

Application No: 16/0754N

Location: 1, NESFIELD DRIVE, WINTERLEY, CW11 4NT

Proposal: New dormer bungalow, amended design from 15/0349N - Resubmission

Applicant: Mr Neville Cross

Expiry Date: 06-Jan-2017

### **SUMMARY:**

The site is within the village settlement zone line of Winterley where policy RES.4 advises that the development of land for housing on a scale commensurate with the character of the village will be permitted provided it is in accordance with policies BE.1 – BE.5.

Subject to conditions the proposal is considered to be acceptable in terms of its impact upon residential amenity and the character of the area satisfying the environmental sustainability role.

The proposal would satisfy the economic sustainability roles by providing employment in the locality.

In terms of the social role of sustainable development, the proposal would create additional residential accommodation in a sustainable location within the Winterley Settlement Boundary.

### **RECOMMENDATION:**

**Approve subject to conditions**

### **REASON FOR REFERRAL**

The application is to be determined at Southern Planning Committee by Cllr Hammond for the following reason:

*“Should the Officer recommendation be for approval then following concerns from neighbours I support the request of Haslington Parish Council that this application be determined by Committee. This is on the basis of a poor standard of design contrary to Policy BE2 of the Crewe and Nantwich Replacement Local Plan and Policy BE1 impact on the amenity of neighbouring properties and the future occupants of the proposed development. The applicant's submitted plans do not show the full extent of existing development of the land associated with 1 Nesfield Drive, which would leave very little private garden space for either property on the site.”*

## **DETAILS OF PROPOSAL**

The proposal is for the construction of a two bed detached dormer bungalow. The proposed development would utilise the existing access and driveway.

## **DESCRIPTION OF SITE AND CONTEXT**

The application site comprises part of the rear garden of No. 1 Nestfield Drive, fronting on to Newtons Crescent within the village settlement boundary of Winterley. The site is currently in use as amenity space (garden) and includes a detached garage which is accessed off Newtons Crescent.

## **RELEVANT HISTORY ON SITE**

**7/10515** – Double garage and access – Approved 08 December 1983

**7/19727** – Detached bungalow and garage – Refused 26 July 1991

**P96/0051** – Two Storey Extension – Approved 26 March 1996

**P00/0312** – Two Storey Extension – Approved 30 May 2000

**15/0349N** - New dormer bungalow – Refused 10<sup>th</sup> March 2015

## **LOCAL & NATIONAL POLICY**

### **Development Plan:**

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

### **Borough of Crewe and Nantwich Replacement Local Plan 2011**

BE.1 (Amenity)

BE.2 (Design Standards)

BE.3 (Access and Parking)

BE.4 (Drainage, Utilities and Resources)

TRAN.9 (Car Parking Standards)

NE.9 (Protected Species)

RES.4 (Housing in Villages with Settlement Boundaries)

### **Other Material Considerations**

Supplementary Planning Document on Development on Backland and Gardens

### **Cheshire East Local Plan Strategy – Submission Version (CELP)**

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

SD 1 Sustainable Development in Cheshire East

SD 2 Sustainable Development Principles

SE 1 Design

SE 2 Efficient Use of Land

SE 5 Trees, Hedgerows and Woodland  
SE 9 Energy Efficient Development  
SE 12 Pollution, Land Contamination and Land Instability  
EG1 Economic Prosperity

### **National Policy:**

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

### **CONSULTATIONS:**

**Strategic Highways**– no objection.

**Environmental Health** – no objection to original application subject to conditions relating to piling, dust suppression and a Phase II contaminated land report and an Informative relating to hours of work.

### **VIEWS OF THE TOWN COUNCIL:**

None received.

### **REPRESENTATIONS:**

Six letter of representation have been received from local residents and the issues raised are summarised below:

- Impact on amenity
- High safety
- Potential for ground contamination
- Parking
- Over development of the site

### **SUPPORTING INFORMATION:**

Supporting Statement.

### **APPRAISAL**

The key issues to be considered in the determination of this application are set out below.

### **APPRAISAL**

#### **Principle of Development**

The site is within the village settlement zone line of Winterley where policy RES.4 advises that the development of land for housing on a scale commensurate with the character of the village will be permitted provided it is in accordance with policies BE.1 – BE.5. The National Planning Policy Framework states that one of its core principles is that planning should:

*“proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made to objectively identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.”*

The development of an infill site within the settlement zone is considered to be acceptable in principle.

### **Reason for Previous Refusal**

The previous application was refused with one reason for refusal:

*It is considered that the proposed residential development would be detrimental to the residential amenity of the future occupiers of the proposed new residential accommodation by way of a deficiency of usable amenity space. The proposed development is therefore contrary to saved Policy BE.1 of the Crew and Nantwich Local Plan 2011.*

The layout of the previously refused application did not show an acceptable level of amenity space and it was considered that this would have an unacceptable impact upon the living conditions of the future residents of the proposal. The Supplementary Planning Document on Development on Backland and Gardens (The SPD) sets out that the dwelling should have no less than 50 m<sup>2</sup> of private amenity space and the original layout did not meet this standard. It is noted that the previous refusal was on amenity grounds only. The revised drawings as submitted now show a planning policy compliant 55 m<sup>2</sup> amount of amenity space as detailed in the amenity section of this report. This addresses the sole reason for the previous refusal. The existing dwelling will also retain a significant amount of private amenity space.

### **Sustainability**

The National Planning Policy Framework definition of sustainable development is:

*“Sustainable means ensuring that better lives for ourselves don’t mean worse lives for future generations. Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world. We must house a rising population, which is living longer and wants to make new choices. We must respond to the changes that new technologies offer us. Our lives, and the places in which we live them, can be better, but they will certainly be worse if things stagnate. Sustainable development is about change for the better, and not only in our built environment”*

The NPPF determines that sustainable development includes three dimensions:- economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

**an environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

**an economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

**a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and

These roles should not be undertaken in isolation because they are mutually dependent.

## **Environmental Role**

### **Locational Sustainability**

It is noted that the facilities and local amenities in Winterley are relatively limited however the site is classified as being within the settlement zone line for Winterley where policy RES.4 advises that the development of land for housing on a scale commensurate with the character of the village will be permitted provided it is in accordance with policies BE.1 – BE.5.

### **Design Standards**

Policy BE.2 of the Local Plan advises that new development will only be permitted so long as; it would achieve a high standard of design, would respect the pattern, character and form of the surroundings and would not adversely affect the streetscene in terms of scale, height, proportions and materials used.

It is noted that the immediate area is characterised by a mix of house types, including two storey dwellings, one and a half storey dwellings and bungalows. Newtons Crescent is characterised by bungalows and two storey dwellings. Nesfield Drive is characterised by two and one and half storey dwellings. The design of the proposed dwelling, as a dormer bungalow is generally considered to be in keeping the neighbouring house types and is relatively simplistic and is considered to be acceptable and reflective of the character of the area. The layout of the proposed dwelling meets the separation standards as outlined in the amenity section.

It is considered that the proposed dormer bungalow is appropriately sited in the plot. The existing site comprises a garage building which measures approximately 4.5 m in height at its maximum, 5.8 m wide and 9.2 m in length. The dwelling which would replace the garage would measure approximately 6.0 m in height at its maximum, 6.5 m wide and 10 m in length. It is considered that this increase in size is not significant in terms of the scale and massing. The proposed dwelling would be located on a similar footprint/location within the site as the garage. The replacement building would measure 2.0 m taller than the existing building and this is not considered to be out of character with the surrounding development and that there would not be any significant impact on the streetscene which is residential in character by virtue of the proposal.

The call in request identifies that the submitted plans do not show the full extent of the existing development of the application site and that this would leave very little private garden space for either property on the site. As identified in the amenity section of this report the amenity space proposed for the new dwelling meets the recommended standards and the private amenity space

retained by No. 1, Nesfield Drive is well in excess of the recommendations. The proposed dwelling would not project beyond the existing building line and the layout and design is considered acceptable.

As a result of the above reasons, it is considered that the proposed design of the scheme is acceptable. As such, it is considered that the proposed design would adhere with Policy BE.2 (Design Standards) of the Local Plan.

### **Access**

The Council's Strategic Highways Manager has advised that the proposed access arrangement and parking is acceptable. The proposal will utilise an existing access off Newtons Crescent.

As such, the development is considered to be acceptable and would adhere with Policy BE.3 (Access and Parking) of the Local Plan.

### **Economic Role**

The Framework includes a strong presumption in favour of economic growth.

Paragraph 19 states that:

*'The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth'.*

It is accepted that the construction of a new dwelling would bring the usual economic benefits to the closest public facilities in the closest villages for the duration of the construction, and would potentially provide local employment opportunities in construction and the wider economic benefits to the construction industry supply chain. There would be some economic and social benefit by virtue of new resident's spending money in the area and using local services.

As such, it is considered that the proposed development would be economically sustainable.

### **Social Role**

The proposal will provide a new market dwelling which in itself would be a social benefit.

### **Residential Amenity**

Policy BE.1 (Amenity) of the Local Plan advises that new development should not be permitted if it is deemed to have a detrimental impact upon neighbouring amenity in terms of overlooking, visual intrusion or noise and disturbance. Furthermore, the level of private amenity space and the separation distances are a material consideration as detailed within the SPD.

The SPD states that there should ideally be a distance of 21m between principal elevations and 13.5 m between a principal elevation with windows to habitable rooms and blank elevation.

The proposed dwelling would face part of No. 6, Newtons Crescent with a separation distance of approximately 23 m. The side elevation facing the neighbour to the north would not contain any

windows. The side elevation of the neighbour to the north does not contain any windows and there is a single storey lean to garage separating the existing and proposed dwellings. The side elevation facing No. 1, Nesfield Drive would face the rear elevation of No. 1 with a separation distance of approximately 18 m. One first floor window is proposed in the side facing elevation of the dwelling and this would serve a bedroom. The drawings show this window to be obscure glazed and this would avoid any issue of overlooking. The rear elevation would feature one dormer window that would serve the bathroom and it is considered reasonable to impose an obscure glazing condition on this window to avoid any issue of overlooking.

The SPD sets out that the dwelling should have no less than 50 m<sup>2</sup> of private amenity space and the proposal conforms with this, with a useable amenity area of approximately 55 m<sup>2</sup> to the rear and side of the proposed dwelling. No. 1, Nesfield Drive would retain approximately 150 m<sup>2</sup> of private amenity space which is sufficient and complies with planning policy.

The proposal is therefore considered to be in compliance with Policy BE.1 (Amenity) of the adopted local plan.

### **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 considerations indicate otherwise. The objections in respect of amenity issues, design and highway safety 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 within the settlement zone line for Winterley and an established residential area and is in accordance with development plan policy therefore there is a presumption in favour of development.

The proposed development would be of an acceptable design that would not have a detrimental impact upon neighbouring amenity or highway safety. Therefore the proposed development would adhere with the policies BE.1 (Amenity), BE.2 (Design Standards), BE.3 (Access and Parking), BE.4 (Drainage, Utilities and Resources), BE.5 (Infrastructure) and RES.4 (Housing in Villages with Settlement Boundaries) of the Borough of Crewe and Nantwich Replacement Local Plan 2011. The proposal would also adhere with the NPPF.

### **RECOMMENDATION:**

**APPROVE** subject to conditions

- 1. Time (Standard)**
- 2. Plans**
- 3. Materials for submission**
- 4. Boundary treatment**
- 5. Piling**

- 6. Dust suppression**
- 7. Phase II land contamination**
- 8. Remove PD rights (a-e) including windows in 1<sup>st</sup> floor gable**
- 9. Landscape scheme details**
- 10. Landscape scheme implementation**

## **INFORMATIVES**

- 1. NPPF**
- 2. Hours of use**

**In order to give proper effect to the 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.**



