

Application No: 15/2421C

Location: 13, VICARAGE LANE, SANDBACH, CHESHIRE, CW11 3BW

Proposal: Replacement workshop/garage at the rear of the property

Applicant: Miss Kerry Thomas

Expiry Date: 31-Jul-2015

SUMMARY:

The replacement building is not considered to be incongruous within its setting nor detrimental with regard to amenity for any surrounding properties. The proposed development is of an acceptable design and is therefore in accordance to Local Plan Policies and the NPPF.

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

RECOMMENDATION:

Approve with conditions

REASON FOR REPORT:

This application has been called in to be determined by Southern Planning Committee by Cllr Merry as representations have been made stating that the application represents a change of use, there is a significant impact on neighbouring amenity, that Vicarage Lane is unsuitable for large vehicles and that the proposal is too large and is not in keeping with the surrounding area.

PROPOSAL:

Householder planning permission is sought for a replacement workshop/garage at the rear of No. 13, Vicarage Lane, Sandbach. The replacement building would be approximately 4.5 metres (m) in height to ridge and 3.5 m in height to eaves, 6.0 m in width and a length of 12 m.

SITE DESCRIPTION:

The application site is a roughly rectangular shaped piece of land, located to the west of Vicarage Lane. The site comprises a detached, two storey dwelling, detached garage/workshop to the rear and associated curtilage. The surrounding area is residential in character.

The site falls within the Sandbach settlement zone line.

RELEVANT HISTORY:

08/1579/FUL – extension to the side and rear – approved 28th October 2008

11/4121C – extension in time to application 08/1579/FUL – approved 22nd December 2011

NATIONAL & LOCAL POLICY

National Policy:

The National Planning Policy Framework (2012)

Development Plan:

The principle issue surrounding the determination of this application is whether the development is in accordance with the following policies within the Congleton Borough Local Plan First Review 2005:

Sandbach Settlement Zone Line

PS4 - Towns

GR1 – New Development

GR2 - Design

GR6 – Amenity and Health

GR9 - Accessibility, Servicing and Parking Provision

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

SD.1 - Sustainable Development in Cheshire East

SD.2 - Sustainable Development Principles

SE.1 - Design

CONSULTATIONS:

Highways: No comment.

Environmental Health: No comment.

Sandbach Town Council: No objection.

REPRESENTATIONS:

5 letters of representation have been received from local residents and are summarised below:

- Access arrangements and impact on parking and traffic
- The intended use is incorrect on the forms
- The building is not in keeping with the area
- The building is too large in terms of scale and massing
- Concerns over land use to the rear
- Inaccuracies on the planning application form
- Inappropriate land use
- Pollution and impact on amenity

APPRAISAL:

Principle of Development

The proposal is for a replacement workshop/garage at the rear of a dwelling within the settlement boundary for Sandbach 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.

The existing building is approximately 4.5 m in height to ridge and 2.3 m to eaves, 4.7 m in width and 6 m in length.

The proposal is considered to be in accordance with Policy PS4 (Towns) and is acceptable in principle.

Amenity

In terms of neighbouring residential amenity the closest neighbouring dwellings are No. 11 and No. 15, Vicarage Lane. It is not considered that the proposal would have any significant impact on the amenity of No. 6, Vicarage Gardens (the neighbouring dwelling to the west/rear of the application site) as the proposed replacement building would be situated approximately 16 m from the rear elevation of No. 6, Vicarage Gardens.

The proposed building would replace an existing garage/workshop that is in a state of disrepair. As detailed above, the replacement building will be the same height as the existing building, approximately 1.3 m wider than the existing building and approximately 6 m longer than the existing building. Due to the positioning of the building (at the rear of the dwelling and set back from the host dwelling by approximately 10 metres) and the fact that the building would replace an existing building that is the same height, it is not considered that the proposal would significantly harm any amenity in terms of loss of light, overshadowing or visual intrusion.

It is therefore considered that the proposed replacement building would not have any significant adverse impact on the residential amenity of the closest neighbouring properties. The proposal is therefore considered to be in compliance with GR6 (Amenity and Health) of the adopted local plan.

Design

The garage has been designed to be subservient to the host dwelling and the design is considered to be appropriate and in line with the purpose it will serve and is acceptable. The workshop/garage is to be located at the rear of the dwelling and will not be clearly visible from Vicarage Lane. The scale and massing of the proposed garage is considered acceptable and therefore the impact on the streetscene (which is residential in character) would not be significant.

The proposed openings are considered to be in keeping with the area and are acceptable in design terms.

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. The proposal is therefore considered to be in compliance with Policies GR1 (New Development) and GR2 (Design) of the adopted Local Plan.

Access and Car Parking

The proposed development seeks the erection of a replacement workshop/garage building. There is enough room to park three cars at the front/side parking area of the property and this provision is acceptable.

The proposal is considered in accordance with Policy GR9 (Accessibility, Servicing and Parking Provision).

Other Matters

Land ownership

Concerns have been raised by local residents relating to the ownership of the application site. This is considered to be a civil matter and, subject to planning permission, will be a matter for the Applicant and any interested third party land interest to address.

Proposed use

Further concerns have been raised relating to the use contained within the building. The Applicant has advised that:

“There is no commercial enterprise of any type whatsoever...the activity will be no different to that of the last 3 months since moving into Vicarage Lane”.

The use is considered to be incidental to the residential dwelling and it is not considered that a change of use is required.

The application has been submitted on a householder planning application form. If approved, there would be no permission for anything other than a domestic garage and workshop for the residence. For the avoidance of doubt (as the site edged red does not encompass the existing dwellinghouse), a condition could be imposed that would ensure the building is used only for purposes incidental to the enjoyment of the dwellinghouse known as No. 13 Vicarage Lane.

Permitted development position

A building of this footprint could be achieved under householder permitted rights. The height of the proposal is not in accordance with Part 1, Class E hence the requirement for a planning application. As detailed above, the height of the proposal matches the height of the existing building.

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 zone line for Sandbach and an established residential area and is in accordance with development plan policy therefore there is a presumption in favour of development.

RECOMMENDATION

Approve subject to the following conditions:

- 1. Standard three year time limit**
- 2. Plans**
- 3. Materials as per application**
- 4. Building to be used only as a garage/workshop incidental to the enjoyment of the dwellinghouse**

In order to give proper effect to the Board's/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 her 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.

