

Application No: 22/0198N
Location: 35, MOORFIELDS, WILLASTON, CW5 6QY
Proposal: Erection of a detached house and ancillary works
Applicant: Peter Briggs, Briggs & Mortar Property Ltd
Expiry Date: 06-Sep-2022

SUMMARY

The proposal seeks permission for 1no dwelling within the rear garden area of No.35 Moorfields, Willaston. The application site is located within the settlement of Willaston which is located within the Crewe settlement boundary. The application site is located within the Crewe settlement boundary. Policy PG2 sets out that Crewe is a Principal Town where significant development will be encouraged to support its revitalisation, recognising its role as one of the most important settlements in the borough. Development will maximise the use of existing infrastructure and resources to allow jobs, homes and other facilities to be located close to each other and accessible by public transport. Policy PG7 sets out that Principal Towns such as Crewe are expected to accommodate in the order of 65 ha of employment land and 7,700 new homes.

Therefore, it is clear that the proposal for residential development is acceptable in principle, however this is subject to compliance with all other relevant policies within the development plan.

The size, design and location of the dwelling is considered to be inkeeping with the character and appearance of the surrounding area, given the recent construction of new dwellings on the neighbouring land to the east. Although this proposal is of a more contemporary design than other dwellings in the area, it is considered to be acceptable given its size and location to the rear of the site.

The proposal is acceptable in terms of highway safety and Ecology, and subject to conditions will be acceptable in terms of landscape, trees and drainage.

The dwelling will be located an acceptable distance from all the surrounding residential dwellings in line with the separation distances set out in the development plan, and is located sufficient distance away to reduce any potential overbearing or over shadowing impact on the adjacent neighbours garden.

It is therefore considered that the proposal is acceptable and in general accordance with the Development Plan and therefore recommended for approval accordingly.

RECOMMENDATION – Approve with conditions

REASON FOR REFERRAL

This type of application is usually dealt with under Delegated Powers however the Applicants Agent is related to a member of the Development Management Team and therefore in accordance with the Council's scheme of delegation, due to objections being received the application should be determined by the Planning Committee Members.

PROPOSAL:

This application seeks permission for 1 no. detached dwelling and ancillary works.

SITE DESCRIPTION:

The application site is located within the rear garden of No.35 Moorfields. The original dwelling is a semi-detached dwelling with a long rear garden.

The site is located within the Willaston settlement boundary, which is defined as within the Crewe settlement boundary within the CELPS. The site is bounded by residential development on all sides, including a row of new dwellings to the east of the application site located off Heald Way.

A site visit was carried out by the Planning Officer on 20th May 2022.

RELEVANT HISTORY:

No relevant planning history

POLICIES

National Planning Policy

National Planning Policy Framework

Cheshire East Local Plan Strategy

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

EG1 Economic Prosperity

SE 1 Design

SE 2 Efficient Use of Land

SE4 The Landscape

SE5 Trees, Hedgerows and Woodland

SE9 Energy Efficient Development
SE12 Pollution, Land Contamination and Land Instability
SE13 Flood Risk and Water Management
IN1 Infrastructure
CO1 Sustainable Travel and Transport

Saved Policies of the Crewe and Nantwich Local Plan

BE.1 Amenity
BE.3 Access and Parking
BE.4 Drainage, Utilities and Resources

SPD Development on Backland and Gardens

Willaston Neighbourhood Plan

H1 – Scale of Housing Development
H4 – Willaston Settlement Boundary
H5 – Car Parking in New Development
D4 – Design of New Housing
D5 – Creation of New Accesses
LE3 – Woodland, Trees, Hedgerows, Walls, Boundary Treatment and Paving

Relevant Emerging policies for Site Allocations and Development Policies Document (SADPD)

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.

PG9 Settlement Boundaries
GEN 1 Design Principles
ENV5 Landscaping
HOU3 Self Build and Custom Build Dwellings
HOU8 Backland Development
HOU10 Amenity

CONSULTATIONS:

United Utilities: No objections

CEC Environmental Health: No objection, subject to conditions for lighting, low emission boilers, EVI and informatives for construction hours, pile foundations and site specific dust management plan and contaminated land

Highways: No objection

Flood Risk Officer: No objections in principle subject to condition for the submission of a detailed drainage strategy and standard informatives

Willaston Parish Council:

24th February 2022

This planning application 22/0198N, 35 Moorfields should be turned down for the following reasons.

- This development is not in line with either the Cheshire East local plan or the Willaston neighbourhood plan.
- Size and mass impinging upon No 33 Moorfields.
- Its character is out of keeping to the house in which garden it is proposed to be built upon.
- In the plans, the location for the bins to be picked up is on the pavement outside No 35. This will block the pavement for anyone using a pushchair/wheelchair.
- Increased vehicle activity and its impact on parking. Yet another house on Moorfields.
- Conditions should have been included to provide an electric vehicle charging point in accordance with Paragraph 12e and 186 of the NPPF.

Further Response received 4th August 2022

- This development is not in line with either the Cheshire East Local Plan or the Willaston Neighbourhood Plan.
- Size and mass impinge on No 33 Moorfields.
- Its character is out of keeping to the house in which garden it is proposed to be built upon.
- In the plans the location for the bins to be picked up is on the pavement outside No 35. This will block the pavement for anyone using a pushchair/wheelchair.
- Increased vehicle activity and its impact on parking.
- Conditions should have been included to provide an electric vehicle charging point in accordance with Paragraph 12e and 186 of the NPPF.

REPRESENTATIONS:

A letter of objection has been received from 1 no neighbouring property. The main issues raised are;

- The development is not in line with the Cheshire East Local Plan or the Willaston NP
- Size and Mass impinging on No.33 Moorfields
- The character is out of keeping with the original dwellinghouse
- Bin location is unsuitable
- Increase use of access and impact on parking
- Object to more housing on Moorfields

OFFICER APPRAISAL

Principle of Development

The application site is located within the settlement of Willaston which is located within the Crewe settlement Boundary in both the Crewe and Nantwich Local Plan and the emerging SADPD. The site is also located within the settlement Boundary as adopted within the Willaston Neighbourhood Plan.

Policy PG 2 (Settlement Hierarchy) of the CELPS identifies Crewe as a principal town where;

“significant development will be encouraged to support their revitalisation, recognising their roles as the most important settlements in the borough. Development will maximise the use of existing infrastructure and resources to allow jobs, homes and other facilities to be located close to each other and accessible by public transport.”

Therefore, in principle Residential Development is acceptable subject to all other relevant policies within the development plan. The main issues of the proposed development are its design, amenity, and potential highways safety impact.

Impact on the character and appearance of the area

The application site forms the rear garden area of No.35 Moorfields, where a single dwelling is proposed. It is therefore characterised as a form of backland development.

There are no specific policies within the Willaston Neighbourhood Plan which identify if Backland development is considered to be acceptable or not. Policy H1 of the plan relates to new housing and supports infill development, the use of brownfield sites, rural exception sites of up to 10 dwellings and Re-use of redundant building. Therefore, there is a clear indication of support for residential development within the plan area, however backland development is not specified as a permitted form of residential development.

Emerging Policy HOU 8 Backland development of the SADPD (main modifications version) states that;

Proposals for tandem or backland development will only be permitted where they:

- 1. demonstrate a satisfactory means of access to an existing public highway in accordance with Policy INF 3 ‘Highway safety and access’ that has an appropriate relationship with existing residential properties;*
- 2. do not cause unacceptable harm to the amenity of the residents of existing or proposed properties; in accordance with Policy HOU 10 ‘Amenity’*
- 3. are equal or subordinate in scale to surrounding buildings, particularly those fronting the highway; and*
- 4. are sympathetic to the character and appearance of the surrounding area through its form, layout, boundary treatments and other characteristics.*

The application site is located within a long but thin rear garden of No.35 Moorfields. The adjacent 6no. dwellings to east of the application site have released land which has been incorporated into a larger housing estate which bounds the application site to the east and north. Therefore, there is now an established second row of dwelling houses to the rear of Moorfields. This proposal would (as amended) follow the line of development. The proposal will

be a two storey building, of a similar height to the adjacent dwelling and slightly lower than the original dwelling onto Moorfields. It is therefore considered that the new dwelling would not be a dominant feature in the streetscene. The existing access point is also to be retained and utilised.

It is therefore considered that the proposal would have no significant impact on the character or appearance of the area.

Design

Policy SE1 of the CELPS sets out the design criteria for new development and states that development proposals should make a positive contribution to their surroundings.

The proposal has been amended to reduce the size of the building and locate it in line with the new dwellings to the east. Whilst the design of the dwelling would differ from the original dwellings on Moorfield, and is of a more contemporary design, it will remain subordinate addition and retain some of the characteristics of the traditional dwellings.

The streetscene is a mix of traditional and more modern dwellings and therefore it is considered that subject to a condition for materials to be approved the proposal is acceptable and would not appear out of character with the area.

Amenity

The Design Guide and Emerging SADPD set out the generally acceptable spacing standards between windows in residential dwellings. A separation distance of around 18m between front elevations, increasing the 21m for rear elevations is acceptable, and 13m between principal and secondary windows/blank gables is acceptable.

The proposed dwelling will be located adjacent to the new dwellings which are currently under construction off Heald Way. The dwellings will be located around 3m apart. The dwellings under construction will have no principal windows on the side elevation and the application dwelling would have two secondary windows serving a landing and a downstairs toilet. A condition can be added to ensure these are obscure glazed. So there will be no loss of privacy to these properties.

The proposed dwelling will be located around 28m from the dwelling to the rear (off Heald Way), and 25m from the closest point of the rear elevation of the existing dwelling on the site.

The dwelling would be located 27m from the rear elevation of No. 33 and 25m from the rear of No. 37. It is therefore considered unlikely that the proposed dwelling would have a significant impact on neighbouring amenity in terms of overlooking or loss of light to principal windows.

The dwelling will be located within the garden area of No35, and therefore will be visible from within the garden area of No.33. The dwelling has been reduced in size and moved away from the neighbour's boundary by 3m to help reduce the overall impact on their private amenity space. A high level window is proposed on the side elevation and timber cladding is shown at ground floor level to help break up the mass of the dwelling on that elevation. The neighbour at

No.33 has a long rear garden of around 60m, (the same as the application site), and there is an existing outbuilding within the garden of No.33 towards the rear. The proposed dwelling will be located around 27m into the garden space towards the lower area of the garden. Although the proposed dwelling will have some impact in terms of over shadowing and overbearing impact on the neighbours garden area; it would not be adjacent to the main area of their garden closer to the dwelling, and this is a similar relationship to that which has been approved on the application site.

It is therefore considered that given the position and design, and the roof sloping away from the garden of No.33 the impact of the proposed dwelling and garden area would not be significant. It is therefore considered that the proposed development would not have an unacceptable overbearing or overshadowing impact on the neighbours.

The proposed dwelling and existing dwelling will both retain at least 50 sqm of private amenity space and therefore it is considered that the proposed development is acceptable in terms of neighbouring amenity.

Highways Implications

The proposal is for a single dwelling with off-road parking which will utilise an existing access onto Moorfields. The Strategic Highways Officer has considered the proposal and has raised no objections to the additional dwelling. The Strategic Highways officer notes that the access is acceptable and parking for the existing and proposed property will be to CEC requirements and there is existing footway infrastructure to the surrounding area. The proposal is therefore considered to be acceptable in Highway Safety terms and no objection is raised.

Ecology

The Council's ecologist has considered the application and notes that they do not anticipate there being any significant ecological issues associated with the proposed development.

This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with Local Plan Policy SE 3.

It is therefore recommended that the applicant submits an ecological enhancement strategy, and this can be conditioned for submission.

Landscape and Trees

The landscape officer has raised no objections to the scheme and considers that the proposal would not result in any significant landscape or visual impacts. A condition is suggested for a detailed scheme of landscaping to be submitted and approved.

The block plan shows that there are several trees on the site boundary. No specific Arboricultural information has been submitted with the application, nevertheless the plans show all existing trees/hedgerow to be retained. Therefore it is considered reasonable to condition tree retention and tree protection scheme as part of any approval.

Flood Risk and Drainage

The application site is not within a floodrisk zone and is not of a size which requires a Flood Risk Assessment.

The Council's Flood Risk officer has assessed the proposal and has raised no objections to the principle of the development. The Officers have noted that more information is required in terms of surface water drainage and have therefore suggested a condition is imposed for the information to be supplied prior to commencement of development.

Furthermore, United Utilities have also been consulted and have raised no objections with the scheme only highlight that the drainage hierarchy should be followed.

Therefore, subject to a condition for a detailed drainage scheme the proposal is considered to be acceptable in terms of flood risk and drainage.

Other Matters

Most comments/objections which have been raised within the representations and by the parish council have been addressed within the main body of the report.

It is considered that the principle of development is acceptable, and the development does accord with the Development Policies. The amenity impact on No.33 is considered to be acceptable, the design is acceptable for the location, and access and parking is acceptable and to standard.

A condition has been suggested below for EVI to be included and the bins will be contained within the site during the week, and pulled out to the pavement on bin collection days, in the same manner as currently occurs within the area.

CONCLUSION

The proposal seeks permission for 1no dwelling within the rear garden area of No.35 Moorfields, Willaston. The application site is located within the settlement of Willaston which is located within the Crewe settlement boundary. The application site is located within the Crewe settlement boundary. Policy PG2 sets out that Crewe is a Principal Town where significant development will be encouraged to support its revitalisation, recognising its role as one of the most important settlements in the borough. Development will maximise the use of existing infrastructure and resources to allow jobs, homes and other facilities to be located close to each other and accessible by public transport. Policy PG7 sets out that Principal Towns such as Crewe are expected to accommodate in the order of 65 ha of employment land and 7,700 new homes.

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RECOMMENDATION: Approve with conditions

1. Standard Time

1. Approved plans

2. Materials to be submitted

3. Surfacing materials to be submitted

4. Landscape Scheme to be submitted

5. Landscape Implementation

6. Tree Protection scheme to be submitted

7. Tree and hedge retention

8. Ecological Enhancement Strategy to be submitted

9. Lighting strategy – to be submitted

10. Low emission boilers - Prior to occupation

11. EVI - Prior to occupation

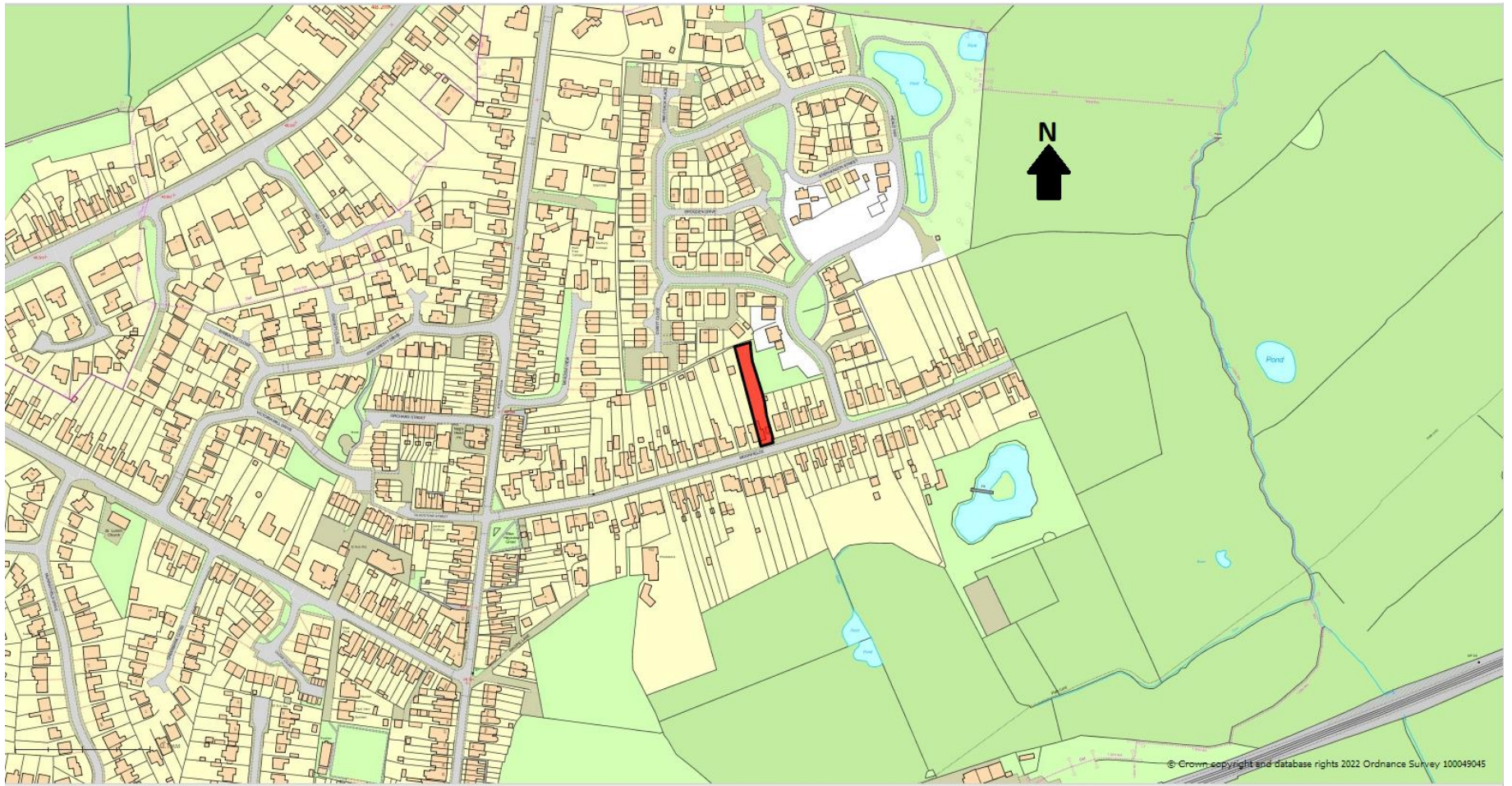
12. Detailed strategy/design and associated management /maintenance plan - required prior to commencement

13. Side windows to be obscure glazed

14. Removal of PD for Extensions and Outbuildings

15. Parking and Bin Storage areas to be made available prior to first occupation

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 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



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