

Application No: 15/3485C
Location: 94, BRADWALL ROAD, SANDBACH, CW11 1GN
Proposal: Proposed Two Storey Side Extension and Internal Alterations
Applicant: Mr & Mrs Paul Carrington
Expiry Date: 25-Sep-2015

SUMMARY:

The proposed extension 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 is referred to Southern Planning Committee at the request of Cllr Moran for the following reason:

"In view of the significant public interest and concern with this proposed two storey side extension, it is considered that the application should be determined at a public planning committee meeting, rather than being delegated to officers to decide. Members of the public can then observe the democratic process and also make representations to committee members [elected councillors], as appropriate.

The key issue here is that the original site plan shows the extension would infringe on a very well used and long established public footpath located between 92 and 94 Bradwall Road and that links Bradwall Road and Twemlow Avenue. On this basis, Sandbach Town Council has objected to this development.

PROPOSAL:

Householder planning permission is sought for a two storey side extension with internal alterations.

The extension would be approximately 7.5 metres (m) in height to ridge and 2.4 m in height to eaves, 4.2 m in width and a depth of 13 m.

The application also includes a replacement porch to the front elevation of the dwelling.

SITE DESCRIPTION:

The application site is a roughly rectangular shaped piece of land, located on the northern side of Bradwall Road. The site comprises a detached, two storey dwelling and associated curtilage. The surrounding area is residential in character. Immediately to the eastern boundary is a footpath connecting Bradwall Road with Twemlow Avenue. This is not a recorded public right of way.

The site falls within the Sandbach settlement zone line.

RELEVANT HISTORY:

04/0136/FUL - Demolition of detached single garage in rear garden and existing single storey rear extension, to be replaced with two storey side and new single storey rear extension – approved 19th November 2004

07/0335/FUL - Addition of dormer window to central roof area above the front door to restore light to landing area – approved 16th May 2007

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

Sandbach Neighbourhood Development Plan (Draft)

CONSULTATIONS:

Environmental Health: No comments received at the time of writing the report.

SandbachTown Council: Object as the plans show that the development will impinge an existing public access path/right of way and means a reduction in the width of the path.

REPRESENTATIONS:

A number of letters of representation have been received from local residents, 4 object to the proposal and 5 support the proposal. The letters of objection are outlined below:

- The proposal will impinge on a public path/right of way
- In principle no objection, object to the reduced width of the path
- The path should be maintained during and post construction
- Path should be reopened as soon as possible
- Plans and ownership are unclear

The letters of support are outline below:

- The path is used by dog walkers and there is an issue with fouling, ground pollution and maintenance.
- The path is often blocked by overgrowth
- No objection to extension as long as the path is reopened
- Based on the updated plans showing the path removed from the scheme, no objection
- Footpath will be improved

APPRAISAL:

Principle of Development

The proposal is for a two storey side extension to 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 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 dwelling is No. 92, Bradwall Road (the neighbouring dwelling to the south east). It is not considered that the proposal would have any significant impact on the amenity of No. 96, Bradwall Road (the neighbouring dwelling to the north west of the application site) as the proposed development would be situated on the south east elevation of the host dwelling and the existing built form would serve to separate No. 96 from the proposed extension.

The extension follows the ridge height of the host dwelling. It is not considered to be excessive in terms of scale and massing. There are five windows proposed on the side elevation of the proposed extension facing No. 92, four at ground floor (two serving the garage and two serving the garden room) and one at first floor serving an en-suite bathroom (this will be conditioned to be obscure glazed). As such the impact on amenity would be limited. It is not considered that the new windows on the front elevation would have any impact on the amenity of the opposite dwellings as there are already windows facing these dwellings and the relationship is established.

The proposed extension maintains a gap of between 1.7m and 2.3m to the boundary of No. 92. This provides an acceptable spacing between buildings. The extension slopes down from 2 storey to single storey at the rear, such that the proposal will not be overly dominant to the neighbouring dwelling. There is a footpath between the dwellings that serves to provide additional spacing. When considering the proposed extension in relation to any potential overshadowing of principal windows and any potential overbearing effect on the neighbouring properties, the proposed extension complies with the 45 degree guideline that is used as a benchmark to assess the implications of such developments. Adequate space, light and privacy would be maintained between the two properties.

Whilst the objections are noted, it is considered that the proposed extension would not have any significant adverse impact on the residential amenity of the closest neighbouring properties or the path. The Applicant has advised that the footpath is to remain open and the revised drawings show the path omitted from the application site. The proposal is therefore considered to be in compliance with GR6 (Amenity and Health) of the adopted local plan.

Design

The proposed two storey extension would match the height of the existing roof line and the extension has been designed to mirror the host dwelling with the introduction of a new gable facing into the garden, mirroring the existing rear gable. The dormer on the front elevation has been designed to be in keeping with the existing dormer.

It is considered that the design and proportions of the proposed apertures are in keeping with the existing property and will not appear as alien or obtrusive features.

As such it is not considered that there would be any significant negative impact on the street scene.

As per policy H2 in the draft Sandbach Neighbourhood Development Plan the extension is appropriate and does not cause any unacceptable visual intrusion whilst making efficient use of land and respecting the character of the area.

Overall it is considered that the proposed extension 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 includes the relocation of the single bay integral garage. There is enough room to park at least two cars at the front parking area of the property and, when taking into account the provision of the garage parking space, this provision is acceptable.

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

Footpath

The majority of the objections raise concern about the obstruction of a footpath to the side of the dwelling between numbers 92 and 94 Bradwall Road which links Twemlow Avenue and Bradwall Road. The PROW team have confirmed that this is not a Public Right of Way and in any event it would be retained as part of the proposed development as shown on the amended plans.

Planning Balance

The proposal is in accordance with relevant policies of the development plan. In accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004 planning permission should therefore be granted unless material consideration indicate otherwise. The objections in respect of amenity issues and the path have been considered but there is not considered to be a significant and demonstrable impact that would justify a refusal of planning permission.

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. Obscure glaze first floor window facing 92 Bradwall Road**

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 Planning (Regulation), 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.

