

Application No: 21/6399C
Location: 128, CONGLETON ROAD, SANDBACH, CHESHIRE, CW11 1DN
Proposal: Proposed replacement dwelling and associated outbuildings and annex
Applicant: Crane
Expiry Date: 31-May-2022

Summary

This application is for the demolition of the existing dwelling and the erection of a replacement dwelling within the settlement zone line of Sandbach. It is considered that the proposed development is acceptable in design terms and has an acceptable impact on the character and appearance of area and an acceptable relationship with the street-scene; has a limited and acceptable degree of impact on the amenities of neighbouring properties and raises no significant forestry, landscaping or ecological issues.

The application is therefore recommended for approval.

RECOMMENDATION

Approve subject to conditions

CALL IN

The application was called in to Southern Planning Committee by Cllr Mike Benson for the following reasons:

“Although the above application was amended and some changes were welcome, the overall size of the proposed development is still overbearing.

In term of scale and massing, the application would have a significant impact on other homes, especially those in Claymore Road, and I would be grateful if this application could be considered by the Southern Planning Committee.”

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a detached bungalow, in a very large plot, situated on the northern side of Congleton Road, Sandbach.

There is a substantial detached dwelling on one side of the plot and several detached properties on Claymore Road on the other side

The site is designated as being within the Settlement Zone Line of Sandbach. There are trees subject to preservation orders adjacent to the front boundary of the site.

DETAILS OF PROPOSAL

The application seeks full planning permission for a replacement dwelling, associated outbuildings and a residential annex. The proposed development has been amended and reduced in size during the life of the application.

RELEVANT PLANNING HISTORY

No relevant planning history relating to this site.

POLICIES

Congleton Borough Local Plan First Review (CBLP)

PS4 – Towns
GR6 – Amenity and Health
GR7 – Amenity and Health
GR9 - Accessibility, servicing and provision of parking
GR10 - Accessibility, servicing and provision of parking
GR13 – Public Transport Measures
GR14 - Cycling Measures
GR15 - Pedestrian Measures
GR16 - Footpaths Bridleway and Cycleway Networks
GR17 - Car parking
GR18 - Traffic Generation
NR3 – Habitats
NR4 - Non-statutory sites
NR5 – Non-statutory sites

Cheshire East Local Plan Strategy (CELPS)

MP1 – Presumption in Favour of Sustainable Development
PG1 – Overall Development Strategy
PG2 – Settlement Hierarchy
PG7 – Spatial Distribution of Development
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
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 9 – Energy Efficient Development
SE 12 – Pollution, Land Contamination and Land Instability
SE 13 - Flood Risk and Water Management
IN1 – Infrastructure
SC4 – Residential Mix
CO1 – Sustainable Travel and transport

Sandbach Neighbourhood Development Plan (SNDP)

PC2 – Landscape Character
PC3 – Policy Boundary for Sandbach
PC4 – Biodiversity and Geodiversity
HC1 – Historic Environment
HC2 – Protection and Enhancement of the Town Centre
H1 – Housing Growth
H2 – Housing Layout
H3 – Housing Mix and Type
H4 – Housing and an Ageing Population
H5 – Preferred Locations
JLE1 – Future Employment and Retail Provision
IFT1 – Sustainable Transport, Safety and Accessibility
IFT2 – Parking
IFC1 – Community Infrastructure Levy
CC1 – Adapting to Climate Change

The Site allocations and Development Policies Document (SADPD) is at an advanced stage of preparation. The Plan was submitted for examination in April 2021, hearings took place in October and November 2021. Draft Main Modifications were consulted on during April and May 2022. Noting the relatively advanced stage of the SADPD it is considered that at least moderate weight should be applied to relevant policies, including the proposed modifications.

Revised Publication Draft Site Allocations and Development Policies Document

HOU 10 – Amenity
HOU 11 – Residential Standards
HOU 12 – Housing Density
HOU 13 – Housing Delivery
HOU 14 – Small and Medium Sized Sites

Other Material Considerations

National Planning Policy Framework

CONSULTATIONS (External to Planning)

Sandbach Town Council:

27th January 2021

No objection. Members request that the Planning Officer considers the legitimate concerns raised by the resident of 7 Claymore Road. It is not known what the height of the pool building will be and there is also the potential for noise pollution from the pumphouse.

9th June 2022

No objection, however, members would like to draw the Planning Officer's attention to the pump house position which may affect nearby Neighbour amenity with noise.

Highways:

No objection.

United Utilities:

No objection.

Environmental Protection:

No objection subject to a conditions/informatives relating to noise and disturbance, air quality and contaminated land.

OTHER REPRESENTATIONS

At the time of report writing 20 representations have been received relating to this application. These can be viewed in full on the website. They express the following concerns:

- Over development
- Loss of light
- Loss of privacy
- Visual intrusion
- Overshadowing
- Overbearing
- Loss of outlook
- Light pollution
- Intrusion from CCTV
- Proximity to boundaries
- Noise from pool plant room and outside entertainment area
- Impact on trees
- Impact on wildlife
- Parking, access and traffic generation
- Limited garden space
- Drainage
- Annex could become an independent dwelling
- Could become an 'airbnb'
- Inability to maintain fencing
- Lack of publicity for the application

Principal of Development

The proposal is within the Settlement Zone Line of Sandbach where there is a presumption in favour of development and is also in a very sustainable location due to its proximity to the town centre. The proposal is therefore considered to be acceptable in principle subject to compliance with other relevant policies in the adopted local plan and the NPPF.

Design

As originally submitted, the proposals were significantly larger. In particular, the pool house and annex. In addition, balconies were proposed on the rear of the new dwelling. Following advice from officers, changes have been made. The balconies have been replaced with 'Juliet' balconies, the proposed annex would now be single storey and the pool house has been reduced in size.

The replacement dwelling would be significantly larger than the existing bungalow and would be an imposing structure. It would have a central gable to the front with an off-set porch and asymmetrical glazing at first floor level, with symmetrical elements to either side of this. There would also be chimney features.

The scale of the building is similar to the neighbouring property (No.126) and this is a road with a large variety of property types and it is considered that it would not cause harm to the character and appearance of the area.

To the rear there would be a garage building with golf simulator room with an outdoor kitchen behind it. This would be barely visible from the public realm due to its siting.

Further to the rear, adjacent to the boundaries of properties on Claymore Road there would be a building containing a swimming pool, steam room, sauna, gym, plant room and changing rooms. This is one of the elements that has been reduced in size. This would be a 'V' shaped building a maximum of 3.5m in height. Although it would be visible from neighbouring properties, it would not be visible from the street.

Further to the rear, an annex building is proposed. This was previously proposed to be two-storey. Following advice from officers, this has been reduced to single storey. It would be a simple 'L' shaped building with a traditional pitched roof. Again, it would be visible from neighbouring properties, it would not be visible from the street.

Whilst there would be a considerable increase in built form within the site, this is a large plot, capable of accommodating it.

The proposal is therefore considered to be in compliance with Policies SD 2 and SE 1 of the CELPS.

Trees

An Arboricultural Report has been submitted in support of the application, which has identified 30 trees within and immediately adjacent to the site. It is noted that Arboricultural Impact Assessment Drawing does not show those trees proposed for removal within the site, nor does the impact assessment identify which trees these are other than stating that they are low (C) Category trees.

Trees within the site are not currently protected by a Tree Preservation Order or lie within a designated Conservation Area; one tree, a Copper Beech located to the north east, within 3 Claymore Road is protected as part of Group G4 the Congleton Borough Council (Congleton Road, Sandbach) Tree Preservation Order 1989. This tree overhangs the application site and is largely unaffected by the proposals.

The Report states that 14 trees will require removal to accommodate the development; 13 trees have been assessed as low (C) category, as previously stated above and one tree (Malus T20) is deemed unsuitable for retention due to its poor condition.

It is accepted that the removal of low category specimens, visually will have no significant adverse impact or harm on the wider amenity of the area, however it would have been helpful for these trees to have been shown on the submitted drawings.

The Report states that sections of the development will encroach within the RPA of retained trees and proposes 'special measures' highlighted on the supporting plans in three locations:

- Front right-hand corner of the new dwelling and a low (C) category Silver Birch (T9) located on the property boundary
- Rear corner of the proposed garage/golf simulator and an offsite moderate (B) category Silver Birch (T16)
- Rear of proposed Annexe and two moderate (B) category Silver Birch (T27 and T29)

The Report suggests using pile and beam foundations for the buildings and no dig cellular confinement systems where areas of hard standing interface with Root Protection Areas however no detailed engineering proposals have been submitted with the application to demonstrate whether these methods would be feasible for this development in this location.

Notwithstanding this, it is recognised that the trees are not protected by a Tree Preservation Order and it is considered, would not be worthy of formal protection as their wider visual prominence is restricted. It is considered the impact of the proposed dwelling on Silver Birch (T9) will not be significantly worse than what currently exists as the dwelling will be located on the current building footprint.

The Council's Principal Forestry Officer concurs with the Report that the impacts on Silver Birch (T16) can be adequately dealt with by a construction specification/method statement to minimise damage to the trees rooting environment.

The impact and relationship of the proposed Annex to the two Birch trees is not considered to be sustainable and whilst the use of pile and beam foundations may be feasible to minimise the impact on roots, the trees relationship/social proximity to the building will be a dominant one.

In light of the above, no significant objections are raised to the proposals as submitted. Should planning permission be granted, conditions requiring a revised Tree Protection Scheme/Method Statement shall be included to include drawings showing which trees are to be removed and methods of protection, including details of no dig proposals for those trees to

be retained where there is interface with Root Protection Areas. Also a condition relating to a construction management plan is required

The proposal is therefore in compliance with Policy SE 5 of the CELPS.

Ecology

A Bat Survey has been submitted with the application, that demonstrates that the existing building is free of bat roosts.

Conditions should be imposed relating to protection of birds and provision of features to enhance biodiversity.

Amenity

Policy GR6 of the CBLPFR and Policy H2 of the SNDP require that development proposals should not have an unduly detrimental effect on neighbouring amenity through loss of privacy, loss of sunlight/daylight, visual intrusion, noise and disturbance and traffic generation.

As discussed above, the proposal is for a replacement dwelling, garage, pool house and annex.

Having regard to the replacement dwelling and its relationship with the neighbouring property on Claymore Road, that property has only a bathroom window on the side elevation, meaning there would be no adverse impact in terms of light, privacy and outlook. The new dwelling would be set further forward than the existing one and would be closer to the boundary. However, Given the distance between the two properties, there would be no significant adverse impact on this property.

The other neighbouring property (No.126), this property only has windows to non-habitable windows on the side elevation and the replacement dwelling would be slightly set back from this property. As such, it is not considered that there would be any significant adverse impact on this property.

As originally submitted, there were balconies proposed to the rear, these have now been removed at the request of officers. The first-floor windows to the rear would have extensive glazing and this would have some potential for overlooking gardens. However, many two-storey properties overlook neighbours gardens and have rear first floor windows overlooking them. It is not considered that the level of overlooking would be so significant as to warrant refusal of the application. However, one of the rear first floor windows would serve a bathroom and it is considered that this window should be obscure glazed from floor level, to a minimum of 2m up.

Having regard to the proposed garage, this would be adjacent to the boundary with No.126. It would only be 3m in height next to the boundary wall and it is considered that the relationship would be acceptable and would not create an overbearing outlook or cause overshadowing.

The proposed annex would be single storey and sited to the rear of the plot would have no windows facing the properties on Claymore Road and would therefore have no adverse impact

on privacy. The elevation facing the boundaries with the properties on Claymore Road would have no windows and would be 8m away from the boundary. The elevation facing the boundary with the garden of No.126 would be 3m away and would have two windows facing the boundary on which there is adequate screening, serving a kitchen and pantry. As such it would not create an overbearing outlook, overshadowing or loss of privacy or light. Other areas of glazing would face the proposed pool house and would therefore have no adverse impact on neighbouring properties.

The proposed pool house has been significantly reduced in size following advice from officers. It would be sited adjacent to the boundary with properties on Claymore Road and would be single storey. Whilst one elevation of the proposed pool house would be within 0.5m of the boundary with properties on Claymore Road, it would have no windows and would be a maximum of 3m in height, with a flat roof. Given the existing boundary fencing it is therefore not considered that there would be any significant adverse impact on neighbouring properties in terms of overshadowing or privacy or create an overbearing outlook.

Many of the objections have referred to noise and it is acknowledged that there will be some noise generated from pool plant, but it is not considered that this would be so excessive as to have any significant adverse impact on neighbouring properties. A condition should be imposed requiring the submission of full details of all plant and ventilation equipment in order to control this and secure a scheme which does not cause excessive noise disturbance.

Many of the objections refer to noise, odour and fumes from the outdoor kitchen and bar. It should be noted that a patio could be installed without the need for planning permission and used for outdoor cooking and entertaining that would have a very similar impact. As such a reason for refusal on these grounds could not be sustained.

The development is therefore considered to be in compliance with Policy H2(d) of the SNDP and Policies SD2 and SE1 of the CELPS.

Highways

The site is sustainably located a short walk from the centre of Sandbach, and pedestrian infrastructure within the vicinity is acceptable.

Although significantly larger this is simply a replacement dwelling with no changes to access. There will remain sufficient parking and turning area within the site. There are no objections from the Head of Strategic Infrastructure.

The proposal is therefore in compliance with Policy GR9 of the CBLPFR and the parking standards set out in the CELPS.

Conclusion

This application is for the demolition of the existing dwelling and the erection of a replacement dwelling within the settlement zone line of Sandbach. It is considered that the proposed development is acceptable in design terms and has an acceptable impact on the character and appearance of area and an acceptable relationship with the street-scene; has a limited

and acceptable degree of impact on the amenities of neighbouring properties and raises no significant forestry, landscaping or ecological issues.

The application is therefore recommended for approval.

RECOMMENDATIONS

APPROVE subject to the following conditions:

- 1. Time limit**
- 1. Approved plans**
- 2. Materials in accordance with the submitted details**
- 3. Obscure glazing to a minimum of 2m from floor level to bathroom window on the rear, northwest elevation**
- 4. Non-opening obscure glazing to the first-floor windows in the south east side elevation**
- 5. Submission of details of plant and ventilation equipment to the pool house**
- 6. All outbuildings within the site shall remain ancillary to the main dwelling house**
- 7. Provision of electric vehicle infrastructure**
- 8. Tree protection measures**
- 9. Submission of a construction management plan**
- 10. Landscaping and boundary treatments**
- 11. Implementation of landscaping and boundary treatments**
- 12. Hours of construction, Mon to Fri 8am to 6pm, Sat 9am to 2pm, no working on Sundays or public holidays**
- 13. Submission of details of any piling operations**
- 14. Submission of existing and finished ground and floor levels**
- 15. Construction management plan**
- 16. Submission of details of external lighting and CCTV**
- 17. Submission of an ecological enhancement strategy (provision of bird and bat boxes, gaps for hedgehogs etc.)**

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 Development Management, 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.

