would include the creation of a new access point onto Sandy Lane and a new private driveway which would accommodate at least 2 cars.

There have been a number of concerns raised regarding the safety of allowing additional traffic to emerge from the junction of Sandy Lane onto Northwich Road.

The Strategic Highways Manager has been consulted and has advised that *'...Current thinking via the National Planning Policy Framework requires that: 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe...' The Strategic Highways Manager finds that the traffic generation from one dwelling and the impact on the junction of Sandy lane with Northwich Road will not be severe and has assessed the site in detail to confirm.*

It is advised that the leading direction visibility from Sandy Lane along Northwich Road measures in excess of 250 metres, comfortably adhering to the relevant standards. Visibility in the non-leading direction is 90 metres to the nearest kerb and 160 metres to the opposed traffic. The junction of Sandy Lane with Northwich Road has a visibility of 225 metres in the non-leading direction.

The Strategic Highways Manager has advised that *'The view emerging from Sandy Lane along New Platt Lane is restricted however, given the good visibility onto Northwich Road; it is comfortable for drivers to pull forward from Sandy Lane... This manoeuvre was completed several times on the site visit without incident.*

*Injury accident records show no injury accidents at this location in the last 5 years which is the industry recognised standard for assessment.*

*Traffic generation from one dwelling would be insignificant and certainly not 'severe' when the NPPF is considered.'*

As such, no objections are raised.

As a result of the above, it is considered that the proposal would adhere with Policy GR9 of the Local Plan.

### **Trees and Landscape**

The applicant has submitted a Tree survey, Tree report, Arboricultural Impact Assessment and Tree Location Plan with the application.

The Council's Tree and Landscape Officer has reviewed that submitted information and advised that she has no significant tree concerns subject to the inclusion of a number of conditions. These conditions include; Tree retention, tree protection, the prior submission of an Arboricultural method statement with particular focus on the driveway and access.

In terms of landscape implications, the Council's Tree and Landscape Officer has advised that she raises no objections, subject to the provision of landscaping conditions.

As such, subject to the implementation of the above conditions, it is considered that the proposed development would adhere with Policies NR1 and GR4 of the Local Plan.

### **Protected Species**

The Council's Nature Conservation Officer has advised that he does not anticipate there being any significant ecological issues associated with the proposed development. However, should the application be approved, it is recommended that a condition to safeguard breeding birds be included.

As such, subject to the inclusion of this condition, it is considered that the proposal would adhere with Policy NR2 of the Local Plan.

### **Drainage and Flooding**

United Utilities have been consulted on the application and advised that subject to a condition requiring the prior submission of a scheme for the disposal of foul and surface waters, they raise no objections.

As such, subject to this condition, it is considered that the proposal would adhere with Policy GR20 of the Local Plan.

### **CONCLUSIONS**

The dwelling would respect the local character in terms of use, intensity, scale and appearance. In addition the proposal would not raise any concerns for neighbouring amenity, highway safety, protected trees, ecology, drainage or flooding. In so doing, the proposal accords with policies PS6 (Settlements in the Open Countryside and the Green Belt), GR1 (General Criteria for Development), GR2 (Design), GR6 (Amenity and Heath), GR9 (Access and Parking), H1 (Provision of New Housing Development), H6 (Residential development in the Open Countryside and the Green Belt), NR1 (Trees and Woodlands) and NR2 (Wildlife and Nature conservation – Statutory Sites) of the Congleton Borough Local Plan First Review 2005. The proposal would also accord with the NPPF.

### **RECOMMENDATION**

**APPROVE** subject to the following conditions:

#### **1. Time (Standard)**



2. Plans
3. Prior submission of facing and roofing details
4. Prior submission of surfacing materials
5. Obscure glazing (First-floor northern side elevation)
6. Landscaping (Details)
7. Landscaping (Implementation)
8. Boundary treatment
9. Tree retention
10. Tree protection
11. Arboricultural Method Statement
12. Prior submission of a drainage plan
13. Removal of PD rights – (Part 1 Classes A-E)
14. Removal of PD rights – (Part 2 Class A)
15. Breeding birds

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Strategic & Economic Planning, in consultation with the Chair (or in his absence the Vice Chair) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

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