

NORTHERN PLANNING COMMITTEE – 14th March 2012

UPDATE TO AGENDA

APPLICATION NO: 12/0309M

LOCATION: Withinlee Hollow, Withinlee Road, Prestbury

UPDATE PREPARED: 12th March 2012

OTHER REPRESENTATIONS

Three additional letters have been received by the Local Planning Authority:

- The occupiers of Hanover House, St James Hill consider that whilst the design of the dwellinghouse has altered and is less extreme than the previously withdrawn scheme, they do not consider that the design and materials fit with the houses in the immediate area.
- The occupiers of No. 7 Larch Rise state that whilst they do not object to a replacement dwelling, they are strongly of the opinion that it should be in keeping with the setting. They consider that it is in stark contrast to the surrounding area and landscape; is an incongruous design; and is out of keeping given the site's setting on the edge of the Green Belt and adjacent to an Area of Special County Value. They consider that the applicant proposes to extend the existing residential curtilage into an area that is currently used for agricultural/non-residential purposes.
- The occupiers of Withinlee, Withinlee Road state that they agree with the points raised by the occupiers of Withinlee Court.

It is considered that the points raised by the additional neighbours have already been outlined and discussed within the report to committee and they do not change the recommendation put forward. The comment made in respect of the extension of the residential curtilage into the Green Belt is unfounded – the site follows the existing line and does not encroach into the Green Belt.

A further letter was received from the occupiers of Withinlee Court, Withinlee Road that raised additional concerns to those originally raised. However the majority of the points raised are civil matters that are not material planning considerations that the Local Planning Authority can take into account. Additional points made that are material planning considerations include:

- They feel that far too much is being put into what is essentially a small building plot given the restrictions imposed by the lie of the land, the boundary of the green belt and the site's distance from the Highway.
- They consider that working hours be restricted to 8:30 to 5:00 and exclude all weekend work and Bank Holidays.

- They have seen in recent years just how much dirt a major construction project generates, especially if there is excavation and removal of soil. The entire access area should be kept clean and tidy and free of any obstruction at all times. Wheel washers should be used and dust kept to a minimum.
- They would like to see a condition that no pile driving be used, to avoid the risk of damage to neighbours' buildings.
- There is a safety issue in that vehicles that do not gain access to Withinlee Hollow, or do so and are too large to turn in the limited area available on the site, or by the proposed building when completed, will need to reverse along the drive and onto Withinlee Road.

It is considered that the first point raised has already been discussed within the report to committee.

The request for the construction hours to be limited has already been put forward within the report to committee and as a recommended condition. However the hours would be the standard hours imposed by the Environmental Health Division rather than those requested by the neighbour.

The request for a wheel wash to be used during construction has already been put forward within the report to committee and as a recommended condition. The production of dust would be a by-product of the demolition/construction works and could not be controlled.

The neighbour requests that no pile driving takes place in order to prevent damage to his property. Due to the type of building proposed (i.e. with a basement) it is not considered that pile driving could be prevented, however a condition could be attached that restricts pile driving to specific hours. Any damage that may be caused to neighbouring properties would be a civil matter.

The site currently has electronic gates part way along their access road. It is noted that the neighbour has concerns regarding how vehicles would turn within the driveway if the gates were not opened. The Strategic Highways Engineer raises no objection to the proposed development and provision for such a facility is shown on the Site Location Plan as an indent is provided at the top of the driveway. Further details (i.e. materials) could be conditioned accordingly should Members feel it is necessary.

Whilst the comments of the neighbour have been taken into consideration, they do not change the recommendation put forward.

A letter has also been received from a solicitor acting on behalf of the occupiers of Withinlee Court that states they wish to reiterate their client's comments in respect of damage to their property, trees within their ownership, that their client is given time to consider any method statement put forward, and that the final design proposed will be in discussion with their client. As previously discussed, damage to a neighbour's property is a civil matter, not a material planning consideration. The formal comments of the Forestry Officer

are currently awaited and will be updated to Members. However the officer is satisfied that the impact of the development on trees will be acceptable subject to conditions.