

Application No: 15/2980C

Location: Land off Congleton Road, Smallwood, Sandbach, Cheshire

Proposal: Variation of Condition 2 on Application 13/2427C -Erection of 14no. one and two storey homes, including 11 affordable units for local need and footpath link to School Lane, construction of vehicular access to highway, change of use of land to a car park to be allocated to Smallwood Primary School and open space to be gifted to Smallwood Parish Council

Applicant: MCI Developments Limited,, PLus Dane Group & Brian Bracegirdle

Expiry Date: 28-Sep-2015

SUMMARY

The principle of development has already been accepted by virtue of planning approval 13/2427C.

The proposed changes to the approved scheme, primarily comprising of a change to 3 of the 14 house types and minor changes to the layout, are not considered to create any significant issues in relation to design, amenity, highway safety, trees, drainage and flooding, open space or ecology.

The proposal therefore accords with the relevant Local and National planning policies and is recommended for approval.

APPROVE Subject to a deed of variation to the Unilateral Undertaking and conditions

PROPOSAL:

Revised plans have been submitted for a variation of condition application to vary Condition 2 from approved Planning Permission 13/2427C.

13/2427C was for the 'Erection of 14no. one and two storey homes, including 11 affordable units for local need and footpath link to School Lane, construction of vehicular access to highway, change of use of land to a car park to be allocated to Smallwood Primary School and open space to be gifted to Smallwood Parish Council'

This application was approved subject to conditions, including Condition 2 below, which the applicant seeks to vary the reasons detailed.

Condition 2

'The development hereby approved shall be carried out in total accordance with the approved plans numbered/entitled:

*CongletonRd/BOUND - Boundary Treatment Plan
CongletonRd/LOC - Site Location Plan
CongletonRd/Bungalow - 2 Bed 3 Person Bungalow
CongletonRd/2B4P/01 - 2 Bed 4 Person (1)
CongletonRd/2B4P/02 - 2 Bed 4 Person (2)
CongletonRd/Street - Proposed Streetscenes
CongletonRd/Block - Block Elevations
CongletonRd/BINS - Bin Enclosure – Remove
CongletonRd/SLAB - Proposed Slab Levels
SMALLWOOD/3B5P - 3 Bed 5 Person*

Received by the Local Planning Authority on the 11th June 2013.

And in total accordance with the revised approved plan numbered/entitled:

*CongletonRd/SK17 Rev A - Planning Layout
Recieved by the Local Planning Authority on the 1st August 2013.*

And in total accordance with the approved plan numbered/entitled:

4355.02 – Tree Protection Plan'

The applicant proposes to amend, replace and add a number of the above plans in order to achieve the following changes;

- Layout – The removal of a footpath link from the Congleton Road frontage forward of dwellings 1-7, inset the dwelling on plot 1 further within the site, re-arrange the parking layout to the rear of the site, stagger the building lines of the dwellings proposed on plots 12-14, reduce the extent of on-site POS to the rear by approximately 18 metres squared
- Change in house types – House types 1-3 shall be amended from a row of 3 terraced units, to a pair of semi-detached dwellings and a detached dwelling. A materials schedule has also now been submitted.
- Change in boundary treatment plan – The applicant has submitted elevational plans of the proposed fencing
- Removal of bin storage plan – No longer sought

The original scheme sought a second vehicular access to the site, frontage parking forward of dwellings 1-3, a further inset of dwellings 2 and 3 and a reduced amount of Public Open Space.

These aspects of the scheme have been amended/removed on the advice of the Planning Officer.

SITE DESCRIPTION:

The site is 0.59 Ha of open land directly adjacent to the developed area of the village of Smallwood to the north-west of Church Lane within the Open Countryside.

The land is open with no buildings. It is relatively flat and enclosed by hedgerows and trees. There is built development to the south-west in the form of a row of red-brick terraced properties built as Council houses. The remainder of the site is surrounded by Open Countryside.

RELEVANT HISTORY:

13/2427C - Erection of 14no. one and two storey homes, including 11 affordable units for local need and footpath link to School Lane, construction of vehicular access to highway, change of use of land to a car park to be allocated to Smallwood Primary School and open space to be gifted to Smallwood Parish Council – Approved Subject to a S106 17th February 2014

9771/1 – Dwellinghouse (Outline) – Refused 11th September 1979

Local Plan Policy

PS8 - Open Countryside

H14 - Affordable Housing

GR1 - New Development – General Criteria

GR2 – Design, GR6 – Amenity

GR9 - Accessibility, Servicing and Parking Provision

GR15 - Pedestrian Measures

GR19 – Infrastructure

GR20 - Public Services

GR21 – Flooding

GR22 - Open Space Provision

NR1 - Trees and Woodlands

NR2 - Protected Species

National Policy

National Planning Policy Framework (NPPF)

Cheshire East Local Plan Strategy – Submission Version (CELP)

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

MP1 - Presumption in favour of sustainable development

PG1 - Overall Development Strategy

PG5 - Open Countryside

PG6 - Spatial Distribution of Development

SD1 - Sustainable Development in Cheshire East

SD2 - Sustainable Development Principles

IN1 – Infrastructure

IN2 - Developer contributions

SC4 - Residential Mix

SC5 - Affordable Homes

SE1 – Design

SE2 - Efficient use of land

SE3 - Biodiversity and geodiversity

SE4 - The Landscape
SE5 - Trees, Hedgerows and Woodland
SE6 - Green Infrastructure
SE9 - Energy Efficient Development
SE12 - Pollution, Land contamination and land instability
SE13 - Flood risk and water management
CO1 - Sustainable Travel and Transport
CO4 - Travel plans and transport assessments

CONSULTATIONS (External to Planning)

Head of Strategic Infrastructure (HSI) – No objections

Environmental Health – No objections, subject to an hours of construction and a contaminated land informative

United Utilities – No comments received at time of report

Countryside Rights Of Way Office (Cheshire East Council) – No objections

Greenspace (Cheshire East Council) – No comments received at time of report

Previous comments to application 13/2427C: No objections

Environment Agency – No objections

Housing (Cheshire East Council) – No objections

Education (Cheshire East Council) - No comments received at time of report

Previous comments to application 13/2427C: No objections

Smallwood Parish Council – Support the application

OTHER REPRESENTATIONS:

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

No letters of consultation were received.

OFFICER APPRAISAL

Principle of development

The site lies within the Open Countryside so is therefore subject to Policy PS8 of the Local Plan. Policy PS8 advises that development in the Open Countryside is only acceptable in certain circumstances, one of which is affordable housing in accordance with Policy H14.

Southern Planning Committee granted approval in principle for application 13/2427C which was for 11 affordable dwellings and 3 open market dwellings. The 3 open market dwellings were approved to facilitate the development and a viability statement was submitted to demonstrate their need.

The application proposal seeks to amend the layout and 3 of the house types within the scheme. Approval is also sought for the proposed materials and boundary treatment.

Such changes would not have an impact upon the principal acceptability of the scheme. However, matters of; design, amenity, highway safety, drainage and flooding, open space provision, trees and hedgerows and protected species could be impacted by the changes and as such, are re-considered below.

Design

Layout

The revised housing scheme consists of 14 new dwellings, as per the approved scheme. It is now proposed that these are now made up from;

- 2 semi-detached bungalows
- 3 two-storey terraced properties
- 8 two-storey semi-detached properties
- 1 detached dwelling

The revised proposal now seeks to re-arrange the layout of plots 1-3, the 3 proposed open market dwellings within the site.

More specifically, it is proposed to change the form of these units from a row of 3 terraced properties, to a pair of semi-detached units and a detached dwelling.

It is also proposed to push the proposed detached market dwelling, to the south-west of the site, further back within the plot (by approximately 3.5 metres). To the front, a change in the footpath arrangement is proposed. An access would still be provided onto Congleton Road; however this would serve plots 1-3 only.

Two parking spaces are now proposed to the rear of plots 2 and 3. The knock-on effects of these changes are that the depths of the gardens to plots 2 and 3 have been reduced from 11.6 metres to approximately 9.5 metres. Furthermore, the depth of the Public Open Space provision to the rear has been reduced by approximately 1 metre.

The other change to the approved layout is that the row of 3 terraced properties on plots 12-14 shall now have a staggered building line rather than being flush with each other.

In response, the re-siting of the dwelling proposed on plot 1 would create a welcomed staggered building line between the proposed scheme and the existing neighbouring properties. The original relationship between the existing and proposed development on site was starker.

As such, it is considered that this revision would represent a design improvement. Furthermore, the proposed staggering of the terraced properties on plots 12-14 would provide a greater degree of interest.

It is not considered that the minor changes to the parking layout to the rear of the site, the reductions in the garden depths of plots 2 and 3 and the partial loss of Public Open Space or the private footpath re-arrangement to the front of the site would have a significant detrimental impact upon the overall layout of the scheme.

In relation to the proposed boundary treatment, a scheme was approved as part of the original application 13/2427C.

The applicant now seeks to make some amendments to this approved scheme, including;

- The retention of the existing hedgerow forward of plots 1-7 instead of its removal and replacement
- The replacement of a 1.5 metre fence with a 1.8 metre fence between plots 1 separating the rear gardens
- The addition of more 0.9 metre-tall post and rail fencing between the Public Open Space to the rear of the site and the proposed 2 parking spaces for plot 1
- The addition of a small section of 0.9 metre-tall post and rail fencing the rear of plots 4 and 5
- The erection of a section of 0.9 metre-tall post and rail fencing between plots 3 and 4 extending forward of the proposed building line

The proposed changes to the layout of the boundary treatment is considered to be acceptable due to their minor nature and the limited impact they would have on the overall scheme. The retention of the existing hedgerow is welcomed.

As a result of the above reasons, the proposed revised layout is considered to be acceptable and would adhere with Local Plan Policy GR2.

Appearance & Scale

Of the 14 dwellings proposed, only the dwellings proposed on plots 1-3 shall alter. The dimensions of these units are as follow;

Plot 1 – Detached dwelling, gable fronted. This would measure approximately 8.2 metres in height, 8.8 metres in depth and 6.3 metres in width.

Plots 2 and 3 – Pair of semi-detached units. These would measure approximately 7.9 metres in height, 9.8 metres in depth and 5.3 metres in width.

The form of a detached dwelling would not be replicated within the application site or on the adjacent plot where there are a row of semi-detached / terraced units. The closest detached unit is Stanstead which would be larger than the application proposal and lies within a much larger plot.

However, Policy SC4 of the emerging Local Plan advises that *‘new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of a mixed, balanced and inclusive communities.’*

As this scheme shall provide a mixture of detached, semi-detached and terraced units, including bungalows, it is considered that a good mix of forms would be provided and as such, the provision of this detached unit is considered to be acceptable.

The form of the other pair of semi-detached units now sought would respect the form of the majority of the units on the site.

In terms of scale, all of the proposed 3 new units would be of a scale that would be representative of the other approved dwellings on-site which this scheme does not propose to alter. Therefore, the scale of the proposal is considered to be acceptable.

The proposed dwellings would have Ibstock Morpeth Blend, red brick walls with an Ibstock Ravenhead red smooth feature bricks. The roof tiles would be Russel Penine Peat brown, the eaves would comprise of red brick, the fascias, soffits and fenestration would be white uPVC and the rainwater goods, black uPVC.

Given that these finishes would be replicated throughout the development, it is considered that the proposed materials of the new dwellings would not appear incongruous whilst also largely respecting the local character.

On the principle elevation of the proposed detached dwelling (Plot 1), the unit would be gable fronted with symmetrical openings and a front door offset to the right hand side with a flat-roofed canopy above.

On the principle elevation of the proposed semi-detached units, the front doors would be positioned on the outer edge of the frontage with flat-roofed canopies above. A small gable feature is also proposed on each unit. It is considered that these design features would be acceptable.

No changes to the appearance of the proposed boundary treatment is proposed.

As such, subject to a condition ensuring that the material use is as per application, it is considered that the scale and appearance of the proposed dwellings would be acceptable and would adhere with Policy GR2 of the Local plan.

Amenity

The proposed changes to both the layout of the scheme and house types would not create any new neighbouring amenity concerns.

The Council's Environmental Protection Team have also raised no objections.

The proposal is therefore considered to adhere with Policy GR6 of the Local Plan.

Highway Safety

The proposal seeks the creation of a second new access point onto Congleton Road.

The Head of Strategic Infrastructure has reviewed the proposal and advised that he has objections.

As such, the development is not considered to create any highway safety / parking concerns and would adhere with Policy GR9 of the Local Plan.

Trees

The Council's Tree Officer has advised that the proposals do not appear to present any new arboricultural issues. Nevertheless, the submission does not include an updated tree protection plan to reflect the revised layout. As such, it is recommended that this be added as a planning condition should the application be recommended for approval.

In addition, 2 outstanding tree conditions from the original application, relating to tree retention and the submission of an arboricultural method statement shall also be re-attached.

Drainage and Flooding

As part of the original application, the Environment agency raised no objections to the scheme from a flooding perspective and United Utilities raised no objections with regards to drainage.

It is not considered that the proposed changes in layout would significantly alter these conclusions.

Open Space Provision

As part of the approved application, the development incorporated 2 areas of Public Open Space (POS) within the layout. Furthermore, a section of open space would be 'gifted' to the Parish Council. The Council's Greenspace team are satisfied with the provision of this open space and as such, it is considered that the development would adhere with Policy GR22 of the Local Plan. These matters were secured via a Unilateral Undertaking.

This proposal seeks to reduce the agreed provision by approximately 18 metres squared (1 metre x 18 metres).

It is not considered that this minor reduction in the on-site provision would create any significant provision concerns given that in addition to the on-site provision a second section of POS was agreed to be gifted to the Parish Council and this section can be accessed easily via a footpath from the application site.

The Council's Greenspace team have not provided any comments at the time of the report, an update shall therefore be presented to committee to clarify this team's position on this minor reduction in provision.

Protected Species

As a result of the provision of protected species reports, the Council's Nature Conservation Officer advised that he had no objections to the development, subject to a breeding birds condition.

It is not considered that the proposed development would alter these conclusions.

CONCLUSIONS

The proposed changes to the approved scheme are not considered to create any significant issues in relation to design, amenity, highway safety, trees, drainage and flooding, open space or ecology.

The proposal therefore accords with the relevant Local and National planning policies and is recommended for approval.

RECOMMENDATION

APPROVE Subject to a deed of variation to the Unilateral Undertaking to secure;

- **Amendments to refer to the new application number and reference to the revised plans**

And conditions;

- 1. Time (17th February 2017)**
- 2. Plans**
- 3. Materials – As per application**
- 6. Environmental Management Plan – As per application 14/1042D**
- 7. Dust Mitigation - As per application 14/1042D**
- 8. PD Removal (A to D)**
- 9. Landscaping – Prior approval**
- 10. Landscaping - Implementation**
- 11. Tree retention – Prior approval**
- 12. Tree protection plan – Prior approval**
- 13. Arboricultural Method Statement – Prior approval**
- 14. Boundary treatment – Implementation**
- 15. Breeding birds**

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning Manager (Regulation) in consultation with the Chair (or in their absence the Vice Chair) of the 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.

