

Application No: 14/5781N

Location: Former Stapeley Water Gardens, London Road, Stapeley

Proposal: Removal of condition 12 (windows and doors) to planning application 13/4648N - Replan of plots 110-120 at former Stapeley Water Gardens, London Road, Stapeley

Applicant: James Wright, David Wilson Homes (NW)

Expiry Date: 02-Mar-2015

**CONCLUSION:**

The application includes an appropriate quality of design and the proposal is considered to be acceptable. 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 12 – windows and doors, of planning permission 13/4648N – replan of plots 110 -120 at former Stapeley Water Gardens, London Road, Stapeley).

**PROPOSAL:**

The proposed development is for the removal of Condition 12 of planning permission 13/4648N to allow for the replan of plots 110 – 120. Condition 12 states as follows:

*All windows and doors in the development and any subsequent replacements shall have a minimum 55mm reveal which shall not be varied without the prior written consent of the Local Planning Authority.*

**SITE DESCRIPTION:**

The application site forms part of the wider former Stapeley Water Gardens and Stapeley Manor site which is located within the Settlement Boundary for Nantwich as defined by the Borough of Crewe and

Nantwich Replacement Local Plan Proposals Map. A number of dwellings have already been constructed on the site and the access to them is via London Road.

#### **RELEVANT HISTORY:**

**13/4648N** – Replan of plot 110 – 120 at former Stapeley Water Gardens, London Road – Approved – 29<sup>th</sup> October 2014

**12/1381N** - Erection of 146 Dwellings, Public Open Space, Access and Associated Works – Approved – 8<sup>th</sup> November 2012

**09/4017N** – Planning permission approved for The Construction of Two Newt Mitigation Areas and Associated Connection Corridors on 23<sup>rd</sup> April 2010.

**P06/1001** – Outline Planning Permission was approved for the redevelopment and relocation of the existing garden centre facilities, A1 and A3 retail units, construction of Class C3 residential development, B1 office development, car parking, and ancillary facilities and infrastructure on 21<sup>st</sup> May 2010.

#### **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

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:**

n/a

#### **CONSULTATIONS:**

**Highways:** No comment.

**Environmental Health:** No comment.

**Environment Agency:** No comment.

**Archaeology:** No comment.

**Network Rail:** No comment.

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

**United Utilities:** No comment.

**Trees and Landscape:** No comment.

**Nantwich Town Council:** No comment.

## **REPRESENTATIONS:**

None received.

## **APPRAISAL:**

### **Principle of Development**

The proposal is for the removal of the 55mm reveal to the windows and doors on plots 110 - 120 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**

Policy BE.1 (Amenity) states that new development will be permitted provided that the proposal is compatible with the surrounding land uses and that the development does not prejudice the amenity of future occupiers or the occupiers of adjacent properties.

It is not considered that the removal of the reveal to the windows and doors of plots 110-120 will have any detrimental impact on the amenity of the surrounding residential properties.

### **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 surrounding properties are newly built modern, two storey detached dwellings and overall it is considered that the proposed development is 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 within the Settlement Boundary for Nantwich and is in accordance with Policy BE.1 (Amenity) and Policy BE.2 (Design Standards) 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 13/4648N.**

**And the following conditions:**

#### **Conditions:**

- 1. Standard Time Limit**
- 2. Plan references**
- 3. Materials to be submitted and Agreed**
- 4. Details of Boundary Treatment to be Submitted and agreed**
- 5. Details of Surfacing Materials to be Submitted and Agreed**
- 6. Remove Permitted Development Rights**
- 7. Details of Drainage Scheme to be Submitted and Approved**
- 8. Landscaping Submitted**
- 9. Landscaping Implemented**
- 10. Car Parking**
- 11. Details of External Lighting to be Submitted and Agreed in Writing**

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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