

Application No: 17/5004M

Location: 2 & 4, LONDON ROAD SOUTH, POYNTON, CHESHIRE, SK12 1NJ

Proposal: The construction of 3no. new town houses on the land to the rear of nos 2 & 4 London Road South

Applicant: Mr Rob North, Istari Limited

Expiry Date: 18-Jan-2018

SUMMARY

This application seeks full planning permission for the erection of 3 dwellings houses to the rear of 2 and 4 London Road South. The site is located in a predominantly residential area in the centre of Poynton.

It is considered that the proposal is environmentally, socially and economically sustainable and accords with the development plan and the framework. The site is located sustainably within the town boundary of Poynton and the proposal represents an efficient use of land,

Cheshire East is currently able to demonstrate a 5 year supply of housing however this proposal will make a valuable contribution in maintaining this position.

It is considered that the proposal represents sustainable development and accords with the development plan policies outlined in the report and national planning policy and guidance. Therefore for the reasons mentioned above the application is recommended for approval

RECOMMENDATION: Approve, subject to conditions

REASON FOR REPORT

The application is to be presented at Northern Planning Committee as it has been 'called-in' to committee at the request of Cllr Beanland. This is due to concern regarding "*insufficient and inappropriate notice given to all affected parties, particularly the vicarage which bounds the site on two sides; It has an overbearing nature on neighbouring properties*".

SURROUNDING DEVELOPMENT

The application site lies in a predominantly residential area close to the centre of Poynton, south of the roundabout junction of London Road South, Park Lane and Chester Road. The site currently contains a pair of semi detached dwellings (2 and 4 London Road South) which have large rear gardens and each house has its own separate vehicular access.

Residential properties on Abbey Court lies to the south of the site, St Georges Church Hall and the locally listed alms houses on Fountain Close lie to the north of the site and the graveyard associated with St Georges to the west of the site.

DETAILS OF PROPOSAL

This application seeks approval for the erection of 3 terraced dwellings, which would be oriented northeast to southwest, in the rear garden area of 2 and 4 London Road South. The original submission proposed 4 dwellings but the proposal has been reduced to 3, thereby allowing the development to be moved northwards away from the shared boundary with the dwellings on Abbey Court. It is proposed to access the proposed dwellings by using the existing access of no 4 London Road South. The existing access to no 2 would be used for access to the 2 existing dwellings. Two parking spaces each would be allocated to the existing houses and 2 spaces are proposed for each of the three new dwellings, plus a turning area.

The proposed dwellings would be 10m high to the roof ridge and would be 2 .5 storeys. The orientation of the windows would be northwest to southeast. Each unit would contain 4 bedrooms and with kitchen/dining room ground floor with living room at first floor. The front elevation would have dormer style windows in the roof space and the rear elevation would have second floor windows at eaves height.

They would be constructed of brick, natural slate roof, UPVC windows, Art stone heads and cills, hardwood doors and the rear elevation would contain some timber cladding.

APPLICANTS SUBMISSION

The applicant has provided the following information in support of the application

- Landscaping layout
- 3D massing diagram
- Vehicle tracking plans
- Ecology report
- Arboricultural report
- Comments on the locally listed buildings

RELEVANT PLANNING HISTORY

No relevant history

CONSULTATIONS

Two rounds of consultation were undertaken

Original submission (4 dwellings)

Poynton Town Council - Object to the proposal on the basis of;

- It being backland development
- Cramped development
- Inadequate space around dwellings
- It being unneighbourly
- There being a threat to trees and their contribution to amenity
- The developer having cleared trees from the site already
- Inadequate visibility
- Additional vehicular turning movements
- Inadequate turning facilities
- Inadequate service provision
- Access road being exceptionally close to no 4 London Road South
- Inadequate parking provision
- Detracting from St Georges Church which is a listed building

Amended submission (3 dwellings)

Poynton Town council object on the same grounds as above

Strategic Infrastructure Manager - No objection subject to clarification regarding the swept path of refuse vehicles.

Environmental Health - No objection subject to conditions relating to the construction phase of development, electric vehicle infrastructure, contaminated land.

REPRESENTATIONS

Letters of representation have been received from 27 properties, over both rounds of consultation all of which object.

Original submission (4 dwellings)

In summary they relate to;

- An existing tree which overhangs a neighbouring property
- Site preparations having already started
- Impact upon privacy
- Insufficient parking spaces/potential to prevent access for services
- Impact upon amenity through additional activity

- Impact on the long term life of existing trees and hedgerows
- Difficulties for bin collection due to width of access
- Inadequate access and visibility on to London Road South
- The development would be overbearing
- Increase in congestion on London Road South
- Overlooking
- Overshadowing
- No public engagement prior to submission of the application
- Close proximity of dwellings to 7 Abbey Court, which sit slightly lower than the application site
- Height of dwellings taller than average 2 storey dwellings
- Reduction in amount of daylight currently received by 7 Abbey Court
- Does not comply with plan policy
- A report was submitted regarding protective measures for the removal of trees however the trees have already been cleared
- Inaccurate plans
- Already a sufficient supply of housing in the Local Plan Strategy
- Window in gable end of proposed property resulting in loss of privacy
- Cramming/over development
- There should be a "green" barrier between the development and Abbey Court
- Effect upon the market value of adjacent houses
- Concerns about protection of trees and the wild life within them
- Suggested hours of construction

Amended submission (3 Dwellings)

Many of the previous comments were repeated but some additional comments included the following;

- Inadequate service provision
- Additional turning movements onto London Road South
- Inadequate turning within the site
- Inadequate width of access road
- Loss of trees
- In accuracy in plans
- Bus stop adjacent to site and double island within 50 yds which would exacerbate highway safety risk
- Loss of view of the St Georges Church
- Difficulties for service vehicles accessing the site and queries regarding the information submitted
- Proposal not reduced in height
- Potential for further loss of trees between 2 London Road South and the rear of 5/6 Fountain Close, should a new fence be erected
- Loss of light to church hall and car park exacerbated by a blanket tree protection order on all of the trees along the western side of the car park and hall and proposed building site

- Potential for complaints from new householders regarding the noise and activity at the church hall
- Would the development put the TPO at risk and who would the onus fall upon for future maintenance
- The 3D computer drawing being misleading showing trees along the boundary with church hall car park which do not exist

POLICIES

Cheshire East Local Plan Strategy – Adopted July 2017

Policy MP1 - Presumption in favour of Sustainable development
 Policy SD1 - Sustainable development in Cheshire East
 Policy SD2 - Sustainable development principles
 Policy SE1 – Design
 Policy SE2 - Efficient use of land
 Policy SE5 - Trees Hedgerows and woodlands
 Policy PG1 - Overall development strategy
 Policy PG2 - Settlement hierarchy
 Policy SE7 - The historic environment

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There is however policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.

Macclesfield Borough Local Plan - saved policies

Policy DC3 – Protection of the amenities of nearby residential properties
 Policy DC6 - Circulation and access
 Policy DC8 - Landscaping
 Policy DC9 - Tree protection
 Policy DC38 - Space light and privacy
 Policy DC41 - Infill housing development

Other Material Considerations

National Planning Policy Framework (NPPF)
 National Planning Practice Framework (NPPG)
 Heritage assets and HOU1 location of future development for housing
 Cheshire East Borough Design Guide Supplementary Planning Document

Poynton Neighbourhood Plan relevant draft policies include Policies EGB24
 At the Regulation 14 – Pre-submission Consultation stage

OFFICER APPRAISAL

Principle of development

The principle of erecting dwellings in this location is acceptable provided all detailed matters have been fully addressed

Policy SD 1 states that development should wherever possible contribute to creating a strong, responsive and competitive economy, prioritise investment and growth within the Principal Towns and Key Service Centres, contribute to the creation of sustainable communities, ensure that development is accessible by public transport, walking and cycling, provide a locally distinct, high quality, sustainable, well designed and durable environment, support the achievement of vibrant and prosperous town and village centres, make efficient use of land, protect the best and most versatile agricultural land and make best use of previously developed land where possible and prioritise the most accessible and sustainable locations.

Policy PG 2 states that Key Service Centres such as Poynton will accommodate 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.

Impact on residential amenity

Policy DC38 recommends that distances of 21 metres front to front and 25 metres back to back are achieved between facing habitable windows of residential properties. The distance between the rear habitable room windows of the existing properties (2 and 4 London Road South) and the front windows of the proposed new dwellings would be 26.8 metres and is therefore considered acceptable. To the rear of the site, the nearest properties are over 50 metres away.

Policy DC38 recommends 14 metres between habitable rooms and non habitable rooms. The first two floors of No 7 Abbey Court are closer to the boundary than their second floors. The distance between the gable end of the new dwellings and the closet part of no 7 Abbey Court is 14.4 metres. No 9 Abbey Court has a ground floor conservatory which would be 13.2metres away from the gable end of the new dwellings 17metres at the first floor and above. It is considered that based upon the distances listed in saved policy DC38 and advice in the Cheshire East Design Guide the proposal will retain adequate spacing to the existing dwellings.

Although there is a glazed design feature on the gable end of the nearest proposed dwelling facing towards Abbey Court, this would be obscurely glazed and would not introduce overlooking.

The proposed dwellings would be at a 45 degree angle to 5 and 6 Fountain Close and separated by existing landscaping within the curtilage of the neighbouring properties. Additional planting is also proposed as part of the application, and at their closest points the proposed dwellings will be 14.5 from the south west corner of 6 Fountain Close.

Therefore it is considered that the proposal complies with saved policies DC3 and DC38 of the Macclesfield Local Plan.

Highways

Each dwelling would have two parking spaces which accords with the guideline parking standards set out in the CELPS which states that dwellings with more than 3 bedrooms in key service centres should each have 2 parking spaces.

The existing houses currently each have separate access. It is proposed to reuse the northern access, for turning and car parking spaces for no 2 and 4 London Road South. The Southern access is proposed to be used for access to the proposed new development.

Some queries have been raised by the Strategic Infrastructure Manager regarding the tracking layouts for a refuse vehicle. Further details will be provided as an update.

Infill development

Infill housing can be considered to be acceptable provided existing levels of privacy is maintained and there is no significant overshadowing and parking standards are met. These matters have been addressed above. Proposed garden spaces would reflect adjacent properties and in respect of harm to amenity for adjacent neighbours resulting from increased activity, it is considered the introduction of 3 dwellings in this location would not cause further harm, due to the significant activity of this stretch of London Road South. Nor would the development result in a substandard outlook with sufficient land surrounding the dwellings to accommodate appropriate landscaping. Land to the north of the site is a graveyard associated with St Georges Church, and provides an open outlook for the new dwellings.

It is therefore considered that the proposed development would accord with saved policy DC41 of MBLP.

Design/Character

The design of the dwelling at 2.5 storeys high of brick construction with detailing such as stone heads and cills and timber cladding on the rear is considered to be acceptable in this location. The existing dwellings adjacent to the site are predominantly of red brick construction. Nos 2 and 4 although semi-detached are large buildings with steep roofs and are taller than the adjacent neighbours on London Road South. The steep grey slate roofs reflect the adjacent church hall and the adjacent alms houses.

The dwellings on Abbey Court are three storeys buildings. Some of these dwellings have dormers serving the second floor rooms; some have gable elevations to accommodate the second floor.

It is considered that the proposed dwelling reflects design and character of the area and the adjacent existing buildings and therefore accords with Policy SE1 and SD2 of the CELPS

Historic environment

5 and 6 Fountain Court (Alms houses) which lie to the north of no 2 London Road South and locally listed buildings and as such are non designated heritage assets.. The nearest of the

proposed new houses would be 14.5m away and there are mature trees close to the shared boundary within the curtilage of the adjacent properties.

When viewed from London Road South, the development site is well screened and the proposed dwellings would not be immediately visible in relation to the alms houses. There may be glimpses of them when looking down the drive way of no 2 but they will not appear prominent in the street scene and would be visually subservient both to the alms houses and 2 and 4 London Road South. The conservation officer has raised some concerns about the impact of the proposed development on the setting of the alms houses. However there is a clearly defined boundary and a distinct change in character between the alms houses and no 2 and 4 London Road South. As the new dwellings would be set much further back into the site away from the road frontage where the character of the alms houses is most apparent, it is considered that the proposed dwellings would not harm the setting of these buildings and would comply with Policy SE7 of CELPS.

Ecology

Bats and birds are known to occur in this locality therefore a condition requiring the incorporation of features suitable for roosting bats and breeding birds within the development is recommended to safeguard protected species. No further ecological issues are raised, and the proposal is considered to comply with policy SE3 of CELPS

Trees and landscaping

All but one tree (T10) identified for removal within the submitted Tree Protection Plan have been felled as part of pre-determination works. The site is not subject to a Tree Preservation Order and is located outside any Conservation Area

The proposed site plan depicts the retention of a Deodar Cedar which remains on site. It is an early mature specimen with significant growth potential, and likely to dominate the rear garden areas associated with the off site properties on Abbey Court, therefore its loss would also be acceptable.

Some of the trees located off site to the north are protected as part of the Macclesfield Rural District Council (Chester Road/London Road) Tree Preservation Order 1971. Conditions would be required for no dig construction regarding some of the parking bays.

No significant post development issues are anticipated in terms of off site protected trees in terms of light attenuation or nuisance.

A landscaping plan has been submitted to show the introduction of new landscaping along the shared boundary with properties on Abbey Court.

Therefore it is considered that the proposal complies with saved policies DC8 and DC9 of MBLP and policy SE5 of CELPS

Economic sustainability

The proposal contributes would contribute to the economic well being of Poynton, as the new residential occupants would add to the vitality and viability of the local shops and restaurants in the town centre, which is within very easy walking distance of the site.

CONCLUSION

Whilst the concerns raised by interested parties are acknowledged, the amended scheme is now considered to be of appropriate proportions to the site and highways matters are being addressed. Subject to confirmation from the Strategic Infrastructure Manager that the tracking details for refuse vehicles are acceptable, the proposal complies with the requirements of the development plan. In such circumstances policy MP1 of the CELPS (and paragraph 14 of the NPPF) states that *“Planning applications that accord with the policies in the Development Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise.”* Accordingly the application is recommended for approval subject to conditions.

In order to give proper effect to the Committee`s intent and without changing the substance of its decision, authority is delegated to the Head of Planning (Regulation) in consultation with the Chairman (or in their absence the Vice Chairman) to correct any technical slip or omission in the resolution, before issue of the decision notice

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Materials as application
4. Landscaping completed in accordance with submitted plan
5. Landscaping to be implemented within the first planting season of occupation of dwellings
6. Tree protection
7. Tree pruning / felling specification
8. Construction hours of operation - Piling
9. Electric Vehicle Infrastructure
10. Contamination - suitability of soil and verification
11. Contamination - works shall cease if contamination found during construction
12. No dig construction for driveway and hardsurfacing areas near root protection areas for Chester Road/London Road TPO 1971

