

# Northern Planning Committee

## Agenda

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<b>Date:</b>	<b>Wednesday, 10th November, 2010</b>
<b>Time:</b>	<b>2.00 pm</b>
<b>Venue:</b>	<b>The Capesthorne Room - Town Hall, Macclesfield SK10 1DX</b>

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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.

**Please note that members of the public are requested to check the Council's website the week the Planning/Board meeting is due to take place as Officers produce updates for some or all of the applications prior to the commencement of the meeting and after the agenda has been published.**

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

**1. Apologies for Absence**

To receive any apologies for absence.

**2. 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 - 6)**

To approve the minutes of the meeting held on 20 October 2010.

**4. Public Speaking**

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

**Contact:** Sarah Baxter

**Tel:** 01270 686462

**E-Mail:** [sarah.baxter@cheshireeast.gov.uk](mailto:sarah.baxter@cheshireeast.gov.uk)

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
- Supporters
- Applicants

5. **10/2589M-Residential Development of 30 No. Units in total (14 No. 3 Beds/5 Person Duplex Houses, 14no. 2 Bed/4 Person Apartments, 2no. 1 Bed/2 person Apartments) Including 38 No. Parking Spaces & Associated Landscape & Fencing, Vernon Lodge, Copperfield Road, Poynton for Mr Nigel Bennett, Cheshire Peaks & Plains Housing Trust (Pages 7 - 20)**

To consider the above application.

6. **10/3091M-Demolition of Existing Bungalow, Erection of 3 Two Storey Houses and Formation of Access from Clare Avenue, 41, Bulkeley Road, Handforth for Drummonds Construction (Pages 21 - 28)**

To consider the above application.

7. **10/1841M-Residential Development Consisting of a Total of 24 Dwellings Including 9 Apartments and 15 Houses and Ancillary Car parking and Landscaping, Peacock Farm, 194, Wilmslow Road, Handforth, Wilmslow for Pensycor Ltd (Pages 29 - 44)**

To consider the above application.

8. **Appeal Summaries (Pages 45 - 46)**

To note the Appeal Summaries.

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Northern Planning Committee**  
held on Wednesday, 20th October, 2010 at The Capesthorne Room - Town  
Hall, Macclesfield SK10 1DX

### **PRESENT**

Councillor B Moran (Chairman)  
Councillor R West (Vice-Chairman)

Councillors C Andrew, J Crockatt, M Hardy, T Jackson, J Narraway,  
D Neilson, L Smetham, D Stockton, D Thompson and C Tomlinson

### **OFFICERS IN ATTENDANCE**

Mrs N Folan (Planning Solicitor), Mr P Hooley (Northern Area Manager) and  
Mr N Turpin (Principal Planning Officer)

### **54 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mrs H M Gaddum  
and Councillor Mrs O Hunter.

### **55 DECLARATIONS OF INTEREST/PRE-DETERMINATION**

Councillor D Thompson declared a personal and prejudicial interest in  
application 10/2889M-Outline Application for 11no. Apartments, Woodend,  
Homestead Road, Disley for Mr Michael Cooksey due to living on the  
same road as the application and contributing to the up keep of the private  
road. In accordance with the Code of Conduct she exercised her right to  
speak as Ward Councillor and then left the meeting prior to consideration  
of the application.

### **56 MINUTES OF THE MEETING**

RESOLVED

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

### **57 PUBLIC SPEAKING**

RESOLVED

That the public speaking procedure be noted.

### **58 10/2821M-ERECTION OF 31 DWELLINGS (PROPOSED REVISIONS TO PART OF PLANNING PERMISSION 05/1184P), HENBURY HIGH**

**SCHOOL, WHIRLEY ROAD, MACCLESFIELD FOR GEORGE WIMPEY  
MANCHESTER LTD**

Consideration was given to the above application.

**RESOLVED**

That the application be approved subject to the completion of a deed of variation to the original s106 agreement attached to 05/1184P to provide £27,000 for Public Open Space provision and £3500 for recreation/sport and two further affordable houses as set out in the update report, the tenure of the affordable houses is delegated to the HPH in consultation with the Chairman and Local Ward members, and subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A04RM - Ground levels as approved
4. A32HA - Submission of details re: construction
5. A30HA - Protection of highway from mud and debris
6. A22GR - Protection from noise during construction
7. A02EX - Submission of samples of building materials
8. A12LS - Landscaping to include details of boundary treatment
9. A01LS - Landscaping - submission of details
10. A04LS - Landscaping (implementation)
11. A08MC - Lighting details to be approved
12. A01GR - Removal of permitted development rights (plots to be specified)
13. A01TR - Tree retention
14. A02TR - Tree protection
15. A03TR - Construction specification / method statement
16. A09HP - Pedestrian visibility within car parks etc
17. A11HA - Access available for use before occupation
18. A14HA - Construction of highways
19. A15HA - Construction of highways - submission of details
20. A12HP - Retain parking space forward of all garages within development
21. Decontamination of land and remediation
22. Surface water regulation system to be approved.
23. Surface water to be passed through trapped gullies.

**59 10/3085M-ERECTION OF A SINGLE STOREY PAVILLION WITH ASSOCIATED LANDSCAPING AND PUBLIC REALM WORKS, FORMER HENBURY HIGH SCHOOL, WHIRLEY ROAD, MACCLESFIELD FOR GEORGE WIMPEY MANCHESTER LTD**

Consideration was given to the above application.

**RESOLVED**

That the application be approved subject to the completion of a deed of variation to the original s106 agreement attached to 05/1184P to make the consequential amendments to the agreement required as a result of this application and to reflect the clarification of the pump station ownership and maintenance and subject to the following conditions:-

1. Details of materials to be submitted, including those for the surrounding area of the building
2. Development in accord with approved plans
3. Details of security measures to be provided-including shutters, grills, downpipes, lighting and controls, CCTV to link to the Council's system, alarm and payphone point
4. The material and colour of all rainwater goods shall be submitted
5. Submission of details of windows and doors
6. Protection from noise during construction (hours of construction)
7. Details of all servicing/specifications for heating, lighting, showers and water
8. Details relating to incorporation of sustainability measures
9. Details of any piling to be submitted to the Council for approval

(There was a change to the original Officer's recommendation from one of refusal to one of approval).

(Prior to consideration of the following application Councillor D A Neilson left the meeting and did not return).

(The meeting adjourned at 4.15pm and reconvened at 4.25pm)

**60 10/2927M-CONVERSION OF EXISTING BUILDING INTO 13 APARTMENTS INCLUDING ASSOCIATED PARKING, ST JOHN THE BAPTIST CHURCH, CHURCH STREET, BOLLINGTON FOR THE SIMPLY GROUP**

Consideration was given to the above application.

(Mr Tim Boddington, a representative from Bollington Civic Society and Mr Ray Makin, the agent for the applicant attended the meeting and spoke in respect of the application).

**RESOLVED**

That the application be approved subject to the completion of a S106 Agreement to include a commuted sum of £4,500 to be paid to the Council to offset the loss of POS and make offsite improvements to POS or recreation/outdoor sports in Bollington and subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A06EX - Materials as application
4. A11EX - Details to be approved
5. A02HA - Construction of access
6. A08HA - Gates set back from footway/carriageway
7. A01TR - Tree retention
8. A02TR - Tree protection
9. A01LS - Landscaping - submission of details
10. A04LS - Landscaping (implementation)
11. A03TR - Construction specification/method statement
12. Contaminated land
13. Enhancement for bats
14. External lighting details to be approved
15. Details of bin store to be submitted
16. Sample of air vent to be submitted
17. Rooflights set flush
18. Tree to side elevation to be retained

**61 10/2959M-CONVERSION OF EXISTING BUILDING INTO 13 APARTMENTS, INCLUDING ASSOCIATED PARKING (LISTED BUILDING CONSENT), ST JOHN THE BAPTIST CHURCH, CHURCH STREET, BOLLINGTON FOR THE SIMPLY GROUP**

Consideration was given to the above application.

RESOLVED

That the application be approved subject to the receipt of revised plans to reduce the number of roof lights and the following conditions:-

1. A07LB - Standard Time Limit
2. A01AP - Development in accord with approved plans
3. A06EX - Materials as application

4. A11EX - Details to be approved
5. Sample of air vent to be submitted
6. Rooflights set flush
7. Method statement for conversion works
8. No new fixtures other than those shown on approved plans
9. Method statement for removal of items to be retained by Diocese.
10. Full photographic record to be made of the interior of the building.

(Prior to consideration of the following application Councillor Miss C M Andrew left the meeting and did not return).

**62 10/2889M-OUTLINE APPLICATION FOR 11NO. APARTMENTS, WOODEND, HOMESTEAD ROAD, DISLEY FOR MR MICHAEL COOKSEY**

Consideration was given to the above application.

(Councillor D Thompson, the Ward Councillor spoke in respect of the application, then left the meeting prior to its consideration).

**RESOLVED**

That the application be approved subject to the following conditions:-

1. A01OP - Submission of reserved matters
2. A02AP\_1 - Detail on plan overridden by condition
3. A03OP - Time limit for submission of reserved matters
4. A06OP - Commencement of development
5. A30HA - Protection of highway from mud and debris
6. A32HA - Submission of construction method statement
7. AEX21 - submit samples of building materials
8. AGR51 - no windows to be inserted
9. AHA91 - no gates
10. ALS21 - implementation of landscaping scheme
11. ALSG1 - Landscaping - submission of details
12. ARM41 - details of ground levels submission
13. DGLC1 - Hours of working during construction
14. Access to CTO specification
15. Access to specified gradient
16. Basement for parking of vehicles only
17. Details of highway verge

- 18. Vehicular visibility
- 19. Turning facility
- 20. Pedestrian visibility
- 21. Existing access to be closed
- 22. Secure cycle store
- 23. Visitor cycle provision
- 24. Parking to be surfaced and marked out
- 25. Contaminated Land
- 26. Pile Driving
- 27. Details of bin store to be submitted with reserved matters application

In addition a further condition was included relating to details of bin store (including elevations) to be submitted with reserved matters.

**63 UPDATE FOR APPLICATIONS 10/1899P AND 10/1900M AT OVER TABLEY HALL FARM, OLD HALL LANE, TABLEY**

Consideration was given to the above report.

RESOLVED

That the report be noted.

The meeting commenced at 2.00 pm and concluded at 5.00 pm

Councillor B Moran (Chairman)



**Application No:** 10/2589M

**Location:** VERNON LODGE, COPPERFIELD ROAD, POYNTON  
**Proposal:** RESIDENTIAL DEVELOPMENT OF 30 NO. UNITS IN TOTAL (14 NO. 3 BEDS/5 PERSON DUPLEX HOUSES, 14NO. 2 BED/4 PERSON APARTMENTS, 2NO. 1 BED/2PERSON APARTMENTS) INCLUDING 38 NO. PARKING SPACES & ASSOCIATED LANDSCAPE & FENCING.

**For** MR NIGEL BENNETT, CHESHIRE PEAKS & PLAINS HOUSING TRUST

**Registered** 12-Aug-2010  
**Policy Item** No  
**Grid Reference** 391910 382781

**Date Report Prepared:** 1 November 2010

#### **SUMMARY RECOMMENDATION**

Approve with conditions, subject to the completion of a legal agreement

#### **MAIN ISSUES**

- Demand for Affordable Housing in Poynton
- Scale, Design and Layout of the proposed development
- Impact on the character of the area
- Impact on residential amenity
- Traffic generation and parking
- Impact on Protected Species

#### **REASON FOR REPORT**

The proposed development is for 30 dwellings, therefore in line with the Council's Constitution, it should be determined by Members of the Northern Planning Committee.

#### **DESCRIPTION OF SITE AND CONTEXT**

The site comprises Vernon Lodge, a predominantly three storey building providing sheltered accommodation for the elderly (37 units), which is owned and managed by Cheshire Peaks and Plains Housing Trust, a Registered Social Landlord. The building no longer meets the required care standards, and therefore is due to be demolished.

The existing building fronts onto Copperfield Road and Weller Avenue. There is a lawned area to the rear of the building, and a small car park to the site of the building.

The site is located within a Predominantly Residential Area, as defined by the Local Plan. The area is suburban, providing family housing in semi-detached properties, and elderly person's accommodation in bungalows.

## **DETAILS OF PROPOSAL**

Cheshire Peaks and Plains Housing Trust seek full planning permission for a replacement three-storey building on the footprint of the existing building, to provide 30 units of Affordable Housing (which are available to rent at a reduced rate) comprising 14 No. 3 bed family houses, 14 No. 2 bed apartments, 2 No. 1 bed apartments, with 38 car parking spaces, to meet local housing needs.

## **RELEVANT HISTORY**

None.

## **POLICIES**

### **Local Plan Policy**

BE1 – Design  
DC1 – Scale and design  
DC3 – Amenity  
DC5- Layout and surveillance  
DC6 - Circulation and access  
DC8 &DC37 – Landscaping  
DC9 – Tree protection  
DC35 – Materials and finish  
DC38 –Space, light and privacy  
H1 –Phasing Policy (Housing)  
H2 - Environmental Quality in Housing Developments  
H13- Protecting Residential Areas  
PDC5- Housing and Community Uses

### **National Planning Policy**

PPS1 – Delivering Sustainable Development  
PPS3 – Housing

## **CONSULTATIONS**

### **Environmental Health:**

No objection, subject to a condition requiring a Phase II Investigation (In respect of any land contamination, and remediation works if required, and an Environmental Regulation Informative.

**Fire Safety:**

No objection, recommendations made to the applicant.

**Forestry Officer:**

Initial concerns were raised in respect of the potential conflict between Silver Birch and properties opposite. Revised plans have been submitted to address this issue. They advise that the crown of the Silver Birch is to be lifted and reduced to reduce impact on adjoining dwellings. The Forestry Officer raises no objection to the revised plans.

**Highways:**

No objection, subject to conditions.

**Housing:**

The views of the Housing Department are awaited, however, they have been consulted by CPPHT and have agreed verbally that there is a demand for Affordable Housing in this area; however, the tenure is still to be agreed.

**Landscaping:**

The Landscape Officer advises that the impact on existing landscape features is acceptable, landscape elements of the design have been improved as far as practicable within the site layout as proposed. The design as a whole is of a different, more urban character to the surrounding area, but this is insufficient to raise an objection on landscape grounds.

**Leisure:**

The Leisure department advise that the development is well above the threshold for the provision of Public Open Space (POS) as identified in the Supplementary Planning Guidance on S106 agreements.

In the absence of the on site provision of POS we will be requiring a commuted sum for the provision of offsite play and amenity facilities. The contribution for a commuted sum for the provision of Recreation / Outdoor Sport has been waived as the development provides 100% affordable housing.

The required POS commuted sum is £84,000 and will be used to make additions, improvements and enhancements to the facilities at the following locations;

- Barnaby Road
- Dickens Lane / Fleetbank Farm
- Poynton Brook amenity open space
- Off road amenity footpath network and incidental open space

**Ministry Of Defence (Woodford Aerodrome):**

No safeguarding objections

**Nature Conservation:**

No objection, subject to the submission of an appropriate mitigation/compensation statement, ***prior to the determination of the application.***

**VIEWS OF THE PARISH / TOWN COUNCIL**

Marginal recommendation for refusal on the grounds of Cramped Development. The following comments were made:

*The accommodation proposed was thought not to be suitable for families, and risked replicating mistakes made in social housing in the 1960s. The committee also noted that the proposed development is out of character with neighbouring properties, which comprise mainly small bungalows.*

**OTHER REPRESENTATIONS**

In total, 27 individual objections were received contained within 22 letters; furthermore a petition has been submitted with 113 signatories. In summary, the following objections have been raised:

1. General negative impact on existing community

- Increased noise / nuisance levels resulting from increase in population
- Disruption to village life due to building work
- Change to demographic of the area with the introduction of families and disruption caused by younger residents
- Loss of community asset (existing building used by wider community)
- Fear of increased anti-social behaviour / crime
- General over development of the village (population and building)

2. Traffic

- Increased pressure on existing parking
- Increased traffic and pressure on roads

3. Layout and Design

- Over development of the plot, loss of green space
- No children's play area/equipment
- Building design and landscaping is unsuitable for proposed use (no gardens and too dense)

- No detailed provisions of bin store/recycling points and concern over negative impact
- Design is out of keeping with the area
- Back to back design unacceptable – similar to designs of inner cities 50 years ago! Unsuccessful for families.

4. Pressure on services

- Increased pressure on local services, including schools, police and refuse collection
- Lack of garden provision resulting in increased pressure on existing open spaces for play, leisure and utility
- No provision of services for an influx of children

5. Communication of proposals

- Objection to definition of previous building as comparable to new proposal
- Lack of notification of nearby residents by post
- Original proposal to turn the site into accommodation for over 55's reneged upon

6. Impact on ecological environment

- Felling of mature trees and loss of green space (negative impact on ecological environment)

**APPLICANT'S SUPPORTING INFORMATION**

The following documents have been submitted in support of the application:

- Design and Access Statement
- Draft Heads of Terms –retaining units as affordable
- Affordable Housing Statement
- PPS3 Housing Self Assessment Checklist
- Ecological Walkover Assessment, including Bat Inspection Surveys
- Methodology and Bat Mitigation Report (awaited)

**OFFICER APPRAISAL**

**Principle of Development**

As indicated above, the application site is situated within a Predominantly Residential Area; therefore subject to the development complying with the Development Plan policies, no objection is raised to the principal of this development.

A Housing Needs Assessment was carried out as part of the Council's Strategic Housing Market Assessment which confirmed that there is a genuine demand for 2/3/4 bed accommodation in Poynton.

The proposal seek to provide a mix of affordable units, available to rent at a reduced rate, at least a 20% reduction in open market rates, to meet local housing needs. All of the units would owned and managed by Cheshire Peaks and Plains Housing Trust, and would be retained as affordable units in perpetuity, which would be secured by a legal agreement.

The site is considered to be in a relatively sustainable location, within close proximity of Poynton Town Centre, which provides a wide variety of shops and services, schools, churches and businesses. There is a bus stop immediately outside the proposed property on Copperfield Road, providing a regular bus service to the Town Centre, and a bus stop on London Rod, which connects to the A6 at Hazel Grove and provides links to Stockport, Manchester.

## **Assessment of the Proposals**

### **Scale, Design & Layout**

The proposed building overlaps the footprint of the existing building. The building is three storey fronting onto Copperfield Road, and two storey fronting onto Weller Avenue, which is comparable to the existing building on site.

In massing terms, there is a reduction in the height by 0.8 metres from 11 to 10.2 metres facing Copperfield Road, and a reduction in the width of the three storey structure 39.5 to 36.5 metres.

There is an increase in massing facing Weller Avenue. The width of the three storey element increases from 12 to 18.8 metres (albeit it is set 6.0metres further back), there is an increase in the height of the single/two storey element from 3.0 to 6.6 metres, and 5.8 to 7.4 metres, and there is also an increase in the rear projection by 6.3 metres.

Whilst there is a general increase in massing facing Weller Avenue, the scale of the building is still considered to fall within acceptable limits. The majority of the building facing Weller Avenue is two storey, as are the properties on this road.

The three storey element of the building has been designed with two storey dwellings fronting Copperfield Road, and Weller Close, with their own private gardens, at second floor level are a mix of self contained apartments, with balconies. The two storey building facing Weller Avenue comprises a mix of self contained apartments with balconies.

Concern has been raised about the "back to back" design of the units, due to inadequate light and ventilation. From considering the floor plans in detail, it is noted that the dwellings and apartments are open plan, therefore there is

light and air into each habitable room. Bathrooms, toilets stairways and landings are not habitable rooms and therefore do not require the same level of natural light, in any event, all of these issues are covered under Building Regulations, and the applicant would have to comply with current Building Regulation standards to build the development.

The design of the building is considered to be relatively contemporary, whilst taking on some design features of surrounding buildings. The building is to be fabricated in a red brick with rendered sections, with a grey tile roof. The key feature of the building is the roof shape, which incorporates a number of mono-pitch roof planes, to give the building an interesting design, and reduce the bulk and mass of the roof.

The scale of the new building is comparable to the existing building, and the design of the new building is considered to be a significant improvement to the existing structure and is aesthetically pleasing. The proposal is considered to be in keeping with the character of the area, and is of a sympathetic design, incorporating local design features. The proposal is therefore considered to comply with policies DC1 and BE1 of the Local Plan.

The site measures 0.42 hectares, which equates to a density of 71 dwellings per hectare, which is recognised as being quite high, however, Planning Policy Statement 3 (Housing) encourages efficient use of previously developed land, and it should be recognised, that the previous use of the site as sheltered accommodation was also at a high density.

The building has been designed to achieve Code for Sustainable Homes level 4, which is 44% better than current Building Regulation Standards. For information, level 6 would be a zero carbon building, which is very difficult to achieve.

38 car parking spaces are proposed in total, which equates to 125% provision. 12 fronting onto Weller Avenue, and 26 within a car park located to the rear of the building. Within the car park is an enclosed bin shelter, for use by residents of the apartments.

### **Amenity**

The building has been designed to meet the Space, Light and Privacy Standards as set out in Policy DC38 of the Local Plan. The building complies with this policy, and is not considered to raise any significant amenity issues. It should also be recognised that the building is located on the footprint of an existing building, and therefore the amenity issues are similar.

### **Ecology**

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places, if there is:

- no satisfactory alternative
- no detriment to the maintenance of the species population at favourable conservation status in their natural range
- a specified reason such as imperative, overriding public interest.

The UK implemented the EC Directive in The Conservation (Natural Habitats etc) Regulations 1994 which contain two layers of protection:

- a licensing system administered by Natural England which repeats the above tests
- a requirement on Local Planning Authorities ("LPAs") to have regard to the Directive's requirements.

Circular 6/2005 advises LPAs to give due weight to the presence of a European protected species on a development site to reflect.. [EC] ...requirements ... and this may potentially justify a refusal of planning permission."

In PPS9 (2005) the Government explains that LPAs "should adhere to the following key principles to ensure that the potential impacts of planning decisions on biodiversity are fully considered..... In taking decisions, [LPAs] should ensure that appropriate weight is attached to .... protected species... ... Where granting planning permission would result in significant harm .... [LPAs] will need to be satisfied that the development cannot reasonably be located on any alternative site that would result in less or no harm..... If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused."

With particular regard to protected species, PPS9 encourages the use of planning conditions or obligations where appropriate and advises, "[LPAs] should refuse permission where harm to the species or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm."

The converse of this advice is that if issues of species detriment, development alternatives and public interest seem likely to be satisfied, no impediment to planning permission arises under the Directive and Regulations.

### Bats

Bat surveys undertaken at Vernon Lodge have confirmed that there is a low level of bat roosting activity within the building. The roost is likely to be used during the autumn period and the ecologist who undertook the surveys suspects that the roost may be used for mating purposes; however this usage is not certain. The bat species concerned is common and widespread in Cheshire.

In the absence of mitigation the loss of the roost as a result of this development would have a moderate impact on the local scale but a very low



impact on the species as a whole. The demolition of the building could however result in the killing or injuring of any bats present when the works were undertaken.

The Nature Conservation Officer has agreed an appropriate format for a mitigation/compensation statement which the applicant's ecologist is in the process of preparing it.

The Nature Conservation Officer anticipates that the proposed mitigation will be adequate to address the adverse impacts of the development, however ***planning consent must not be granted until this has been submitted and agreed.***

Having regard to the above it is considered that replacement roosting facilities is an appropriate form of mitigation. The proposed mitigation/compensation is likely to reduce the potential adverse impacts of the development to a low level. It is considered that that the mitigation/compensation put forward is a material consideration which if implemented would conserve and enhance the existing protected species in line with LP Policy NE11 and is therefore, on balance considered to be acceptable.

The Council is obliged to assess the development against the three tests prescribed by the Habitat Regulations when determining the application.

The alternative to the replacement building would be of course to retain the existing building, however, as noted above, the current building does not meet current care standards, and therefore at some point in time this building could be subject to major renovation and possible extension works to create family housing or sheltered housing, which could have an equally significant impact upon any present bats.

The recommended mitigation proposes a bat roost which is to be incorporated within the new building, which will provide a new appropriate roost for the bats. The proposed mitigation will provide a new habitat which will allow the future protection of the bats in perpetuity.

The proposed scheme to demolish the existing building could have a substantial impact upon the presence of bats however in this particular case the number of bats on site is considered to be low.

The proposal is in the over-riding public interest because it will provide 30 affordable houses, which is of a significant benefit to the local community. With a combination of appropriate mitigation measures, the development should maintain the protected species and their habitat.

In this particular case the view is taken that whilst the proposed replacement dwelling would satisfy the minimum of the tests prescribed by the habitat regulations, it is considered that due to the low presence of bats at this property the impact of the replacement building on any existing habitat would be minimal and any harm would be sufficiently outweighed by the mitigation

put forward by the applicant. The view is taken that the mitigation put forward is a material consideration which if implemented will further conserve and enhance the existing protected species in line with Local Plan policy NE11 and is therefore on balance, considered to be acceptable.

## **Highways**

In regard to the assessment of the traffic impact of the development, this is a minor application in highway terms and the peak generation is likely to be no more than 25 trips in and out in the peak hours. Therefore, even with no allowance made for any the existing traffic generation from the sheltered development and all traffic from the development proposals taken as being new trips added to the existing traffic flows, no capacity problems will occur on the road network in the vicinity of the site.

The car parking provision is 38 spaces on the site, this equates to a provision of approximately 125%. With regard to policy PPG 13 states that Authorities *"should revise their parking standards to allow for significantly lower levels of off-street parking provision, particularly for developments in locations, such as town centres, where services are readily accessible by walking, cycling or public transport"*. The proposed allocation of one space per dwelling and the remainder used for visitor parking is considered an acceptable level of provision as the site is readily accessible to all modes of transport and also has a considerable amount of safe on-street parking available close to the site.

A number of trees have been shown close to the junction at Copperfield Road, these will need to be omitted as they would interfere with junction visibility.

In summary, the development would not cause traffic congestion problems on the local road network as the traffic generation is minimal and the parking allocation with the site meets policy considerations, there is also the availability of on-street parking should the need arise.

No highway objections are raised subject to conditions.

## **CONCLUSIONS AND REASON(S) FOR THE DECISION**

The Strategic Housing Market Assessment indicates that there is a genuine demand for affordable housing within Poynton. The proposed development seeks to provide 30 affordable units, on previously developed land in a sustainable location. Whilst the density of the development is recognised as being quite high, the proposed scale and design of the building is considered to be comparable to the existing building. The design of the building is quite contemporary; however, traditional materials are proposed to ensure that the building is in keeping with the character of the local area.

The views of the Design and Housing Officers are awaited, and are important in the consideration in this application.

In the absence of the outstanding views, a recommendation of approval is made, subject to

- Submission of a Bat Mitigation/Compensation statement
- Conditions (below)
- Completion of a legal agreement (Heads of Terms below)

As there are a number of outstanding issues, an update report will be provided to members in advance of the Committee.

## **HEADS OF TERMS**

### **Affordable Housing**

All of the units are to be available for rent at affordable level and are to be retained in perpetuity as affordable housing. The tenure of the units is to be agreed with the Housing Department

### **Open Space**

A commuted sum is required to offset the requirement for the provision of offsite play and amenity facilities.

The required POS commuted sum is £84,000 and will be used to make additions, improvements and enhancements to the facilities at the following locations;

- Barnaby Road
- Dickens Lane / Fleetbank Farm
- Poynton Brook amenity open space
- Off road amenity footpath network and incidental open space

We are still in discussions with the applicant about the amount of the commuted sum; however, this should be resolved by the Committee.

### **Community Infrastructure Levy (CIL) Regulations**

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the s106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

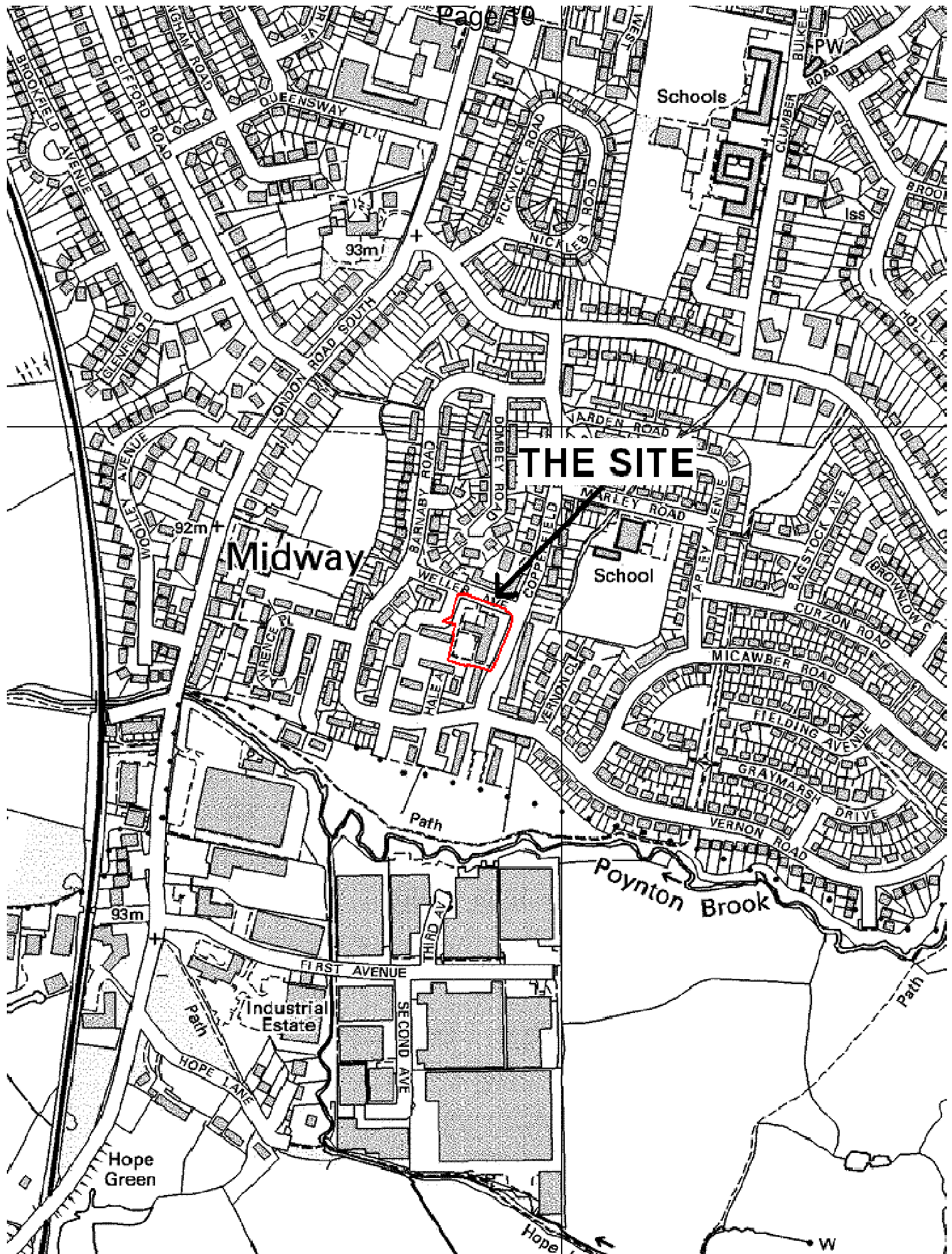
In this instance it is considered that a commuted sum is required in lieu of Public Open Space provision, as the proposed development will provide 30 family units, the occupiers of which will use local facilities as there is no open space on site, as such, there is a need to upgrade/enhance existing facilities.

In respect of these matters it is considered that the works are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development.

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. A06EX - Materials as application
4. A01LS - Landscaping - submission of details
5. A04LS - Landscaping (implementation)
6. A01TR - Tree retention
7. A23GR - Any pile driving to be approved in advance with LPA
8. A22GR - Protection from noise during construction (hours of construction)
9. A06GR - No windows to be inserted
10. A01GR - Removal of permitted development rights
11. A01HP - Provision of car parking
12. A07HA - No gates - new access
13. A08MC - Lighting details to be approved
14. A02NC - Implementation of ecological report
15. Phase II Land Contamination Survey required
16. Provision of visibility splays prior to occupation
17. Provision of bat and bird boxes



10/2589M VERNON LODGE, COPPERFIELD ROAD, POYNTON  
NGR 391,910.382,780

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**Application No:** 10/3091M  
**Location:** 41, BULKELEY ROAD, HANDFORTH, SK9 3DS  
**Proposal:** DEMOLITION OF EXISTING BUNGALOW, ERECTION OF 3 TWO STOREY HOUSES AND FORMATION OF ACCESS FROM CLARE AVE.

**For** DRUMMONDS CONSTRUCTION

**Registered** 25-Aug-2010  
**Policy Item** No  
**Grid Reference** 385335 383367

**SUMMARY RECOMMENDATION**

Approve subject to conditions

**MAIN ISSUES**

Impact of the proposed development on the character and appearance of the surrounding area, the existing trees, protected species, highway safety and implications for the residential amenity of neighbouring properties.

**Date Report Prepared:**

1<sup>st</sup> November 2010

**REASON FOR REPORT**

The application was called-in to committee by Ward Councillor Paul Whiteley on the grounds of conservation/ecology issues (policy NE11) and size, style and design issues (policies BE1 and DC1).

**DESCRIPTION OF SITE AND CONTEXT**

The site is a rectangular plot that measures 0.16 hectares and contains an existing dormer bungalow. The site lies in a residential area close to the centre of Handforth and has boundaries that adjoin other residential properties on Bulkeley Road, Clare Avenue, and Valley Drive. The property is currently accessed by an unmade section of road that merges with the end of Bulkeley Road. A protected tree exists in the centre of the site but has recently died due to waterlogging. The site formerly included a pond, which has been infilled.

**DETAILS OF PROPOSAL**

Full planning permission is sought for the demolition of the existing bungalow and the erection of 3no. two-storey detached dwellinghouses and the formation of an access from Clare Avenue.

**RELEVANT HISTORY**

08/1336P Demolition of existing dwelling and erection of 4no. two-storey dwellings (outline)  
Withdrawn 19/09/2008

09/0087P Demolition of existing dwelling and construction of 3 dwellings  
Approved with conditions 07/05/2009

## **POLICIES**

### **Local Plan Policy**

NE11	Nature Conservation
BE1	Design Guidance
DC1	New Build
DC3	Amenity
DC6	Circulation & Access
DC8	Landscaping
DC9	Tree Protection
DC38	Space, Light and Privacy
DC41	Infill Housing Development or Redevelopment
H1	Phasing Policy

### **Other Material Considerations**

PPS1	Delivering Sustainable Development
PPS3	Housing
PPS9	Biodiversity and Geological Conservation

## **CONSIDERATIONS (External to Planning)**

**Highways:** No objection subject to conditions

**Environmental Health:** No objection subject to conditions

## **OTHER REPRESENTATIONS**

Seven letters/e-mails have been received and a petition containing 16 signatures was received by the Local Planning Authority that raised the following concerns regarding the proposed development:

- Overdevelopment of the site;
- The loss of the TPO protected Ash tree;
- The unauthorised ground works that previously took place on the site and the associated infilling of a pond that has led to localised flooding;
- It would have a detrimental effect on the character and appearance of Clare Avenue;
- Interrupting an open aspect at the end of Clare Avenue;
- The properties do not follow the general arrangement of the existing properties along Clare Avenue as they are forward of the building line;
- Issues regarding cars parking along Clare Avenue due to an increase in the number of households and associated noise nuisance from additional vehicles;
- The application should be scrutinised to ensure the environmental and ecological aspects are carefully assessed and monitored;
- Permitted development rights should be removed to ensure any further extensions do not impact on neighbouring amenity;
- That all conditions and directives that were attached to the previously approved outline application are imposed on this application;
- That the hours of construction are restricted to normal working hours with no work taking place on a weekend;
- The scale of the property on plot 3 would be out-of-keeping with the properties on Clare Avenue and is of an inappropriate design;
- Impact on neighbouring amenity due to a loss of light, privacy, noise, pollution and dust;
- Impact on neighbouring amenity during construction due to the parking of construction/delivery vehicles, noise etc;
- The tree protection measures around the tree annotated as G1 on the site plan would block access to No's 43-49 Bulkeley Road and would prevent construction traffic from entering the site;
- Request that wheel washing facilities are imposed by condition;
- Queries regarding the land in the ownership of the applicant and shown edged in red on the submitted site location plan;



- The size of the proposed houses are much larger than those shown on the outline application;
- The replacement pond appears smaller than the minimum of 100m<sup>2</sup>;
- Concern over who will have ownership of the proposed pond; who will maintain it during the first 10 years and who will maintain it after this time period has expired; will the pond be able to be built on when this time frame has expired?

Other concerns that have been raised are not material planning considerations.

### **APPLICANT'S SUPPORTING INFORMATION**

A Bat & Bird Survey Report, a Design & Access Statement, and an Arboricultural Statement were submitted with the planning application. An additional Great Crested Newt Survey and Bat Species Survey Report were submitted during the course of the application at the request of the Nature Conservation Officer.

### **OFFICER APPRAISAL**

#### **Principle of Development**

The application site is located within a residential area, close to Handforth District Centre. Extant outline planning permission currently exists for the demolition of the existing bungalow and the erection of 3no. detached two-storey dwellinghouses and therefore the principle of the site for 3no. dwellinghouses is already considered acceptable and would not represent an overdevelopment of the site.

#### **Design**

The layout of the proposed houses and pond is similar to that which was approved under the application for outline permission. Whilst the footprint of each property differs slightly from that which was previously approved, they are of a similar size. Each house comprises a two-storey detached property with a hipped roof. Plot 1 would be sited adjacent to No. 12 Clare Avenue and would comprise a 4-bedroomed house with a single storey attached to the eastern elevation. Plot 2 would be sited between plot 1 and No. 43 Bulkeley Road in a similar location as the existing detached bungalow. It would comprise a 4-bedroom double-fronted property with an integral garage. Plot 3 would be sited adjacent to No. 11 Clare Avenue and would comprise a 5-bedroomed detached house with an integral garage. Each dwellinghouse would face towards a newly formed cul-de-sac at the end of Clare Avenue.

The properties on Clare Avenue were constructed as one development. The predominant house type is a detached property with an attached flat-roofed garage, however three have an integral garage, some have been extended and one is double fronted. The properties are constructed of similar materials and have pitched roofs.

Concern has been raised that the proposed dwellinghouses do not follow the existing building line along Clare Avenue as they would be sited forward of No. 12. The dwellinghouses follow a similar footprint/layout as those previously approved by the outline application and therefore no objection is raised to the layout of the three dwellinghouses.

Whilst the design and scale of the proposed dwellinghouses on plots 1 and 2 are considered to complement the character and appearance of the properties along Clare Avenue, the Case Officer has raised concern regarding the scale and design of the dwellinghouse on plot 3. This concern has also been echoed by residents who consider the scale of the property on plot 3 to be out-of-keeping with the other properties along Clare Avenue. Revised plans have therefore been requested to reduce the scale of the proposed dwellinghouse on plot 3 and these are currently awaited.

Whilst details of the type of building materials have been annotated on each of the drawings, it is recommended that materials samples be submitted for approval and that they should be of a similar appearance to those on the other properties along Clare Avenue to ensure the proposed dwellings complement the other properties within the street scene.

### **Amenity**

The houses approved under the previous outline application were considered to comply with the separation distances outlined in policy DC38 and the 45-degree rule in respect of the adjacent houses. The proposed dwellinghouses would occupy a similar footprint to those approved under the outline application and therefore it is considered that they would not have a significantly detrimental effect on neighbouring amenity.

Concern has been raised by neighbouring residents that the construction work would have a detrimental effect on their amenity and have requested that the works be restricted to Monday to Friday. The Environmental Health Division has assessed the application and has recommended that due to the proximity of neighbouring dwellings site working hours should be conditioned to specific times between Monday and Saturday with no working on Sunday and Bank Holidays, and that vehicle movements to and from the site should be restricted to 30 minutes outside the above hours. The proposed working hours is a standard condition with standard working hours and it is not considered that special circumstances exist at this site to merit a reduction in these hours. Furthermore, the extant application was approved with no such conditions attached. Whilst it would not normally be prudent to attach additional conditions to an identical scheme it is considered that due to the differences in the two applications that in this instance such conditions could be attached.

Neighbours have requested that permitted development rights are removed from the properties in order to protect their amenity from any future extensions/outbuildings. Permitted development rights are only removed in very exceptional circumstances. The previously approved outline application has its permitted development rights intact and is extant, and the proposed dwellings are sited in a similar location. It is therefore not considered expedient to removed permitted development rights on this application.

### **Highways**

The existing bungalow is accessed from Bulkeley Road where-as the proposed development would effectively be built as an extension to Clare Drive with access being taken from the existing turning head to form a cul-de-sac. Concern has been raised by residents regarding the use of Clare Avenue for access; the associated noise and disturbance from additional vehicles using the road; concern over the parking of contractor's vehicles; and a lack of parking provision. The proposed access and number of dwellings is identical to the previously approved outline application in which the Highway Engineer raised no objection subject to conditions. The current application has been assessed by the Strategic Highway's Manager and he has not raised an objection on highways grounds.

Plots 2 and 3 include a garage as well as a driveway with space for the parking of 2/3 vehicles whilst plot 1's driveway would accommodated 3 vehicles. Revised plans have been requested to increase the size of the proposed garages as these do not currently meet the required dimensions. These are currently awaited. Providing these amendments are made, it is considered that a sufficient level of off-road parking would be available for each dwellinghouse.

Conditions were imposed on the outline permission in respect of the construction of the new access, visibility splays, prevention of mud on the highway, a method statement for construction vehicles and deliveries, and garages to be retained for the parking of vehicles. Providing these conditions are re-attached it is considered that the proposed development would comply with policy DC6 of the Local Plan.

### **Trees**

The Forestry Officer has assessed the planning application and the submitted Arboricultural Statement and it is accepted that the protected Ash (T1 of the Order) is dead. A replacement tree has been agreed and established as part of the previous submissions and the position of the proposed replacement on the submitted drawing (T3) provides for the long-term establishment of a similar 'high forest' species.

The submitted layout plan shows proposed tree protective fencing of a group of two off-site Oak trees (G1) across the existing access road, which will effectively cut off access to neighbouring properties. As the existing access is a compacted surface over the rooting zone of these two trees, it is unnecessary to protect this area within the hard standing area. Protective fencing will however need to be positioned along the edge of the root protection area (RPA) of both trees where roots occupy areas other than the existing compacted hard standing areas.

The Forestry therefore raises no objections to the scheme as proposed subject to a number of conditions. It is therefore considered that the proposed development would comply with policy DC9 of the Local Plan.

### **Ecology**

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places, in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment and provided that there is:

- No satisfactory alternative; and
- No detriment to the maintenance of the species population at favourable conservation status in their natural range.

The UK implemented the EC Directive in The Conservation (Natural Habitats etc) Regulations 1994 which contain two layers of protection:

- A licensing system administered by Natural England; and
- A requirement on Local Planning Authorities ("LPAs") to have regard to the Directive's requirements.

Local Plan Policy NE11 of the Macclesfield Borough Local Plan 2004 states that the Borough Council will seek to conserve, enhance and interpret nature conservation interests and that development that would adversely affect nature conservation interests will not normally be permitted.

The applicant submitted a Bat & Bird Survey Report, a Great Crested Newt Survey with the planning application. The Borough Council's Nature Conservation Officer assessed the application and made the following comments:

#### Bats

An updated survey was submitted during the course of the application that recorded no evidence of bats therefore this species does not present a constraint upon the proposed development. However the Nature Conservation Officer recommends that a condition be attached to provide features for roosting bats.

#### Great Crested Newts

This protected species was recorded at this site subsequent to the removal of a large pond within the garden of this property. As a consequence mitigation proposals in respect of this species and the provision of a 100m square pond was made a condition of outline permission 09/0087P granted in respect of this site. The application as submitted proposed a pond of only 66m square. Following receipt of the Nature Conservation Officer's comments the applicant has submitted an up-to-date Report on Great Crested Newts and a revised site plan that has increased the size of the proposed pond to 100m square.

Further surveys undertaken by the applicant's ecologist have not recorded any evidence of Great Crested Newts on site during 2010. Following the loss of the pond at this site it is possible that Great Crested Newts may have now dispersed into the surrounding land. The passage of time means that Great Crested Newts are now less likely to be present on site than they were when the previous outline consent was granted. Despite this there remains the possibility that newts may

still be present at least infrequently on the site. The construction of the houses will result in the loss of some terrestrial habitat for newts and could also pose the risk of killing or injuring any animals present when the works were undertaken. In the absence of mitigation the proposed development is likely to have a minor adverse impact upon the favourable conservation status of Great Crested Newts. To mitigate the adverse impacts of the development the applicant's ecologist has made recommendations for methods of working and the timing and supervision of the works to reduce the adverse impacts of the development. Considering the likely low level of potential newt activity at the site these recommendations are considered acceptable.

The proposed development includes proposals for a 100m square pond. The pond will enhance the site by providing a breeding resource that was formally lost from the site. In addition, a newt hibernacula will also be provided as part of the development. The proposed pond is considered adequate to compensate for the loss of terrestrial habitat associated with the proposed development. To ensure the pond is successful a condition is required to ensure that no fish or other animals and plants are introduced to the pond without the consent of the Local Planning Authority. A management/monitoring plan has also been submitted in support of this application. A condition is required to secure the implementation of this plan.

### Conclusion

The Nature Conservation Officer advises that overall the proposed development will lead to an enhancement of the site's ecological interest and that the impacts of the development on protected species will be neutral or positive. The proposed development is therefore considered to comply with policy NE11 of the Local Plan, subject to a number of conditions.

### **Environmental Conditions**

The application site is located on a suspected former pond which may have been in-filled and therefore the land may be contaminated. The application is for new residential properties which are a sensitive end use and could be affected by any contamination present. As such, the Environmental Health Division recommends that the standard contamination condition and informative be attached should permission be granted.

### **Other Considerations**

Concern was raised that the site edged in red includes some land that it not within the ownership of the applicant, in particular a verge between the pavement of Clare Avenue and the application site. The applicant has confirmed to the Local Planning Authority that the land as shown on the site location plan is within his ownership. Therefore any further disputes over land ownership would be a civil matter that cannot be taken into consideration.

### **CONCLUSIONS AND REASON(S) FOR THE DECISION**

The proposed dwellinghouses are considered to have an acceptable impact on the character and appearance of the surrounding area, the existing trees, protected species, highway safety or the residential amenity of neighbouring properties. The application follows a recent outline permission which established the principle of development for 3 detached dwellings of a very similar scale and layout on the site. Subject to the minor revisions requested and the proposed conditions it is considered that all the site planning issues have been resolved and that the proposal complies with the relevant policies of the Development Plan.

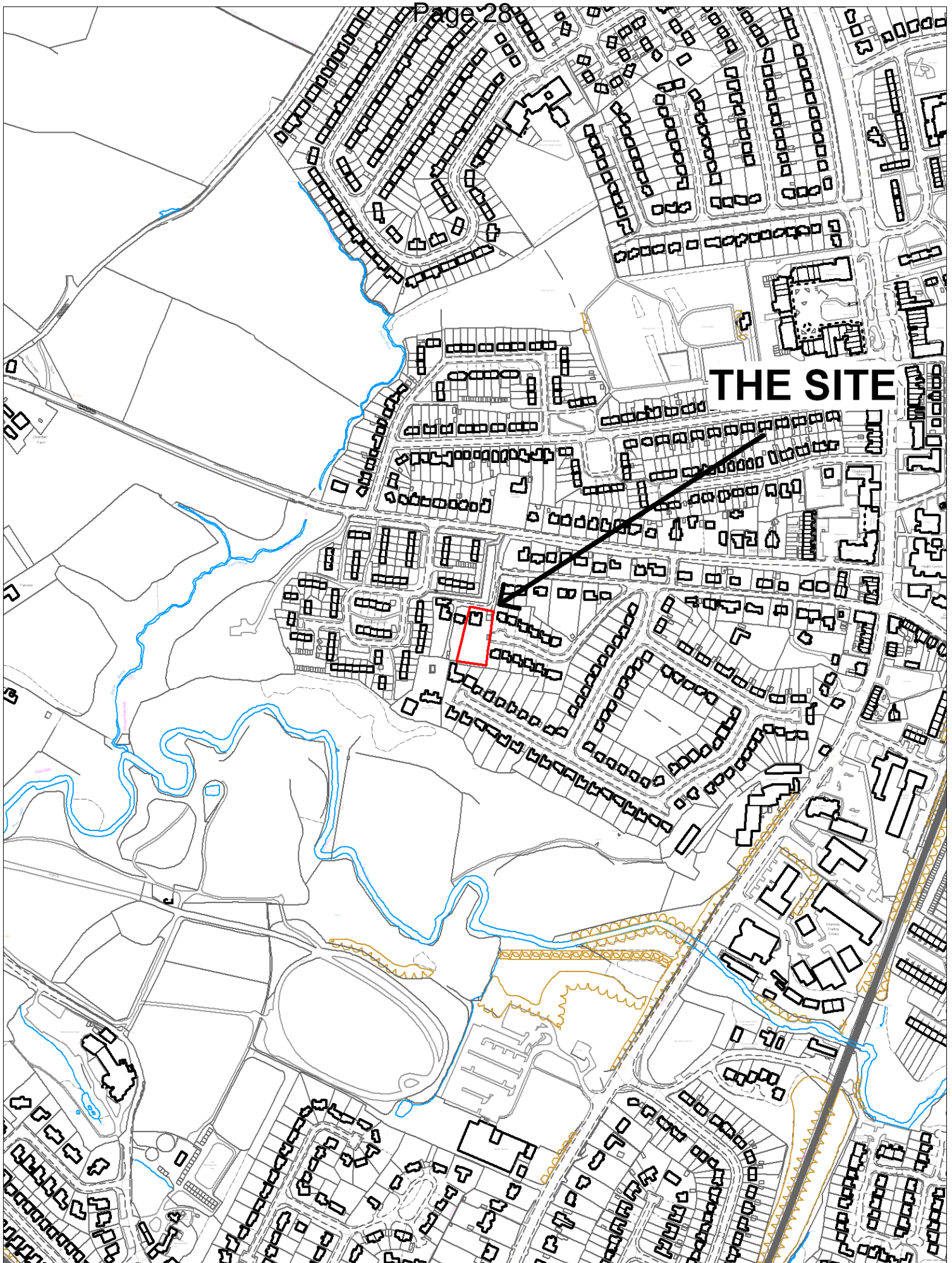
### **SUBJECT TO**

Revised plans being received that amend the proposed dwellinghouse on plot 3 to an acceptable scale and design and increase the size of the proposed garages.

Application for **Full Planning**

**RECOMMENDATION : Approve subject to following conditions**

1. A03FP - Commencement of development (3 years)
2. A02EX - Submission of samples of building materials
3. A02HA - Construction of access
4. A06HA - Pedestrian visibility at access in accordance plans to be approved
5. A07HA - No gates - new access
6. A26HA - Prevention of surface water flowing onto highways
7. A30HA - Protection of highway from mud and debris
8. A32HA - Submission of construction method statement
9. A08OP - Ground levels to be submitted
10. A17MC - Decontamination of land
11. A01LS - Landscaping - submission of details
12. A04LS - Landscaping (implementation)
13. A02TR - Tree protection
14. A04NC - Details of drainage
15. A06HP - Use of garage / carport
16. A23GR - Pile Driving
17. A20GR - Hours of deliveries
18. A01AP - Development in accord with approved plans
19. No fish in pond
20. Bat enhancement
21. Development to be undertaken in accordance with Great Crested Newt Mitigation Strategy
22. Retention of pond
23. Implementation of monitoring/management plan in respect of the pond
24. No vehicle movements to and from site more than 30 mins outside the working hours



10/3091M - 41 BUCKELEY ROAD HANDFORTH

N.G.R: 385.335 - 383.369

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Scale 1:50000

**Application No:** 10/1841M  
**Location:** PEACOCK FARM, 194, WILMSLOW ROAD, HANDFORTH, WILMSLOW, SK9 3JX  
**Proposal:** RESIDENTIAL DEVELOPMENT CONSISTING OF A TOTAL OF 24 DWELLINGS INCLUDING 9 APARTMENTS AND 15 HOUSES AND ANCILLARY CARPARKING AND LANDSCAPING  
**For** PENSYCOR LTD  
**Registered** 18-Jun-2010  
**Policy Item** Yes  
**Grid Reference** 385604 384336

**Date Report Prepared:** 28 October 2010

### **SUMMARY RECOMMENDATION**

Refuse

#### **MAIN ISSUES**

- Whether the apartment block part of the proposal constitutes inappropriate development in the Green Belt and if so, whether there are any very special circumstances
- The design and appearance of the proposal and its impact on the character and appearance of the area
- The impact of the proposal on the amenity/ privacy of adjoining residents and future residents of the residential units proposed
- Whether access and parking arrangements are suitable
- The impact of the proposal on existing trees and landscaping
- Whether affordable housing is required as part of the scheme
- Implications for protected trees on site

### **REASON FOR REPORT**

The proposal is for the erection of 24 residential units. The Council's scheme of delegation requires the application to be determined by the Northern Planning Committee.

### **DESCRIPTION OF SITE AND CONTEXT**

This currently vacant site is located at the junction of the A555 (MAELR) slip road / roundabout and Wilmslow Road in Handforth. The farm buildings that previously occupied the site have been demolished in recent years and the site is now secured via a hoarding/ fencing.

In visual terms the site a number of mature trees to the northern portion of the site, many of which are protected by virtue of Tree Preservation Order. The trees provide a landscape screen which defines the edge of Handforth.

The site is partially located within the green belt. The Green Belt between Handforth and Heald Green is very narrow in this area. The MAELR cuts east-west through this narrow band of Green Belt and currently terminates immediately to the north of the site at the Wilmslow Road roundabout. The semi-mature tree belt along the southern side of the MAELR corridor and the mature trees on the northern part of the application site form a continuous wooded belt along the northern edge of Handforth which wraps around the Wilmslow Road junction and forms a valuable buffer that screens the Spath Lane residential area on the edge of Handforth and separates the urban area from the Green Belt.

The site forms the boundary between the urban area and the green belt. To the east of the site, adjoining areas of housing with the Spath Lane estate are mixed with bungalows and two storey terraced dwellings adjoining the site. Along Wilmslow Road itself, to the south of the site, are a mix of housing including a relatively recently built 3 storey apartment block, detached housing of varying styles in relatively spacious plots and some commercial premises.

## **DETAILS OF PROPOSAL**

It is proposed to erect a three storey apartment block (9 x 2 bed apartments) and associated outdoor amenity space, car parking and bin store to the northern portion of the site in an area close to the A555 slip round and roundabout within an area designated as green belt and 15 no detached and terraced dwellings (3 x 2 bed; 8 x 3 bed and 4 x 4 bed located to the remainder of the site (non green belt) accessed off a shared drive via Wilmslow Road

The houses are mainly two storey dwellings, comprising mainly brick and part rendered facades arranged in a courtyard style setting, 9 of which are located in a backland setting within that courtyard. The apartment block also utilises the same palette of materials and design principles.

## **RELEVANT HISTORY**

None

## **POLICIES**

### **Local Plan Policy**

- NE11 Nature Conservation
- BE1 Design Guidance
- GC1 New Buildings in the Green Belt
- H1 Phasing Policy
- H2 Environmental Quality in Housing Developments
- H5 Windfall Housing Sites
- H8 Provision of Affordable Housing
- H9 Affordable Housing
- H13 Protecting Residential Areas
- T2 Integrated Transport Policy
- DC1 New Build
- DC3 Amenity
- DC6 Circulation and Access



DC8 Landscaping  
DC9 Tree Protection  
DC35 Materials and Finishes  
DC37 Landscaping  
DC38 Space, Light and Privacy  
DC40 Children's Play Provision and Amenity Space

Of the remaining saved Structure Plan policies, only policy T7: Parking is of relevance.

### **Cheshire Replacement Waste Local Plan (Adopted 2007)**

Policy 11 (Development and waste recycling)

### **Other Material Considerations**

PPS1 Delivering Sustainable Development  
PPG2 Green Belts  
PPS3 Housing  
PPS7 Sustainable Development in Rural Areas  
PPS9 Biodiversity and Geological Conservation  
PPG13 Transport  
PPG24 Planning and Noise

By Design – better places to live; Safer Places – the Planning System and Crime Prevention – A Companion Guide to PPS1

Interim Planning Policy on the Release of Housing Land

### **CONSULTATIONS (External to Planning)**

**Highways:** No objection subject to conditions

**United Utilities:** No objection to the proposal provided the site is drained on a separate system, with only foul drainage connected into the foul sewer

**Leisure Services:** No objection subject to commuted sum payments

**Housing Strategy and Needs Manager:** no objections subject to a S106 legal agreement being entered into to secure the affordable housing tenure. In accordance with current planning policy 6 units should be made available as affordable housing 50% of these should be made available for social rent and 50% intermediate tenure. The prevailing need in Handforth is for houses to be provided on an affordable basis and I would suggest a mix of 2 and 3 bed houses would meet the requirements of the policy

**Environmental Health (Contamination) :** No objection subject to further ground contamination given that the residential use is a sensitive end use.

**Environmental Health (Amenity) :** The impact of noise from the bypass slip road adjacent and general traffic noise from Wilmslow Road has also been considered, in terms of any potential impact on future residents of the dwellings proposed.

It is advised that the garden spaces within the individual dwellings will be a Noise Category c (at best) and most likely category d in terms of the ratings within PPG24. Noise category 'D' should normally be refused planning permission.

**Tree Officer:** Accepts the principle of a number of tree removals from the site but raises formal objection and recommends the refusal of the application on grounds that the housing layout will have a detrimental effect on a number of protected trees within the site by virtue of proximity to proposed residential properties and also on grounds of impact upon health of trees during building works.

**Ecologist:** No objection subject to conditions. The ecological report submitted is accepted.

## **REPRESENTATIONS**

One letter of objection from an adjoining residents raising concern re loss of privacy to main room windows.

One letter which raises general support but considers that use of 3 storey dwellings in the proposed layout is likely to be detrimental to the privacy of adjoining residents. Also considers the potential impact upon the health of protected trees.

## **APPLICANT'S SUPPORTING INFORMATION**

The information that has been submitted alongside the plans and drawings include:

- i) Planning Statement;
- ii) Statement of Community Involvement
- iii) Arboricultural Survey;
- iv) Design and Access Statement
- v) Ecological Report

These documents can be viewed online as background information. The planning statement in précis concludes that:

The Pre – Consultation involved meeting with Officers, Ward Members and the individual lettering of 54 local addresses. Six replies received which are detailed as being supportive.

The site has no constraints to its development. The site is within the Macclesfield SHLAA as having a capacity of 30 dwellings. The Council's ability to provide a 5 year supply of housing is questioned and the ability to deliver housing numbers as detailed in the annual requirements of the (former) RSS is questioned. This site is put forward as being capable of delivering a small number of houses in a location which has good access to services and facilities. The small portion of the site that is green belt is an 'anomaly' left over from a time when the A555 did not exist. The detailed design of the scheme respects the character and appearance of the locality.

With respect to the issue of affordable housing, the Planning Statement considers that the threshold in the Plan for the provision of affordable housing is 25 units and that the LPA should be justifying the use of a threshold of 15 units (from PPS3) in its policy framework.

There are very special circumstances that justify the development in the green belt, whilst the proposal is a technical departure from the Plan in all other respects the prevailing policy framework is complied with.

## **OFFICER APPRAISAL**

Section 38 of the Planning and Compensation Act 2004 requires a plan led approach to decision making in that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

In this case the development plan consists the saved policies of the Cheshire structure Plan, the Cheshire Replacement Waste Local Plan and the Macclesfield Borough Local Plan.

### **Main Issues**

The application site is currently split into two areas, which in terms of planning policy are quite distinct from one another. The land adjoining the slip road of the A555 is designated as Green Belt under Local Plan policy GC1; this the area where the proposed block of flats is proposed whilst the remainder of the site is unallocated urban, previously developed land.

### **Green Belt Issues**

The proposed apartment block and parts of the rear gardens of proposed Plots 1 to 3 that are located within Green Belt. Paragraph 3.4 of PPG2 states that the construction of new buildings inside a Green Belt is inappropriate unless it is for one of the five purposes listed within the paragraph. Local Plan policy GC1 repeats this advice and states that within the Green Belt approval will not be given for the construction of new buildings unless it is for a limited number of purposes unless very special circumstance are demonstrated.

Inappropriate development is, by definition, harmful to the Green Belt. There is a general presumption against inappropriate development in the Green Belt, and very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other material considerations.

One of the five purposes of including land in the Green Belt is to prevent neighbouring towns from merging into one another. The Green Belt between Handforth and the Greater Manchester conurbation is extremely narrow in the vicinity of the application site, and there is also some existing linear development along the B6358 within the Green Belt here, which reduces the openness of the gap further.

The Green Belt part of the application site is considered to provide an important function in maintaining a degree of openness on the approach to the settlement of Handforth and the construction of an apartment block here would reduce the general openness of the narrow Green Belt gap, and extend the built urban area of Handforth further towards Heald Green. The erection of a three storey apartment block will certainly urbanise this character

The Applicant suggests that the inclusion of the site within the Green Belt is an anomaly left over as a result of the development of the A555 (MALR) and that the site should be

read against the urban backdrop as it is an isolated small wedge between the urban area of Handforth and the A555.

The site's inclusion in the Green Belt is not an anomaly. The detailed Green Belt boundaries in this area were defined in the 1998 Wilmslow Local Plan, at which time the A555 Airport Link Road was a proposed scheme. The A555 opened in 1995 and Green Belt boundaries were reviewed for the 1997 Macclesfield Borough Local Plan. The Green Belt boundary in this location has consistently not been altered.

The application also considers the Green Belt part of the site against the objectives for the use of land within the Green Belt defined in PPG2 para 1.6. It is accepted that the site plays a limited role in fulfilling these objectives. However, it is also clear from para 1.7 that *"the extent to which the use of land fulfils these objectives is however not a material factor in the inclusion of land within a Green Belt, or in its continued protection"..... "The purposes of including land in Green Belts are of paramount importance to their continued protection, and should take precedence over the land use objectives"*.

In order to justify the inappropriate development within the Green Belt it will be necessary to consider if the harm caused by reason of inappropriateness is outweighed by other considerations.

These are now considered below;

## **Design and site layout**

Local Plan policies BE1, H2, H13, DC1 and DC35 address matters of design and appearance. Policy BE1 states that the Council will promote high standards of design and new development should reflect local character, use appropriate materials and respect form, layout, siting, scale and design of surrounding buildings and their setting. Policy H2 requires new residential development to create an attractive, high quality living environment. Policy DC1 states that the overall scale, density, height, mass and materials of new development must normally be sympathetic to the character of the local environment, street scene, adjoining buildings and the site itself.

Para 16 of PPS3 concerns assessing design quality include the extent to which the proposed development (inter alia):

- *Is well integrated with, and complements, the neighbouring buildings and the local area more generally in terms of scale, density, layout and access.*
- *Facilitates the efficient use of resources, during construction and in use, and seeks to adapt to and reduce the impact of, and on, climate change.*
- *Takes a design-led approach to the provision of car-parking space that is well integrated with a high quality public realm and streets that are pedestrian, cycle and vehicle friendly.*
- *Creates, or enhances, a distinctive character that relates well to the surroundings and supports a sense of local pride and civic identity.*

This proposal comprises a small development of 15, two and two and a half storey, detached and terraced dwellings and a three storey apartment block accessed via Wilmslow Road. The dwellings themselves are arranged in a courtyard and backland setting. Five dwellings are sited close to the Wilmslow Road frontage, behind railings, in differing orientation and some are accessed through the gardens to the frontage, whilst

present their rear elevation to the site frontage. This is considered to limit interaction in urban design terms and would exacerbate an already busy and defensive part of Wilmslow Road to pedestrians, producing a static streetscape.

Overall, it is considered the scheme fails to deliver design to a sufficient standard to comply with the design policy in the Plan or the policy as expressed in other material considerations.

### **Tree and Landscape Character Implications**

Policies DC8 and DC9 of the local plan require schemes to have appropriate landscaping and ensure the retention of trees of amenity value.

The site supports a number of trees covered by the Macclesfield Borough Council (Wilmslow – Handforth House/Peacock Farm) Tree Preservation Order 1981 (Group G1 comprising 4 Sycamore, 5 Lime and 1 Horse Chestnut) and (Area A1 the several Beech, Horse Chestnut, Sycamore, Lime, Norway Maple, Oak and Elm applies). Eight protected trees are proposed to be removed by virtue of their poor condition.

One unprotected Elm (T6) will also be required to be removed due to its poor form.

A further nine unprotected trees comprising of various Goat Willow, Cypress, Norway Spruce and Eucalyptus will require removal to accommodate the proposed development.

The development will inevitably lead to tree loss within the site, it is the view of the Council's officer for arboriculture that none of the trees shown for removal are of sufficient significance that they cannot be adequately mitigated, however, there are considered to be significant implications for the future health and well being of a group of protected trees to the rear of plots 1 to 3 and a protected lime tree sited in close proximity to the apartment block. The implications are such the Council's Arboricultural Officer recommends refusal of this application on grounds on the potential impact that the proximity of trees to the future living conditions of future residents and the threat to trees by virtue of the proposed construction practises.

For instance, the shadow that will be cast by the trees within the rear facing rooms of the proposed dwellings (plots 1-3), is considered to be significant and of a level which, any future application for removal on grounds of adverse impact on future residents would be difficult to resist. This potential issue could also effect the protected lime tree (some 19 metres high positioned 6.4 metres from the proposed building, although offset from the secondary aspect kitchen windows of the ground, first and second floor, the Arborist has concerns that this will present a dominating impact on the building and its occupants.

The Arborist also has concerns about the impact that building works will have by virtue of the provision of temporary and permanent access, the position hard standing and the position of the apartment block around Limes (T7 and T19). The submitted Arboricultural report identifies a significant area of the Root Protection Area (RPA) of T19 will be 'transgressed', although digging would be limited to a small section for the foundation corner of the apartment block ; the larger transgression would be to facilitate the access road and the arboriculturist proposes a 4 metre wide temporary access road

In this regard the Council's Arboricultural Officer has concerns with regard to the feasibility, reliability and durability of such a system where various sizes of machinery are used and the degree of on site control required in order to prevent damage to the tree.

Landscaping plans have been submitted with the proposals. The semi-mature tree belt along the southern side of the MAELR corridor and the mature trees on the application site form a continuous wooded belt along the edge of Handforth which wraps around the eastern side of the site to meet Wilmslow Road. This forms a valuable buffer that screens the Spath Lane residential area on the edge of Handforth and separates the urban area from the Green Belt.

The mature trees on the northern part of application site are a visually important part of the Green Belt landscape. They also contribute to the tree-lined character of the Wilmslow Road corridor. The area between the mature tree avenue and the site frontage is open. The vegetation around the site frontage is not particularly attractive or worthy of retention. Hampton Court, the large three-storey apartment block, located opposite the site on the western side of Wilmslow Road is not in the Green Belt but is visible from it. It is set back from the roundabout junction and is partially screened in views from the north by mature trees on the open area next to the junction.

The proposed development would introduce another large, three-storey building into the landscape of the area, particularly to the northern side of the roundabout moving towards the Borough boundary, which is considered to be detrimental to the visual amenity and landscape character of the area. It would also threaten the long-term retention of two healthy protected trees on site. On this basis the proposal is considered to be contrary to adopted planning policy DC8 and DC9.

## **Highways**

Given the low number of units on the site, there is no traffic impact issues associated with the development on the local road infrastructure. The provision of car parking is 200% for the houses and 150% for apartments that includes visitor parking, this level of parking provision is considered acceptable.

There is a single point of vehicular access to the site that provides adequate visibility for the approach vehicle speeds.

There are a number of bus services currently operating within a reasonable walking distance from the site and provides the occupiers of the site the ability to use sustainable travel modes.

Overall, there are no highways objections to the proposal.

## **Planning Policy and Supply of New Housing**

PPS3 states at Para 69 that in determining planning applications for housing, Local Planning Authorities should have regard to a number of criteria including achieving a good mix of housing reflecting the accommodation requirements of specific groups, using land effectively and efficiently and 'ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in , the spatial vision for, the area and does not undermine wider policy objectives..'

Para 71 goes on to state that where the Local Planning Authority can not demonstrate an up to date five years supply of housing. They should 'consider favourably' planning

applications for housing having regard to the policy in PPS3 (Para 69) and the wider planning objectives for the area.

It is accepted that at present the Council can not demonstrate a 5 year supply and thus the Council needs to give favourable consideration to this proposal having regard to the criteria listed in Para 69 of PPS3.

Whilst there is no objection, in land use terms and housing supply terms to the principle of the development of the urban part of this site for residential purposes, Para's 69 and 71 of PPS3 are directly relevant to that part of the site which lies within the green belt.

It is considered that the green belt part of the site is not 'suitable' due to the importance of the green belt in this location as a mechanism to control the Stockport Conurbation merging into Handforth which, it is considered would undermine the wider planning objectives and the spatial vision of the area. If approved such decisions would also prejudice the preparation of the Local Development Framework and affect the Council's ability to objectively determine the most appropriate strategy and sites for future housing development.

#### **Affordable Housing Requirement**

Permission is sought for 24 dwellings, and therefore should include an element of affordable housing. Although the Macclesfield Borough Local Plan (2004) policy H8 sets a site threshold of 25 dwellings before an element of affordable housing is required, this threshold has been superseded by the lower threshold of 15 dwellings as set out in PPS3 paragraph 29.

PPS3 was published after the 2004 Local Plan and in relation to the provision of affordable housing, states that *"the national indicative minimum site size threshold is 15 dwellings. However, Local Planning Authorities **can set lower minimum thresholds, where viable and practicable**"*. It does not make provision for Local Planning Authorities to set higher thresholds. The 15 dwelling national indicative minimum threshold is the highest threshold that can be applied, although authorities can set lower thresholds through their policy, where viable and practicable.

The Applicant's interpretation of the requirements of Para 29 differs significantly from Officers. It is the crux of the Applicant's argument that in order to justify a threshold of 15 units, then the Council should have a plan wide target for affordable units. In short the Applicant considers that the threshold for affordable housing provision is 25 units as contained in policy H8 of the Plan. On this basis, no affordable housing is put forward, indeed the Applicant has been unwilling to enter into any form of negotiation on this matter.

Prior to Cheshire East developing new policy for the provision of affordable housing, PPS3 paragraph 68 further supports the 15 dwelling threshold. *"When making planning decisions for housing developments after 1<sup>st</sup> April 2007, Local Planning Authorities should have regard to the policies in this statement as material considerations which may supersede the policies in existing Development Plans"*.

The former Macclesfield Borough Council issued the "PPS3 (Housing) and Saved Policies Advice Note" in 2008. This is not policy but offers guidance for applicants on meeting the requirements of the saved Local Plan policies and PPS3 in relation to housing

applications. The note is clear that the Council will require a proportion of affordable housing on sites of 15 or more dwellings.

In accordance with current planning policy 6 units should be made available as affordable housing 50% of these should be made available for social rent and 50% intermediate tenure. The prevailing need as identified in the SHLAA is for houses to be provided on an affordable basis and a mix of the 2 and 3 bed houses would meet the requirements of the policy.

The Applicants contention that the threshold for the provision of affordable housing is 24 units is not accepted and the lack of provision is contrary to PPS 3.

### **Impact on residential amenity**

Local Plan policies H13, DC3 and DC38 seek to protect the amenity of residential occupiers. Policy DC3 states that development should not significantly injure the amenities of adjoining or nearby residential property and sensitive uses due to matters such as loss of privacy, overbearing effect, loss of sunlight and daylight and traffic generation and car parking. Policy DC38 sets out guidelines for space between buildings.

A number of bungalows and two storey dwelling are located adjacent to the site. There are a number of contraventions of the interface distance guidelines within the site and adjoining properties. For instance the distance between the gable elevation of plot 11 and the facing principle room window within the neighbouring bungalow is 10m which is significant shortfall. It is considered that regardless of the north facing rear elevation to this bungalow, the siting of a 2 storey end of terrace elevation will be materially detrimental to the living conditions of that resident. Likewise the three storey block of flats contravenes the interface standard with regard to the dwellings adjoining. An example of the interface contraventions within the proposed housing layout itself is highlighted by the relationship between plots 12 (a 3 storey dwelling) and 10, which have their principal elevations facing one another and are sited 11m away from one another. This is significantly lower than the 28m that is required within policy DC38.

### **Noise (Amenity of future residents)**

PPG24 sets out guidance for noise sensitive development, outlining categories of noise which would be deemed unacceptable for the location of residential property. The acknowledged limit stated in BS8233:1999 this 55dB in residential garden areas. The advise of the EHO in respect of this proposal is that the individual gardens fronting onto Wilmslow Road , even with a 1.8m high close boarded fence on those parts of gardens which front onto the main road. The acoustic report states the following noise levels;

Plot 1 is at 66dB  
Plot 2 is at 63dB  
Plot 3 is at 62dB  
Plot 12 is at 63dB  
Plot 14 is at 63dB  
Plot 15 is at 64dB

The range beyond the target 55dB is between 7 to 11dB which is considered significant in noise amenity terms. To mitigate for the elevated noise levels it is suggested that a 4 - 4.5m close boarded fence would be needed to be erected to the individually affected gardens . Without such a barrier it is likely that future residents of the affected dwellings would be



exposed to higher than reasonable noise levels . In PPG24 terms , the predicted noise levels are categorised a Noise Category 'D' , where planning permission should be refused ; which in planning terms this is considered to be detrimental to living conditions of future residents who are a sensitive end use.

The potential mitigation in the form of a 4-4.5m high close boarded fence to the Wilmslow Road frontage would reduce the noise environment in the gardens. Whilst no details are provided of such a fence, this would undoubtedly have an impact upon the visual amenity of the area and the amenity of those affected future residents.

## **Renewable energy**

Former RSS policy EM18 required that all major developments secure at least 10% of their predicted energy requirements from decentralised and renewable or low carbon sources, unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that it is not feasible or viable. The applicant has not demonstrated that this is not feasible and the design and access statement has not considered the incorporation of such measures.

Whilst this policy no longer forms part of the Development Plan, the wider planning agenda in the former of PPS1 and the evidence base to inform the Core Strategy are all important material considerations.

No information is submitted in support of this application in respect of renewable. This could be dealt with by condition.

## **HEADS OF TERMS**

The applicant has submitted a draft head of terms for a s106 legal agreement. This covers the following of relevance

- An undertaking to negotiate an appropriate payment in lieu of public open space/play space off site

The following matters would also need to be incorporated if permission is to be granted

- 6 units should be made available as genuinely affordable housing 50% of these should be made available for social rent and 50% intermediate tenure

## **CONCLUSIONS AND REASON(S) FOR THE DECISION**

It considered that the proposal would be harmful impact on the character and appearance of the area, would result in a poor and cramped form of development which would be detrimental to the amenities of neighbours and future residents alike, and fails to adequately safeguard the future health and well being of protected trees within the site.

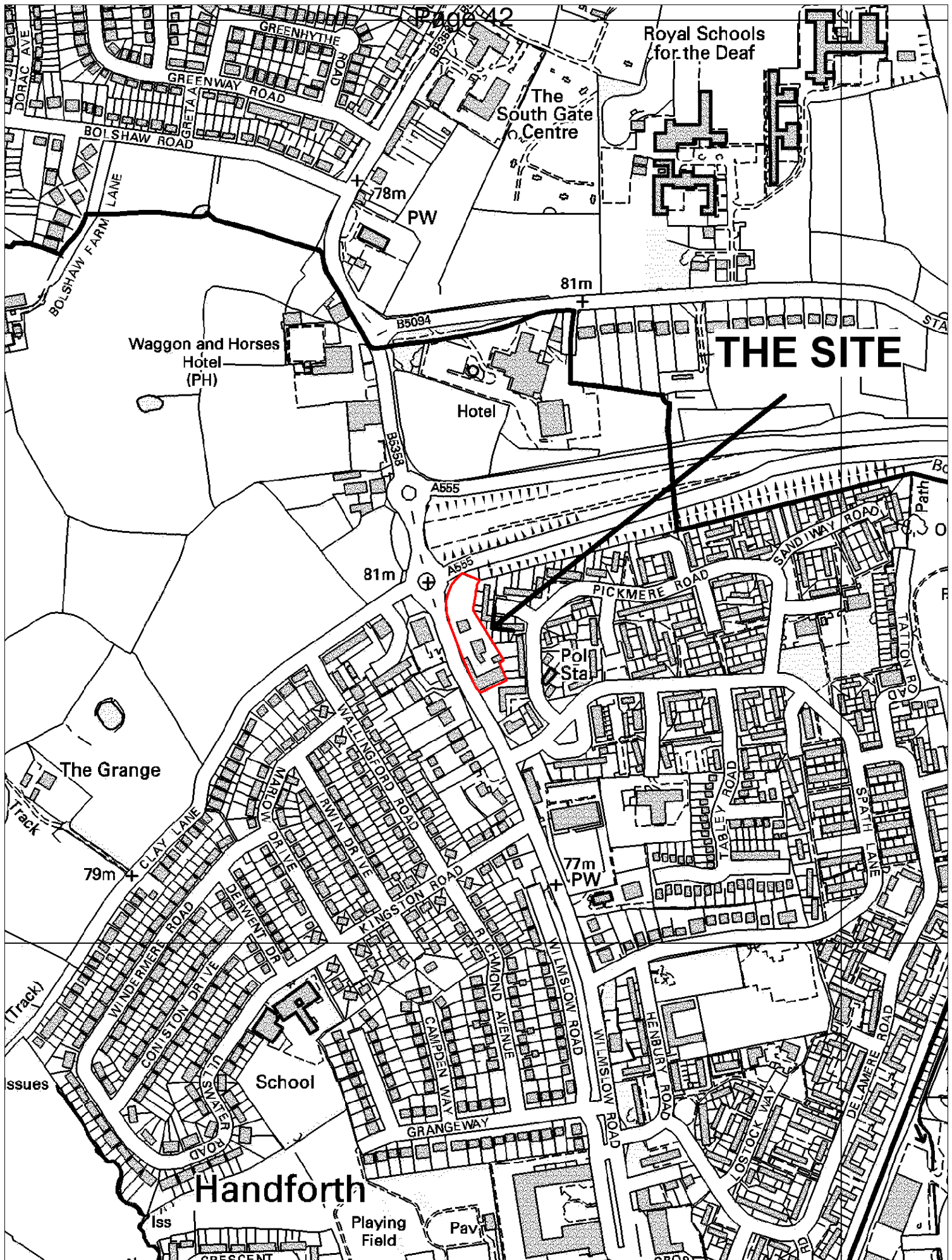
It is not considered that the harm caused to the Green Belt is outweighed by other considerations, and therefore there are no very special circumstances to justify this development.

It is acknowledged that the Council can not demonstrate a 5 year supply of housing, however, for the reasons previously identified the use of the site is not considered suitable in the proposed form and there are no interests of acknowledged importance which would outweigh the presumption against the inappropriate development in the green belt. Accordingly, a recommendation of refusal is made.

Application for **Full Planning**

**RECOMMENDATION : Refuse for the following reasons**

1. R01PL - Contrary to national policies concerning affordable housing
2. R02RD - Loss of privacy
3. R02TR - Threat to protected trees
4. R04LP - Contrary to Green Belt / Open Countryside policies
5. R04TR - Relationship to protected trees
6. R10MS - Design of substandard quality



10/1841M - PEACOCK FARM 194 WILMSLOW ROAD HANDFORTH

N.G.R.: 385.600 - 384.333

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Ref Number	Address	Description	Level of Decision Del/Cttee	Over turn Y/N	Rec and Decision	Appeal Decision
09/3622C	LAND TO THE REAR OF 54-56, CREWE ROAD, ALSAGER, CHESHIRE	Proposed Extensions to Form 3 No New Flats	Delegated	n/a	Refused	Allowed 06/09/2010
10/0845N	GALLANTRY BANK COTTAGE, BULKELEY HALL LANE, BICKERTON, SY14 8AY	Erection of a Two Storey Extension	Delegated	n/a	Refused	Allowed 10/09/2010
09/1663C	LAND ADJACENT POOLWOOD COTTAGES, HOLMES CHAPEL ROAD, SOMERFORD, CONGLETON, CHESHIRE	THE CONSTRUCTION OF 10 NEW AFFORDABLE HOUSES AND NEW ACCESS ROAD	Southern Committee	N/A	None determination	Dismissed 14/09/2010  Cost Appeal Allowed 14/09/2010
10/1202N	KOSINUK, AUDLEM ROAD, HANKELOW, CW3 0JE	Conversion to Dormer Bungalow & Replacement Garage	Delegated	n/a	Refused	Dismissed 22/09/2010
10/1144C	BROAD HEY LODGE, SCHOOL LANE, BRERETON, CW11 1RT	PROPOSED OAK FRAMED CONSERVATORY	Delegated	n/a	Refused	Allowed 24/09/2010
10/0459C	7, BLACKACRES CLOSE, SANDBACH, CW11 1YE	Proposed Loft Conversion With Dormer Windows	Delegated	n/a	Refused	Dismissed 06/10/2010
10/0329C	WHITE HOUSE, MOW LANE, ASTBURY, ST7 3PR	Two Storey Extension to Side of Property with Part of the Existing Roof Pitch	Delegated	n/a	Refused	Dismissed 06/10/2010
09/3893M	THE WHARF, BULLOCKS LANE, SUTTON, MACCLESFIELD	Single dwelling	Delegated	n/a	Refused	Dismissed 07/09/2010
09/3401M	FINGERPOST COTTAGE, HOLMES CHAPEL ROAD, TOFT	New means of access to Fingerpost Cottage and the closure of the existing access onto Toft Road	Delegated	n/a	Refused	Allowed 06/08/2010  Costs Appeal Dismissed 06/08/2010
09/4310M	8 POPLAR AVENUE, WILMSLOW	Reserved matters of appearance, landscaping, layout and scale	Delegated	n/a	Refused	Dismissed 05/08/2010

		for a 3-bed detached house				
09/3285M	70 MOOR LANE, WILMSLOW	Erection of detached dwellinghouse	Committee	N	Refused	Dismissed 06/10/2010
10/0401M	70 MOOR LANE, WILMSLOW	Erection of detached dwellinghouse	Committee	Y	Refused	Dismissed 06/10/2010