

Application No: 14/5288N

Location: Plot 18, SANDLAND GROVE, NANTWICH, CW5 6GF

Proposal: Variation of condition in permission 12/4741N to allow erection of a conservatory / orangery to the rear of the dwelling

Applicant: Ben Sutton

Expiry Date: 06-Apr-2015

**CONCLUSION:**

The application includes an appropriate quality of design and the proposal is considered to be acceptable in terms of its bulk, size and scale. The development would not have a detrimental impact upon residential amenity.

The application site is within the Settlement Boundary for Nantwich and the proposal represents an appropriate form of development.

**SUMMARY RECOMMENDATION:**

**APPROVE** with conditions

**REASON FOR REPORT:**

This application is to be determined at planning committee as the proposal is for a variation of a condition on a major planning application (Condition 1 of planning permission 12/4741N).

**PROPOSAL:**

The proposed development is for a variation of Condition 1 of planning permission 12/4741N to allow the construction of a conservatory/orangery to the rear of No. 3, Sandland Grove, Nantwich (also known as Plot 18). The conservatory will measure approximately 4.8 metres in width by 2.9 metres in depth with a roof ridge height of 3.0 metres.

**SITE DESCRIPTION:**

The site lies to the south of Sandland Grove within the Settlement Boundary for Nantwich and is surrounded by new residential dwellings, the majority of which are unoccupied. To the immediate north is Sandland Grove and to the immediate south is a garage that serves a neighbouring dwelling, plot number 15.

The application site comprises the host dwelling (No. 3, Sandland Grove) and associated curtilage. The host dwelling is of new, red brick construction with a tiled roof.

#### **RELEVANT HISTORY:**

**12/4741N** - Application to erect 59 dwellings and associated works at land at COG Training Centre, Crewe Road, Nantwich – approved 13<sup>th</sup> December 2013

#### **NATIONAL & LOCAL POLICY**

##### **National Policy:**

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

##### **Development Plan:**

The Development Plan for this area is the Borough of Crewe and Nantwich Replacement Local Plan (2011).

The relevant Saved Policies are: -

BE.1 – Amenity

BE.2 – Design Standards

RES.11- Improvements and Alterations to Existing Dwellings

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:**

Extensions and Householder Development Supplementary Planning Document (SPD)

#### **CONSULTATIONS:**

**Highways:** No comment.

**Environmental Health:** No objections with recommended conditions/informatives relating to hours of construction and contaminated land.

**Environment Agency:** No objection.

**Archaeology:** No archaeological implications.

**Network Rail:** No comment.

**Public Rights of Way:** No objection.

**United Utilities:** No comment.

**Nantwich Town Council:** No objection.

## **REPRESENTATIONS:**

None received.

## **APPRAISAL:**

### **Principle of Development**

The proposal is for a single storey, rear extension to a dwelling within the settlement boundary for Nantwich 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.

### **Amenity**

The rear extension is single storey and projects beyond the existing building line by approximately 2.9 metres. It is considered that the proposed development will have no discernible impact on the residential amenities of either neighbouring properties (No. 2, Sandland Grove and No. 4, Sandland Close) as the projection and height of the proposed single storey rear conservatory are modest.

The proposed development would be constructed largely of glass and would be single storey therefore there would not be any significant impact on the amenity of No. 4, Sandland Close (the closest neighbouring property) as it is considered that the height of the proposed conservatory is acceptable and the existing boundary treatment is sufficient.

The proposed development would not have a detrimental impact upon the dwelling to the rear of the site (Plot 15).

There would be no breach of the 45 degree guideline as outlined in the Extensions and Householder Development SPD. It is not considered this extension would significantly harm any amenity in terms of loss of light or visual intrusion.

### **Design**

With regard to the design of the proposed dwelling Policy BE.2 (Design Standards) 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.

The property is a newly built modern, two and a half storey detached dwelling and the extension would be constructed largely of glass and, where appropriate, materials to match the existing dwelling. The conservatory would be situated at the rear of the property and would not alter the street scene.

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.

### **Planning Balance**

Taking account of Paragraphs 49 and 14 of the NPPF there is a presumption in favour of the development provided that it represents sustainable development unless there are any adverse impacts that *significantly and demonstrably* outweigh the benefits.

The proposal is in within the Settlement Boundary for Nantwich and is in accordance with Policy RES.11 (Improvements and Alterations to Existing Dwellings) and is therefore considered to be acceptable.

**APPROVE** subject to completion of a Deed of Variation to the Section 106 agreement to secure the same Heads of Terms as application 12/4741N.

**And the following conditions:**

1. Compliance with approved plans
2. Materials including surfacing materials as per discharge of condition application 14/0102D.
3. Submission and approval of contaminated land mitigation measures
4. External lighting as per discharge of condition application 14/0102D
5. Construction Hours to be restricted
6. Bin Storage
7. Boundary treatment as per discharge of condition application 14/0102D
8. Landscaping as per discharge of condition application 14/0102D
9. Implementation of landscaping
10. Provision of Parking as per the approved plans
11. Tree Protection as per discharge of condition application 14/0102D
12. Implementation of Tree protection
13. Arboricultural Method Statement as per discharge of condition application 14/0102D
14. Special construction measures under trees as per discharge of condition application 14/0102D
15. Surface Water runoff to mimic that of existing site
16. Scheme of sustainable urban drainage as per discharge of condition application 14/0102D
17. Submission of a Scheme to limit surface water run-off
18. Submission of a scheme to manage the risk of flooding from overland flow
19. Removal of Permitted Development Rights
20. Provision of bat and bird boxes as per discharge of condition application 14/0102D
21. Retention of trees T20 and T25
22. Proposed junction arrangement with the A534 Crewe Road as per discharge of condition application 14/0102D
23. Internal site layout as per discharge of condition application 14/0102D

**In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Planning and Place Shaping Manager has delegated authority to do so in consultation with the Chairman of Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.**

**Should this application be the subject of an appeal, authority be delegated to the Planning and Place Shaping Manager in consultation with the Chairman of Southern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.**

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