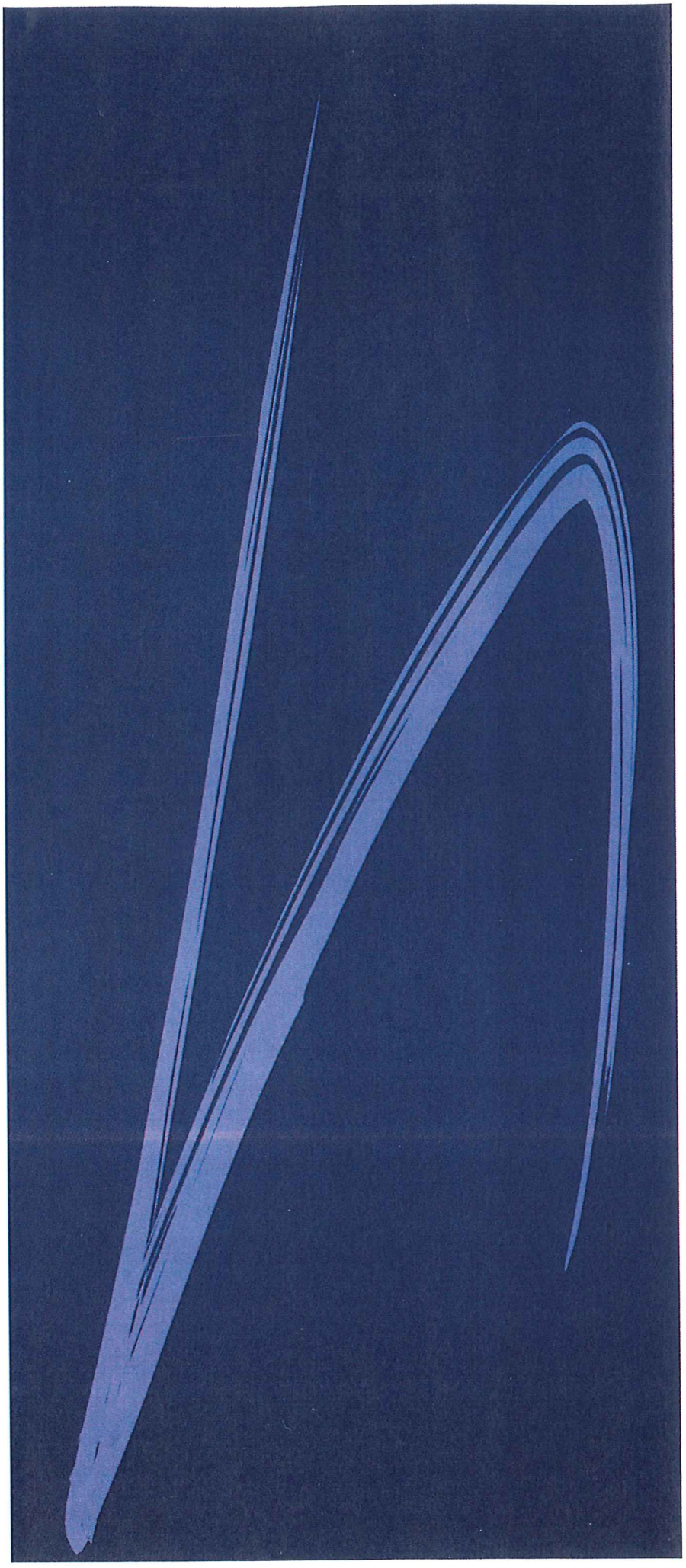


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STATEMENT IN SUPPORT OF FULL APPLICATION FOR DETACHED DWELLING AT SITE ADJOINING 'WOODSIDE', CHEDDLETON ROAD, BIRCHALL, LEEK

10/00085/FUL
- 9 FEB 2010 - SM

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1.0 INTRODUCTION

1.1 This statement is provided in support of a full application for a detached dwelling at 'Woodside', off Cheddleton Road, Birchall, Leek.

1.2 The application represents a revised submission following the withdrawal of an earlier application (LPA ref. 09/00770/FUL). The withdrawn application was processed through to the preparation of an officer report to Committee. It therefore provides a thorough analysis of a variety of issues of relevance to the proposal.

1.3 This re-submitted application has taken proper account of these issues. They are addressed in Section 4.

1.4 The statement complements the Design and Access Statement and addresses the key planning issues raised by the proposal including planning policy considerations and the concerns expressed by a Planning Inspector in relation to a previous appeal at this site.

2.0 BACKGROUND

a) The Site and Its Surroundings

2.1 The site comprises part of the rear garden of 'Woodside' which is a large detached dwelling situated within a substantial residential curtilage. It is predominantly a lawned area with trees (conifers) along its northern boundary. A hedgerow exists along its eastern boundary.

2.2 The site, and the property of which it forms a part, is located in an established residential area which was once characterised by low density development of large dwellings within substantial plots but is now more 'suburban' in nature following a range of infill and small scale developments. The area remains attractive with predominantly detached dwellings located within mature gardens.

2.3 The site is accessed from a private drive which serves 5 residential plots. The drive has a passing place to ease vehicle movement. The drive joins the A520, Cheddleton Road at a priority junction. Visibility is good in both directions.

2.4 The site slopes towards the west which allows for the introduction of a split level detached dwelling.

b) Planning History

2.5 Outline permission was granted in February 2009 for the construction of a detached dwelling on part of the garden area of Woodside, to the west of the existing dwelling. The permission remains live and it is understood that a Reserved Matters submission has been made for this plot. This permission is important in that it establishes the acceptability of the principle of development at this area of Birchall. It also provides an indication of the size of development plot which is now appropriate in this location. Reference to the site location plan shows the types of dwelling and development plots which predominate in this locality.

2.6 The current application site was the subject of an appeal in 2006 following the refusal of outline planning permission for a single dwelling with all matters reserved except for access. The appeal was dismissed following the Inspector's consideration of relevant issues comprising;

- The effect of the development on the character and appearance of the area, with particular regard to the impact on (unprotected) trees at the site
- The effect of the development on neighbours
- The adequacy of the vehicular access

2.7 The Inspector concluded that the development would not have a significantly adverse impact on the character or appearance of the area and nor would access arrangements be unacceptable. She did conclude, however, that the development of the site "with a dwelling having an appropriate scale, would be unacceptably harmful to the privacy and residential amenity of the occupiers of neighbouring dwelling". The Inspector's report did not suggest that the principle of development at the site, or in this location generally, was unacceptable. Moreover, the Inspector did not suggest that the access arrangements, and the impact of the development on the access road/A520 junction was in any way unacceptable or limited to the development of a further single dwelling only off the access road.

2.8 The Inspectors specific concerns were;

- The interrelationship of existing dwellings places a severe constraint on the size and design of property that could be built at the site without compromising the residential amenity of the occupiers of neighbouring dwellings.

- The prospect of delivering a 'small and squat' building in order to meet space standards which would be out of keeping with neighbouring dwellings and unlikely to meet high quality design aspirations.

2.9 In July 2009 a full application was submitted for a detached dwelling at the application site. This scheme proposed a split-level 3-bed detached dwelling with an integral garage. The application was withdrawn prior to determination.

3.0 THE PROPOSAL

3.1 The submitted proposal takes account of both the Inspector's concerns and those raised in the withdrawn application (reference 09/00770/FUL). As before, a full application is submitted in order to demonstrate that;

- There will be no significant and unacceptable impact on the residential amenity of neighbouring dwellings and
- The proposed dwelling will not be out of keeping with neighbouring dwellings and satisfies the requirements for high quality design and the attainment of planning standards.

a) <u>The Main Elements of the Proposal</u>

3.2 The scheme proposal is for a split-level 3-bed detached dwelling. It is to be positioned on an east-west axis with the front elevation facing the private access road.

3.3 The property footprint measures 10 m x max 8 m Ridge height is 5.5 m .

3.4 The dwelling is to be located at a distance of between 11.5 m and 9.7 m from the boundary with no. 7 Boundary Close (16.9 m and 15.7 m from the blank elevation of that property). The distance between the blank side elevation of the proposed dwelling and Woodside rages from a minimum of 11.4 m to a maximum of 14 m. The only habitable room along the back elevation of Woodside is a bedroom which is to be provided with obscure glazing together with inserting a new window to this room.

3.5 The eastern elevation of the proposed dwelling is to be blank in order to minimize any adverse impact on the occupiers of Hillside. The distance between the window of the Hillside family room and lounge of the proposed dwelling is 14.5 m but the building disposition means that there will not be any direct relationship and the risk of overlooking is therefore significantly reduced.

3.6 Although the details of a landscaping scheme can be dealt with by way of a condition, it should be noted at this stage that additional planting is to be provided on the eastern boundary to supplement the existing hedgerow.

3.7 Access is to be from the existing access road linking the site, and adjoining residential properties, to the A520. As part of the application, an additional passing place is to be provided adjacent to Woodside. The area for this facility is in the applicant's ownership as is the current passing place that runs alongside the frontage of Silverwood.

a) Differences Between the Withdrawn and Current Applications

3.8 The report relating to the withdrawn application raised the following points:-

1) The proposed development of a dwelling at this site is acceptable from a highway safety perspective.

2) The attainment of planning standards for distances between dwellings is important in this case.

3) The development would be unacceptable from a design, appearance and layout perspective owing to the limited size of the plot.

4) There would be adverse impacts in terms of residential amenity.

3.9 The current proposal has been developed and designed to respond to these issues as follows;

- The minimum Space About Dwellings Standard in relation to rear garden length has been achieved with an average rear garden depth of 11 m.
- The retained private garden area of Woodside has been increased as a result of reducing the plot width of the new dwelling.
- The omission of an integral garage reduces the need for extensive engineering and the proposed dwelling therefore sits more comfortably in the contours of the site.
- It is not considered that the plot size is limited but rather compares favourably to the size of other properties in the locality.
- Harm to the residential amenity of Woodside would not be caused as a result of both the increased garden depth and the presence of boundary planting/screening.

3.10 Overall, it is considered that the current proposal properly deals with the concerns set out in the report on the withdrawn application. Key Planning Standards are now achieved and as a result there can be no credible concerns regarding loss of amenity for adjoining occupiers. The design, layout and appearance of the property is not inconsistent with the character of the locality or the form of built development which is currently in existence. Similarly, the size of the plot, and that remaining at Woodside, is in keeping with the locality.

4.0 ISSUES AND CONSIDERATIONS

a) The Previous Appeal Decision

4.1 As mentioned at para 2.6 an appeal relating to an outline proposal at the application site was dismissed in 2006. As stated, the dismissal was not at the level of principle but rather because of the Inspectors belief that impacts would be adverse, notwithstanding the outline status of the proposal.

4.2 It is considered that if it can be shown, through the submission of a full application, that the Inspectors concerns have been or can be overcome then there can be no reasonable basis for withholding permission.

4.3 In considering the alleged planning policy conflicts raised by that application the Inspector concluded that the proposal would not conflict with Policy N20 (retention and adequate safeguarding of trees) and nor did she consider that existing access arrangements from the A520 were inadequate. The Inspectors concerns related to a potential conflict with Policy B13 and Appendix 3 of the Local Plan. This concern arose from the Inspectors contention that in order to meet the standards contained in the Local Plan, the dwelling would be 'small and or squat' and thus out of keeping with neighbouring dwellings.

b) The Officer Comments on the Withdrawn, Earlier Proposal

4.4 These comments are summarized at para 3.8 and, as indicated in paras 3.9 and 3.10, the current proposal responds to them in a positive manner.

4.5 The submission of a full application responds both to the Inspectors concerns and those raised in relation to the earlier, withdrawn, application. The submission of the revised proposal demonstrates that;

- The size of the proposed dwelling, in terms of both scale and footprint is not out of keeping with neighbouring dwellings. This area of Birchall is now characterised by a variety of dwelling types and sizes including bungalows; split level properties, and traditional detached two storey properties. No single style predominates and a three-bed split-level property at the application site will be entirely in keeping with the now mixed character of built from which exists. .

- All reasonable planning standards can be met and there will not be any unacceptable loss of amenity for adjoining properties. The orientation between existing and proposed dwellings is not 'direct' and this will further minimise the impact on the adjoining property.

- That the relationship between the proposed dwelling and existing 'Woodside' property will be acceptable, particularly as a new bedroom window is to be provided to the closest bedroom which will enable the existing window, which faces the application site, to be provided with obscure glazing.

- The provision of a split level dwelling will enable the roof height of the new property to align with that of Woodside whilst ensuring that it will not dominate with relationship with Hillside. Indeed, direct views from Hillside will effectively be unaltered as the outlook will be over and to the side of the proposed dwelling rather than onto the property.

c) Planning Policy Issues

4.6 The application site is, by definition, brownfield in character and is located within Leek's settlement boundary. At the level of principle, therefore, the development of this site is entirely acceptable.

4.7 The proposal raises no issues of strategic importance and concern.

4.8 At a local level, the previous key policies were N20 and B13 of the adopted Staffordshire Moorlands Local Plan. Policy N20 would not be contravened by development at the application site. As regards policy B13, and the associated Local Plan Appendix 3, the submitted scheme has demonstrated that the policy is not materially contravened to the point where unacceptable harm would be caused to standards of residential amenity and related impacts which the policy seeks to maintain or protect.

4.9 There have been no recent amendments to the development plan and emerging planning policy has not overtaken the status of relevant adopted/ saved local plan policies. It is considered that the proposal complies with the relevant saved policies and also with the thrust and emphasis of both regional and national policy imperatives (e.g. brownfield site priority; sustainable locations; good quality design etc).

d) Impact Issues

4.10 As indicated elsewhere, the main impacts arising from this development are in relation to adjoining properties, namely Hillside to the West; Woodside to the east and no. 7 Boundary Close to the north. The scheme now meeting planning standards in terms of Space About Dwellings and distances between dwellings. In addition, there does not appear to be a principal window on the side elevation of no. 7. as such, there will be no material nor adverse impact on this property.

4.11 The impact of the proposed dwelling on both Woodside and Hillside has been considered elsewhere and it is sufficient to note that no harmful impacts will arise by virtue of a combination of,

- Meeting planning standards
- Building relationships and dispositions, both existing and proposed
- Design considerations
- Mitigating measures (e.g. introduction of obscure glazing)

4.12 The impact on the road network will be minimal. The Inspector for the 2006 appeal noted that visibility is 'good' in both directions where the access road meets the A520, and concluded that a new dwelling would not cause harm. The subsequent approval of a dwelling to the west of Woodside has confirmed that no adverse impacts will be caused to conditions of highway safety. In relation to future development there is scope for only two more dwellings to be served by the existing access road, namely the application site and a single dwelling within the residential curtilage of Hillside. It is considered that the impact of only two further dwellings will not have a detrimental impact on the highway safety at the access road/ A520 junction. As much has already been recognised in the officer report, and the Highways Authority comments of 'no objections' in relation to the earlier, withdrawn, application.

5.0 CONCLUSIONS

5.1 The application proposal complies with the provisions of the development plan and no reasonable objections can be made at the level of principle to the development of this site.

5.2 The key issues of meeting planning standards and ensuring no adverse impacts on amenity and privacy of adjoining properties and on the character of the area generally have been fully addressed in this revised proposal following the withdrawal of an earlier, similar, proposal. The revised scheme resolves the minor infringements of planning standards which the earlier scheme exhibited. As such, the current scheme shows that the Inspectors, and planning officers, concerns about the development of this site are overcome. Planning permission should therefore be granted subject to conditions relating to, inter alia, materials, landscaping and means of enclosure.