

Application No: 16/5926C

Location: 29, WOODSIDE AVENUE, ALSAGER, ST7 2DL

Proposal: Proposed development of 1 detached dwelling houses to the rear of 29 Woodside Avenue

Applicant: Ms Shelagh Lowndes

Expiry Date: 03-Mar-2017

SUMMARY:

The application site lies entirely within the Alsager Settlement Zone Line as determined by the Congleton Borough Local Plan First Review 2005.

Within such locations, there is a presumption in favour of development provided that it is in keeping with the town's scale and character and does not conflict with the other policies of the Local Plan. The proposed development is appropriate to the character of its locality in terms of use and the layout, including the access.

It is necessary to consider whether the proposal constitutes "sustainable development" in order to establish whether it benefits from the presumption under paragraph 14 by evaluating the three aspects of sustainable development described by the framework (economic, social and environmental).

In this case, the development would provide positive planning benefits such as; the provision of a market dwelling in a sustainable location and the knock on minor local benefits such a development would bring, particularly during construction.

Balanced against these benefits must be the dis-benefits (the impact on the character of the area which is negligible) and which in this case can be mitigated against with the use of planning conditions.

In this instance, is considered that the benefits of the scheme would outweigh the dis-benefits.

On the basis of the above, it is considered that the proposal represents sustainable development. Applying the tests within paragraph 14 it is considered that the benefits of the scheme significantly and demonstrably outweighed by the dis-benefits.

RECOMMENDATION

APPROVE subject to conditions.

REASON FOR REFERRAL

The application was called to be determined at Southern Planning Committee by Cllr. Deakin for the following reasons:

"1) It is contrary to section 6 paragraph 48 of the NPPF, "Local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance of development should be realistic having regard to the Strategic Housing Land Availability Assessment , historic windfall delivery rates and expected future trends, and should NOT include residential gardens". This application constitutes an example of such "garden grabbing" and was the principle factor in the Town Council's objection.

2) The proposed highway entrance is considered unacceptable and will result in highway safety concerns. The proposed development would include a shared access and it is also believed that the application will have an adverse environmental impact on the area's wildlife. This will result from the loss of the existing garden land which will harm the local wildlife habitat."

SITE DESCRIPTION

The site is located in Alsager in a wider area of established housing. The site is located within the rear garden of an existing two storey, semi detached house (No. 29). To the east of the application site lies East Court Garage access road (un-adopted).

The site is within the Alsager Settlement Zone Line as designated in the adopted Congleton Borough Local Plan First Review (2005).

PROPOSAL

Full Planning Permission is sought for the erection of one detached dwelling to the rear of 29, Woodside Avenue.

The original submission sought approval for two dwellings. This was reduced to one dwelling following on from planning officer concerns relating to amenity and over development.

RELEVANT HISTORY ON SITE

There is no relevant planning history pertaining to the application site.

LOCAL & NATIONAL POLICY

Development Plan:

The relevant policies saved in the adopted Congleton Borough Local Plan First Review 2005 are:

GR1- New Development

GR2 – Design

GR3 - Residential Development
GR4 – Landscaping
GR5 – Landscaping
GR9 - Accessibility, Servicing and Provision of Parking
H2 – Provision of New Housing Development

SPG2 - Provision of Private Amenity Space in New Residential Development

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

Cheshire East Local Plan Strategy Proposed Changes (Consultation Draft) March 2016 (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,
PG6 - Spatial Distribution of Development,
SD1 - Sustainable Development in Cheshire East,
SD2 - Sustainable Development Principles,
SE1 – Design,
SE2 - Efficient use of land,
SE3 - Biodiversity and geodiversity,
SE4 - The Landscape,
SE9 - Energy Efficient Development,
SE12 - Pollution, Land contamination and land instability

National Policy:

The National Planning Policy Framework establishes a presumption in favour of sustainable development. Of particular relevance are paragraphs:

14 - Presumption in favour of sustainable development, 47-50 - Wide choice of quality homes and 56-68 - Requiring good design

CONSULTATIONS:

None received.

VIEWS OF THE TOWN COUNCIL:

Alsager Town Council – Object to the application for the following reasons;

- over development of the site
- impact on amenity
- highway safety
- principle of development

REPRESENTATIONS:

None received at the time of report writing.

APPRAISAL

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

Principle of Development

The site is designated as being within the Settlement Zone Line of Alsager where Policy PS4 (Towns) states that there is a presumption in favour of development provided it is in keeping with the local character and scale and does not conflict with other policies of the local plan.

Consequently this site, which is located within the settlement boundary, is considered to be suitable in principle for residential development provided it is in keeping with the town's scale and character and does not conflict with the other policies of the local plan.

As detailed below it is considered that the development is in keeping with the character of the area and the pattern of the surrounding development. As such the principle of new residential development in this location is considered to be acceptable.

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

The site is classified as being within the Alsager Settlement Zone Line and is located approximately 1.8 km from Alsager town centre. As such it is considered that the location of the development is sustainable.

Design

The importance of securing high quality design is specified within the NPPF and paragraph 61 states that:

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”

The building would take the form of a two storey dwelling which is considered to be acceptable in its context. The dwelling would include some engaging design features such as lintels and a bay window. It would be constructed from materials to match the surrounding properties and this is considered appropriate.

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

Due to the fact that the proposed development is in keeping with the character of the area, it is not considered that there would be any significant negative impact on the street scene.

The dwelling would be sited within the rear garden of No. 29 Woodside Avenue, to which the Town Council has objected. However, it should be noted that approval has been granted for two dwellings in the rear garden of 31A Woodside Avenue, which is next door to the site. As such it would be difficult to justify a reason for refusal on these grounds.

Landscape

The site is currently under utilised and is characterised by a concrete boundary treatment and scrub land and it is not considered an attractive feature in the local area. The proposal would result in the site being cleared and landscaping and boundary treatments can be controlled by condition and it is therefore considered that the appearance of the area would be improved.

Highways and Access

No comments received at the time of writing the report.

It is noted that the No. 29 retains sufficient space for 3 cars to park. The proposed parking provision for the new dwelling is sufficient (2 spaces) and would be located to the side/rear of the dwelling.

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 amenities 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.

Amenity

Policy GR6 (Amenity and Health) of the Local Plan, requires that new development should not have an unduly detrimental effect on the amenities of nearby residential properties via loss of privacy, loss of sunlight or daylight, visual intrusion, environmental disturbance or pollution and traffic generation access and parking.

Supplementary Planning Document 2 (Private Open Space) sets out the separation distances that should be maintained between dwellings and the amount of usable residential amenity space that should be provided for new dwellings. It states that 21.3 metres should be maintained between 2 principal elevations and 13.7 metres should be allowed between a principal and flank elevation. The SPD recommends a minimum amenity space of 65 m² and the proposed amenity space is more than sufficient (approximately 100 m²). The proposed amenity space retained by No. 29 is approximately 125 m².

The proposed dwelling would be positioned so as not to directly face any neighbouring dwelling. The proposed rear elevation would face the side elevation of No. 31A, Woodside Avenue with a separation distance of 15 m at its minimum. One of the side elevations of the proposed dwelling would face the side elevation of the proposed dwelling as approved under approval 16/1307C. It is noted that this planning permission has not yet been implemented. In any event there are no windows located in the side elevation of the proposed dwellings as approved under approval 16/1307C. No windows are proposed in the side facing elevation of the dwelling as proposed. One window is proposed in the north facing side elevation (at ground floor) and this would serve a bathroom and would be obscure glazed.

The proposal meets the guidance and it is not considered that there would be any significant impact on the amenity afforded to the occupiers of any surrounding dwelling.

The Council's Environmental Protection Team have reviewed the submission and advised that they have no objections, subject to a number of conditions/Informatives.

As a result of the above reasons the proposal is considered to be acceptable in terms of residential amenity and in compliance with Policy GR6 (Amenity) of the Local Plan.

Planning Balance

The site is within the Settlement Zone Line of Alsager where there is a presumption in favour of development.

From an economic sustainability perspective, the scheme will assist in the local building business and bring economic benefits to Alsager town centre.

From an environmental and social perspective the proposal is considered to be acceptable in the impact upon local amenities, parking, highway safety and traffic generation terms. It would be of an acceptable design that would have a minimal impact upon the amenities of neighbouring properties or future residents.

The proposed development is considered to be a sustainable form of development which would comply with the relevant local plan policies and would not compromise key sustainability principles as set out in national planning policy.

Therefore there is a presumption in favour of the development and accordingly it is recommended for approval.

APPROVE subject to the following conditions:

And the following conditions:

- 1. Standard time 3 years**
- 2. Approved plans**
- 3. Materials as per application**
- 4. Landscaping details including boundary treatment to be submitted and approved**
- 5. Implementation of landscaping**
- 6. Dust control**
- 7. Pile foundations**
- 8. Levels**

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 the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

