

Application No: 14/4769C

Location: The Hollies, 16, Smithfield Lane, Sandbach, Cheshire, CW11 4JA

Proposal: Detached House with Integral Garage

Applicant: Andy Mines, Smithfield Court Ltd

Expiry Date: 08-Dec-2014

REASON FOR REPORT:

This application has been called in for determination by the Committee by Councillor Sam Corcoran for the following reason:

'The size of the property is out of keeping with the surroundings and will disturb the amenity of neighbours on Booth Avenue.'

CONCLUSION:

Local concerns of residents have been raised, in respect of highways, amenity and design/streetscene matters. However, the proposal complies with the relevant policies of the Development Plan and should be approved. Where impacts are noted they would not result in a level of harm that could justify a refusal of planning permission.

The application includes an appropriate quality of design with materials to be secured by condition. The proposal complies with local amenity standards and the Strategic Highways Manager does not raise objections in respect of highway safety or impact.

The application site is within the Settlement Boundary for Sandbach and the scheme represents a sustainable form of development and that the planning balance weighs in favour of supporting the development subject conditions.

SUMMARY RECOMMENDATION:

Approved with conditions

PROPOSAL:

The proposed development is for the construction of a two storey detached five bedroom dwelling with attached single storey garage to the rear garden area of 16 Smithfield Lane. It will measure approximately 9.4 metres by 13 metres with a roof ridge height of 6.9 metres. The proposed dwelling will have sufficient space to accommodate the parking of at least three cars.

Amended plans have been received from the applicant's agent which have a lowered eaves height to the rear elevation to reduce the starkness of this elevation. Dormer windows have now also been added to the rear following the lowering of the eaves.

SITE DESCRIPTION:

The site lies to the rear of Smithfield Lane within the Settlement Boundary for Sandbach and is surrounded by existing residential dwellings. To the west are the existing dwellings of Smithfield Lane, while to the east lie the properties of Booth Avenue which are predominantly dormer bungalows. To the north is the rear garden of 18 Smithfield Lane and to the south are two detached bungalows currently being constructed in what was the rear garden of 14 Smithfield Lane.

RELEVANT HISTORY:

7953/3 – First floor extension – approved with conditions 1978

13013/3 – New entrance and garage – approved with conditions 1981

NATIONAL & LOCAL POLICY**National Policy:**

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs:

14 and 49

Development Plan:

The Development Plan for this area is the Congleton Borough Local Plan 2005 First Review

The relevant Saved Policies are: -

PS 4 – Towns

GR 1 – New Development

GR 2 – Design

GR 6 – Amenity and Health

GR 9 – Accessibility, Parking and Service Provision

H 1 - Provision of new housing development

H 2 - Housing Supply

H 4 - Residential Development in Towns

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

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

MP.1 – Presumption in Favour of Sustainable Development

PG.2 – Settlement Hierarchy

SD.1 Sustainable Development in Cheshire East

SD.2 Sustainable Development Principles

SE.1 Design

Supplementary Planning Documents:

North West Sustainability Checklist

CONSULTATIONS:

Highways:

No objection

Environmental Health:

No objections with recommended conditions/informatives relating to hours of pile driving, hours of construction, dust control and contaminated land.

Landscape:

No objection provided the Oak tree and boundary hedges are retained and protected in accordance with the submitted Arboricultural Method Statement.

United Utilities:

No objections

Sandbach Town Council:

No objection, in principal to development of the site, subject to consideration amenity and privacy of adjacent houses.

REPRESENTATIONS:

Neighbour notification letters were sent to all adjoining occupants and a site notice erected.

12 letters have been received objecting on the following grounds:

- Overdevelopment
- Proposed house is too large
- Detrimental to properties on Booth Avenue
- Loss of privacy to properties on Booth Avenue
- Minimum separation distances not met.
- Highway access not safe
- Detrimental to the character of the area
- Proposal is out of keeping with surroundings
- Increase traffic and disturbance
- A bungalow would be more appropriate
- Plans do not show neighbour's extension

APPRAISAL:

The key issues are:

Principle of Development

PS4 (Towns) of the Congleton Borough Local Plan First Review 2005 states that “*within the settlement lines of towns, there is a general presumption in favour of development provided it is in keeping with the town’s scale and character and does not conflict with other policies of the Local Plan*”.

The application site lies within the Settlement Boundary for Sandbach, therefore the principle of residential development is acceptable providing that the design is appropriate and that the development does not give rise to any detrimental impact on the amenities of adjacent properties.

Other Material Considerations

Amenity

In terms of neighbouring residential amenity the closest neighbouring dwellings to the site are those of Boothe Avenue to the rear (east) and 16 Smithfield Lane to the front (west).

The recommended separation distance between directly facing principal windows as stated in the Supplementary Planning Guidance Note 2 is a minimum of 21.3 metres.

The rear elevation of 16 Smithfield Lane faces the front elevation of the proposed dwellings at a distance of 21.5 metres. The two dwellings that lie directly to the east of the application site are numbers 13 and 14 Booth Avenue the distances here are 25 metres and 24.5 metres respectively between the principal windows. Number 11 Booth Avenue does not share a directly facing relationship with the proposed dwelling and is at a distance of approximately 26 metres at the closest point. Number 16 Booth Avenue stands to the south east of the site at a distance of approximately 27 metres. The distance from Cherry Cottage to the north west of the proposal is 24 metres between the directly facing parts of the principal elevations.

The approved dwelling, currently under construction, to the rear of 14 Smithfield Lane is to the south of the proposed dwelling approximately 6 metres away. However, this is a side elevation to side elevation relationship and does not involve any principal windows in either property.

It has been noted that 14 Booth Avenue has a single storey rear extension that is not shown on the submitted plans. This does indeed shorten the separation distance, however this is at ground floor level only and visual amenity issues will be mitigated as the existing boundary treatment will remain in position, with further planting to be secured via condition, and will screen the view from the ground floor principal windows to the rear elevation of the proposed dwelling.

It is accepted that views will be possible into the gardens of neighbouring dwellings, however this is an existing situation and overlooking of gardens is already possible from the first floor windows of the existing surrounding dwellings. It will be possible to view the gardens of dwellings on Booth Avenue, however given the distances involved and the existing boundary treatments this is not considered to be of a significant enough scale to sustain a refusal. Furthermore, enhance boundary planting could be secured by condition to further reduce this.

Design

With regard to the design of the proposed dwelling Policy GR.2 (Design) states that new development will be permitted where it is sympathetic to the character, appearance and form of the site and the surrounding area in terms of height, scale, form and grouping of buildings as well the visual, physical and functional relationship with the streetscene and surrounding area.

With the above in mind the surrounding area is predominantly single storey dwellings on Smithfield Lane and Booth Avenue. However, the application site has a pair of two storey dwellings to the west (16 and 18 Smithfield Lane) and the detached property of Cherry Cottage to the north. The proposed dwelling has a height of approximately 6.9 metres while the two bungalows to the south have a height of approximately 6.5 metres.

Therefore, the proposed dwelling will be viewed in context with the neighbouring two storey dwellings and the two bungalows. Given the height of the proposed dwelling and that of the neighbouring bungalows it is not considered that it will be of a scale that will have a significant detrimental effect in terms of its bulk and scale.

In terms of the design of the proposed dwelling there is not set vernacular or overriding style found in the local area, the existing dwellings are also of differing sizes. The proposed dwelling has a roof ridge height of while the two bungalows to the south have a height of

Overall it is considered that the proposed development is will be acceptable in terms of its size, scale and bulk and its relationship with the surrounding dwellings.

Highways

Access to the proposed dwelling will be from Smithfield Lane via the private driveway which also serves the two dwellings currently being constructed behind number 14 Smithfield Lane.

The proposed dwelling will be have space for the parking of at least three cars as well as turning space to allow egress in a forward gear.

The Strategic Highways and Transport Manager considers that the addition of one dwelling will have a negligible impact on the private driveway and highway network.

It is, therefore, considered, that the proposed development will not have a detrimental impact regarding highway safety.

Landscape

There are a number of ornamental trees on the site which will be removed as part of the proposed development, these are shown within the submitted Arboricultural information.

A significant Oak stands in the south east corner of the application site, clarification has been received from the agent that this tree is to be retained and protected during any development. A condition to this effect will be attached to any permission.

The existing boundary hedges are to be retained, this can be conditioned via a Landscaping Scheme to be submitted for approval to include further planting along the eastern boundary to act as a screen to mitigate any loss of amenity to the window in the single storey rear extension of number 14 Booth Avenue.

Response to Objections

The representations of the members of the public have been given careful consideration in the assessment of this application and the issues raised are addressed within the individual sections of the report. However the disbenefits of the development identified by the objectors are not considered to significantly and demonstrably outweigh the benefits provided by the development.

Planning Balance

Paragraph 14 of the NPPF states Local Planning Authorities should approve development proposals without delay where they accord with the Development Plan.

The proposal is in within the Settlement Boundary for Sandbach, and an established residential area, and is in accordance with development plan policy PS.4 (Towns), therefore there is a presumption in favour of development.

Environmental Sustainability

The application site is a rear garden of an existing residential dwelling and is, therefore, classed as a Greenfield site. However, the site is also within the Settlement Boundary for Sandbach therefore development of the site is acceptable.

Several of the existing ornamental trees on the site are to be removed. The Council's Landscape officer has no significant forestry concerns provided that the existing Oak tree and boundary hedgerows are retained.

The site is in a sustainable location in terms of Sandbach Town centre as well at a distance of approximately 0.8 of a mile.

Social Sustainability

The proposed development will provide a dwelling on a site within an existing residential area and the Settlement Boundary of Sandbach.

The site is in a sustainable location in terms of Sandbach Town centre as well at a distance of approximately 0.8 of a mile.

Economic Sustainability

The proposal is for a single dwelling and therefore has a very limited impact. However, it will to a very limited degree help to maintain a flexible and responsive supply of land for housing as well as bringing direct and indirect economic benefits to the town including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

The proposed development is considered to comply with the relevant policies of the Development Plan. It is considered that there are no significant negative effects of the proposed development that would outweigh the potential benefits. Section 38(6) of the Planning and Compulsory Act 2004 requires that planning applications should be determined in accordance with the Development Plan unless material consideration indicate otherwise. Therefore, it is recommended that the application should be approved subject to the imposition of appropriate conditions.

RECOMMENDATION

Approve subject to the following conditions:

1. Standard three year time limit
2. Approved plans
3. External materials to be submitted
4. Surfacing materials to be submitted
5. Scheme of landscaping to be submitted
6. Boundary treatment as shown on plan 1983-110
7. Tree protection
8. Bird survey between 1st March and 31st August
9. PD rights removed
10. Pile driving Method Statement

11. Dust control

12. Contaminated land

13. Drainage scheme

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