

Northern Planning Committee

Agenda

Date:	Wednesday, 2nd March, 2011
Time:	2.00 pm
Venue:	The Capesthorne Room - Town Hall, Macclesfield SK10 1DX

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

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 - 4)

To approve the Minutes as a correct record.

4. Public Speaking

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

Contact: Sarah Baxter

Tel: 01270 686462

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

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

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

5. **10/4970M-Change Of Use From D1 To A1, 41, Budworth Walk, Wilmslow for Mr Mark Galazka, Halepark Ltd (Pages 5 - 12)**

To consider the above application.

6. **10/2393M-Erection Of Retirement Living Housing Complex For The Elderly Comprising 30 X One Bedroom And 10 X Two Bedroom Apartments In A Part Two/Part Three Storey Blocks (Cat li Type Accommodation), Communal Facilities, Landscaping And Car Parking, 195 197 And 199, Wilmslow Road, Handforth for Mccarthy & Stone Retirement Lifestyles Ltd (Pages 13 - 28)**

To consider the above application.

7. **10/4702M-Two Storey Side Extension, 7, Padstow Close, Macclesfield for Mr A Storer (Pages 29 - 36)**

To consider the above application.

8. **Appeal Summaries (Pages 37 - 38)**

To note the Appeal Summaries.

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Northern Planning Committee**
held on Wednesday, 9th February, 2011 at The Capesthorne Room - Town
Hall, Macclesfield SK10 1DX

PRESENT

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

Councillors C Andrew, J Crockatt, H Gaddum, O Hunter, 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 P Wakefield (Planning Officer)

102 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor M Hardy.

103 DECLARATIONS OF INTEREST/PRE DETERMINATION

Councillor D Thompson declared that she had expressed an opinion in respect of application number 10/4558M - 6 Ashwood Road, Disley, Stockport, Cheshire, SK12 2EL: House Extension and Refurbishment Comprising - New Attic Conversion, New Rear Extension, New Raised Decking to Rear Garden, Internal Refurbishment, New Raised Car Park in Curtilage to Front Garden for Graham Prest and had therefore fettered her discretion. Councillor D Thompson exercised her separate speaking rights as a Ward Councillor and withdrew from the room during consideration of the item.

104 MINUTES OF THE MEETING

RESOLVED

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

105 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

106 10/4558M - 6 ASHWOOD ROAD, DISLEY, STOCKPORT, CHESHIRE, SK12 2EL: HOUSE EXTENSION AND REFURBISHMENT COMPRISING - NEW ATTIC CONVERSION, NEW REAR EXTENSION,

NEW RAISED DECKING TO REAR GARDEN, INTERNAL REFURBISHMENT, NEW RAISED CAR PARK IN CURTILAGE TO FRONT GARDEN FOR GRAHAM PREST

Consideration was given to the above application.

(Councillor D Thompson, the Ward Councillor, Mrs Stewart, an objector and Mr Prest, the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be approved 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 (solar panels)
5. A01LS - Landscaping - submission of details, including retention of the hedge
6. A05LS - Landscaping - implementation
7. A25GR - Obscure glazing requirement
8. Hours of construction
9. Method of foundation to be submitted to the Local Planning Authority.

107 **10/4696M - 11 MORAN CRESCENT, MACCLESFIELD, SK11 8JJ:
TWO STOREY SIDE EXTENSION AND REPLACEMENT OF GLAZED
ROOF ON CONSERVATORY WITH TILES AND ALTERATIONS TO
CONSERVATORY ELEVATIONS. SIDE EXTENSION TO INCLUDE
LOCKABLE GARAGE FOR MR S COOK**

(During consideration of the application Councillor J B Crockatt left the meeting and returned. In accordance with the Code of Conduct he did not take part in the debate or vote on the application. In addition Councillor Miss C M Andrew left the meeting and did not return).

Consideration was given to the above application.

(Mr Silvester, an objector and Dr Cook, the applicant attended the meeting and spoke in respect of the application).

RESOLVED

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

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans

3. A02HP - Provision of car parking (scheme to be submitted)
4. A06HP - Use of garage / carport
5. A04EX - Materials to match existing
6. A06GR - No windows to be inserted
7. Obscure glazing to specific windows
8. Notwithstanding the detail shown on the approved plans, no permission is hereby granted for the bath/shower window on the side elevation of the extension facing No.9 Moran Crescent
9. Details of boundary treatment to be submitted to and approved by the Local Planning Authority prior to the demolition of the garage. The approved details are to be implemented prior to the occupancy of the extension.

(Prior to consideration of the following application Councillor Mrs L Smetham left the meeting and did not return).

108 10/4353M - ONE OAK, ONE OAK LANE, WILMSLOW, CHESHIRE, SK9 2BL: REPLACEMENT DWELLING FOR MR ANDREW RUSSELL

Consideration was given to the above application.

It was noted that under 'Other Material Considerations' on page 28 of the report, reference should have been made to PPG2: Green Belts and PPS5: Planning for the Historic Environment.

(Mrs Campbell, an objector and Mr Kershaw, representing the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be refused for the following reasons:-

The proposed replacement dwelling would be inappropriate development in the Green Belt. The development would cause additional harm in terms of harm to openness and character of Green Belt; and by virtue of the design being of insufficient quality to replace the existing heritage asset. The proposed fallback position of implementing extensions to the dwelling is not considered sufficient to clearly outweigh the identified harm and does not amount to a very special circumstance to justify permitting the development.

(This decision was against the Officers recommendation of approval).

109 10/2905M - ONE OAK, ONE OAK LANE, WILMSLOW, SK9 2BL: DEMOLITION OF EXISTING HOUSE AND ERECTION OF NEW DWELLING FOR MR ANDREW RUSSELL

Consideration was given to the above application.

It was noted that under Other Material Considerations' on page 38 of the report, reference should have been made to PPG2: Green Belts and PPS5: Planning for the Historic Environment.

(Mrs Campbell, an objector and Mr Kershaw, representing the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be refused for the following reasons:-

The proposed replacement dwelling would be inappropriate development in the Green Belt. The development would cause additional harm in terms of harm to openness and character of Green Belt; and by virtue of the design being of insufficient quality to replace the existing heritage asset. The proposed fallback position of implementing extensions to the dwelling is not considered sufficient to clearly outweigh the identified harm and does not amount to a very special circumstance to justify permitting the development.

(As a result of the decision on the previous application, the Officers' recommendation was amended to one of refusal).

110 **PLANNING ENFORCEMENT PERFORMANCE**

Consideration was given to the above report.

The Chairman advised that any Member who wanted to make comments on individual Enforcement cases should contact the Enforcement Service directly.

Mr P Hooley provided a verbal update on some of the cases and it was agreed that the update he had referred to would be emailed to Member of the Committee.

RESOLVED

That the report be noted.

111 **APPEAL SUMMARIES**

Consideration was given to the Appeal Summaries.

RESOLVED

That the Appeal Summaries be noted.

The meeting commenced at 2.00 pm and concluded at 5.00 pm

Councillor B Moran (Chairman)

Application No: 10/4970M

Location: 41, Budworth Walk, Wilmslow, SK9 2HR

Proposal: Change Of Use From D1 To A1

Applicant: Mr Mark Galazka, Halepark Ltd

Expiry Date: 11-Feb-2011

Ward: Wilmslow North

Date Report Prepared: 16 February 2011

SUMMARY RECOMMENDATION

Approve subject to conditions.

MAIN ISSUES

- The principle of the proposed use
- The impact on the amenity of neighbouring occupiers
- The impact on the character and appearance of the surrounding area
- The impact on highway safety

REASON FOR REPORT

This application has been called before the Northern Committee on 2 March 2011 by the Ward Member Cllr Whiteley for reasons of concern over the issue of neighbouring residential amenity.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises the ground floor of a two storey end terraced building at no. 41 Budworth Walk, Handforth, and is located within a Predominantly Residential Area. The application site is located within an early 1970's housing estate formerly owned by Manchester City Council. The residential estate is characterised by a close-knit community of terraced properties accessed by connecting walkways with no individual on street parking and served by a large parking area for residents and visitors to the estate accessed from Handforth Road via Oaklands Close. There is currently a first floor flat above the premises with residential properties immediately to the north, south and west of the site.

The site currently comprises a vacant ground floor unit with a last use as a church meeting place. However, the planning history of site reveals that it was formerly used as a shop unit in the early 1970's, followed by a change of use to a Senior Citizen's Centre under 5/7569 on 08.09.1976, an Employment Office, a temporary change of use to a Church under 25240P on 28.02.1981 (with a condition restricting the D1 use on the site) and a further renewal of that permission under 47917P on 18.02.1981. An application for a change of use for the entire site (flat/ shop/church) to offices was refused on 31.05.1995.

DETAILS OF PROPOSAL

This application is for a change of use back from its D1 use as a place of worship to an A1 retail use as a general store. There would be external alterations to the premises associated with the proposed change of use.

Additional information concerning the proposed retail use of the premises was requested from the agent and these are available to view on the Council's website. The agent has confirmed, on behalf of the applicant, that the premises would be used as a local general convenience store selling both food and non-food items. The shop would operate primarily as a 'top up' store for those people living nearby who wish to purchase a relatively small amount of shopping to augment their weekly shopping. As the available floor space is a relatively small area, it is envisaged that the large majority of customers visiting the shop would be local people living within a short walking distance of the site.

It is also stated that large deliveries of bulk items will not be necessary to keep the shop stocked and the only internal change needed will be for the provision of a refuse store by the rear door. There will be no need for background music internally or the demonstration of any noisy items for sale. Opening hours have deliberately been kept short to minimise nuisance to nearby residents.

No information has been submitted concerning the sale of alcohol on the premises but this is not a material planning consideration as this is covered by separate licensing legislation.

RELEVANT HISTORY

5/7569P	Shop to Senior Citizens' Centre, approved, 08.09.1976
25240P	Change of use from Job Centre to Church, approved, 28.02.1981
47917P	Renewal for Christian Centre, approved, 18.02.1981
80861P	Conversion of shop/ meeting room/ flat to offices, refused, 31.05.1995

POLICIES

Regional Spatial Strategy

DP1 – Spatial Principles

Local Plan Policy

DC3 – Amenity

H13 – Protecting Residential Areas

DC6 – Access and Circulation

S5 – Change of Use of Shops

Other Material Considerations

None

CONSULTATIONS (External to Planning)

Strategic Highways Manager: No objections subject to proposed use being limited to non-food retail

The existing D1 use does not provide any off-street parking although as the site is small, this did not cause any highway parking problems. Whilst the change of use to some retail uses would not cause any highway issues, there are such uses as convenience stores etc that would raise parking issues and also require servicing by HGV's.

As the proposed application does not provide for any parking specifically for the site and relies on on-street parking for its customers, the Strategic Highways Manager would want to limit any A1 retail use to low traffic generators by excluding food retail use.

Therefore, no highway objections are raised subject to the application being limited to non-food retail.

Environmental Health:

Have concerns as to the proposed use of the premises as a retail shop with regard to local amenity and recommend that certain conditions should be attached if permission for the change of use is granted.

- If the bin store is to be inside it should be physically separated from the shops stock storage area.

Environmental Health would look to control specific premises based noise for the protection of attached and near neighbours.

- there should not be any music base noise within the premises (e.g. piped or background music)
- there should be no door entry chimes
- there should not be any external fans and/or chillers/air conditioning units.
- Should there be a need for commercial interior noise generative equipment (retail chillers and fridges), the existence of party wall and ceiling neighbours suggests that the premises shall be suitably acoustically insulated from noise and vibration.
- Any deliveries should be undertaken via the rear access door
- Deliveries should be undertaken between 07.30 and 18.00hrs Monday to Saturday with no deliveries on Sundays and Bank Holidays
- The opening hours volunteered by the applicant be conditioned.
- Odour control – there should be no commercial / retail preparation of hot food

It is anticipated that there will be a need for “morning sales items” to be delivered before opening, newspapers, milk, bread etc and believe that the suggested 30 minutes should be adequate to receive and stock these items.

Any additional lighting should be positioned so that it does not cause a disturbance to neighbouring properties.

VIEWS OF THE PARISH / TOWN COUNCIL

None

OTHER REPRESENTATIONS

11no. letters of representation have been received from the occupiers of neighbouring residential properties, these raise the following concerns:-

1. There is no need for a shop as the estate is too small for a business of this type. There is a local bus service to Handforth and the Lidl supermarket at the Summerfields Village Centre is within walking distance for the residents of the estate.
2. The proposed change of use will lead to an increase in both the levels of noise and litter in the street, young people will be attracted by the shop and will be encouraged to loiter there with the potential for anti-social behaviour and vandalism.
3. The proposal will lead to the devaluation of property values.
4. The estate cannot cope with an increase of traffic to the existing car park. Parking provision is currently difficult for residents as the parents of the children attending the nearby school use the car park for picking up and dropping off their children. Customers using the shop and deliveries to the premises will exacerbate this already difficult situation.

APPLICANT'S SUPPORTING INFORMATION

A Design and Access Statement has been submitted in support of the application and is available to view on the Council's website.

OFFICER APPRAISAL

Principle of Proposed Change of Use

The proposed change of use would return the existing D1 use on the premises to an A1 retail use. The proposed A1 use would be limited to the use of the ground floor of the premises and no external alterations or extensions to the existing building are proposed. Under the proposal, the existing ground floor area relating to the D1 use would be utilised for retail (A1) use (83 square metres).

As the premises has an historic use for A1 retail purposes during the 1970's, possibly dating from the construction of the housing estate, it is considered that the proposal is compliant with local plan policy S7 in that the proposed retail use cannot be met by existing provision in the area. The premises are currently vacant and could accommodate the proposed use without external alterations or extensions. Indeed, in 1981, at the time of the conversion of the employment office to a religious meeting place, a condition attached to the decision notice restricting noise levels at the premises, indicates that the proposed change of use to D1 was considered to have the potential to generate higher noise levels than the previous uses at the site.

It is considered that the proposed use would be sympathetic to the residential area in which it is situated. Indeed, the Macclesfield Borough Local Plan (adopted 2004), and in particular policy S5, seeks to prevent the loss of a local shop where it serves the day to day needs of local residents. This is because local and corner type shops are usually very important to the elderly and those with restricted mobility. Only where a corner shop is no longer a viable proposition would conversion from A1 retail to a residential use be permitted.

Therefore, the proposal is considered to be in accordance with policies S5 and S7 of the Local Plan.

Impact on the Amenity of Neighbouring Occupiers

It is considered that the impact upon the residential amenities of the neighbouring properties would be limited and acceptable. Many of the concerns raised by the neighbours can be adequately addressed by attaching conditions to the planning permission. Other concerns such as the possible future licensing of the premises to sell alcohol is not material to the

consideration of the application, as this matter is dealt with under separate legislation by the Licensing Department. In addition, noise in the street, litter, vandalism and anti-social behaviour are all matters to be dealt with by the Police and the criminal justice system. The proposed change of use would not involve the cooking of food on site and, therefore, the proposal does not include any ventilation equipment or extractor flues.

It is noted that the proposed hours of opening are from 08.00 to 18.00 hours, seven days a week. This is deemed as acceptable by the Environmental Health department and would mean that the shop would be closed long before the residents of the neighbouring properties would be retiring for the night. Should a licence to sell alcohol be granted at some future date, the relatively early closing time of the shop at 18.00 hours would mean that the shop would be closed long before that of licensed premises and off-licences within the surrounding area. Given that the primary use of the site would be for the sale of general groceries, it is not considered that there would be any significant additional noise, disturbance or odours generated from the proposed change of use.

It is also noted from the revised Design and Access Statement that the refuse store would be located internally by the rear door, this would prevent disturbance to adjacent properties in the evenings and during the night and ensure that the hours of use are limited to those set out under the attached conditions.

Highways and Parking

With regard to parking, although the Highways Authority would prefer the premises to be limited to a non-food retail use, as they consider that a food-retail use would have the potential to increase the need for parking on the residents' private car park to the rear of the site (when compared with the previous D1 use), as the retail space at the shop would be comparatively small with only a limited range of stock, it is considered that it would be reasonable to expect customers make short journeys to the shop by walking or cycling from within the local area and not to use a car,. However, it is conceded that passing trade may arise from the parents already using the car park to drop off and pick up their children during school term time. However, this would not necessarily increase the pressure on the existing car parking facility.

Therefore, it is considered that proposal would not result in any significant additional traffic, and would not be detrimental to highway safety. The proposal is considered to be in accordance with policy DC6 of the Local Plan.

CONCLUSIONS AND REASON(S) FOR THE DECISION

Having regard to the above, it is considered that the principle of the proposed A1 retail use would be acceptable, and would not cause significant harm to the amenity of neighbouring occupiers. In addition, it is considered that the proposed use would not cause any over-riding harm to highway safety, nor detract from the character and appearance of the surrounding area. The proposed development is considered to be compliant with DC3, DC6, H13, S5 and S7 of the Local Plan.

Application for Full Planning

RECOMMENDATION: Approve subject to the following conditions:-

1. Commencement of development (3 years)
2. Development in accord with approved plans

3. Limitation on use
4. Noise insulation
5. Business hours (including Sundays)
6. Change of use - no consent for external alterations
7. No external storage
8. Hours of deliveries



10/4970M - 41, BUDWORTH WALK, WILMSLOW
N.G.R. - 386,420 - 382,280

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Application No: 10/2393M

Location: 195 197 And 199, Wilmslow Road, Handforth,
SK9 3JX

Proposal: Erection Of Retirement Living Housing Complex For The Elderly
Comprising 28 X One Bedroom And 12 X Two Bedroom Apartments In A
Part Two/Part Three Storey Blocks (Cat li Type Accommodation),
Communal Facilities, Landscaping And Car Parking

Applicant: Mccarthy & Stone Retirement Lifestyles Ltd

Expiry Date: 28-Oct-2010

Ward Wilmslow North

Date Report Prepared: 15 February 2011

SUMMARY RECOMMENDATION

Approve with conditions

MAIN ISSUES

- Housing policy and supply
- Provision of affordable housing
- Design, layout and density
- The scale of the proposal – impact of height, mass, bulk, character and appearance of the area
- Impact on residential amenity
- Impact on landscape, trees
- Heads of Terms for a Legal Agreement

REASON FOR REPORT

This application is brought before Members in line with the Council's Constitution, any development in excess of 10 dwellings should be determined by Committee. The application seeks permission for 40 flats for older persons.

DESCRIPTION OF SITE AND CONTEXT

The site currently comprises three detached bungalows fronting onto Wilmslow Road, Handforth. Each property is served by a vehicular access from that road and are set back from the road frontage within spacious gardens.

The road runs along the eastern boundary of the site, which is surrounded on the other three sides by residential properties with the exception of no 195 which adjoins a bungalow which is in use as a children's day nursery. Wilmslow Road itself is a busy main road from Stockport to Handforth/Wilmslow and has traffic regulation orders in place on both sides of the street for the entire length of the road in the vicinity of the site.

The general character of the wider area varies in nature from detached houses to terraced houses, although a 3 storey block of apartments is located close to the roundabout to the south. The area itself is generally residential.

With the exception of 195 Wilmslow Road, which is occupied, both 197 and 199 are unoccupied and in varying states of dereliction and disrepair. These are all relatively small buildings set with large blocks and when brought together as a building plot, the site is 0.42 hectares. The bungalows are unobtrusive in the street scene and the vegetation to the boundaries creates a leafy suburban appearance. 201a is to the north of the development site and is located in a backland position and there is a depth of development in the area.

DETAILS OF PROPOSAL

This application involves the demolition of the three bungalows that comprise 195, 197 and 199 Wilmslow Road and their replacement with a three storey apartment block comprising 30 one bedroomed flats and 10 two bedroomed flats and a communal lounge and visitors overnight room, managers office and car parking for 19 cars set within landscaped grounds. There would be 19 car parking spaces to the frontage accessed via a single drive.

The Applicant is a developer of such older persons accommodation and their core business provides sheltered residential accommodation for the over 55's. Their flats are generally occupied by widows who are over 70 years and are seeking to down size. The service charge likely to be levied for on going costs on this development would be in excess of £50 per week for the 2 bedroomed units.

RELEVANT HISTORY

197/199 only

03/322p DEMOLITION OF 2 DWELLINGS AND ERECTION OF 12 DWELLINGS
(RESUBMISSION OF APPLICATION 03/0797P) – refused, Appeal dismissed 6
July 2004

POLICIES

Regional Spatial Strategy for the North West to 2021

DP1- Spatial Principles, promoting sustainable development
DP2- Promote Sustainable Communities
DP5- Manage Travel Demand
EM2- Remediating Contaminated Land
EM18 – Decentralised Energy Supply
MCR3 (Southern Part of the Manchester City Region)
L2 – Understand Housing Markets
L4 – Regional Housing Provision

Macclesfield Borough Local Plan (2004)

Built Environment

BE1- Design Guidance

Development Control

DC1 – New Build
DC3 –Amenity
DC5- Natural Surveillance
DC6 – Circulation and Access
DC8 – Landscaping
DC9 – Tree Protection
DC36- Road Layouts and Circulation
DC37- Landscaping
DC38- Space Light and Privacy
DC40 – Children’s Play Provision and Amenity Space
DC41 – Infill Housing Development

Environment

NE17- Nature Conservation in Major Developments

Housing

H1- Phasing policy
H2- Environmental Quality in Housing Developments
H5- Windfall Housing
H8 – Provision of Affordable Housing
H9 - Occupation of Affordable Housing
H13- Protecting Residential Areas

Implementation

IMP1- Development Sites

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

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Statement 3: Housing

Planning Policy Statement 13: Transport

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

Interim Planning Policy Statement – Affordable Housing

CONSIDERATIONS (External to Planning)

Environmental Health (Contaminated Land) - No objection is raised, subject to a condition requiring a Phase I investigation, and a remediation scheme if necessary.

Environmental Health (Noise and Amenity) – No objection subject to standard conditions regarding hours of work and dust mitigation during construction.

Housing Strategy and Needs Manager - The need for affordable housing provision in the Borough is well documented. Despite recent changes in the economy, there remains a local affordability issue, with Macclesfield being one of the least affordable places in the region. The Housing Needs Survey for the former Macclesfield borough identifies a need for about 200 affordable homes per annum. The priority is therefore for the provision of affordable housing. The policy would support the provision of 25 % which results in 10 units

Landscape Officer - The Landscape Officer raises no objections.

Leisure Services - No objection in principle to the application subject to commuted sum payments in lieu of on site amenity and recreation space

Strategic Highways Manager- No objection subject to conditions and satisfactory completion of Section 106 agreement for h travel plan issues

OTHER REPRESENTATIONS

One objection and 5 letters of support have been received to date.

Copies of all these comments are available on the Web-site but in précis, the objection relates to lack of on site parking provision (19 car parking spaces for 40 flats). The respondent considers there to be insufficient parking provided for the number of units.

The letters of support appear to be handouts submitted by local businesses who consider their trade would be enhanced by the proposal. The occupier of 195 Wilmslow Road supports the proposal on the grounds that they consider it will enhance Handforth.

APPLICANT'S SUPPORTING INFORMATION

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

- Supporting Planning Statement
- Design and Access Statement
- Ecological Assessment
- Transport Assessment
- Phase 1 Contamination Assessment
- Marketing Report
- Valuation Report from Hallams in respect of the existing dwellings
- HCA Viability Appraisal
- Affordable Housing Statement
- Statement of Community Involvement

All of these documents are available in full on the planning file, and on the Council's website.

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 of the Regional Spatial Strategy for the North West, the Cheshire Replacement Waste Local Plan and the Macclesfield Borough Local Plan.

Principal of Development

The Site is located in the Predominantly Residential area as defined in the Macclesfield Borough Local Plan 2004 therefore there is no objection in land use terms to the redevelopment of this site for a retirement living housing complex.

However, as the scheme provides more than 15 units Local Plan policies H8 and H9 are applicable and this Council should negotiate for 25% of dwellings as affordable housing having regard to the individual circumstances including the criterion 4 of H8.

The presumption in PPS3 is that affordable housing will be provided on the application site so that it contributes towards creating a mix of housing. However, where it can be robustly justified, off-site provision or a financial contribution in lieu of on site-site provision (of broadly equivalent value) may be accepted as long as the agreed approach contributes to the creation of mixed communities in the local authority area.

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 site for residential purposes, paragraph 69 requires Local Planning Authorities to ensure that proposed development is in line with planning for housing objectives, reflects the need and demand for housing in and the spatial vision for the area and does not undermine wider policy objectives. The affordability of scheme is considered relevant in this regard;

Affordable Housing

The scheme provides more than 15 units accordingly there is a policy requirement for affordable housing provision.

Local Plan policies H8 and H9 require 25% of dwellings as affordable housing having regard to the individual circumstances including the criterion 4 of H8.

The presumption in PPS3 is that affordable housing will be provided on the application site so that it contributes towards creating a mix of housing. However, where it can be robustly justified, off-site provision or a financial contribution in lieu of on site-site provision (of broadly equivalent value) may be accepted as long as the agreed approach contributes to the creation of mixed communities in the local authority area. (PPS3 para 29)

The SHMA 2010 shows an annual affordable housing need of 6 x 1 or 2 bed older persons housing in the Wilmslow and Alderley Edge sub-area per year and 19 general needs 1 and 2 bed properties per year. In the overall former borough of Macclesfield there is a need for 83 x 1 or 2 bed older persons affordable housing per year.

Councillors will be aware that the emerging Interim Policy Statement on Affordable Housing (adopted February 2011) states that in settlements of more than 3,000 population, the exact level of affordable provision will be determined by:

- local need,
- site characteristics,
- general location,
- site suitability,
- economics of provision,
- proximity to local services and facilities,

- other planning objectives,
- and that, the general minimum proportion for any site will normally be 30%.

However, as this application was registered prior to the introduction of this policy, and the applicant could not have foreseen its contents, it is considered reasonable that the affordable housing requirement should be based on the previous policy requirement of a 25% affordable housing contribution. This equates to 10 units, with the Housing Strategy Manager has advised that the tenure mix should be 50% to be social rent and 50% intermediate tenure and be 7 x 1 bed units and 3 x 2 bed units

The Applicant has submitted a HCA Toolkit Viability Appraisal and Affordable Housing statement as part of this application. These documents conclude that having regard to , inter alia, development economics, market conditions , the need for financing and the specialised nature of this kind of build project, which requires the whole building to be completed (and financed) before any revenue can be achieved that a total of £147,169 can be provided for affordable housing. This will not achieve the 25% requirement of the Councils affordable housing policy.

The viability of individual schemes is a material consideration in deciding planning applications. Since 2008 there has been significant downturn in the housing market and particularly on brownfield sites where costs of redevelopment are proportionally higher than greenfield sites. Developers have sought and continue to seek to negotiate a lower provision of affordable housing on the basis that the Council's normal requirements would render redevelopment unviable.

Accordingly the Council has appointed a local firm of Independent Chartered Surveyors to undertake their own appraisal of the site and the development costs/residual values. The results of the Council's own independent appraisal generally concurs with the Applicants Viability Appraisal, however, the Councils surveyor does consider that there is greater ability within this development to deliver a larger contribution to affordable housing than has been put forward initially by the Applicant (the offer put forward initially being circa £147,000).

Enquiries were made with Registered Social Landlords who operate in the Handforth area to establish the amount they could realistically pay in order to deliver the units as affordable housing.

- Contour Housing Association have advised they would not be interested in taking on any apartments for sale or rent at affordable levels in this scheme, due to ongoing issues with mortgage availability for shared ownership flats and that 3 units for rent would be difficult for their Supported and Sheltered team to manage as they would not have any jurisdiction over the management company on the scheme in case of any dispute or other issue.
- CPPHT provided figures they could offer of £45,000 for each 1 bed unit £55,000 for each 2 bed unit in order to deliver the properties as a mix of social rent and intermediate rent, advising against looking at low cost home ownership options. The average amount CPPHT can pay per unit is £48,000.
- Plus Dane Group gave indicative figures of £60,000 per unit for a small number of social rent, but were concerned with service charges. (these are likely to be in the region of in excess of £50 per week for the 2 bedrooomed units). They confirm they would generally prefer to have their stock in separate buildings due to management.

The service charge would however represent an additional cost payable by the Housing Trust and the Council's Independent Chartered Surveyors advice in connection with this scheme is

that this would likely have an adverse impact upon the purchase prices to be paid by the any local Registered Social Landlord for the flats.

The Applicants have indicated proposed sale prices of £165,000 for each one bedroomed flat and £220,000 for each two bedroom flat which on the basis of the 25% allocation outlined would produce a total figure of £1,815,000 cost to the development to provide the affordable housing policy.

However on the basis of the information currently available the Council's own Independent appraisal indicates that it is not viable for this scheme to provide the necessary affordable housing to fulfil the requirements of the Council's affordable housing policy unless an appropriate Social Housing Grant or Local Authority Funding is available.

Whilst the Council would generally prefer to see affordable housing provided on-site in line with Government guidance to encourage the development of sustainable and balanced communities. It is considered that there may be physical or other circumstances where an on-site provision would not be practical or desirable. Such circumstances might include where:

- the provision of the affordable housing elsewhere in the locality would provide a better mix of housing types
- management of the affordable dwellings on site would not be feasible
- it would be more appropriate to bring back existing vacant housing into use as affordable units
- the constraints of the site prevent the provision of the size and type of affordable housing

Having regard to the practicalities of such provision in this case, the Council's own Independent Valuation and Appraisal of the scheme indicates that only 2 units could be purchased in this scheme whilst still maintaining viability. This would be unattractive to a Registered Social Landlord to remotely manage and control.

The particular circumstances of this area in which the site is located require consideration. The area contains a high proportion of social housing. It is considered that there would be benefits in building a mixed and stable community by virtue of seeking the maximum provision of market housing to assist in the provision of a better mix of housing types in the locality, which has a greater proportion of social rented housing than most wards in the Borough.

In addition there would be a likely practical difficulty in the management of a small number of flats 'pepper-potted' in isolation within this block for a remotely operating Registered Social Landlord and the likely problems of dispute resolution within the block between the management company and the Registered Social Landlord, it is considered that in these particular circumstances it would be more appropriate to seek a commuted sum in lieu of on site affordable provision in this case.

Having regard to the Viability Appraisal submitted by the Applicant and the Council's own Independent Valuations and Appraisal of the development, Officers have reached a negotiated amount of £350,000 to be provided by the Applicant in lieu of provision of on site affordable housing. This is significantly more than the initial offer from the Applicant.

The particular circumstances of this case at this time it is considered that seeking a commuted sum in lieu of affordable housing provision is acceptable and complies with the planning policy framework and all material considerations which require the Local Planning Authority to consider viability as part of the consideration of the application.

Layout, Design and Street Scene

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 'T' shaped block of two and three storeys. The main frontage is articulated with a mix of two and three storey façade development which have footplates that are set back at first and second floor levels. This gives the appearance of individual blocks within the central portion which reduce to a dormer frontage adjoining the Orchard Day Nursery and two storeys adjoining 201 Wilmslow Road.

The scheme maximises the amount of development with a 47m wide block. The block extends circa 50m into the site which is indicated as having garden areas to all facades. Parking is accommodated to the front of the building together with extensive landscaping to the frontage.

The block would be set back 20m from the street frontage and would mirror the prevalent building line in this part of the street. The maximum height of the 3 storey elements of the scheme is circa 10.2 m. This is lower than the block known as Hampton Court which sets a precedent for 3 storey development in this area.

The form and shape of the building is also proposed to be broken up through a mix of 2 and 3 storey development and the utilisation of a variety of architectural features, including the use of dormers, gabled and ridged roof styles, small areas of render and string courses, all of which add visual interest and helps breaks up the building mass, resulting in a less dominant and bulky scale and mass, particularly to the frontage and side elevations.

Material to this determination is a consideration of whether the detailed design aspects of this scheme address the issues raised by the Inspector of the 2004 Appeal concerning 197/199 Wilmslow Road. In that case the Inspector accepted that the redevelopment of the site at a

higher density would inevitably change the character and appearance of the site, the scheme was considered that the layout (on a north/south orientation and cul de sac design within the site) would create a cramped development and compromise to an unacceptable degree the feeling of spaciousness which made a pleasant contribution to the character and appearance of the area.

It is considered that by virtue of the incorporation of no 197 into the development site and the central location of the proposed building within the more extensive development site, together with the landscaping to the frontage and side elevations that the scheme overcomes the previous schemes shortcomings in design terms.

Overall, whilst this is a large building, it is considered to be adequately designed to respect the character of the area and introduce interest in the street scene.

Amenity of adjoining Residents

Properties in Wallingford Road are located to the west of the application site circa 25 metres from the rear elevation (2 storeys) of the proposed block which contain no primary windows. The view from these dwellings will be altered but the distances are not so close as to be overbearing.

The gable elevation extends some 50 metres into the site and comprises 2 storeys where it is sited in between nos 201 and 201a Wilmslow Road, with 201a being a backland 2 storey dwelling to the north will be located. There are no primary windows looking out into this area.

As the block extends further to the rear of the site it becomes a 3 storey building and contains both bedroom and living room windows for 4 individual flats on the upper floors of the proposed block. The block is sited 22m from the shared boundary. There is no direct overlooking into habitable rooms within No. 201a given the orientation of the building and 201a has a sizeable rear garden that is well screened by landscaping. It is considered that whilst there will be parts of the rear garden that will be seen from the upper floors within the proposal, the distances involved and the generous size of the adjoining garden together with landscaping that can be augmented in this scheme will protect the amenities and privacy within the garden for the residents of No. 201a Wilmslow Road.

It is considered that the proposed development will adequately safeguard the privacy and amenity of adjoining residents.

Highways and Parking

The Highways Engineer raises no objection to the proposal subject to Travel Plan initiatives being undertaken in accordance with the submitted Transport Statement. Overall, the Highway Engineer accepts the information submitted by the Applicant that the occupiers of such flats are generally widows in their 70's and 80's who, if they own a car upon entering into the development, soon forego the use of their car. It should also be noted that residents will require parking permits which will be allocated on a first come first served basis.

A transport statement has been submitted with the application which elaborates upon survey evidence of car parking take up by residents within the Applicants other sites nationally, which demonstrates that car ownership rates within the developments already established are relatively low due to the age of the residents. This, coupled with the Applicants management of car parking within their sites, enables a much reduced level of parking provision.

Paragraph 75 of PPG13 Transport states that walking is the most important mode of travel at the local level and the greatest potential to replace short car trips, particularly under 2km.

The site is directly adjacent to the public transport network, it is a sustainable location being located close to the bus stops on Wilmslow Road and Handforth. This is considered to be in accordance with the objectives of policies DC6 and DC57 of the local plan.

It is also expected that the Applicant will develop a travel plan which will incorporate green travel measures such as information packages for residents about public transport. All these measures are considered to be sustainability benefits which weigh in favour of the development.

Trees, Landscaping and Ecology

The site does not contain any trees of significant amenity value, comprising mainly of self seeded Ash and Willow and root suckers of previously felled Poplar. An early mature Oak stands adjacent to the northern site boundary alongside the access driveway to 201a Wilmslow Road. A modest specimen, which has been previously crown reduced and now presents a reformed crown, is shown for retention on the submitted layout and has some future growth potential. The tree is not affected by the proposed development, but will require protection during the construction phase as well as group of early mature Oak and Ash standing offsite within the adjacent Day Nursery which overhang the site to the south.

The proposal presents a reasonable area of landscaped space along the Wilmslow Road frontage which currently contains a rather untidy specimen of Hawthorn and a linear group of small Cypress. Every opportunity should be made to exploit this area for 'high forest' plantings such as Lime, Oak, Beech, Maple to enhance the road frontage character and entrance to the town. The removal of the poor quality Hawthorn and other smaller trees and shrubs, including some semi mature multi stemmed self set Ash adjacent to the proposed electricity service station within the front garden will provide additional space for such plantings.

The soft and hard landscape proposals are generally acceptable to the Landscape Officer. It is considered that the car parking areas to the frontage are well screened. If the application is approved the Landscape Officer recommends that landscape and boundary conditions are imposed. No objection is therefore raised from a landscape perspective.

No ecological issues are raised by this development.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The site comprises previously developed land in a sustainable location, with access to a range of local services and facilities nearby and has good public transport links. The proposal complies with relevant Development Plan policy. Material considerations exist in this case to allow a financial contribution in lieu of on site affordable housing provision. The design of the scheme is acceptable and sympathetic to the existing urban environment. The impact of the development on adjoining land uses and the living conditions of neighbours is within acceptable standards. The proposal will have no adverse impact in terms of highway safety, trees, landscape or ecology.

On the basis of the above information, a recommendation of approval is made:

SUBJECT TO

Conditions and the satisfactory completion of a S106 Legal Agreement comprising:

HEADS OF TERMS

- Provision of a commuted sum in lieu of affordable housing provision on site (£350,000)
- Provision of commuted sum in lieu of on site leisure provision (£37,000)
- Monitoring costs
- Age restriction of occupation of flats (55 years plus or spouse thereof)

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.

The provision of a commuted sum payment in lieu of affordable housing is necessary, fair and reasonable to provide sufficient affordable housing in the area, and to comply with National Planning Policy.

The commuted sum in lieu of Public Open Space is necessary, fair and reasonable, as the proposed development will provide 40 flats, 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. The contribution is in accordance with the Council's Supplementary Planning Guidance.

The age restriction is necessary due to the restricted amount of parking proposed

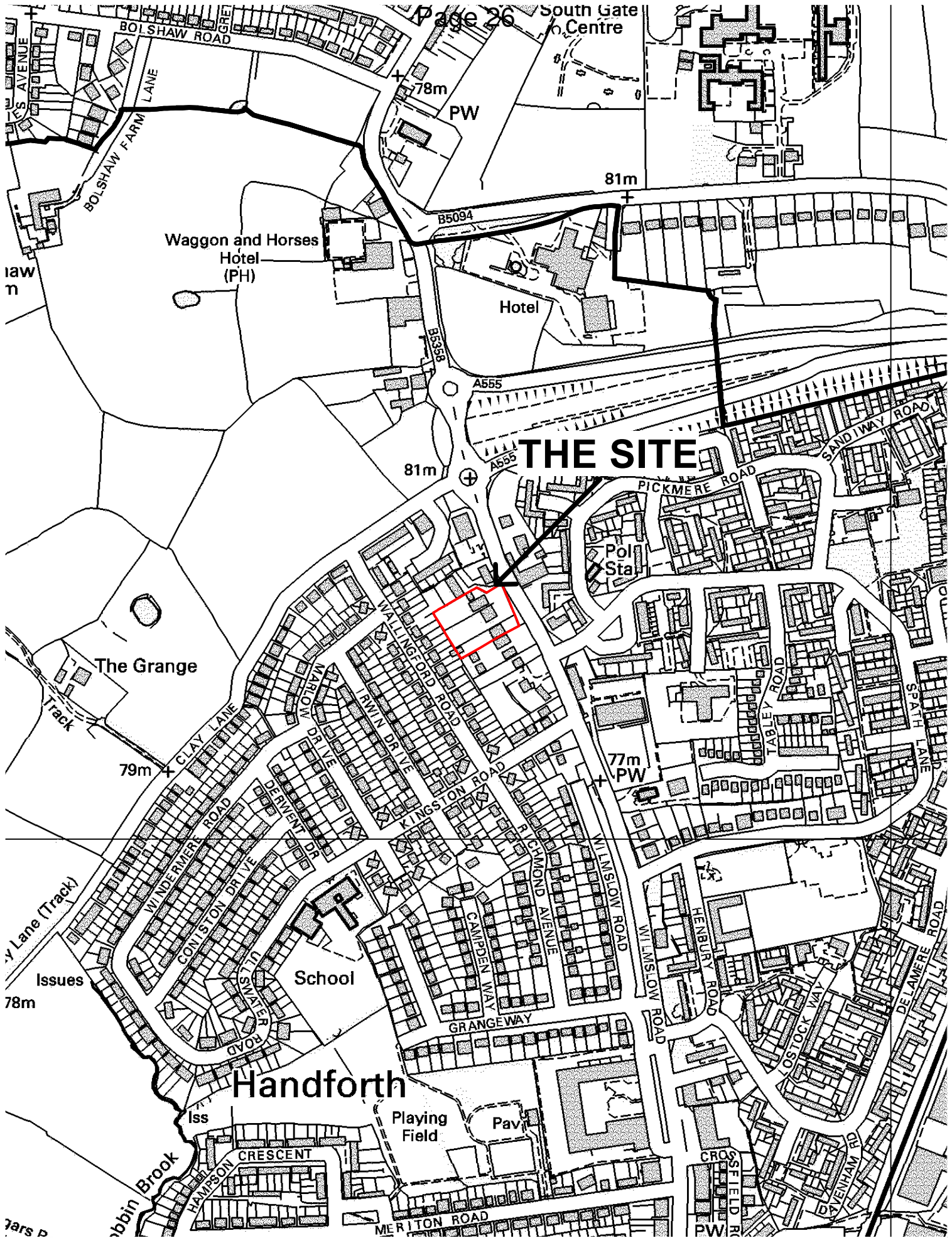
All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development.

Application for Full Planning

RECOMMENDATION: Approve subject to a Section 106 Agreement and the following conditions

1. Landscaping - submission of details
2. Tree retention
3. Submission of samples of building materials
4. Construction of access
5. Implementation of ecological report
6. Tree protection
7. Development in accord with revised plans (unnumbered)
8. Commencement of development (3 years)
9. Landscaping (implementation)
10. Protection for breeding birds
11. Closure of access

12. Refuse storage facilities to be approved
13. Protection from noise during construction (hours of construction)
14. Pile Driving
15. Details of ground levels to be submitted
16. Bin store and electricity sub station details tbs
17. Phase II contaminated land investigation



10/2393M 195 197 AND 199, WILMSLOW ROAD, HANDFORTH, SK9 3JX
NGR 385,560:384,240

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Application No: 10/4702M
Location: 7, Padstow Close, Macclesfield, SK10 3NG
Proposal: Two Storey Side Extension
Applicant: Mr A Storer
Expiry Date: 17-Feb-2011

Ward: Broken Cross

Date Report Prepared: 17/02/11

SUMMARY RECOMMENDATION

Approve

MAIN ISSUES

Design
Amenity
Impact on the street scene
Impact on car parking

REASON FOR REPORT

This application has been called in by Councillor Narraway on the basis of impact on amenity and street scene.

DESCRIPTION OF SITE AND CONTEXT

7 Padstow Close is in a predominantly residential area of Macclesfield. The property is a two story, semi-detached house with pitched roof, gable end and garden to rear. To the front of the property is driveway and lawned garden. Access to the rear is gained via a 2.2m wide gap between the gable end of no.5 and the boundary of the curtilage.

This site is in a mixed housing area consisting of a variety of design styles including 2, 3, and 4 bedroom 2 storey dwellings, bungalows and dormer bungalows.

There are a variety of examples of similar, although not identical, side extension development in this area.

Within Padstow Close there are a number of single storey side extensions which encroach to the boundary of their sites. Padstow Close has a varied building line and the neighbouring property to the north (no.5) is set forward of the development site by 1.125m.

DETAILS OF PROPOSAL

This proposal is to build a 2 storey side extension in the gap north of the dwelling.

RELEVANT HISTORY

No relevant history

POLICIES

Regional Spatial Strategy

DP2 Promote Sustainable Communities

DP7 Promote Environmental Quality

Local Plan Policy

BE1 Design Guidance

DC1 New Build

DC2 Extensions and Alterations

DC3 Amenity

DC6 Circulation and Access

DC38 Space, Light and Privacy

DC43 Side extensions

H13 Protecting Residential Areas

Other Material Considerations

Not applicable

CONSULTATIONS (External to Planning)

Not applicable

VIEWS OF THE PARISH / TOWN COUNCIL

Not applicable

OTHER REPRESENTATIONS

One letter of objection has been received on behalf of no.5 Padstow Close. Issues raised are:

- Proposal is contrary to DC1 – due to it no longer being possible to obtain bricks to match the existing, and an unacceptable density of development.
- Proposal is therefore contrary to DC2.
- Proposal is contrary to DC3 – due to having an overbearing effect on no.5, the resulting reduction in the gap between properties to 2.25m and the overbearing impact on the street scene and loss of sunlight and daylight to no. 5 Padstow Close
- No.13 Padstow Close is held as a similar example of side extension but is identified as having little impact on the street scene or neighbour.

These concerns are addressed in the main body of this report below.

APPLICANT'S SUPPORTING INFORMATION

None provided.

OFFICER APPRAISAL

Principle of Development

The principle of this development is acceptable subject to compliance with MBLP policies which relate to design and amenity.

Design

This proposal seeks permission to construct a two storey side extension in the gap to the boundary at the northern elevation. This will include a fourth bedroom on the first floor and utility room with WC/shower at ground floor.

Dimensions of the extension are 2.14m (w) 6.m (l) and 7.17m (h). The roof is pitched to match the existing roofline. The ridge of the proposed extension would be 0.42m lower than the existing ridge.

Originally the submitted scheme set the extension back from the front elevation by 1.5m. Revised plans were requested, and subsequently received, which set back the extension 2m from the principal elevation.

To the front elevation, a window and additional door will be installed to ground level, with a double pane window above. No windows are proposed to be installed in the side elevation. To the rear, a window and door will be installed to the ground floor with a narrow, horizontal window installed under the eaves at first floor level. The eaves are to match the existing level at 5.15m. the materials are also proposed to match the existing.

The representation received on behalf of no.5 suggests the proposal contravenes Local Plan Policy DC1. DC1 seeks to ensure development is sympathetic to the character of the local environment, the street scene and adjoining buildings.

The design of this proposal is subservient to the existing dwelling and the 2m set-back ensures an appropriate scale of development, which is considered to be acceptable in relation to the existing house and neighbouring properties, in compliance with both policies BE1 and DC1. Further, given the varied architectural style observed in this area, this proposal is considered to remain sympathetic to the street scene and character of the local environment

The representation from no.5 also suggests the proposal does not comply with DC2 with concern raised that matching bricks are no longer obtainable. Local examples of extensions to other dwellings in the area demonstrate that suitably matching materials are available. A condition would be attached to any permission (should it be granted) to ensure that matching materials are sourced.

Local Plan Policy DC2 states that proposals should respect existing architectural features. In this case the matching eaves, materials and roof line angles satisfy this policy requirement.

Overall this proposal is considered to be of an acceptable design in compliance with policies BE1, DC1 and DC2.

Impact on the Street Scene and Amenity

Impact on the Street Scene.

Representation from no.5 suggests this development will be overbearing on the street scene. The purpose of Local Plan Policy DC43, is to protect the local character of an area and prevent harm to the street scene. The policy states that side extensions should not normally encroach within 1m of the boundary to prevent the creation of a terraced street effect which can cumulatively undermine the character and amenities of a residential area.

Each application must be considered on its own merits and the creation of a terraced street scene is not simply measured by its encroachment to the boundary, but also its potential harm to the street scene.

In this area housing is already built to a varied building line creating a staggered street scene with dwellings set forward and back from one another, sometimes at oblique angles, which helps to identify individual properties or pairs of semi detached dwellings.

In this case the harm to the street scene is assessed against the relationship between the property at no. 5 Padstow Close and no 7 Padstow Close.

No.5 is sited 1.125m back from no.7. With the additional set-back of the proposal by 2m this creates a 3.125m distance between the principal elevation of no.5 and the front elevation of the proposed extension at no.7.

As indicated previously, the proposal is subservient to no.7 Padstow Close and would be significantly set back from the dwelling at no.5. Therefore, although this development will encroach up to the boundary of no.5, when viewed from the street, the difference in the projection of the elevations allows clear visual differentiation between the properties. This significantly alleviates the creation of a terracing effect and harm to the street scene.

The representation on behalf of no.5 Padstow Close states that no.13 Padstow Close is an example of a two storey side extension in the vicinity. The representation suggests that this example cannot be held as a precedent as it is not comparable to the proposal site because it is not harmful to the neighbour or street scene. Although this development may not be comparable, it is noted that similar developments, whilst not identical, have been achieved at no. 64, no.29 and no.58 St. Austell Avenue, no.10 and no.12 Newquay Drive and no.9 Newlyn Avenue. These extensions all encroach within 1m of their boundary but have used effective design elements, including set back, to reduce harm to the street scene and gain approval.

Following negotiation with officers, it is considered that the applicant has successfully addressed any potential harm to the street scene by setting back the development and ensuring it's subservience to no.7 Padstow Close to achieve a proposal which will not adversely affect the character of the area or the amenities of nearby housing in compliance with DC43 and H13.

Neighbouring Amenity

The representation made on behalf of the neighbour at no.5 suggests an overbearing effect will be created by this development contrary to Local Plan Policy DC3 which seeks to protect the amenity of adjoining or nearby residential property.

Currently the gap between the properties at no.5 and no.7 Padstow Close is 4.5m. This will be reduced to 2.25m under this proposal. This will still provide a gap between the properties.

Although the side elevation of no.5 faces south, the existing situation is that the immediate neighbour at no.7, sited to the south, almost entirely blocks sunlight to this elevation. Access to sunlight and daylight at the front and rear of both properties will remain unaffected by increased development here and will have no further detrimental impact on access to sunlight or daylight. It is considered that the secondary window to the first floor side elevation of no.5 will obtain an adequate amount of light, and as the development does not extend beyond the rear of the property, an overbearing effect will not be created here.

In suburban areas a degree of overlooking into garden areas from first floor windows is sometimes inevitable. It is considered that the inclusion of a window to the first floor of the rear elevation has been sensitively addressed. The height of the window in this elevation will and the use of narrow, horizontal fenestration located under the eaves successfully reduces the potential to undermine the privacy of neighbours. It should also be noted that the existing situation allows some overlooking from first floor windows.

DC38 seeks to protect light and privacy between buildings. Guidance suggests a distance of 21m should be maintained between habitable rooms at front elevations and 25m between rear elevations. At this site the neighbour to the rear of no.7 maintains a distance of 15.5m and to the front 14.5m. Whilst this distance is contrary to guidance in DC38, the existing situation will not be further undermined by the addition of a side extension which does not project beyond the front or rear elevation of the existing building.

Parking

Local Plan Policy DC6 seeks to ensure safe and convenient access for vehicles and pedestrians. Parking facilities are currently satisfied by the existing driveway which allows off-street parking for 2 vehicles. Sufficient space shall be available to the front of the dwelling to allow for the provision of 3 car parking spaces, which would provide safe and convenient access in compliance with Local Plan Policy DC6, Circulation and Access.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The main issues here are neighbouring amenity and the impact of the proposal on the street scene. This proposal is found to adhere to the aims of Local Plan Policies and is not considered harmful for the following reasons:

- The varied building line in this area ensures properties are identifiable as single entities.
- The development has been set back from the front elevation by 2m and the extension (which includes a lower roof ridge height), is subservient to the existing dwelling.
- Similar development can be identified throughout the Greenside estate.

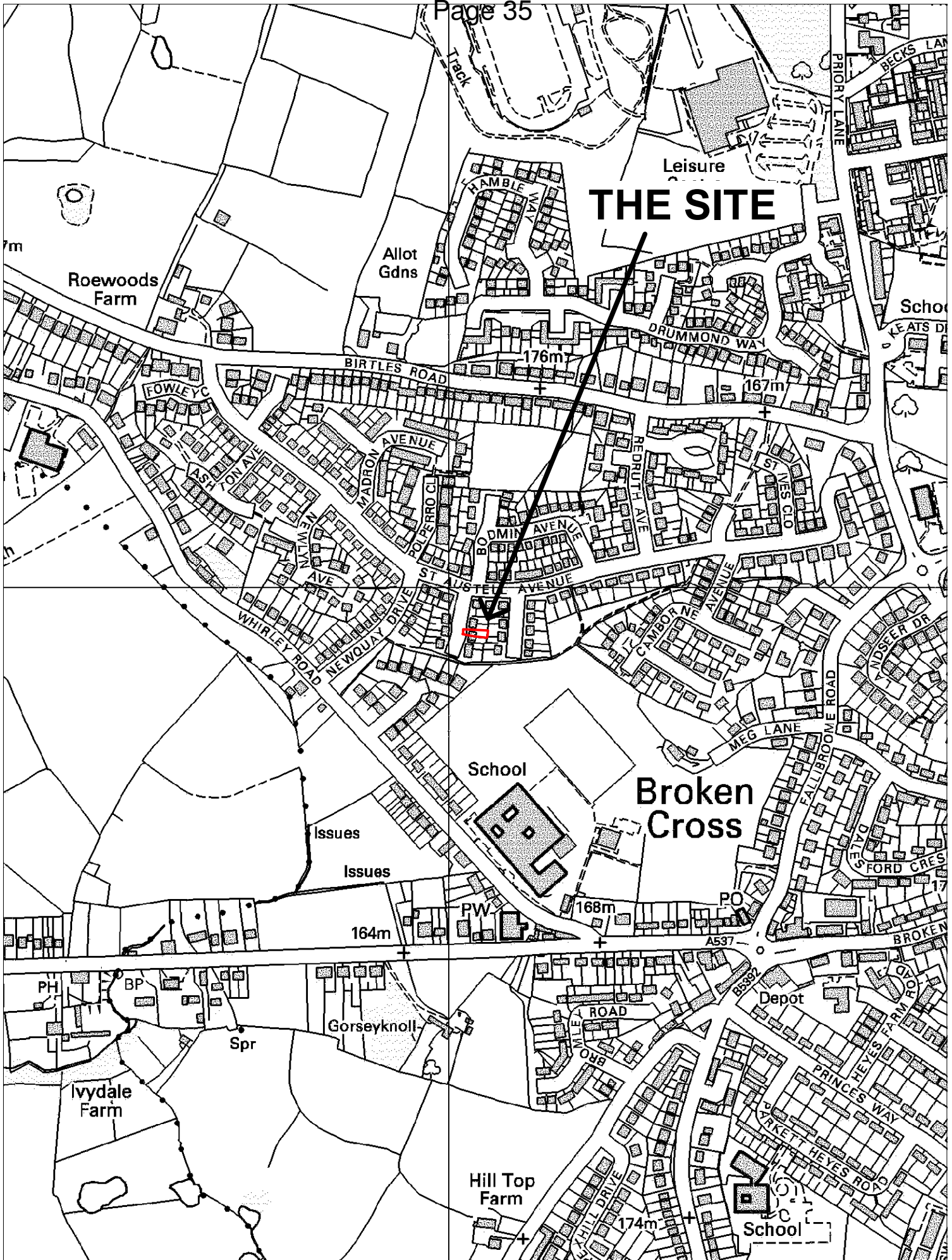
The applicant has taken advice from officers to produce a proposal which is found to comply with MBLP policies with regard to amenity and design. Therefore, it is considered that the impact on the street scene and neighbouring properties is considered to be acceptable.

This proposal is recommended for approval with conditions.

Application for Householder

RECOMMENDATION: Approve subject to following conditions

1. - Commencement of development (3 years)
2. - Development in accord with revised plans (numbered)
3. - No windows to be inserted into the side elevation
4. - Provision of car parking (scheme to be submitted)
5. - Materials to match existing



10/4702M - 7, PADSTOW CLOSE, MACCLESFIELD

N.G.R - 389,030 - 373,950

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Ref Number	Address	Description	Level of Decision Del/Cttee	Overturn Y/N	Rec and Decision	Appeal Decision
10/2874N	EATON HOUSE, SHEPPENHALL LANE, ASTON, CW5 8DE	Single Storey Bespoke Timber Framed Canopy to Rear of Property	Dele	n/a	Refused	Dismissed 22/12/2010
10/2540N	4, LANE END COURT, CHORLTON LANE, CHORLTON, CREWE, CW2 5RS	Single Storey Glazed Oak Framed Link between Residential Buildings	Dele	n/a	Refused	Dismissed 19/01/2011
09/4331N	LAND OFF, WETTENHALL ROAD, POOLE, NANTWICH, CHESHIRE	Change of Use of Land to Use as a Residential Caravan Site for 8 Gypsy Families, Each with 2 Caravans, Including Improvement of Access, Construction of Access Road, Laying of Hardstanding and Provision of Foul Drainage	Strategic Planning Board	Y	Rec for Approval Refused by SPB	Allowed 21/01/2011
10/1179C	14, SMITHFIELD LANE, SANDBACH, CW11 4JA	Demolition Of Existing House And Erection Of 7No. 3 And 4 Bedroom Houses	Southern Planning Cttee	Y	Rec for Approval Refused by SPC	Dismissed 02/02/2011
10/2758M	Irons Cottage, Welsh Row, Nether Alderley	CONVERSION OF INTEGRAL GARAGE TO LIVING ACCOMMODATION & ERECTION OF SINGLE-STOREY SIDE GARAGE & GYM EXTENSIONS	Delegated	n/n	Refused 18/10/2010	Allowed 21/12/2010
10/2371M	4, PRINCESS STREET, KNUTSFORD	TRADITIONAL HAND-PAINTED WALL SIGN	delegated	n/a	Refused	Allowed 20/1/2011

	D, WA16 6DD	ADVERTISEME NT. ON PURPOSELY- CONSTRUCTED/ EXISTING RENDERED FRIEZE PANEL(ADVER TISEMENT CONSENT)				
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