

Application No: 19/4979C
Location: 65, SANDBACH ROAD NORTH, ALSAGER, ST7 2AQ
Proposal: Removal of existing garage and erection of one dwelling.
Applicant: Aspinall
Expiry Date: 29-May-2020

SUMMARY

The application site lies entirely within the Alsager Settlement Zone Line as defined 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 the principle and the overall design and would not have a detrimental impact upon neighbouring amenity, ecology or trees.

Overall, the proposal development meets the criteria of the relevant policies and is considered acceptable.

SUMMARY RECOMMENDATION

Approve with conditions

REASON FOR REFERRAL

The application is referred to Southern Planning Committee at the request of Councillor Fletcher for the following reason;

'neighbours are concerned that it could be overdevelopment of the plot and that the proposed height would mean they could tower above some surrounding properties'

Since the call-in request was received the number of units proposed has been reduced from 2 to 1 (see 'Details of Proposal' below).

DESCRIPTION OF SITE AND CONTEXT

This application site comprises an area of land to the north west of No. 65, Sandbach Road North at the corner of Green Drive and Sandbach Road North. The application site includes an area of hardstanding, a single storey double garage building and an area of grass to the rear of

the garage building. The north western and northern boundary comprises an existing hedge. The site is accessed from Sandbach Road North. There is no physical boundary separation between No. 65 and the application site as the application site is currently used in connection with No. 65.

The area is predominantly residential in character and the application site is located wholly within the Alsager Settlement Zone Line as designated by the adopted local plan. The application site is opposite The Avenue Alsager Conservation Area.

The planning officer visited the application site on 6th November 2019.

DETAILS OF PROPOSAL

This is a full application for the removal of the existing garage and erection of one dwelling and garage.

Following on from planning officer comments the proposed development was reduced from 2 to 1 unit, the red line has been amended removing the service strip adjacent to Green Drive and the design of the dwelling has been revised so that the height of the dwelling matches that of No. 65, the windows are more in keeping with the area and the dwelling is dual frontage.

RELEVANT HISTORY

19/4472C - Demolition of existing rear extension and construction of new single storey extension – approved 21st October 2019

POLICIES

Local Plan Policy

Cheshire East Local Plan Strategy (CELPS) (Adopted)

PG1 – Overall Development Strategy
PG2 – Settlement Hierarchy
PG7 – Spatial Distribution of Development
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
IN1 – Infrastructure
IN2 – Developer Contributions
SC1 – Leisure and Recreation
SC3 – Health and Well-Being
SC4 – Residential Mix
SC5 – Affordable Homes
CO1 - Sustainable Travel and Transport
CO4 – Travel Plans and Transport Assessments
SE 1 - Design
SE 2 - Efficient Use of Land
SE 3 - Biodiversity and Geodiversity
SE 4 - The Landscape

SE 5 - Trees, Hedgerows and Woodland
SE 6 – Green Infrastructure
SE 7 – The Historic Environment
SE 8 – Renewable and Low Carbon Energy
SE12 – Pollution, Land Contamination and Land Instability
SE 13 - Flood Risk and Water Management

Congleton Borough Local Plan First Review 2005 (CBLP) (Saved Policies)

PS4 Towns
GR6 Amenity and Health
GR7 Amenity and Health
GR9 Accessibility, servicing and provision of parking
GR14 Cycling Measures
GR15 Pedestrian Measures
GR16 Footpaths Bridleway and Cycleway Networks
GR17 Car parking
GR18 Traffic Generation
NR3 Habitats
NR5 Habitats

Alsager Neighbourhood Plan (Alsager NP) (Adopted)

The Alsager Neighbourhood Plan (ANP) passed referendum on 27th February 2020 and was made on 15th April 2020

H1 – Type and Mix of New Housing
H2 – Climate Change and Housing
H3 – Infrastructure and Sustainable Housing Development
H4 – Size, Scale and Density of New Housing Developments
H6 – Housing Design
NBE4 – Woodlands, Trees and Hedgerows
NBE5 – Wildlife and Housing
NBE6 – Development affecting Heritage Assets and their Setting
CW2 – Health and Leisure Facilities
CW3 – Safe and Accessible Routes
TTS1 – Promoting Sustainable Transport
TTS2 – Congestion and Highway Safety
TTS3 – Car Parking and Electric Charging Points
TTS4 – Accessibility
TTS5 – Footpath, Bridleway and Cycleway Network
TTS6 – Infrastructure
TTS8 – Improving Air Quality
TTS9 – Drainage – Sustainable Urban Drainage Systems
TTS10 – Surface Water

National Policy

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

Of particular relevance are paragraphs:

11. Presumption in favour of sustainable development.
124 - 132 Achieving well-designed places

Other Considerations

Cheshire East Design Guide

The EC Habitats Directive 1992

Conservation of Habitats & Species Regulations 2017

CONSULTATIONS (Summary)

United Utilities: No objection subject to drainage condition

Head of Strategic Infrastructure: No objection

Environmental Health: No objection subject to condition

VIEWS OF THE TOWN COUNCIL:

Alsager Town Council: Objects to the application on the following grounds;

- Highway safety
- Loss of light, loss of amenity space
- Impact on pedestrians
- Not in keeping with the street scene.

OTHER REPRESENTATIONS:

Letters of objection have been received from 8 households raising the following planning considerations;

- Impact on amenity and light
- Overshadowing
- Highway safety, parking issues and impact on pedestrian safety
- Impact on the character of the area and street scene
- Drainage issues
- Over development of the site including scale and design of the new dwelling

OFFICER APPRAISAL

Principle of Development

The site is located within the settlement boundary for Alsager (a Key Service Centre). Policy PG2 states that in the key service centres *'development of a scale, location and nature that recognises and reinforces the distinctiveness of each individual town will be supported to maintain their vitality and viability'*.

As a windfall site policy SE2 states that development should;

- Consider the landscape and townscape character of the surrounding area when determining the character and density of development
- Build upon existing concentrations of activities and existing infrastructure
- Not require major investment in new infrastructure

- Consider the consequences of the proposal for sustainable development having regard to Policies SD1 and SD2

Saved policy PS4 (Towns) of the CBLP sets out that within the settlement zone lines of towns, there is a general presumption in favour of 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.

Paragraph 68 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out quickly. To promote the development of a good mix of sites local planning authorities should amongst other things *'support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes'*.

Policy H1 of the ANP originally stated that any additional housing 'over and above that identified in the CELPS and the Housing Advice Note will only be supported if there is a clear justification for a higher target number of houses agreed for Alsager as a Key Service Centre through the Development Plan process'.

However the examiner of the ANP has recommended that this part of the policy is deleted. The reason being that the *'the housing numbers are not a target. Therefore, this element of the policy does not generally conform with the CELPS which sets out a minimum requirement of 36,000 new homes'*. The provision of one house on this site complies with Policy H1.

The ANP also includes the following objective;

'To provide for a range of housing within the existing settlement boundary of the town to meet the requirements of the CELPS (Cheshire East Local Plan Strategy), changing demographics and demands for different housing types.'

The principle of the development is therefore acceptable subject to compliance with the other relevant policies.

Design

Policy SE 1 of the CELPS states that *"development proposals should make a positive contribution to their surroundings"*. Policy H6 (Housing design) of the Alsager NP sets out that all new development proposals must demonstrate good quality design that responds to local surroundings and landscape context.

It is noted that the application site is located within the settlement boundary and that the existing area is characterised by two storey detached dwellings and two storey semi terraced dwellings (although the dwelling to the opposite side of the Green Drive junction is two and a half stories in height).

The dwelling has been designed to be a two storey dwelling with dual frontage including a projecting front gable and including traditional features such as a front facing bay, sills, lintels and small timber panelled areas at the top of the front gable similar to No. 65.

The overall design of the proposed development is considered to be in keeping with the character of the area and is considered to be acceptable. The dwelling is of a comparative height

to the existing building (No. 65) and is set at a slightly lower level. The scale and massing of the proposed development is considered acceptable and the impact on the streetscene (which is predominantly residential in character) would not be significant as the house would be set back from the road and set 2.0 m back from the front elevation of No. 65. It is considered that the proposed development is acceptable in design terms. A street-scene drawing has been provided to show the proposed dwelling alongside the existing dwellings at either side.

The proposed openings are considered to be in keeping with the existing buildings along Sandbach Road North and are acceptable in design terms.

The garage would be single storey and is subordinate to the dwelling in terms of height and footprint. The design is sympathetic to the proposed dwelling and the character of the area and would be located to the rear of the proposed dwelling, close to the northern boundary. The garage is not considered to be contentious in design terms.

Given that the application site is in a residential area, it is not considered that the impact on The Avenue Conservation Area would be significant over and above the existing relationships established along Sandbach Road North. In this case it should be noted that the existing dwellings within the Conservation Area back onto Sandbach Road North with rear boundaries and mature vegetation forming the boundary. There would be a neutral impact upon the heritage asset.

The proposal is considered to be in accordance with and policy SE1 (Design) of the CELPS and policy H6 (Housing Design) of the Alsager NP.

Amenity

Saved policy GR6 (Amenity and Health) of the CBLP states that development will be permitted provided that the proposal would not have an unduly detrimental effect on amenity due to loss of privacy, loss of sunlight and daylight, visual intrusion, environmental disturbance or pollution, 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 13.8 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 sufficient (over 65 m²).

Policy H6 (Housing design) of the Alsager NP sets out that new developments should not cause adverse impacts on existing dwellings through overlooking, loss of light or outlook, over-dominance or general disturbance.

The rear elevation of the dwelling would face the side elevation of the Alsager Institute, a single storey building used as event space/club venue with a separation distance of 25 m. The garage building would be located between the proposed dwelling and the Alsager Institute and this relationship is considered to be acceptable.

The south-east side facing elevation would face the existing side elevation of No. 65 with a separation distance of 3.6 m. The existing dwelling includes 2 side facing windows at ground floor, one is a secondary window serving the dining room and the other is a kitchen window. There is also a conservatory at the rear allowing light to penetrate the dwelling at ground floor level. There is 1 side facing first floor window that serves a bathroom. This relationship is not considered to be contentious in terms of amenity.

It is noted that No. 65 benefits from planning approval for the demolition of the existing rear extension and construction of new single storey extension (application reference 19/4472C) and that this had not been implemented at the time of the planning officer's site visit. The alterations reconfigure the internal arrangement and, should the planning permission be implemented, there would be 3 side facing windows at ground floor level and 1 at first floor (again, serving the bathroom). The ground floor windows would serve the kitchen and dining area. There would be a new, large opening at the rear elevation and the kitchen/living room would be open plan allowing for light to penetrate the ground floor level. It is considered that in any event the impact on the amenity afforded to the occupiers of No. 65 would not be significant. It is also noted that the side elevation faces the side elevation of the existing garage building.

The front elevation would not directly face any dwelling. This relationship is considered to be acceptable.

A number of side facing first floor windows are proposed in the north west elevation, one serving a stair well and one serving a bedroom. This side elevation would face the dwelling on the opposite side of Green Drive with a separation distance of 21 m and this relationship is considered acceptable.

Given that the garage building would be single storey and located close to the shared boundary with the Alsager Institute building, it is not considered to be contentious in terms of amenity.

It is not considered that there will be a significant impact on the amenity afforded to the occupiers of the nearby dwellings and as such the proposal is in accordance with policy GR6 (Amenity and Health) of the CBLP and policy H6 (Housing design) of the Alsager NP.

Air Quality

Policy SE12 (Pollution, Land Contamination and Land Instability) of the CELPS states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality. This is in accordance with paragraph 181 of the NPPF and the Government's Air Quality Strategy.

This proposal is for the removal of existing garage and erection of one dwelling. Whilst this scheme itself is of a small scale, and as such would not require an air quality impact assessment, there is a need for the Local Planning Authority to consider the cumulative impact of a large number of developments in a particular area. In particular, the impact of transport related emissions on Local Air Quality. As such the Environmental Health Officer has advised that a condition should be imposed should the application be approved regarding electric vehicle charging.

Contaminated Land

The application is for a proposed use that would be particularly vulnerable to the presence of contamination. Residential properties are a sensitive end use and could be affected by any contamination present or brought onto the site. Should any areas of current hard standing be proposed for soft landscaping/garden a watching brief should be carried out during removal for made ground which may be contaminated and/or not suitable for garden use.

As such, and in accordance with the NPPF, the Environmental Health Officer recommends that conditions be imposed should the application be approved relating to soil importation and unexpected land contamination.

Parking and Access

The proposal has been revised a number of times and it is now for a single garage only which will make use of the existing access off Sandbach Road North rather than create a new one off Green Drive. There are no existing safety concerns associated with the existing access and it is of sufficient width to cater for 2 units. There is adequate room for parking and turning area within the site also, for both the existing and the proposed unit. No objection is raised by the Highways Officer.

Flood Risk/Drainage

Policy SE13 of the CELPS states that all development must integrate measures for sustainable water management to reduce flood risk, avoid adverse impact on water quality and quantity within the borough.

The application site is located within Flood Risk Zone 1 therefore is not prone to flooding. In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. Should be application be approved this can be controlled by an appropriate condition.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposed dwelling is acceptable in principle and is of a satisfactory design that would not have a detrimental impact upon neighbouring amenity, ecology or trees. The proposal is therefore in compliance with policies PG2 (Settlement Hierarchy) and SE 1 (Design) of the CELPS, policy H6 (Housing design) of the Alsager NP and saved policies PS4 (Towns) and GR6 (Amenity and Health) of the Congleton Borough Local Plan First Review 2005. The proposal would also adhere with the relevant policies within the NPPF.

RECOMMENDATIONS

APPROVE subject to conditions

- 1. Time (3 years)**
- 2. Plans**
- 3. Materials**
- 4. Electric Vehicle Charging**

5. **Drainage**
6. **Boundary treatment prior to occupation**
7. **Piling**
8. **Soil importation**
9. **Land contamination**
10. **Dust management plan**
11. **Landscape Scheme to be submitted**
12. **Landscape to be implemented**

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 his 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

