

Northern Planning Committee

Agenda

Date:	Wednesday, 25th November, 2009
Time:	2.00 pm
Venue:	The Capesthorne Room - Town Hall, Macclesfield SK10 1DX

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

To receive any apologies for absence.

2. **Code of Conduct-Declarations of Interest/Pre-Determination**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests and for Members to declare if they have pre-determined any item on the agenda.

3. **Minutes of the Meeting** (Pages 1 - 4)

To approve the Minutes as a correct record.

4. **Public Speaking**

For any apologies or requests for further information, or to arrange to speak at the meeting

Contact: Sarah Baxter

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A total period of 5 minutes is allocated for each of the planning applications for Ward Councillors who are not Members of the Planning Committee.

A period of 3 minutes is allocated for each of the planning applications for the following individuals/groups:

- Members who are not Members of the Planning Committee and are not the Ward Member
- The Relevant Town/Parish Council
- Local Representative Groups/Civic Society
- Objectors
- Applicants/Supporters

5. **09/2729M - Change of Use from Vacant Warehouse to Play Warehouse, Unit D1, Stanley Green Trading Estate, Commercial Avenue, Handforth, Wilmslow, Cheshire, SK8 6QH for Head Over Heels and Orbit Investment (Properties) Ltd (Pages 5 - 16)**

To consider the above application.

6. **09/3056M - Demolition of Existing Buildings and Erection of 3 No. 15 Bed Low Secure Mental Health Units with Support Buildings and Secure Outdoor Space (to Match an Existing NHS Institutional Use). Proposed New Developments are to be Served by New Infrastructure and Provide Parking and Bike Stands for 50 Staff as Existing, The Mary Dendy Unit, Chelford Road, Nether Alderley, Macclesfield, Cheshire, SK10 4Sy for Mr Bryce Irons, Cheshire & Wirral Partnership NHS (Pages 17 - 24)**

To consider the above application.

7. **09/2804M - Development of a New Games Facility including a Multi-Use Games Area, Youth Shelter and BMX Trail, Peckforton Playing Field, Picton Drive, Wilmslow, Cheshire for Ms Marianne Hodgkinson, Cheshire East Council (Pages 25 - 32)**

To consider the above application.

8. **09/2844M - Resubmission of Application 09/1795M - One and Two-Storey Extension to Rear of Property to House an Indoor Swimming Pool, Plant Room and Gym Area. Ground Floor Extension to Rear of the House to Provide further Accommodation on Ground Floor with Enlarged Living Room and Kitchen and Terrace on First Floor, 10 Anglesey Drive, Poynton, Stockport, Cheshire, SK12 1BT for Mr Keith Farrell (Pages 33 - 42)**

To consider the above application.

9. **09/3285M - Erection of Detached Dwelling and Alterations to Existing Dwelling with Associated Accesses Car Parking, Landscaping and Boundary Fencing, 70 Moor Lane, Wilmslow, Cheshire, SK9 6BQ for Mr & Mrs Farrell (Pages 43 - 50)**

To consider the above application.

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Northern Planning Committee**
held on Wednesday, 4th November, 2009 at The Capesthorpe Room - Town
Hall, Macclesfield SK10 1DX

PRESENT

Councillor R West (Chairman)
Councillor M Hardy (Vice-Chairman)

Councillors C Andrew, T Jackson, W Livesley, J Narraway, D Neilson,
L Smetham, D Stockton, D Thompson and C Tomlinson

OFFICERS PRESENT

Mrs N Folan (Planning Solicitor), Mr D Garratt (Development Control
Manager) and Mrs S Loomes (Planning Assistant)

Apologies

Councillors J Crockatt, E Gilliland and O Hunter

65 CODE OF CONDUCT-DECLARATIONS OF INTEREST/PRE- DETERMINATION

Councillors R Narraway, D Thompson and R West declared a personal and prejudicial interest in application 09/2553M — Demolition of Existing Honford Court Building, Detaching from Existing Honford Hall Block, Small Extension to Honford Hall Block to Rationalise Wc Facilities and M & E Plant. Construction of 36no. 2 Bed Apartments (Block of 12 and Block of 24) Including Associated Parking and Infrastructure, Honford Court, South Acre Drive, Handforth, Wilmslow, Cheshire for Cheshire Peaks and Plains Housing Trust by virtue of the fact that they were on the Board of Cheshire Peaks and Plains and in accordance with the Code of Conduct they left the meeting prior to consideration of the application.

66 MINUTES OF THE MEETING

RESOLVED

That the minutes be approved as a correct record and signed by the Chairman.

67 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

68 09/2553M-DEMOLITION OF EXISTING HONFORD COURT BUILDING, DETACHING FROM EXISTING HONFORD HALL BLOCK, SMALL EXTENSION TO HONFORD HALL BLOCK TO RATIONALISE WC FACILITIES AND M & E PLANT. CONSTRUCTION OF 36NO. 2 BED APARTMENTS (BLOCK OF 12 AND BLOCK OF 24) INCLUDING ASSOCIATED PARKING AND INFRASTRUCTURE, HONFORD COURT, SOUTH ACRE DRIVE, HANDFORTH, WILMSLOW, CHESHIRE FOR CHESHIRE PEAKS AND PLAINS HOUSING TRUST

(Prior to consideration of the application Councillor M Hardy took the Chair).

(The Applicant attended the meeting and spoke in respect of the application).

Consideration was given to the above application.

RESOLVED

That the application be approved subject to the completion of a S106 Agreement for a Traffic Regulation Order, contribution to off-site POS provision, housing issues – nomination rights – tenure split – affordability in perpetuity, and subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A02EX - Submission of samples of building materials
3. A02HA - Construction of access
4. A02HP - Provision of car parking (scheme to be submitted)
5. A04HP - Provision of cycle parking
6. A26HA - Prevention of surface water flowing onto highways
7. A07HA - No gates - new access
8. A30HA - Protection of highway from mud and debris
9. A01LS - Landscaping - submission of details
10. A04LS - Landscaping (implementation)
11. A12LS - Landscaping to include details of boundary treatment
12. A10LS - Additional landscaping details required
13. A01AP - Development in accord with approved plans
14. Revised Plan showing existing turning head and deletes two parking bays
15. Acoustic Windows
16. Features for Bats
17. Renewable Energy Provision
18. Vibro-Compaction Machinery
19. Excavations/Earthworks Adjacent to Railway

In addition the following conditions were also included:-

1. Retention of trees
2. Protection of trees
3. Contamination of land and remediation as necessary
4. Hours of working
5. No pile driving
6. External materials to be agreed – especially render colour (something subtle) and facing brickwork
7. Revised layout plan to maximise the available parking within the site, at least the re-introduction of the two displaced car parking spaces if possible

69 09/2867M-ERECTION OF FIRST FLOOR EXTENSION & REBUILDING CONSERVATORY WITH HIGHER PITCHED ROOF, SWAN RIDGE, MERESIDE ROAD, MERE, KNUTSFORD, CHESHIRE FOR MR PASCAL PASCHALIS

(Prior to consideration of the application Councillor R West returned to the Chair).

Consideration was given to the above application.

(The Ward Councillor G Walton, an objector and the applicant's architect attended the meeting and spoke in respect of the application).

RESOLVED

That the application be refused due to the gable wall/roof reducing outlook from and light to the neighbour's kitchen window to the detriment of their residential amenity and contrary to MBC Local Plan Policy DC3.

(This decision was contrary to the Officers recommendation of approval).

The meeting commenced at 2.00 pm and concluded at 3.15 pm

Councillor R West (Chairman)

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Application No: 09/2729M

Location: UNIT D1, STANLEY GREEN TRADING ESTATE, COMMERCIAL AVENUE, HANDFORTH, WILMSLOW, CHESHIRE, SK8 6QH

Proposal: CHANGE OF USE FROM VACANT WAREHOUSE TO PLAY WAREHOUSE

For HEAD OVER HEELS &, ORBIT INVESTMENTS(PROPERTIES) LIMITED

Registered 28-Aug-2009

Policy Item Yes

Grid Reference 386442 384125

Date Report Prepared: 13 November 2009

SUMMARY RECOMMENDATION

Approve with conditions

MAIN ISSUES

- Loss of employment land
- Impact on highway safety

DESCRIPTION OF SITE AND CONTEXT

The site is located within the Stanley Green Trading Estate in Handforth, close to the northern boundary of the Borough. The site and its surroundings have the characteristics of a typical business / industrial park. The site lies on the corner of Earl Road and Commercial Avenue. Various industrial and office units are located in the vicinity of the site. The building on the site is a vacant warehouse of approximately 1500 sq m. Access and parking areas exist from both Commercial Avenue and Earl Road. The south boundary of the site is bordered by Spath Lane Brook and vegetation. The site contained by fencing from the wider industrial estate.

DETAILS OF PROPOSAL

The application seeks the change of use from a vacant warehouse to a children's play warehouse. The existing warehouse has a floorspace of 1498 sq m with a small office measuring 145 sq m. members should be aware that the existing small office section has been granted permission for a small café to meet demand from workers on the estate. This permission has not been implemented. The applicant intends to implement the café permission and also have shared kitchen that would provide services to customers of the play warehouse. An indicative internal layout has been requested from the applicant to clarify this.

The site has 73 car parking spaces which would be formally marked out and incorporate 3 disability spaces. 6 cycle spaces would also be provided. The landowner also has ownership of adjoining units on the estate and they have stated that they are happy to have a condition to allow additional parking on land opposite the application site on Saturdays and Sundays.

RELEVANT HISTORY

08/1051P Change of use from storage unit to sandwich shop, cafe and hot and cold food takeaway
Approved with conditions 26.082008

POLICIES

Regional Spatial Strategy

Relevant policies of the North West of England Plan Regional Spatial Strategy to 2021 include:

DP1 (Spatial principles applicable to development management)
DP2 (Criteria to promote sustainable communities)
DP3 (Promotion of sustainable economic development)
DP4 (Sequential approach to make the best use of existing resources)
DP5 (Objectives to reduce the need to travel and improve accessibility)
DP6 (Linking economic opportunity with areas in greatest need)
DP7 (Criteria to promote environmental quality)
W1 (Strengthening the regional economy)
W3 (Supply of Employment Land)
W4 (Release of Allocated Employment Land)
L1 (Health, Sport, Recreation, Cultural and Education Services Provision)
RT2 (Strategies for managing travel demand and regional parking standards)
RT9 (Provision of high quality pedestrian and cycle facilities)
MCR3 (Strategy for the Southern Part of the Manchester City Region)

Local Plan Policy

Relevant policies of the Macclesfield Borough Local Plan include:

E1 (Employment Land Policies)
E4 (Employment Land – Industry)
DC6 (Safe and convenient access for vehicles, special needs groups and pedestrians)

Other Material Considerations

National planning guidance is relevant in the form of PPS1 Delivering Sustainable Development, PPG4 Industrial and Commercial Development and Small Firms, PPS6 Planning for Town Centres, PPG13 Transport, PPG17 Planning for Open Space, Sport and Recreation, and PPS25 Planning & Flood Risk.

Whilst not adopted government policy, new draft guidance document PPS4: Planning for Prosperous Economies has been considered as a material consideration by Inspectors dealing with similar development proposals.

CONSULTATIONS (External to Planning)

Highways: There are no objections in principle to this application although it could be argued that the use of this accommodation as a children's play centre is not appropriate in this location. The site is within walking distance of a major residential area and on a bus route which supports to some degree the sustainability argument although it is accepted that like other such facilities the majority of its clientele will arrive by private motor vehicles. The parking provision is in accordance with the policy guidance in PPG13 and allied to the fact that there is no on-street parking available around the site, nor on any of the estate roads, the use of the private car is to some degree self-limiting although the applicant has suggested that at peak operational times additional car parking is available on land within the applicant's ownership. Having considered all the submitted evidence and from observations during site visits it is felt that there is no greater hazard to those using the site than pedestrian traffic already using Earl Road given that none of the children would be unaccompanied. However, the applicant/landowner has been requested to undertake some improvements to pedestrian movement which will require the applicant entering into a s278 Highways Act 1980 agreement with the Council.

There are no objections in principle to the provision of the café and under current criteria is likely to require the provision of approximately 10 parking spaces which, if the submitted data holds true, are available within the overall parking provision. However, if as the applicant states, it is for other estate users then there should be little need of use by additional traffic, or if there is, it may be multi occupancy vehicles.

Environmental Health: No objection

Environment Agency: We are in receipt of a revised Flood Risk Assessment (FRA) produced by Steve Douglas of Peter Mason Associates, September 2009. The contents of the revised FRA have addressed our concerns with regard to emergency access and egress from the site, and as such, we are now able to withdraw our objection to the development proposals. Conditions are recommended in respect of a scheme to provide emergency access / egress in the event of flooding, and to provide appropriate flood proofing measures to the building.

OTHER REPRESENTATIONS

1 letter of objection from the tenant of a nearby commercial unit was raised mainly in relation to parking / traffic concerns. However, following discussions with the applicant and based on a condition that the additional land for parking is made available during weekends they have withdrawn their objection.

An additional anonymous objection has been received. In summary the objection raised includes:

- **Parking and congestion:** The figures submitted with the application distort the reality of the impact of the proposal. The application does not consider actual arrival and departure times of users which will not be spread throughout the day and does not take account of busy periods during school holidays. No travel plan is submitted and there is no analysis of traffic flows which will significantly add to congestion at already very busy junctions around the Stanley Green Trading Estate.
- **Need:** There is not the need for this facility as suggested. There are 4 similar facilities within a 10 minute drive and the application does not refer to 2 nearby sites that will be opening this year in Wythenshaw and Didsbury.
- **Employment:** The application states that up to 50 staff would be employed, however the industry average indicates that the actual average is more likely to be 5-7 full time and 10 – 15 part time staff.
- **Pricing:** It is states that the pricing of £3.50 per head is aimed at being accessible to low income families, however the average price achieved by Head over Heels is over £4.50 per head and £10.99 or parties.
- The applicant has experiences problems running their site in Chorlton hence their urgent need for a new site. They have no experience in running a venue of this size. Stockport Borough Council have refused application in the area around Stanley Green due to issues of sustainability, traffic congestion, parking and impact on employment opportunities.

APPLICANT'S SUPPORTING INFORMATION

The applicant has submitted a planning and supporting statement, a transport statement, flood risk assessment and an economic report. These are available online as background information. A summary of the Planning Statement is outlined below.

Planning and Supporting Statement

Head Over Heels is an indoor play centre currently operating in Chorlton. The facility is open 7 days a week, Monday to Friday 9.30am until 7.00pm and on Saturdays & Sundays 9.30am until 6.30pm. It provides facilities for children aged 0-8 years for an accompanied play visit which usually lasts up to 2 hours which can be a free play or have structured activities. It is primarily a physical activity centre employing up to 50 staff. Orbit and Head Over Heels are applying for a change of use permission for a play warehouse.

The site is within the area designated for employment in the Macclesfield Borough Local Plan. To the north and south ends of the employment area

there are retail facilities (B&Q, Next, Comet, TK Max, Halfords, Marks & Spencer, BHS and Tesco). The core of the trading estate comprise B1/B2/B8 uses and trade counter warehouses. In recent years there has been an increase in office buildings being built on the site and there are further office buildings with planning consent yet to be built. To the west within a 10 minute walk, is the northern residential area of Handforth. Within a 15 minute walk to the south west is Handforth Centre and Train Station. Within a 15 minute walk to the south is the residential area of Handforth near Handforth Hall.

Over the last 15 years in the North West standalone play centre have evolved in a number of locations but the majority have been successful in receiving planning approval for change of use from industrial to play warehouse centres under the Use Class D2 on Industrial Estates. A Fun4All was granted in Macclesfield Borough at Hurdsfield Industrial Estate (ref 05/1348P). Evidence from Appeals also suggests the play warehouses are not viewed as a town centre use.

The application building is predominantly a single storey 35 year old warehouse which has been vacant since March and marketed since September 2008. It was previously in intermittent use by John Lewis Warehouse. The proposal does not involve works to alter the external appearance of the building and allows the property to revert back into B1/B2/B8 in the future should the need arise.

The facility will provide up to 50 jobs, a sensory room, trike track, toddler area, toddler village for dressing up/role play, bungee trampolines and a multi use area which will change its focus through the seasons and years; five party rooms, together with a party games area, toilets, buggy storage, reception area, kick about area, café and seating area.

The Government are consistently driving to increase physical activity amongst children. This is an excellent facility in the British weather to enable that to take place. It sits alongside other indoor sports facilities such as swimming pools and sports halls in providing the facilities for physical activity.

Other appeal decision have demonstrated that Industrial / Business parks can be acceptable locations for such a use and the employment generated by them can be consistent with or greater than other employment uses such as warehousing.

The predominant use of the Stanley Green Trading Estate would remain industrial and there is no shortage of industrial/employment land as shown in the submitted economic report by Knight Frank.

Sequential Approach: A larger floor space and good ceiling height maximise the play factor for children. Secure parking and good transport links are essential. It is difficult to find a unit which has space and parking hence the reason the majority of the play facilities are in converted industrial units as set out in Appendix 1. Prior to identifying this unit a number of locations have been considered based on the following selection criteria for Head Over

Heels: requirement for low rent units due to space hungry nature of the business; good roof height of approximately 6 metres to apex and 5 metres to the eaves; secure, safe, available parking for 70-80 vehicles, disabled access doors/buggy friendly; good accessibility; floor plate of approximately 1,700 sq m, natural light; in an area with a large population whose needs are not already met. The document details lists of sites searched and issues with them.

A policy appraisal has been undertaken that concludes that the development is in accordance with relevant local and national planning policies.

OFFICER APPRAISAL

Key issues

The keys issues with the proposal are the impact on the availability of employment generating sites in the area and wider Borough, the effect on vehicular and pedestrian safety, and considerations of sustainability.

Policy

The use class of a play warehouse is generally considered to be D2, which covers other leisure facilities, although when granting permission, some LPAs have been keen to ensure that the approved use remains specific only to a play warehouse taking into account the particular circumstances of allowing such a use on a business park or industrial estate.

Such a use falls outside the normal employment uses (use classes B1, B2 and B8) for which employment areas such as the Stanley Green Trading Estate are reserved. Policies E1 and E4 are the relevant employment policies of the Macclesfield Borough Local Plan that govern this particular site. Policy E1 states that existing employment areas will normally be retained for employment purposes. Permission will normally be granted in accordance with policies E3-E5, on a scale appropriate to the size and character of the area. Policy E4 specifically seeks to encourage the industrial use of this part of the Stanley Green Trading Estate, particularly specifying general industrial, warehousing, high technology and light industrial uses. The proposed development is therefore a departure from this normal policy and has been advertised as such.

From a wider strategic perspective, policies of the RSS deal with the approach LPAs should take when considering the release of employment land. The RSS requires Cheshire East to undertake a review of commitments under policy W3. This is likely to result in poorly performing employment sites to be de-allocated through the LDF process. Policy W4 states that outside of a comprehensive review of commitments when considering proposals and schemes there should be a presumption against the release of allocated employment sites for other uses. It states that sites should not be released where they provide, or have the potential to provide, an important contribution to the economy of the local area. If local authorities are minded to release

sites they should be satisfied that: an appropriate supply of sites is available for employment uses; and if required there are replacement sites available. In both cases consideration should be given to the implications of releasing / retaining employment land in relation to the spatial principles in policies DP1 - 9, in particular the promotion of social and economic inclusion, sustainable travel choices and access to services.

Cheshire East Council is currently embarking on its review of employment land as part of the LDF process. The RSS specifies that there is a surplus of employment land in Cheshire and Warrington, with an indicated over-allocation of 297 hectares (adjusted over the period to 2021). The development management process therefore has some flexibility in considering alternative uses on employment land subject to the relevant spatial policies and approach noted in policy W4 of the RSS. In this particular case the applicant has undertaken an economic report and identified that the loss of this unit would not remove the ability of an employer to easily find an industrial unit between 1393 sq m and 2323 sq m due to availability within the South Manchester Region. Furthermore the marketing exercises undertaken have only indicated a need for the play warehouse itself. Taking these factors into account along with the regeneration / employment benefits of the unit being put to the proposed use, it is considered there is sufficient justification to depart from normal / traditional employment uses in this particular case. It is also considered that the development would be a "one-off" for the Trading Estate.

Planning Policy Statement 6: Planning for Town Centres requires main town centre uses, including leisure and more intensive sport and recreation uses to satisfy several criteria. These include demonstrating a need for the development and applying a sequential approach to site selection, with town centre locations having a preference over edge-of-centre sites, followed by out-of-centre locations.

In a recent Appeal Decision in Manchester the Inspector noted that there was no definition of leisure uses within PPS6 and nowhere is there any suggestion that a children's play centre should fall under this typology. Rather she took the view that a modestly sized play centre was more akin to recreational facilities covered by PPG17, which are not the subject of town centre policies. Consequently there was no requirement to demonstrate need or to satisfy the sequential test.

Notwithstanding this, the information submitted with the application does give a good indication of need for such a facility to serve the nearby housing area. This area of housing contains a large number of family residences and suffers from a degree of deprivation. The applicant notes in their supporting statement that the Dean Row and Handforth (4) sub areas fell within the top 20% most deprived areas nationally. The proposed recreational facility will therefore support a local catchment and meet policy objectives for social inclusion and access to such facilities. It is therefore considered that need has, in any event, been identified.

The applicant has undertaken a sequential analysis that has discounted other sites in the area. Based on the expressions of interest the Planning Department has received regarding such developments and the marketing responses the applicant's agents have had it is not disputed that there is a need for a play facility offered by this proposal. It is also recognised that such uses have been typically located on industrial and business parks in other parts of the North West. Whilst a sequential approach may not need to be applied, the information submitted by the applicant indicates that it would be difficult to find a more sequentially appropriate site.

Highways

Ensuring safe use of the highway for vehicles and pedestrians is of primary importance for this type of application. Given the nature of the use, notwithstanding that nearby residential areas are accessible by foot, the majority of customers would be likely to access the site by private car. Ensuring adequate car parking is therefore critical to prevent overspill into surrounding areas that would create conflict with other industrial users. The site would provide 73 car parking spaces which equates to 1 space per 22 sq m. This meets the standard for leisure uses with the D2 use class, which is the most comparable guide. The highway officer is satisfied with the proposals as evidenced by the comments above, subject to improvements to pedestrian access that are included in the application. The applicant has also made land available for parking at weekends in an adjacent unit, this should ensure any overspill is catered for in peak times. It is also relevant that the landowner also owns adjoining land that is rented to commercial enterprises. This will help to ensure that the playhouse is managed in a way that does not impinge on the interests of the adjoining businesses. The parking areas themselves are self contained by fencing from the surrounding units, which helps to ensure safe access.

The highway officer is satisfied that sufficient spaces exist to cater for the café and the play centre. However, for the avoidance of doubt the applicant has agreed that the café will only be open independently to the public during office hours (Monday to Friday). This can be dealt with by condition.

As previously stated, the sequential analysis precludes more sustainable locations. The site does benefit from a large residential catchment and the use may also compliment other retail uses nearby in terms of linked trips. It is not considered that an objection on sustainability grounds is justified in this case. It is also not considered that the trip generation of this proposal is significant in the context of existing uses on the Trading Estate. The highway officer has not identified a need for a travel plan with this proposal.

Other Matters

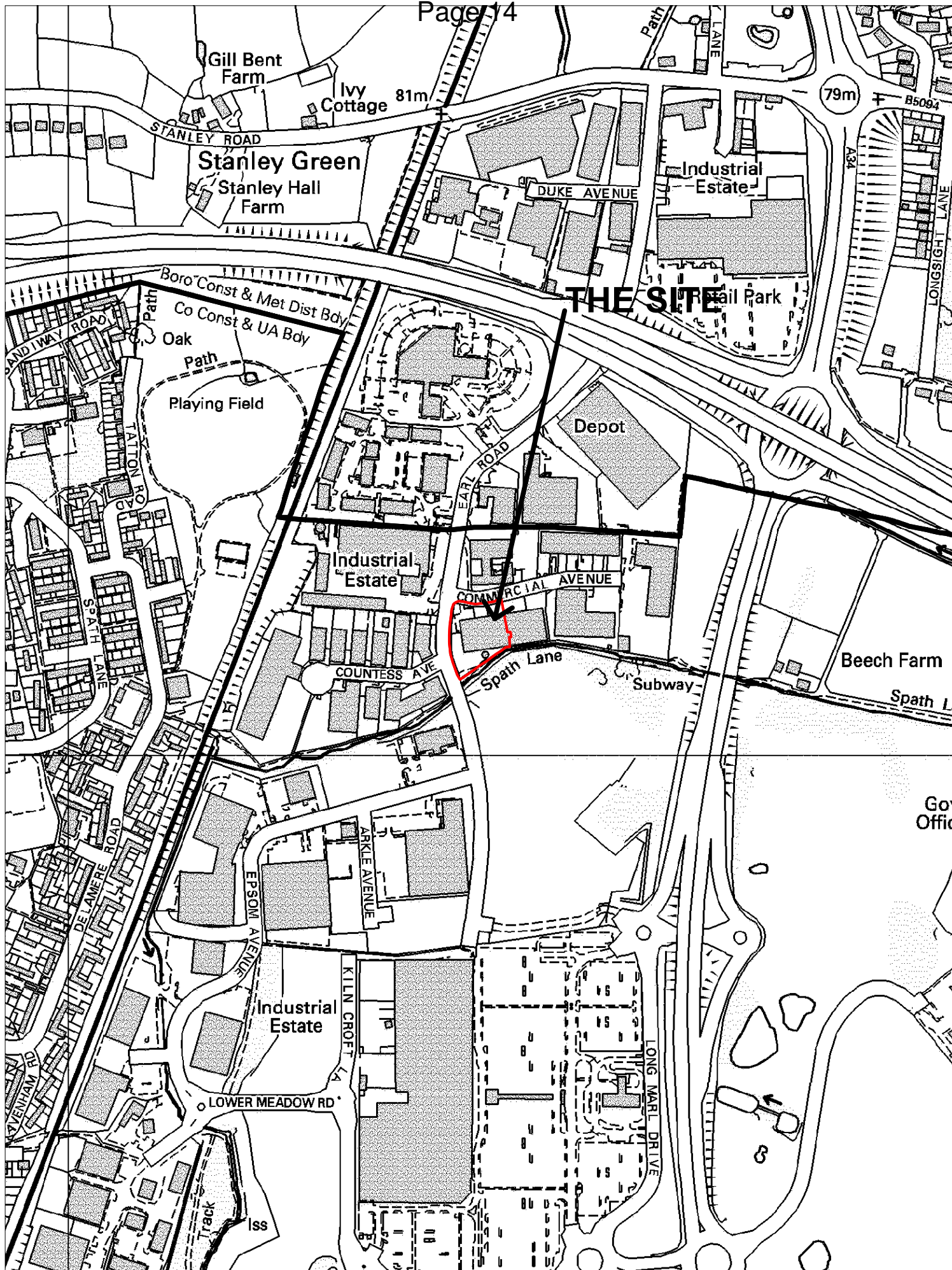
The Environment Agency are satisfied with the Flood Risk Assessment and make recommendations for conditions to improve flood protection of the building and for emergency access.

There are no issues of amenity for residential occupiers due to the location of the site.

An indicative internal layout has been requested to provide clarity between the relationship of the cafe and the play centre. Members will be updated on this matter.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposal represents a departure from policies of the Development Plan designed to retain sites for traditional employment uses, in particular policy E1 and E3 of the Macclesfield Borough Local Plan. Section 38(6) of the Planning and Compulsory Purchase Act requires that decision must be made in accordance with the Development Plan unless material considerations indicate otherwise. Taking account the particular circumstances of this application and the information advanced in support of the proposal, it is considered that the proposal would benefit nearby residential occupiers in Handforth and would meet objectives for social inclusion and access to recreational facilities. The employment generated from the proposal is also comparable to, and potentially greater than, other industrial employment uses of the site. There are therefore advantages to the local economy in bringing the unit into an active use, particularly noting the availability of similar units in the area for traditional employment uses. It is considered that these material considerations outweigh the presumption against the loss of the employment use on the site. In respect of all other site planning issues, including highway safety, the proposal is considered to accord with the relevant Development Plan policies. The application is therefore recommended for approval with conditions.



UNIT D1, STANLEY GREEN TRADING ESTATE, COMMERCIAL AVENUE, HANDFORTH, WILMSLOW, CHESHIRE, SK8 6Q

Application for **Full Planning**

RECOMMENDATION : Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A10GR - Change of use - no consent for external alterations
4. A01HP - Provision of car parking
5. A04HP - Provision of cycle parking
6. Hours of opening of cafe (accessed independently from the play warehouse) to be 0730 to 1700 hours Monday to Friday only
7. Parking to be made available within the car park north of Commercial Avenue on Saturdays and Sundays
8. The building shall not be occupied until the dropped kerbs have been constructed in accordance with the approved plans
9. Use of building as Childrens Play Centre only

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Application No: 09/3056M

Location: THE MARY DENDY UNIT, CHELFORD ROAD, NETHER ALDERLEY, MACCLESFIELD, CHESHIRE, SK10 4SY

Proposal: DEMOLITION OF EXISTING BUILDINGS & ERECTION OF 3NO 15 BED LOW SECURE, MENTAL HEALTH UNITS WITH SUPPORT BUILDING & SECURE OUTDOOR SPACE (TO MATCH AN EXISTING NHS INSTITUTIONAL USE). PROPOSED NEW DEVELOPMENTS ARE TO BE SERVED BY NEW INFRASTRUCTURE & PROVIDE PARKING & BIKE STANDS FOR 50 STAFF AS EXISTING.

For MR BRYCE IRONS, CHESHIRE & WIRRAL PARTNERSHIP NHS

Registered 26-Oct-2009

Policy Item Yes

Grid Reference 382225 376702

Date Report Prepared: 12.11.09

SUMMARY RECOMMENDATION: Approve subject to conditions and receipt of any further representations.

MAIN ISSUES

- Impact on the Green Belt
- Impact on the character and appearance of the area;
- Design
- Impact upon highway safety;
- Impact on trees and ecological issues

REASON FOR REPORT

This Major application is before the Northern Planning Committee as the proposed floor area is over 1000m².

DESCRIPTION OF SITE AND CONTEXT

The site is located on Chelford Road, Nether Alderley, on land opposite Soss Moss Wood. The site has a long history of use as a hospital and most recently as a secure facility since 1985. The general area is made up of fields, wooded areas and sporadic farms and dwellinghouses stretched out as a loose ribbon along Chelford Road.

DETAILS OF PROPOSAL

The application seeks to demolish all the buildings on the site (approximately 12) and replace them with 3 no. single storey units and a two storey administration area. The development would be phased in 4 Phases.

The proposal would accommodate 45 patients, which is an increase from the existing 15.

The first phase (which is aimed for commencement in 2010) would consist of a second 15 bed unit to increase the number of patients to 30, with refurbishment of the existing operational unit. Although this application is for two further units, these would only be built as and when required. The applicant believes that the development would help to enhance the security of the site. The same level of care would be provided to an increased level of patients in modern, purpose built units, which would include up to date security features. This would include an anti climb fence, air locked doors and CCTV.

The development would be broken up into the following phases: -

Phase 1 – Enabling development which would include the demolition of Hanover House, Lancaster House, Windsor House, and Tudor House, the construction of a new road infrastructure around the erection of the first unit. A Bat roost would also be erected.

Phase 2 – Once the bat roost and mitigation has been established, Stuart House would be demolished and the first 15 bed unit would be erected.

Phase 3 – The second of the 15 bed low secure units would be erected.

Phase 4 – The final buildings would be demolished and final 15 bed unit and reception would be constructed.

The application includes a reference to the submission of a separate application (to be submitted in due course) which would be lodged for the temporary accommodation to the Mary Dendy Unit. This building would remain in place until the commencement of phase 4. The temporary accommodation would provide approximately 158m² of accommodation. As this accommodation will be demolished in due course, this will ensure that the existing footprint of development is not exceeded.

RELEVANT HISTORY

09/0200P - Replacement of windows, single storey side and internal courtyard extensions and external alterations at York House - approved with conditions 15.04.09.

06/3005P

Erection of portacabin for offices with covered walkway link
- approved with conditions 25.01.07

00/0289P - Single-storey rear extension to provide additional accommodation to existing unit - approved with conditions 25.20.01.

00/1364P - Agricultural access onto Chelford Road - approved with conditions 23.08.00.

81898P - Single-storey extension to provide 6 bedrooms and ancillary accommodation - approved with conditions 21.12.95

40445P - Additional car parking spaces - approved 09.04.85.

41198P - Proposed development of secure facility - approved 03.07.85.

43646P - Crown Development (Circular 18/84)
Extension and conversion of facilities to form common support service unit and new drainage - approved 16.01.86.

POLICIES

Regional Spatial Strategy

DP1, DP5, DP6, DP7, RDF4

Local Plan Policy

NE11, BE1, GC10, DC1-DC3, DC6, DC8, DC9, DC57.

CONSIDERATIONS (External to Planning)

Comments from the Environmental Health Officer, Arboricultural Officer, Nature Conservation Officer, Landscape Officer and the Highways Engineer were awaited at the time of report preparation.

Manchester Airport (Aerodrome Safeguarding) raise no safeguarding objections.

Great Warford Parish Council recommend the application for refusal. The Parish Council seek clarification that the unit is purely for low secure classification of patients both now and in the future. In addition, the Parish Council were disappointed at the level of public consultation, and consider that residents on Warford Crescent should have been made aware of the event. Comments were also made regarding the design of the buildings. It was suggested that a more sympathetic design of building to blend in with the green belt would be more appropriate.

OTHER REPRESENTATIONS

None received at time of report preparation.

APPLICANT'S SUPPORTING INFORMATION

A Design and Access Statement has been submitted to accompany the application which considers issues such as policy context, constraints, the use, public consultation details, access and landscape information. The report is available on the application file

The following documents have also been submitted: - Flood Risk Assessment, Noise Report, Transport Statement, Tree Survey, Ecological Assessment and a Travel Plan have been submitted.

OFFICER APPRAISAL

Principal of Development

The determining issues are whether the replacement 4 buildings would have an adverse impact on the character and appearance of the Green belt, would harm visual amenity and reduce the openness of the Green Belt and whether they would be materially larger than the current buildings on the site; the potential impact on local residents; the impact on trees; and the impact on parking and highway safety.

PUBLIC CONSULTATION

The applicants' agent held a public consultation event in September 2009. 7 neighbours attended this and their comments are included within the Design and Access Statement.

Policy

The Mary Dendy site lies within the Green Belt and operates as a low secure mental health unit. This use falls within Class C2 of the use Classes Order, as a Residential Institution. The proposed development seeks to carry on the NHS institutional use, on a single footprint that would be no larger than the combined total of the proposed independent buildings that are to be demolished.

PPG2 makes it clear that inappropriate development is by definition, harmful to the Green Belt. However, PPG2 Annex C (C14) Redundant Hospitals indicates that if the site is to be redeveloped in line with the criteria set out in Annex C (C14), that it will not be inappropriate development in the Green Belt.

Policy DC57 of the Macclesfield Borough Local Plan relates specifically to C2 Residential Institutions.

In order to be 'appropriate', an application for replacement buildings in this context, the Council must satisfy itself that the proposed development is not materially larger than the current buildings, and that the visual amenity of the Green Belt would not be injured and that there would not be a reduction in openness.

Development Control Policies DC1 and DC3 relate to the standard of design and amenity. Policy DC6 relates to circulation and access. Policy NE11 relates to nature conservation and policies DC8 and DC9 relates to landscape and tree issues.

Highways

Although no formal comments had been received from the Highways Engineer, it is initially considered that there is sufficient land available to provide the necessary car parking provision and that the improvements to the visibility at the access point are likely to be welcomed.

Design

The design of the proposed development seeks to incorporate buildings in a circular fashion, with the aim of providing a circular road around the site and an internal courtyard area in the centre. The design follows an approach to a secure mental health facility at Rose Mount on Chester Road, Macclesfield. The retention of trees and proposed planting is considered to be an essential attribute in making this scheme a success. The design is contemporary and incorporates mono pitched roofs and a green roof system to the reception building. The current buildings are not too visible from the road, and with a successful landscape scheme and the relatively low heights of the buildings proposed, it is considered that the impact from the road will be acceptable.

Each of the three buildings would be constructed from the same materials. This would consist of a grey coloured aluminium roof, which would include photo voltaic cells. The outer curved areas would be constructed from a buff brick and a blue brick is proposed for the two storey element and one single storey part. A red brick is proposed for the inner courtyard façade.

Amenity

Although there are several dwellings to the north on Chelford Road and Stelfox Hall Farm to the south, it is considered that these are sufficient distance away from the application site, so as not to be affected by the proposed development.

Ecology and trees

The Ecological Report requires a bat roost to be erected. This is proposed during Phase 1 of the development. Once the bats have migrated to the alternative roost the other buildings will be allowed to be demolished. Comments are expected from the Nature Conservation Officer in relation to this, and the impact of the development on the number of ponds sited within close proximity of the site.

The Councils Arboricultural Officer will comment on the relationship of the development on the trees around and within the site, including a number of trees which are protected by TPO's.

OTHER MATERIAL CONSIDERATIONS

The proposed development has been designed in relation to its end user, the impact on the Green Belt, topography, tree cover, distance from other development and accessibility. In addition, it is considered that the site would serve East Cheshire's requirements for Low Secure Mental Health Accommodation.

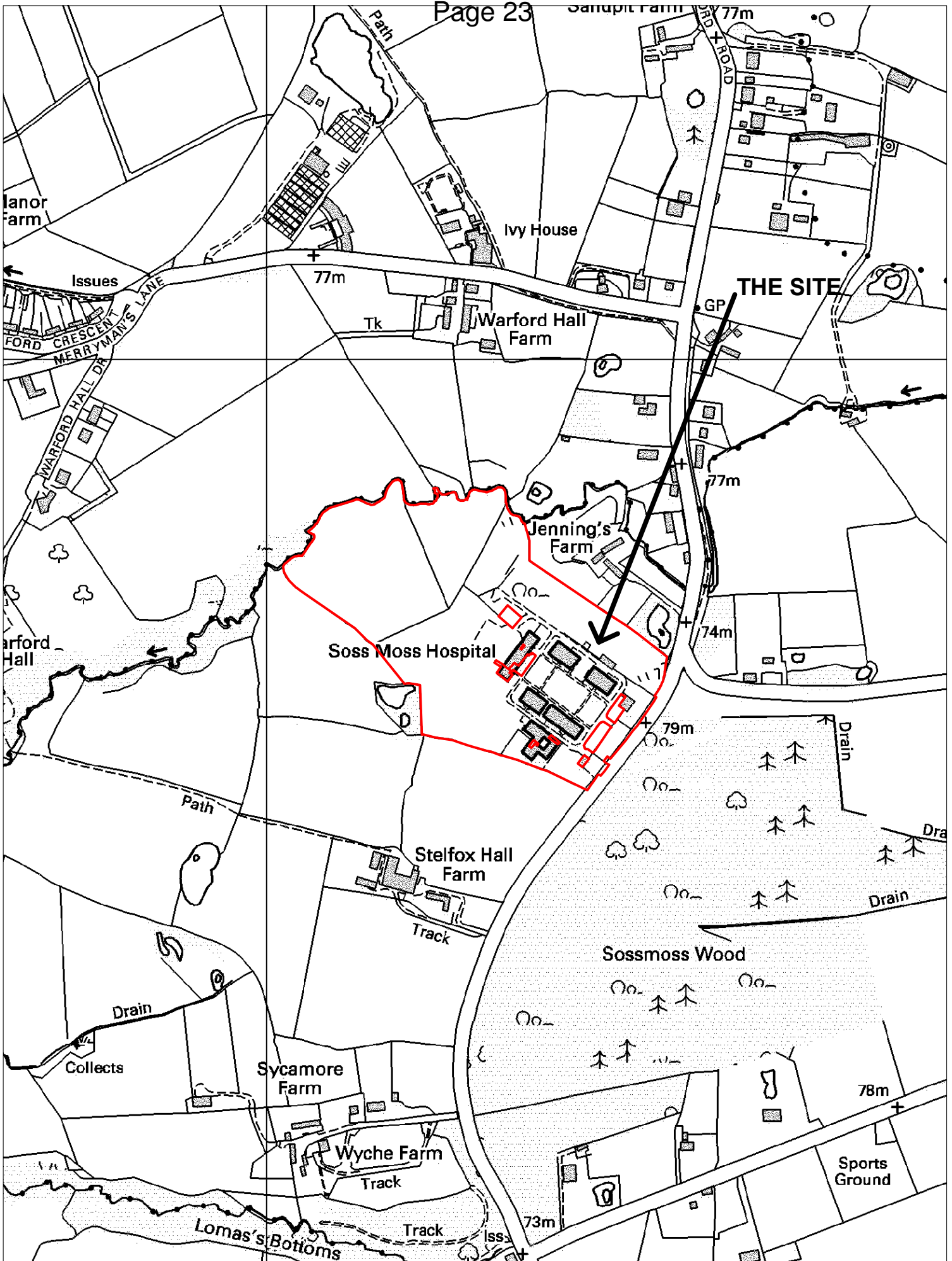
The comments made by the Parish Council are noted. It is considered that the consultation event held could possibly have gone further to include more residents, however, public consultation is not mandatory and therefore, the scheme can not be refused on this basis. Similarly, the Parish Council requests confirmation that the facility would remain within the low secure classification. The way that the site is managed however, does not fall for consideration within the planning process and therefore, this also would not constitute a reason for refusal. It should be noted however, that the application form does confirm that the development is for low secure, mental health units. The design of the building has been considered above, and although contemporary, it is considered that the scheme would not appear incongruous in its surroundings. Members should bear in-mind the advice of PPS1 that the planning system should not stifle good, albeit, innovative design. This is a good example of such a design.

CONCLUSIONS AND REASON(S) FOR THE DECISION

There is an existing institutional function and operation on the site. The current existing accommodation is unsuitable for the NHS needs and does not comply with the National minimum standards and guidance for such accommodation. It is noted that the existing Mary Dendy Unit will remain in operation until the 4th phase commences.

The low secure units would provide support accommodation which would consist of leisure rooms, patient examination rooms – all of which would be low security. The outdoor space would be sufficient to prevent interaction and prevent escape to the outside. This will be provided through planting, wire fencing, foliage and the form of the building.

Overall, the scale of development would be no greater than the existing buildings and as a result it is not considered that there would be a significant impact on the Green Belt. The design is considered to be acceptable. The benefits of the proposed development are considered to outweigh any negative aspects and a recommendation of approval is offered, subject to any further representations from neighbours/consultees.



THE MARY DENDY UNIT, CHELFORD ROAD, NETHER ALDERLEY, MACCLESFIELD, CHESHIRE, SK10 4SY

NR 382,249 : 376,659

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Application for **Full Planning**

RECOMMENDATION : Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A05EX - Details of materials to be submitted
3. A01LS - Landscaping - submission of details
4. A04LS - Landscaping (implementation)
5. A02LS - Submission of landscaping scheme
6. A06NC - Protection for breeding birds
7. A08MC - Lighting details to be approved
8. A24HA - Provision / retention of service facility
9. A01HP - Provision of car parking
- 10.A04HP - Provision of cycle parking
- 11.A05HP - Provision of shower, changing, locker and drying facilities
- 12.A02TR - Tree protection
- 13.A04TR - Tree pruning / felling specification
- 14.A06TR - Levels survey
15. Ground levels

Application No: 09/2804M

Location: PECKFORTON PLAYING FIELD, PICTON DRIVE, WILMSLOW, CHESHIRE

Proposal: DEVELOPMENT OF A NEW GAMES FACILITY INCLUDING A MUGA, YOUTH SHELTER AND BMX TRAIL

For MS MARIANNE HODGKINSON, CHESHIRE EAST COUNCIL

Registered 01-Oct-2009

Policy Item No

Grid Reference 386162 382537

SUMMARY RECOMMENDATION

Approve subject to conditions

MAIN ISSUES

- Impact on neighbouring amenity
- Impact on the character and appearance of the surrounding area
- Impact on existing trees and protected species

Date Report Prepared: 13th November 2009

REASON FOR REPORT

The applicant is Cheshire East Borough Council, the land is also owned by the Council and, due to the site area, it comprises a major planning application.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises an existing playing field/park that is heavily screened by trees. Picton Drive bounds the site to the south, Colshaw Drive bounds the site to the west, 'The Black Path' bounds the site to the north, and the rear gardens of No's 51 & 53 Handforth Road bound the site to the east.

DETAILS OF PROPOSAL

Full planning permission is sought to enhance/improve the existing facilities at the playing field/park by erecting a Multi-Use Games Area (MUGA) with floodlighting, creating a BMX track within the woodland to the west of the site, erecting dynamic play equipment, a meeting area/shelter, and new footpath links.

RELEVANT HISTORY

99/1138P Change of use of open land to sports recreation field
Approved with conditions 21/07/1999

POLICIES

Regional Spatial Strategy

DP1 Spatial Principles

DP2 Promote Sustainable Communities

L1 Health, Sport, Recreation, Cultural & Education Services Provision

Local Plan Policy

RT1 Recreation: Open Space
DC3 Amenity
DC6 Circulation & Access
DC9 Tree Protection
EM1(B) Integrated Enhancement & Protection of the Region's Environmental Assets: Historic Environment
EM1(D) Integrated Enhancement & Protection of the Region's Environmental Assets: Trees, Woodlands & Forests

Other Material Considerations

PPG 17 Planning for Open Space, Sport & Recreation

CONSIDERATIONS (External to Planning)

Highways: Comments awaited

Environmental Health: No objection

Estates: Comments awaited

Leisure: Comments awaited

Police: Comments awaited

OTHER REPRESENTATIONS

None at the time of report preparation

APPLICANT'S SUPPORTING INFORMATION

A Design & Access Statement and a Tree Survey were submitted with the planning application. Full copies are available to view on the application file.

OFFICER APPRAISAL

Principal of Development

The principle issues surrounding the determination of this application are the impact of the proposed development on residential amenity, the character and appearance of the surrounding area, the existing trees, any impact on protected species, and any highway issues regarding access and parking.

Policy

Part 12, Class A of the General Permitted Development Order (GPDO) relates to developments that can be undertaken by Local Authorities without requiring planning permission. Members should note that planning permission is only required for the erection of the floodlights to the MUGA as they would exceed 4 metres in height. All other aspects of the development can be undertaken without requiring planning permission. This fact affects the weight Members can give to issues raised by this application.

Design

The application site slopes down from both Picton Drive and Colshaw Drive towards a level area at the centre of the site that is used as an existing grassed playing field. The site is heavily screened from all sides by mature trees. A footpath crosses the site.

The existing grassed playing field would be reduced in size and repositioned, the drainage would be improved and football goals would be erected. Adjacent to the grassed playing field would be a 'MUGA' (Multi Use Games Area - a tarmac area surrounded by fencing with goals and basket ball hoops positioned at either end). The MUGA would be lit by 4no. five metre high floodlights that would be positioned at each corner. Dynamic play equipment with a rubber ground surface and a meeting area/shelter would be positioned on or adjacent to an existing tarmac area to the northwest of the site. The proposed BMX trail would comprise an informal two metre wide route through the existing woodland to the west of the site that would be created with soil/dirt only. A new footpath would link the new games equipment to the existing footpaths and new lighting columns would be erected at intervals.

The applicant's agent has provided the following information regarding the use of the MUGA and the floodlights:

"The MUGA would be intended to be available to all members of the community at all times. A programme of activities to ensure regular future use, for instance basketball or football teams would be set up and led by the Cheshire East Council Sport's Officers and local schools would be run according to demand for different activities. We would also work with local people to support them to undertake coaching and training badges. The aim would be for the MUGA to be widely used by as many different residents as possible."

The proposed development is commensurate with a playing field/park and it would increase the vitality and viability of the existing area. The proposed development is not considered to affect the character or appearance of the surrounding area.

Amenity

The application site is heavily screened to the boundaries with mature trees and therefore the site and the proposed equipment would not be highly visible from the surrounding area. Two dwellinghouses share a boundary with the application site, No's 51 & 53 Handforth Road, however these properties have very long rear gardens and the proposed equipment would be positioned centrally or on the opposite side of the site from these properties (120 metres would separate the residential properties from the nearest piece of play equipment). The proposed floodlights would be positioned at a lower level than the surrounding houses, would be set on a timer so they would go out at a specific time that could be conditioned and would be highly screened/filtered by the existing trees.

The applicant's agent has stated that *"the lighting would illuminate particular areas only and not cause a nuisance/glare to residents. The lighting would go no further than the grassed area so the trees planted along Picton Drive would further obscure the lighting. The inclusion of lighting is a direct result of feedback gathered during the consultation. It is widely felt that lighting will 'make or break' the scheme as users have expressed serious doubt that they would use an unlit facility. The police in particular are very supportive of the lighting as it would give them additional control and consider that the lighting would directly reduce antisocial behaviour, resulting in a positive benefit for local residents. The lights would be controlled by a timer. The idea is that the surface is usable up to a certain time each day in which the lights would be timed to go on and off according to this. The lights would only be used during the winter months and would not be required in summer. For example, in November they might come on at 4.30pm and run until 8.30pm, but in spring they might only be needed for an hour and in summer they wouldn't be needed at all."*

The Environmental Health Officer raised no objection to the proposed development. For these reasons and subject to a condition restricting the timing of the floodlights, it is not considered that the proposed development would be detrimental to neighbouring amenity.

Highways

The application site is accessible by pedestrians only. The application proposes to create new footpath links between the proposed equipment. The comments of the Highway Engineer are currently awaited.

Ecology

The installation of the new multi-use games pitch will have no adverse impacts on nature conservation.

The application involves the removal of a number of trees, at least one of which has the potential to support roosting bats. The Nature Conservation Officer notes from the submitted plans that Groundwork intend to undertake a bat survey prior to the removal of the trees. As the works to the BMX trail do not require planning permission and therefore the trees can be removed without consent from the Local Planning Authority, it is considered that an informative be attached should permission be granted advising the applicant of their duties to European Protected Species.

The clearance of scrub, bramble and trees from the site will result in the loss of some breeding bird habitat. Given the small size of the site and its location it is unlikely that any uncommon or priority species will be present in significant numbers, however the Nature Conservation Officer recommends that conditions are attached to any permission granted in respect of breeding birds and the incorporation of features for roosting bats.

There will be some loss of trees and disturbance to the small areas of plantation woodland on site to accommodate the proposed BMX track. Whilst the woodland does not appear to be obviously important for nature

conservation it is difficult to assess woodlands at this time of year and no ecological survey has been submitted with the application. The Nature Conservation Officer recommends that the trees/woodland lost to facilitate this development be compensated for through additional planting at appropriate parts of the site.

To avoid any potential disturbance to foraging bats the lighting of the games area should be directed and excessive illumination of the surrounding trees and woodland edge should be avoided. This matter may be dealt with by means of a condition.

Subject to conditions and an informative, no objection is raised on nature conservation grounds.

Trees

A number of trees surround the application site's boundaries and the proposed BMX track would utilise the woodland area to the west of the site. A Tree Survey was submitted with the planning application. The comments of the Forestry Officer are currently awaited.

Landscape

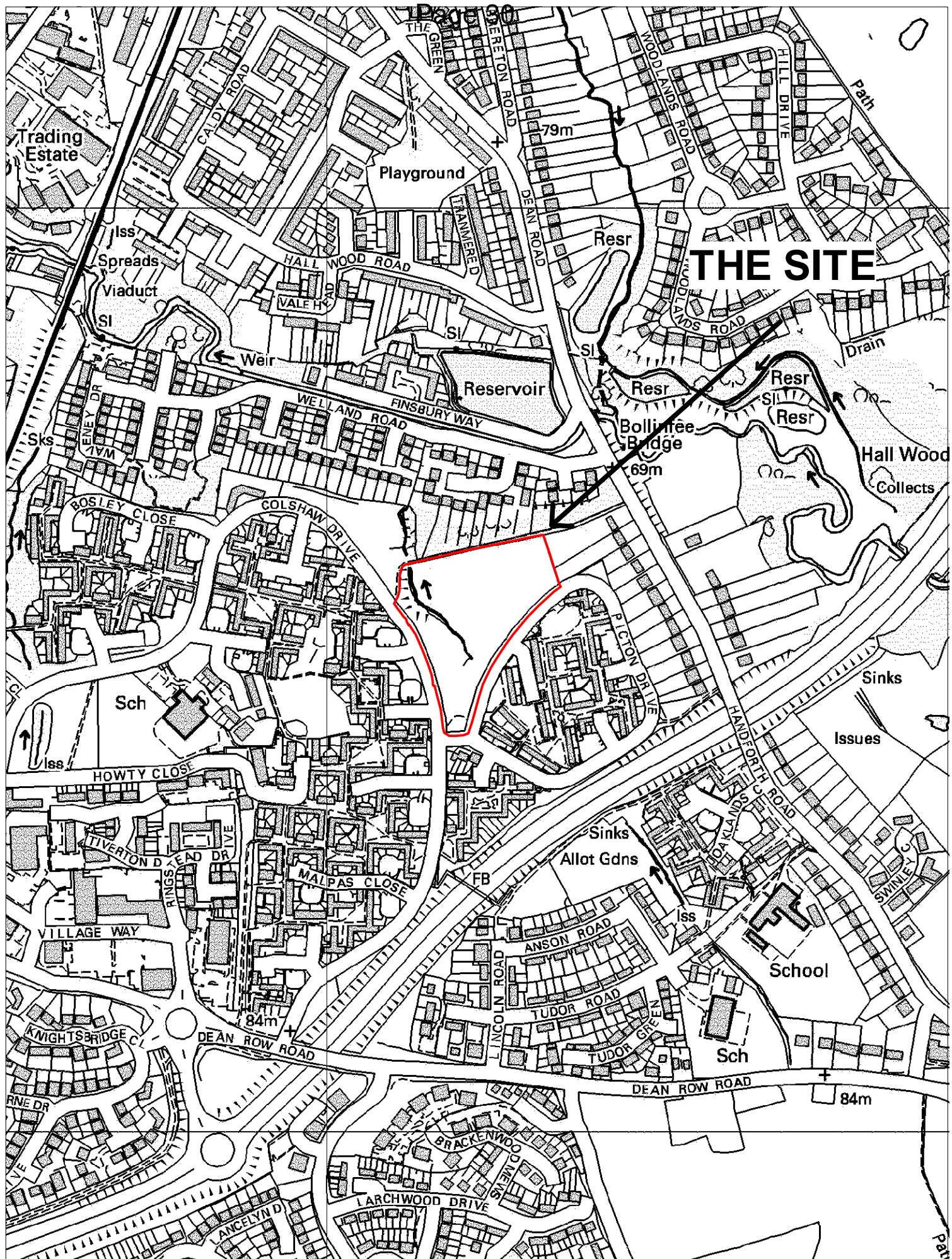
The application site is predominantly grassed with large areas of trees and some areas of shrub planting. It is proposed to improve the existing planting. As detailed pre-application discussions were undertaken between the agent and the Landscape Officer, no objection is raised to the proposed planting.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposed works are considered to enhance an existing underused playing field/park and provide facilities that can be enjoyed by children/teenagers. Due to the existing screening and sloping nature of the site and the operation of the proposed floodlights, it is not considered that they would cause a significant disruption to the amenity of neighbouring properties. For these reasons, the application is recommended for approval.

SUBJECT TO

The comments of the Highway Engineer, Forestry Officer, Estates, Leisure and the Police.



09/2804M - PECKFORTON PLAYING FIELD PICTON DRIVE WILMSLOW

N.G.R: 386.160 - 382.560

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Application for **Full Planning**

RECOMMENDATION : Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. Timing of Floodlights
4. Incorporation of features for roosting bats
5. Nesting Birds
6. Replacement Tree Planting
7. Prevention of illumination to adjacent trees/woodland

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Application No: 09/2844M

Location: 10, ANGLESEY DRIVE, POYNTON, STOCKPORT, CHESHIRE, SK12 1BT

Proposal: RESUBMISSION OF APPLICATION 09/1795M- ONE AND TWO-STOREY EXTENSION TO REAR OF PROPERTY TO HOUSE AN INDOOR SWIMMING POOL, PLANT ROOM AND GYM AREA. GROUND FLOOR EXTENSION TO REAR OF THE HOUSE TO PROVIDE FURTHER ACCOMMODATION ON GROUND FLOOR WITH ENLARGED LIVING ROOM AND KITCHEN AND TERRACE ON FIRST FLOOR.

For MR KEITH FARRELL

Registered 10-Sep-2009

Policy Item No

Grid Reference 392495 384639

Date Report Prepared: 12 November 2009

REASON FOR REPORT

The application has been called into Northern Planning Committee by the Head of Planning and policy for the consideration of Members.

SUMMARY RECOMMENDATION

Approve; subject to conditions

MAIN ISSUES

- Principle of development
- Scale and design of the proposal
- Impact the proposal would have upon residential amenity

DESCRIPTION OF SITE AND CONTEXT

The application site is comprised of a detached dwelling situated within a large plot with a significant level of amenity space to the rear. The application site is located within a Low Density Housing area as identified within the Local Plan.

DETAILS OF PROPOSAL

The planning application seeks permission for various extensions to the dwelling, namely;

- Single storey rear extension & roof terrace above
- Two storey rear extension, and single storey pool room extension

RELEVANT HISTORY

- 09/1795m Two storey rear extension to house indoor swimming pool, plant room, gym & gallery. Ground floor extension to rear to provide further accommodation, enlarged living room and kitchen with terrace on first floor
Withdrawn 30/7/2009
- 01/0878P Two storey side, single storey front & first floor side extension and two dormer windows to the front elevation of the dwelling
Approved 4/6/2001

POLICIES

Regional Spatial Strategy

- DP1 Spatial Principles
DP7 Promote Environmental Equality

Local Plan Policy

- BE1 Design Guidance
H12 Low Density Housing Areas
DC1 New Build
DC2 Extensions & Alterations
DC3 Amenity
DC8 Landscaping
DC9 Tree Protection
DC38 Space, Light & Privacy
DC40 Children's Play Provision & Amenity Space

Other Material Considerations

Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008

VIEWS OF THE PARISH / TOWN COUNCIL

Poynton Parish Council: Recommend the application is refused on the following grounds:

- H12 along the west side of Anglesey Drive the existing building line should be maintained
- The proposed development would provide inadequate space around & in between the buildings, particularly with regard to provision of adequate space

- The proposal is considered to be contrary to DC39 & DC40 and would therefore harm the objectives of these policies.

The objection with reference to DC39 is noted, however this policy has now been deleted from the Local Plan.

OTHER REPRESENTATIONS

Four letters of representation have been received to date. A summary of the objections received is provided below. The full documents can be viewed online at www.cheshireeast.gov.uk.

- Principle of the proposal
- Scale and design of the proposal
- Out of character with the area
- Contrary to policy H12
- Over bearing impact
- Loss of light
- Noise
- Loss of boundary treatment
- Concerns regarding the accuracy of the plans, and whether the correctly identify where the proposal would be sited in relation to the existing boundary

One letter of representation also provided a survey of the boundary treatment between No.10 & No.12 Anglesey drive. Counsel opinion has also been submitted with regards to policy H12 of the Local Plan.

OFFICER APPRAISAL

Principle of Development

The application site is located within a Low Density Housing Area as identified within the Local Plan.

The main issues to consider when assessing the application are the suitability of the scale and design of the proposal within the area, and whether the proposal would have a significant impact upon residential amenity.

Policy

The relevant policies in the assessment of the application are listed above.

Highways

Sufficient parking is available to the front of the application site to accommodate a dwelling of this scale. This would be in line with the standard advice issued by the highways department.

Character of the Area, Scale & Design

Anglesey Drive is comprised of large detached dwellings positioned within significant plots. The application site is located on the west side of Anglesey Drive and overlooks Poynton Lake.

The dwelling in question is a large two storey property of unique design in relation to the existing street scene. The front elevation of the dwelling is finished in brick, whilst the rear elevation of the property has been fully rendered.

The application property has been extended previously under planning application 01/0878p providing a two storey side extension. Under the current application, this area would be extended from the rear elevation of the dwelling by approximately 16.5m. This element of the extension would be both two storey and single storey in height.

As described above, the proposal includes three main elements; the pool room extension, a two storey rear extension & single storey rear extension with roof terrace above. The proposed single storey rear extension would essentially act to square off the existing rear elevation of the dwelling. The extension would provide additional floorspace in the form of dining room and kitchen. The scale and appearance of this extension is considered to be appropriate in relation to the dwelling.

The proposed two storey rear extension would be situated off the existing games room at ground floor and bedroom at first floor level. The extension would be positioned approximately 0.8m lower than the ridge height of the dwelling and would project approximately 5m from the rear elevation. The proposed two storey element of the proposal is considered to be in keeping with the scale of the existing dwelling.

The proposal also includes the addition of a single storey pool room extension. The proposed area would project approximately 10.5m from the proposed two storey extension, and would measure 5.3m above ground level. Concerns have been raised regarding the projection of the proposed extensions and whether they would remain in keeping with the character of the area. From conducting a site visit and looking at aerial photographs of the area it is considered that the character of the west side of Anglesey Drive includes large scale extensions to the rear of dwellings, many of which provide swimming pool enclosures. A material consideration to the application is what could potentially be constructed utilising Part 1 Class E Permitted Development Rights. A Class E building within the garden curtilage of the dwelling could be of similar scale to what is proposed however would be limited in height to 4m above ground level.

Reference has been made within letters of representation received regarding policy H12 within the Local Plan, and its relevance with regards to applications for householder extensions within Low Density Housing Areas. Counsel opinion has also been received with reference to the relevance of the

policy in the assessment of the application. Whilst the policy has been brought to the Council's attention, it is also important to assess the meaning of the policy. Policy H12 is within the Housing & Community Uses chapter of the Macclesfield Local Plan; a chapter which sets out the former Council's policy for new housing development. Whilst the policy does not explicitly limit itself to the consideration of new housing development, a number of factors must be borne in mind by the decision taker:

- First is its inclusion within the Housing & Community Uses chapter of the Local Plan.
- Second is its source: It is agreed that the policy does not clearly define that 'housing development' relates to the construction of new dwellings only, however the policy was derived from planning policy guidance 3 at the national level (now superseded by PPS3: Housing). As Members will be aware, PPG3 provided guidance with regards to the development of new housing units, not extensions to existing dwellings. Particular reference is drawn from paragraphs 23 & 26 of PPG3, that deals with the subdivision of large garden plots within residential areas. Policy H12 sought to prevent the subdivision of existing plots to provide new dwellings within the area, unless the specific criteria within H12 would be met.
- Third is the inclusion of other policies within the Local Plan with the specific remit of controlling development. These lie within the Development Control Chapter of the Local Plan and provide sufficient policy guidance in relation to extensions to residential dwellings within residential areas.

Accordingly, it would be incorrect to subject this proposal to the policy tests within H12. That is not to say, however, that Members should not have regard to the issues which policy H12 deals with, merely that to apply H12 would be erroneous.

It is recognised that the proposed extensions are large in scale, however the application site is comprised of a large detached dwelling positioned within a plot of significant scale. Taking into consideration the existing dwelling and the character of Anglesey Drive it is considered that the proposal would neither be out of keeping with the scale of No.10, the application site itself, or the character of the area. As such it is considered that the proposal would comply with all relevant Local Plan policies.

The neighbouring dwelling has also raised concerns with regards to the potential noise pollution that could emit from the plant area of the pool. It is considered that a condition could be attached to the decision requiring appropriate sound insulation measures are included during the construction of the proposal, and retained thereafter.

Whilst concerns have also been raised with regard to potential noise pollution for the general use of the extensions, it is important to note that the extension is to provide further accommodation to a domestic dwelling, and therefore it is

not considered that the level of noise generated as a result of the development would be substantial enough in order to impact upon the level of residential amenity afforded to the neighbouring dwellings.

Residential Amenity

The proposal includes a large roof terrace above the proposed single storey rear extension to the dwelling. The proposed terrace would project approximately 4m from the rear elevation of the dwelling, however the existing arrangement on site also includes several large balconies. The proposed terrace is considered to have an acceptable impact upon residential amenity, that would be no worse than the existing arrangement. It is considered that the proposed terrace area would have no significant harm upon the level of residential amenity afforded to No.8 & No.12 Anglesey Drive.

The proposal also includes the addition of a dormer window to the proposed two-storey extension that would face onto the rear garden of the application site. A significant privacy distance of 27m would remain between the proposed window and the boundary between No.8 & No.10, therefore no concerns are raised with regards to overlooking and loss of privacy. However, were Members concerned with regards to this aspect of the proposal, an obscure glazing condition could be attached to the decision notice.

As stated above, the proposal includes a two-storey extension to the rear of the dwelling, with attached single storey extension to provide swimming pool accommodation. The existing vegetation towards the boundary of the site would be either damaged or lost as a result of the proposal. The majority of the existing screening in place is situated within the land ownership of No.12 and which is a civil issue between the occupants, however the loss of the screening is a material consideration to the application.

The projection of the proposed two storey extension would have no impact upon the 45 degree line of No.12. The proposed extension would have a pitched roof, sloping away from the neighbouring property, and is considered that it would have no impact upon the level of light of privacy afforded to the neighbouring dwelling.

The proposed pool room extension would project approximately 10.5m and would therefore intercept the 45 degree line at ground floor level for No.12 Anglesey Drive. This would impact upon the residential amenity of No.12, however the existing planting in place to the boundary also impacts upon the 45 degree line. The main question is whether the proposal would impact to a greater degree upon the level of residential amenity currently afforded to this dwelling. It is considered in this instance that the situation would be no worse than the existing arrangement on site.

It is therefore considered that the proposal would have no significant impact upon the level of light and privacy afforded to No.12, even when taking into consideration the loss of the existing boundary treatment. It is considered that

the proposal would result in views of the extension from No.12, however as the scale of the proposal is considered to be acceptable in relation to the dwelling and the situation of a large plot. As such it is not considered that the proposal would not result in a development of overbearing impact upon No.12.

Proximity to the Lake

Macclesfield Local Plan policy H12 seeks, amongst other things, to maintain a reasonable separation between new residential development and Poynton Lake. As discussed above, this policy applies to new residential development and, not necessarily, to domestic extensions and outbuildings. That said, it is appropriate to consider the proximity of these proposed buildings in the context of this application.

In this respect, it is noted that a number of properties on this side of Anglesey Drive already have extensions and or outbuildings which step closer to the lake than the rear of the main host dwelling. Accordingly it could be said that the policy's aim has already been compromised. Even if it hasn't been then it is difficult to see a defensible argument against an extension of this nature being built closer to the lake than the existing dwelling. The position of the main dwelling will be unchanged. As discussed above, it is not considered that this development extending, as it would, beyond the rear of the existing house, would harm neighbours' amenity or outlook nor would it compromise the setting of the lake.

Landscaping & Forestry

Between the application site and the neighbouring dwelling and No.12 is dense landscaping in the form of evergreen hedges, beech hedging and fruit trees. The majority of the landscaping is located within the garden of the neighbouring dwelling. No detailed information was submitted with the application with regards to any impact upon the existing screening, however it would be reasonable to conclude that the proposal would impact upon this severely, perhaps resulting in the loss of the vegetative screening between the two dwellings.

Due to the proximity of the extension to the boundary of the site it would be unrealistic to suggest additional screening could be planted within the application site.

It should be brought to Members attention that the loss or damage to the existing screening within the neighbour's site is considered to be a civil issue, and therefore would not substantiate a valid reason for refusal of the application.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The application seeks permission for extensions to the existing dwelling. The proposed extensions are considered to be in keeping with the scale of the

dwelling, and the substantial plot the dwelling is situated within. Surrounding the application site are various other extensions to provide pool room accommodation, and it is therefore considered that the proposal would be in keeping with the surrounding dwellings.

As discussed in detail in the body of the report, it is considered that the proposal would have an acceptable impact upon residential amenity, even when taking into consideration the suspected loss of the existing screening within the application site and rear amenity space of the neighbouring dwelling.

In light of all of the above factors, the application is recommended for approval, as the proposal would comply with all relevant policies within the Local Plan.



POYN

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#

Application for **Householder**

RECOMMENDATION : Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A02AP - Detail on plan overridden by condition
3. A06EX - Materials as application
4. A06GR - No windows to be inserted
- A01MC - Noise insulation

Application No: 09/3285M

Location: 70, MOOR LANE, WILMSLOW, CHESHIRE, SK9 6BQ

Proposal: ERECTION OF DETACHED DWELLING AND ALTERATIONS TO EXISTING DWELLING WITH ASSOCIATED ACCESSES CAR PARKING, LANDSCAPING AND BOUNDARY FENCING.

For MR & MRS FARRELL

Registered 12-Oct-2009

Policy Item No

Grid Reference 383278 380325

SUMMARY RECOMMENDATION

Refuse

MAIN ISSUES

- Impact on neighbouring amenity
- Impact on the character and appearance of the surrounding area and the existing dwellinghouse
- Impact on existing unprotected trees
- Impact on highway safety

Date Report Prepared: 16th November 2009

REASON FOR REPORT

The application was called-in to Committee by the Ward Councillor, Rod Menlove on the grounds that the proposed development would be detrimental to the character and appearance of the street scene; it would result in an overdevelopment of the site; and would have a detrimental affect on neighbouring amenity.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a detached two-storey dwellinghouse built circa 1960s with a garage that is linked to the dwellinghouse by a single storey porch. The application site is located on the corner of Moor Lane and Arlington Way.

DETAILS OF PROPOSAL

Full planning permission is sought to demolish the existing garage and porch, erect a two-storey dwellinghouse adjacent to the existing dwellinghouse and undertake some external alterations to the ground floor openings and create an additional driveway onto Moor Lane.

RELEVANT HISTORY

15161PB Kitchen & garage extension & interior alterations
Approved 03/07/1978

POLICIES

Regional Spatial Strategy

DP1 Spatial Principles

DP4 Making the Best Use of Existing Resources & Infrastructure

L4 Regional Housing Provision

EM1(D) Integrated Enhancement & Protection of the Region's Environmental Assets:
Trees, Woodlands & Forests

Local Plan Policy

BE1	Design Guidance
H1	Phasing Policy
H2	Environmental Quality in Housing Developments
H13	Protecting Residential Areas
DC1	Design: New Build
DC3	Design: Amenity
DC6	Circulation and Access
DC9	Tree Protection
DC38	Space, Light and Privacy
DC41	Infill Housing Development or Redevelopment

Other Material Considerations

PPS3	Housing
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CONSIDERATIONS (External to Planning)

Highways: Comments awaited

OTHER REPRESENTATIONS

22 letters of objection were received at the time of report preparation from neighbouring residents and The Wilmslow Trust that raised concerns regarding highway safety from an additional access and increase in vehicle movements close to the junction and a reduction in visibility at the junction; impact on the character and appearance of the surrounding area as the proposed house would be out-of-keeping with the style of properties on the estate; the scale and height of the proposed dwellinghouse; overdevelopment of the existing plot; affect on the visual appearance of the estate entrance; overbearing impact on neighbouring properties with regard to privacy and loss of light; the alterations to the existing house would result in a very unattractive dwelling and would have windows that would directly face a blank wall; the proposed dwellinghouse would be too close to the back edge of the pavement; and it would result in a terracing affect.

All other comments raised are not material planning considerations that can be taken into consideration.

APPLICANT'S SUPPORTING INFORMATION

A Planning, Design & Access Statement and the Sustainability Statement were submitted with the application. Full copies are available on the application file.

OFFICER APPRAISAL

Principal of Development

The principle issues surrounding the determination of this application are the impact of the proposed development on residential amenity, the character and appearance of the surrounding area, the existing trees, and any highway issues regarding access and parking.

Policy

Principle of Development

The application site is located within a predominantly residential area. The principle of new dwellings in this location is therefore considered to be acceptable.

PPS3: Housing

The Council produced new guidance in respect of housing developments titled “PPS3 Housing and Saved Policies Advice Note”. The Advice Note is based on a list of five criteria outlined in PPS3 which Planning Authorities should have regard to when determining planning applications for new housing. In summary, the Advice Note states that planning applications for new housing should meet the following criteria:

1. Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in the area and does not undermine wider policy objectives (*does the application accord with the housing objectives of the Borough and wider policy objectives e.g. affordable housing and urban regeneration*).
2. Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people (*does the application meet the housing needs of the area and/or provide affordable housing*).
3. The suitability of a site for housing, including its environmental sustainability (*is the site in a suitable and sustainable location, is it previously developed land, what constraints exist*).
4. Using land effectively and efficiently (*is the density at least 30 dwellings per hectare*).
5. Achieving high quality housing (*is the site accessible to public transport and services, is the development well laid out, safe, accessible and user friendly, is there adequate open space and/or access to recreational open space, does the design complement/improve the character of the area, is the car parking well designed and integrated, does the development enhance biodiversity*).

A Planning, Design & Access Statement and a Sustainability Statement were submitted with the planning application that address the criteria outlined in the Advice Note. The site is considered to be in a suitable and sustainable location within a predominantly residential area, which is within walking distance of public transport links, Lindow Parade/Chapel Lane local shopping centre, schools and services. The scheme would provide a high quality house. The density would equate to 33 dwellings per hectare and thereby the proposed development would use the existing land effectively and efficiently. For these reasons it is considered that the proposal broadly complies with the five listed criteria and it would be acceptable when considered against PPS3.

Design

The existing dwellinghouse at the application site comprises a detached two-storey dwellinghouse with an attached single storey flat roofed garage and porch. It is of no particular architectural merit. The dwellinghouse occupies a corner plot and has a large side garden. The neighbouring property at No. 68 Moor Lane and the properties in Arlington Way are of a similar design as the application site as they were all built at the same time however, the Moor Lane street scene comprises a variety of property types, styles, materials and heights.

The proposed dwellinghouse would be sited to the southwest of the existing dwellinghouse closest to Arlington Way. It would comprise a two-storey detached dwellinghouse that would utilise the roof space as additional living accommodation. It would have a two-

storey feature gable to the front elevation and a single storey element with a hipped roof would wrap around the side and rear elevation of the building. The main body of the existing property would remain as existing except for a new front door that would be positioned in the side elevation between the two properties and some changes to the existing openings within the side elevation. Whilst the design of the proposed dwellinghouse would differ from the existing dwellinghouse on the application site, the surrounding dwellinghouses along Moor Lane comprise a mix of designs, heights and materials.

The proposed dwellinghouse would have an eaves height of 5.2 metres and a ridge height of 8.6 metres; this would be 0.2 metres and 1.3 metres higher than the existing house (No. 70 Moor Lane) respectively. The dwellinghouse would have a pitched roof and therefore a gable wall would be viewed on the corner of Moor Lane and Arlington Way. Whilst there are a variety of roof heights along Moor Lane, it is considered that a roof height that would be similar to, or lower than, the existing dwellinghouse would be more appropriate on this corner plot and a hipped roof rather than a pitched roof would reduce the bulk and massing of the proposed building when viewed from the street scene.

The proposed house would extend 5 metres past the front elevation of No. 2 Arlington Way's garage and it would be positioned 3 metres from the side boundary. Whilst a proposed hedge of 1.5 metres in height together with the existing trees would partially screen the property and soften its appearance, it is not considered that they would detract from the overall bulk and height of the proposed dwellinghouse to an acceptable degree. The proposed dwellinghouse would extend beyond the building line to the rear of the application site (along Arlington Way) and therefore it is considered that the proposed dwellinghouse would appear highly prominent within the street scene.

Policy DC38 states that dwellinghouses should be set back at least one metre from the side boundary. The spacing between the existing dwellinghouse and the proposed dwellinghouse would be 1.8 metres; 0.2 metres less than the policy requirement. Whilst the Explanatory Notes state that the distances '*are for guidance only and can be varied*' due to the scale of the proposed dwellinghouse and the siting of the forward projecting gable feature, it is considered that the maximum spacing should be applied in this instance in order to prevent a terracing effect.

To conclude, a design differing from those in the surrounding area is not considered to be detrimental to the street scene due to the mix of properties along Moor Lane. However, the siting, scale and design of the dwellinghouse on this particular corner plot is considered to be detrimental the character and appearance of the street scene. For these reasons, it is considered that the application does not comply with policies BE1, DC1 and DC38 of the Macclesfield Borough Local Plan.

Amenity

The proposed dwellinghouse would comply with the separation distances in respect of the properties on the opposite side of Moor Lane and on the opposite corner of Moor Lane and Arlington Way. Therefore it is not considered to be detrimental to the amenity of these properties.

No. 2 Arlington Way is sited to the rear of the application site. It is positioned at a 90-degree angle to the application site and therefore the rear windows of No. 70 Moor Lane face toward the side elevation of the property. No. 2 Arlington Way was built at the same time as No. 70 Moor Lane but has been extended with a first floor side extension that brings the main body of the dwellinghouse closer to the application site and a pitched roof

has been erected over the original garage. The Planning Officer visited this property and noted that two windows were positioned in the side elevation facing towards the application site; a secondary ground floor kitchen window that directly faces towards the existing dwellinghouse on the application site and is screened by a boundary fence, and a secondary first floor bedroom window that directly faces towards the side garden of the application site where the proposed dwellinghouse would be sited. A separation distance of approximately 14.5 metres would be maintained between the proposed dwellinghouse and the secondary first floor bedroom window at No. 2 Arlington Way, thereby marginally exceeding the separation distance outlined in Policy DC38. The trees along the applicant's rear boundary would be retained and therefore would partially screen the proposed dwellinghouse from this window. (It should be noted that the existing trees already overshadow and reduce the outlook from this window, particularly in the spring/summer). The proposed dwellinghouse would directly face towards the front garden of No. 2 Arlington Way and part of the property's side elevation and therefore it would not affect the privacy of the neighbour's private rear garden. For these reasons, it is considered that the proposed dwellinghouse would not have a detrimental affect on the amenity of No. 2 Arlington Way and it would comply with Policies DC3 and DC38 of the Macclesfield Local Plan.

The proposed dwellinghouse would be sited 1.8 metres from the existing dwellinghouse on the site, No. 70 Moor Lane. The openings in the side elevation of the existing dwellinghouse would be altered so that all but one window in the ground and first floor would be a secondary window. The centrally positioned first floor side window would serve a bedroom ('Bed 3' on the submitted plan). Whilst this window does not meet the separation distances outlined in Policy DC38, a prospective buyer would be aware of the substandard outlook and therefore it would be their own choice to live with such circumstances rather than it being imposed on them.

Highways

The proposed dwellinghouse would utilise the existing driveway onto Moor Lane whilst the existing dwellinghouse would utilise a new driveway that would be positioned further away from Arlington Road. The land to the front of the dwellinghouses would be used for off-road parking. The comments of the Highway Engineer are currently awaited.

Trees

Existing trees are positioned along the southwestern side boundary adjacent to Arlington Way and along the northwestern rear boundary adjacent to No. 2 Arlington Way. These trees are not TPO protected and are marked for retention on the submitted drawings and provide a good level of screening to the application site. The comments of the Forestry Officer are currently awaited.

CONCLUSIONS AND REASON(S) FOR THE DECISION

Recommend refusal

SUBJECT TO:

The comments of the Highway Engineer and the Forestry Officer.

THE SITE



09/3285M 70, MOOR LANE, WILMSLOW, CHESHIRE, SK9 6BQ

NGR: 383,270m - 380,330m

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Scale 1:10000

Application for **Full Planning**

RECOMMENDATION : Refuse for the following reasons

1. R01LP - Contrary to Local Plan policies
2. R10MS - Design of substandard quality
3. R03RD - Cramped development

