

# Northern Planning Committee

## Agenda

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**Date:** Wednesday 11th June 2014  
**Time:** 2.00 pm  
**Venue:** The Capesthorpe Room  
Town Hall, Macclesfield SK10 1EA

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Members of the public are requested to check the Council's website the week the Northern Planning Committee 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.

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

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

1. **Apologies for Absence**

To receive any apologies for absence.

2. **Declarations of Interest/Pre Determination**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests and for Members to declare if they have a pre-determination in respect of any item on the agenda.

3. **Minutes of the Meeting** (Pages 1 - 8)

To approve the Minutes of the meeting held on 21 May 2014 as a correct record.

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**Please Contact:** Sarah Baxter 01270 686462  
**E-Mail:** [sarah.baxter@cheshireeast.gov.uk](mailto:sarah.baxter@cheshireeast.gov.uk) with any apologies or request for further information  
[Speakingatplanning@cheshireeast.gov.uk](mailto:Speakingatplanning@cheshireeast.gov.uk) to arrange to speak at the meeting

#### 4. **Public Speaking**

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. **14/1304M - 60 Joderll Street, Macclesfield SK11 7BB: Demotion of Existing Buildings and Construction of 4no. two and a half storey terraced dwellings for Mr Kieran Vye & Nick Conway (Pages 9 - 18)**

To consider the above planning application

#### 6. **14/0656M - Aldi Store, Brook Street, Knutsford, Cheshire, WA16 8BN: Proposed Car Park extension to existing foodstore and minor change to existing car park layout for B Richards, Aldi Store UK Ltd (Pages 19 - 28)**

To consider the above planning application.

#### 7. **14/1693M - Wilmslow Service Station, Parsonage Green, Wilmslow, Cheshire, SK9 1HT: Redevelopment of existing petrol filling station to include new sales building, canopy, fuel pumps, storage tanks, car parking spaces, minor boundary treatments and ancillary rearrangements to forecourt, and removal of car wash for BP Oil (UK) Ltd (Pages 29 - 36)**

To consider the above planning application

#### 8. **14/2066M - St Albans RC Primary School, Priory Lane, Macclesfield, Cheshire, SK10 3HJ (Pages 37 - 44)**

To consider the above planning application

#### 9. **14/1687M - Brybour Lodge Kennels, Altrincham Road, Wilmslow, SK9 4LY: Conversion to form office accommodation, amendments to approval 13/2906M Redevelopment of site from kennels to office accommodation for adel lababedi, pearl construction (Pages 45 - 56)**

To consider the above planning application

**CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Northern Planning Committee**  
held on Wednesday, 21st May, 2014 at The Capesthorne Room - Town Hall,  
Macclesfield SK10 1EA

**PRESENT**

Councillor R West (Chairman)  
Councillor W Livesley (Vice-Chairman)

Councillors C Andrew, L Brown, B Burkhill, H Gaddum, A Harewood,  
O Hunter, S Gardiner, L Jeuda, D Mahon and D Neilson

**OFFICERS IN ATTENDANCE**

Mr N Curtis (Principal Development Officer), Mrs N Folan (Planning Solicitor),  
Mr P Hooley (Northern Area Manager) and Mr Andrew Ramshall (Senior  
Conservation Officer)

126 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor K Edwards and  
J Macrae.

127 **DECLARATIONS OF INTEREST/PRE DETERMINATION**

In the interest of openness in respect of application 13/3100M, Councillor  
S Gardiner declared that he knew the Planning agent, however he had not  
spoken to him for a number of weeks and had no discussions with him on  
the proposals.

128 **MINUTES OF THE MEETING****RESOLVED:**

That the minutes of the meeting held on 16 April 2014 be approved as a  
correct record and signed by the Chairman.

129 **PUBLIC SPEAKING****RESOLVED:**

That the public speaking procedure be noted.

130      **14/0617M-DEMOLITION OF THE EXISTING PROPERTY AND CONSTRUCTION OF 5NO. APARTMENTS WITH UNDER-CROFT PARKING AND ASSOCIATED LANDSCAPE WORKS, BOLLIN HEY, COLLAR HOUSE DRIVE, PRESTBURY, CHESHIRE FOR P HUGHES, P H PROPERTY HOLDINGS LTD**

Consideration was given to the above application.

(Conor Vallely, the agent for the applicant attended the meeting and spoke in respect of the application. In addition the Northern Area Manager read out a statement on behalf of Councillor P Findlow, the Ward Councillor).

**RESOLVED**

That for the reasons set out in the report 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. A23MC - Details of ground levels to be submitted
4. A02EX - Submission of samples of building materials
5. A01TR - Tree retention
6. A02TR - Tree protection
7. A05TR - Arboricultural method statement
8. A07TR - Service / drainage layout
9. A02LS - Submission of landscaping scheme
10. A04LS - Landscaping (implementation)
11. A12LS - Landscaping to include details of boundary treatment
12. A08MC - Lighting details to be approved
13. A22GR - Protection from noise during construction (hours of construction)
14. A23GR - Pile Driving
15. A23GR\_1 - Floor Floating Concrete
16. A30HA - Minimising Dust
17. A32HA - Construction Management Plan to include site compound details and parking for construction and contractors vehicles within the site
18. A07HP - Parking Areas Laid Out
19. A08HA - Gates set back from footway/carriageway

- 20.A04HP - Provision bin and cycle storage. Bin storage to be located in the vicinity of the entrance into the site and accessible from Collar House Drive
- 21.A04NC - Details of drainage
- 22.A06NC - Protection for breeding birds
- 23.All trenches and pits are to be covered overnight
- 24.8m bufferzone adjacent to the stream
- 25.Obscure glazing (details to be submitted)
- 26.Bird/bat roost provision

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Interim Planning and Place Shaping Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

131 **13/5184M-SUSTAINABLE DEVELOPMENT OF 14 DWELLINGS WITHIN THE CURTILAGE OF EATON COTTAGE, EATON COTTAGE, MOSS LANE, EATON FOR MR & MRS MOORES, TAYLOR EARNSHAW**

Consideration was given to the above application. The Northern Area Manager informed the Committee that the second paragraph under the heading of car parking on page 45 of the agenda should be deleted and replaced with the following wording:-

'The properties would have a single or double garage each comprising a minimum of one car parking space with additional space on the driveway for two or more cars depending on the plot. This level of car park is acceptable for the development given its rural location and would eliminate any need for vehicles to park on internal services roads or the local highway network'.

(Mr Moores, the applicant and Mr Morrey, the agent for the applicant attended the meeting and spoke in respect of the application).

**RESOLVED:**

That the application be REFUSED for the following reasons:-

- 1 Unacceptable in open countryside
- 2 Unacceptable design (including lack of housing type mix)
- 3 No affordable housing

- 4 Adverse impact on trees/ insufficient information
- 5 Insufficient information - protected species
- 6 Insufficient information - air quality
- 7 Insufficient information - noise
- 8 Insufficient information - flooding

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132 **13/3100M-DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF A TERRACE OF 3 TWO STOREY DWELLINGS, LAND AT LANGLEY MILL, LANGLEY ROAD, LANGLEY FOR STEVE HOPKINS**

Consideration was given to the above application.

(Mr S Goodwin, the agent for the applicant attended the meeting and spoke in respect of the application).

**RESOLVED:**

That for the reasons set out in the report 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 A23MC - Details of ground levels to be submitted
- 4 A02EX - Submission of samples of building materials
- 5 A01TR - Tree retention
- 6 A02TR - Tree protection
- 7 A02LS - Submission of landscaping scheme
- 8 A04LS - Landscaping (implementation)
- 9 A12LS - Landscaping to include details of boundary treatment
- 10 A22GR - Protection from noise during construction (hours of construction)
- 11 A23GR - Pile Driving
- 12 A30HA - Protection of highway from mud and debris

- 13 A32HA - Construction Management Statement
- 14 A32HA\_1 - Demolition method statement
- 15 A07HP - Drainage and surfacing of hardstanding areas
- 16 A04HP - Provision of bin storage
- 17 A04NC - Details of drainage
- 18 A06NC - Protection for breeding birds
- 19 Phase II Contamination Report
- 20 Bats/Breeding Birds

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Interim Planning and Place Shaping Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

- 133 **14/1337M-VARIATION OF CONDITIONS 2 AND 8 ON APPROVED APPLICATION NO. 10/3175M TO CORRESPOND WITH LISTED BUILDING CONSENT APPROVALS REF 13/1024M, 13/1007M AND 13/3269M, NAMELY; A) ALTERATION OF SINGLE GARAGE TO APARTMENT 2 TO FORM A STUDY AND UTILITY ROOM AND THE ADDITION OF GLAZED AREAS TO THE GARAGE DOORS; B) DEMOLISH AND REBUILD THE SOUTH GABLE WALL AND C) DEMOLISH AND REBUILD THE NORTH GABLE AND PART OF THE WEST WALL, BUTLEY HALL, SCOTT ROAD, PRESTBURY FOR MRS ADELE LOCK, EDENGATE BESPOKE HOMES**

Consideration was given to the above application.

**RESOLVED:**

That for the reasons set out in the report the application be APPROVED subject to the following conditions:-

- 1 A04AP\_1 - Development in accord with revised plans (numbered)
- 2 A05EX - Details of materials to be submitted
- 3 A10EX - Rainwater goods
- 4 A22EX - Roofing material
- 5 A16EX - Specification of window design / style
- 6 A20EX - Submission of details of windows

- 7 A19EX - Garage doors
- 8 A03LB - Protection of features - Jacobean staircase
- 9 A05LB\_1 - Protection of features - No additional fixtures
- 10 A22GR - Protection from noise during construction (hours of construction)
- 11 A01MC - Submission of soundproofing measures to protect residential amenity of future occupiers
- 12 A25GR - Obscure glazing requirement
- 13 A06GR - No windows to be inserted
- 14 A01GR - Removal of permitted development rights - dwellings
- 15 A23MC - Details of ground levels to be submitted
- 16 A17MC - Decontamination of land
- 17 A02LS - Submission of landscaping scheme
- 18 A04LS - Landscaping (implementation)
- 19 A12LS - Landscaping to include details of boundary treatment
- 20 A17LS - Submission of landscape management plan
- 21 A01TR - Tree retention
- 22 A02TR - Tree protection
- 23 A14TR - Protection of existing hedges
- 24 A19MC - Refuse storage facilities to be approved
- 25 A04HP - Provision of cycle parking
- 26 A01HP\_1 - Provision of car parking - 10 garages and 9 bays
- 27 A06HP\_1 - Use of garage - for parking of cars
- 28 A08MC - Lighting details to be approved
- 29 A03TR - Construction specification/method statement
- 30 A32HA - Submission of construction method statement
- 31 Submission of archaeological methodology
- 32 No pile driving permitted
- 33 Details of privacy screens to be submitted

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Interim Planning and Place Shaping Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

The meeting commenced at 2.00 pm and concluded at 3.50 pm

Councillor R West (Chairman)

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Application No: 14/1304M

Location: 60, JODRELL STREET, MACCLESFIELD, SK11 7BB

Proposal: Demotion of exiting buildings and construction of 4no. two and a half storey terraced dwellings.

Applicant: Mr Kieran Vye & Nick Conway

Expiry Date: 19-May-2014

**Date Report Prepared: 30 May 2014**

#### **SUMMARY RECOMMENDATION**

APPROVE subject to conditions

#### **MAIN ISSUES**

- Sustainability of the site
- Design/ Scale
- Impact on neighbouring amenity
- Nature Conservation issues
- Environmental Health
- Landscaping Issues
- Highway issues

#### **REASON FOR REPORT**

The application has been called in by Councillor Neilsen due to concerns that the development would be overbearing to neighbours and there would be a loss of privacy and overlooking to neighbours. They also have concerns that the development would be out of keeping with other properties on Jodrell Street.

As such, the application is to be determined by the Northern Planning Committee.

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

The application site relates to a vacant detached bungalow located on a large plot, within a predominantly residential area of Macclesfield. A large mature sycamore tree lies along one site boundary and hardstanding to the rear of the site. Three storey flats lie to the East of the site, two storey semi detached dwellings to the front of the site across Jodrell Street and a two storey semi detached dwelling lies to the West of the site. Directly to the East and South of the site are car parks reserved for occupants of the nearby flats. The site lies circa 1 mile from the Town Centre.

## **DETAILS OF PROPOSAL**

The application is for full planning permission for the demolition of the existing bungalow and the redevelopment of the site with 4no. dwellings, with associated hardstanding to accommodate 4no. parking spaces. The existing non protected sycamore tree is to be removed and some landscaping to the front of the site is proposed.

Each dwelling comprises 3 No bedrooms.

Off street parking is provided at the front of the proposed dwellings with new driveways onto Jodrell Street.

Revised plans have been received following initial concerns with the proposed development being out of keeping with the street scene and also the impact on the amenities of neighbouring property.

### **Planning History**

None.

## **POLICIES**

### **Macclesfield Borough Local Plan – Saved Policies**

H1- Phasing Policy  
H2- Environmental Quality in Housing Developments  
H5- Windfall Housing  
BE1- Design Guidance  
DC1- New Build  
DC3- Amenity  
DC6- Circulation and Access  
DC8- Landscaping  
DC9- Tree Protection  
DC35- Materials and Finishes  
DC38- Space, Light and Privacy  
DC41- Infill Housing Development or Redevelopment  
NE11- Nature Conservation

### **Cheshire East Local Plan Strategy 2014 – Submission Version**

Paragraph 216 of the National Planning Policy Framework (NPPF) states that, unless other material considerations indicate otherwise, decision-takers may give weight to relevant policies in emerging plans according to:

-The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);

-The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

-The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

In view of the level of consultation already afforded to the plan-making process, together with the degree of consistency with national planning guidance, it is appropriate to attach enhanced weight to the Cheshire East Local Plan Strategy - Submission Version in the decision-making process.

At its meeting on the 28<sup>th</sup> February 2014, the Council resolved to approve the *Cheshire East Local Plan Strategy – Submission Version* for publication and submission to the Secretary of State. It was also resolved that this document be given weight as a material consideration for Development Management purposes with immediate effect.

The relevant policies are as follows:

MP1- Presumption in Favour of Sustainable Development

PG2 - Settlement Hierarchy

SD1 - Sustainable Development in Cheshire East

SD2 - Sustainable Development Principles

SE1 - Design

SE2 - Efficient Use of Land

SE4 - The Landscape

SE5- Trees, Hedgerow and Woodland

CO1- Sustainable Travel and Transport

CO4- Travel Plans and Transport Assessments

The National Planning Policy Framework (NPPF) sets out the government's planning policies for England and how these are to be applied.

The National Planning Policy Framework reinforces the system of statutory development plans. When considering the weight to be attached to development plan policies, paragraphs 214 and 215 enable 'full weight' to be given to Development Plan policies adopted under the 2004 Act. The Crewe and Nantwich Local Plan policies, although saved in accordance with the 2004 Act are not adopted under it. Consequently, following the guidance in paragraph 215, "*due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the framework, the greater the weight that may be given)*".

The Local Plan policies outlined below are all consistent with the NPPF and should therefore be given full weight.

### **Other Material Considerations**

Ministerial Statement – Planning for Growth  
National Planning Policy Framework  
Planning Practice Guidance

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

Canal River Trust- No Objection.

Strategic Highways Manager- No Objection.

United Utilities- No Objection.

### **VIEWS OF THE TOWN COUNCIL**

N/A.

### **OTHER REPRESENTATIONS**

14no. objections have been received to the originally submitted plans. The full extent of the representations can be viewed on the application file online. The key objections on planning grounds are summarised as:

-The development would be of a design and scale out of keeping with the character and appearance of the street scene and locality

-The development would adversely affect the living conditions of the occupiers of nearby residential dwellings and a reduced development could be achieved which would have more acceptable impacts.

-The development would have an adverse impact on the amenities of neighbouring 58 Jodrell Street in terms of loss of light and an overbearing impact

-The development would have an adverse impact on the amenities of 6c Alderley Walk in terms of loss of light, overbearing impact and overlooking

-The development would have an adverse impact in term of loss of light to 3 Pearson Street

-The development would have an adverse impact on on street parking and does not provide sufficient self contained parking

-The development would adversely impact traffic levels on the street and lead to congestion and highway safety issues

-The garage to the bungalow has an asbestos roof which when demolished could have an adverse impact on the health of the neighbour

## **APPLICANT'S SUPPORTING INFORMATION**

Planning/ Design and Access Statement

### **OFFICER APPRAISAL**

#### **Principle of Development**

The principle of development on the site is considered acceptable, subject to the sustainability of the site, design, amenity, highways, environmental health, landscaping, nature conservation issues as examined below.

#### **Sustainability**

Paragraph 14 of the National Planning Policy Framework (NPPF) states that at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. This previously developed brownfield site is within 1 mile from the Town Centre and public transport routes. Amenity space is provided within the site, and the site is close to local open space and overall the site is considered to be in a sustainable location. The scheme is therefore considered to accord with the main thrust of the NPPF in terms of constituting sustainable development.

#### **Design/ Character**

Local Plan policies BE1, H13 and DC1 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 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. The National Planning Policy Framework also notes that "good design is a key aspect of sustainable development".

The revised plans have made changes to the ridge height of the building, which has been reduced by 0.4m, and the eaves by 0.8m. The windows have been altered so as to be closer to the eaves and the rear elevation doors have been changed. The development is now considered to be of a design and scale in keeping with surrounding properties on the street, in particular on this side of the street. The ridge and eave heights of the building would be similar to the nearby apartments on Alderley Walk and further down on Jodrell Street. The building would be substantially set back from the neighbouring property, which would ensure that whilst it is still a tall building at circa 8.87m in height, it would not over-dominate the street scene.

Subject to the materials being acceptable, which can be controlled via condition, the revised scheme is considered to accord with all design objectives.

## 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 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.

Policy DC41 states that infill housing or redevelopment must not result in the overlooking of existing private gardens, nor excessive overshadowing of existing habitable rooms. Sufficient amenity space should exist for any new infill development.

In this case sufficient garden space for each property would exist, in accordance with policy DC41.

The objections have been carefully considered. The revised development would be sited circa 4.3m from the side elevation of no 58 Jodrell Street. This property has no windows to habitable rooms on the side facing elevation. There is a ground floor side kitchen window, but this also has a window to the rear. There are 2no side hall windows. There is an obscurely glazed first floor side bathroom window and first floor side window to a landing area. Whilst it is noted that the development would have an impact on this property in terms of loss of light, bearing in mind the orientation of the properties in relation to the sun's path, and the presence of other windows on the front and rear, this is not considered to be sufficient to warrant refusal, nor is the proximity of the building to this property and its height and bulk.

Policy DC38 states that habitable rooms in development should normally be a minimum of 21m front to front of buildings, unless the design and layout of the scheme and its relationship to the site and its characteristics, provides a commensurate degree of light and privacy between buildings.

The building would be circa 18.5m away from the properties opposite and hence would be 2.5m below the standard guidelines. However, the first floor level windows are at a similar height to the other properties on the street, and no second floor windows are proposed, only rooflights. The building is significantly further set back from the street scene than neighbouring property. The space either side of the proposed building would help to ensure a commensurate degree of open space would remain to ensure that the building was not unduly overbearing.

The building would be over 36m away from the nearest property to the rear and overall the development is considered to comply with policy DC38.

The revised development would not have a significant adverse impact on 6c Alderley Walk in terms of overlooking or overshadowing due to the orientation of the properties and the distance involved.

The window that would be most adversely affected by the development would be the sole window to a bedroom at 6a Alderley Walk. This neighbour has not objected to the development. This window would be circa 6.5m away from the corner of the proposed

building. However, it is noted that the existing outlook from this room is blighted by an existing large sycamore tree, and high level hedging and this would all be removed as part of the works. Furthermore, as this window faces westwards there would not be an adverse impact on the window in terms of overshadowing. On balance, the development is considered to not have a significantly enough impact on this room in terms of overbearing effect or overshadowing to warrant refusal of the application.

Overall, the development would accord with local plan policies DC3, DC38.

## **Highways**

Appendix C of the Cheshire East Borough Local Plan Submission Version lists the parking standards that the Council applies to new developments. It states that for 3 bedroom properties, 2no parking spaces should be provided in principal towns and key service centres, such as Macclesfield.

Whilst this and the objections have been considered, the Strategic Highways Manager raises no objections to the proposed development and the amount of parking provided. Site visits have been undertaken at 07.00 by the applicant's agent, 15.30 by the Highway's Officer and 17.00 by the Case Officer. There was considered to be sufficient parking available on the street at all of these times.

The site lies in a relatively sustainable location, within close walking distance to regular bus routes and the Town Centre.

Taking into account the local conditions around this particular site it is therefore considered that a refusal of planning permission based on insufficient off-street parking provision could not be justified.

The shortfall in parking provision is a negative factor with the proposed development. However, when considered in the round with the presumption in favour of sustainable development the impacts of the development are neither significant nor demonstrable. In the light of paragraph 14 of the NPPF a refusal on highway grounds is unlikely to be sustained.

Overall, on balance the development would accord with local plan policy DC6.

## **Trees**

The Tree Officer has been consulted and does not object. An existing large, mature sycamore tree would have to be removed as par of the development. However, the existing social proximity of this tree is already substandard in terms of its relationship to surrounding properties and so the removal of this non- protected tree is not considered a cause for concern. A landscaping scheme would be conditioned on any subsequent approved application, in order to mitigate the impact of the development and loss of trees. Subject to this the development would accord with policies DC8, DC9.

### **Nature Conservation**

The Nature Conservation Officer raises no objections to the development and considers that it would not adversely impact on protected species, in accordance with policy NE11.

### **Environmental Health**

The Environmental Health Officer raises no objections, subject to conditions relating to the control of dust, noise and bin storage on the site. A condition should be attached for the submission of a method statement for the demolition, to ensure neighbouring amenity and safety is not compromised. The requirement for bin storage cannot be conditioned and where the bin storage will go needs to be clarified with the agent in advance of committee.

### **Other Matters**

Objections have been raised which raised concerns about Developer Profit and the Pre-application process.

The level of profit a developer may achieve from a planning permission is not a relevant consideration in determining whether the development is acceptable

In respect of pre-application, the LPA has a duty to co-operate and engage in pre-application discussions and advice. Advice given is the informal, without prejudice view of a planning officer given in good faith based on the information at hand at the time. The advice is a material consideration in the application process but does not bind the Council to a particular decision.

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

To conclude, whilst the objections have been carefully considered, the revised proposals are considered to be on balance acceptable.

The Framework indicates that proposals should only be refused where the level of harm would significantly and demonstrably outweigh the benefits of the proposals. Given that the adverse impacts identified are on balance considered to be outweighed by the benefits of the scheme, the development would not conflict with those policies within the MBLP which are consistent with The Framework, and it is considered that planning permission should be granted as the proposals accord with policies BE1 Design Guidance, DC1 New Build, DC3 Amenity, DC6 Circulation and Access, DC8 Landscaping, DC9 Tree Protection, DC38 Space Light and Privacy, DC41 Infill Housing Development or Redevelopment, NE11 Nature Conservation, H1- Phasing Policy

H2- Environmental Quality in Housing Developments, H5- Windfall Housing of the Macclesfield Local Plan 2004, policies in the Cheshire East Borough Council Submission Version 2014 and guidance within The Framework.

The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

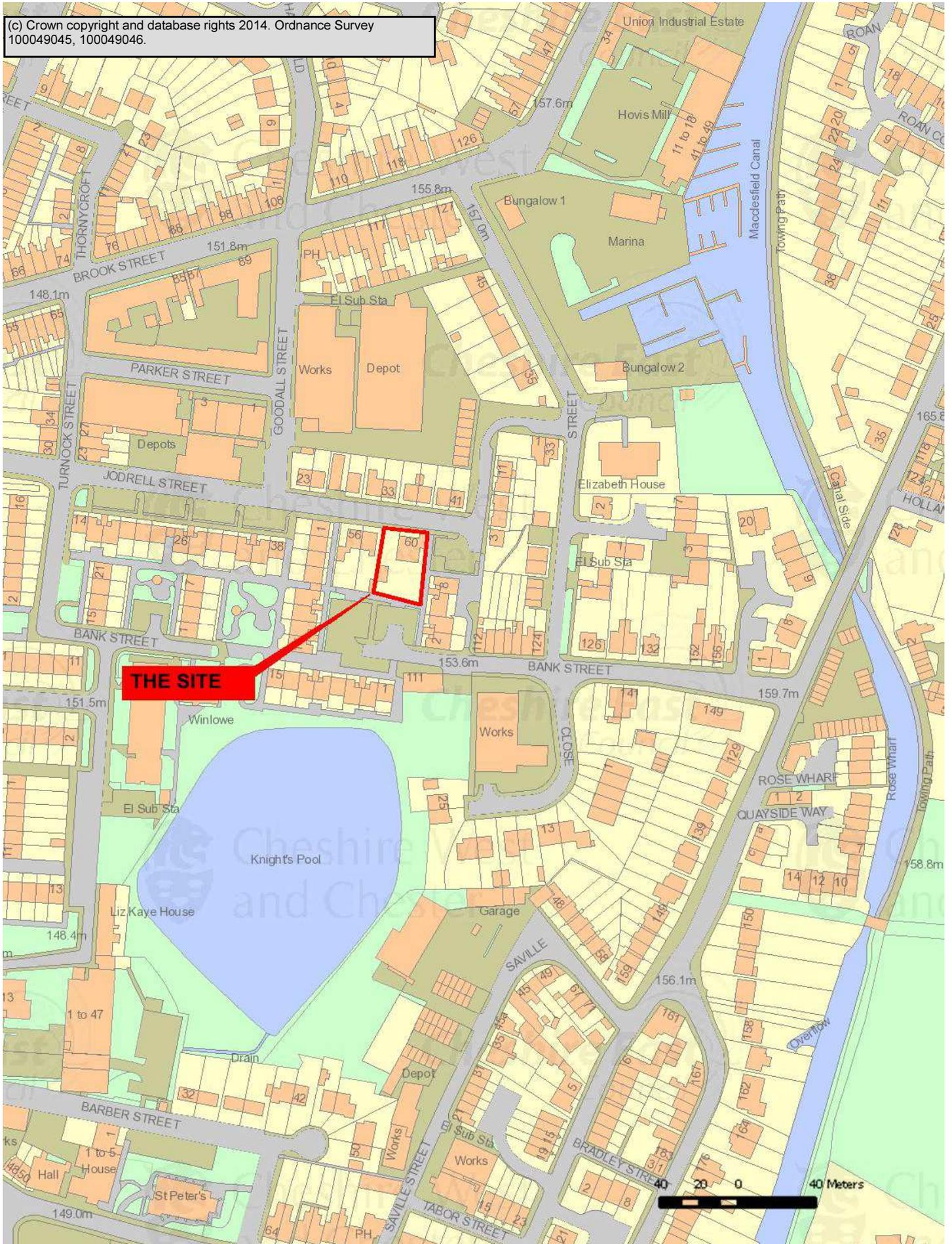
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#### Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A01GR - Removal of permitted development rights (Class A-E)
2. A01HP - Provision of car parking
3. A01LS - Landscaping - submission of details
4. A03AP - Development in accord with revised plans
5. A03FP - Commencement of development (3 years)
6. A04LS - Landscaping (implementation)
7. A05EX - Details of materials to be submitted
8. A07GR - No windows to be inserted (first floor elevations)
9. A25GR - Obscure glazing requirement (Ground floor w.c/ cloaks)
10. Construction Method Statement (Prior to commencement)
11. Drainage and surfacing of hardstanding areas
12. Hours of Construction
13. Pile Foundations
14. Dust Control Method Statement (Prior to commencement of development)

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Application No: 14/0656M

Location: Aldi Store, Brook Street, Knutsford, Cheshire, WA16 8BN

Proposal: Proposed Car Park extension to existing foodstore and minor change to existing car park layout.

Applicant: B Richards, Aldi Store UK Ltd

Expiry Date: 14-Apr-2014

**Date Report Prepared: 28 May 2014**

#### **SUMMARY RECOMMENDATION**

APPROVE subject to conditions

#### **MAIN ISSUES**

- Principle of additional car parking on the site
- The impact upon highway safety
- The impact upon trees of amenity value
- The impact upon the amenity of neighbouring property
- The impact upon the character of the area
- The impact upon heritage assets

#### **REASON FOR REPORT**

The application has been called in by Councillor Gardiner due to concerns regarding the impact on highway safety. As such, the application is to be determined by the Northern Planning Committee.

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

The application site is part of an irregular piece of land containing a number of trees located to the south of the existing Aldi Store – there is an existing point of access and the site is boarded off from the remainder of the food store site. On the original permission it was denoted as a site for future development. This additional land did contain two residential properties which were also recently demolished.

The Aldi Store is located on the northern side of Brook Street towards the south east of the town centre. The site area is 0.62 hectares and the site is bounded by an existing garage and the railway line to the north, by St Cross Church and residential properties on Branden Drive at an elevated level to the east and Brook Street and the listed nursery building to the south. The site did previously contain a number of buildings including a two storey office building, a single storey industrial building, a residential property as well as areas of hardstanding for parking. The buildings were demolished following the granting of consent for an earlier

application in 2010. Vehicular access to the site is currently available off King Street and Brook Street. The site contains a number of trees.

Part of the Aldi store site is located within the Knutsford Town Centre and the Knutsford Town Centre Conservation Area.

The application site itself lies outside of the town centre boundary and lies within a designated Predominantly Residential Area.

## **DETAILS OF PROPOSAL**

This application seeks full planning permission for a car park extension to the existing foodstore for an additional 16 spaces and minor changes to the existing car park layout which involve losing a car parking space to the side of the nursery to provide new footpath tarmac.

### **Planning History**

10/2460m Construction of New Foodstore with Associated Parking and Servicing Facilities. Approved 09-Dec-2010

12/0275m Variation of Conditions 2, 17 & 18 to Approved Application 10/2460M Approved 16-Jul-2012

12/4266m Variation of Condition 25 to Approved 12/0275M (Development to be carried out in accordance with the second Bat/Badger survey dated May/June 2009) Approved 16-Jan-2014

## **POLICIES**

### **Macclesfield Borough Local Plan – Saved Policies**

BE1 – Design Guidance  
BE2 – Preservation of Historic Fabric  
BE3 – Conservation Areas  
BE16– Setting of Listed Buildings  
T3- Pedestrians  
DC1 – Design: New Build  
DC3 – Amenity  
DC6 – Circulation and Access  
DC8 - Landscaping  
DC9 – Tree Protection

### **Cheshire East Local Plan Strategy – Submission Version**

Paragraph 216 of the National Planning Policy Framework (NPPF) states that, unless other material considerations indicate otherwise, decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

In view of the level of consultation already afforded to the plan-making process, together with the degree of consistency with national planning guidance, it is appropriate to attach enhanced weight to the Cheshire East Local Plan Strategy - Submission Version in the decision-making process.

At its meeting on the 28<sup>th</sup> February 2014, the Council resolved to approve the *Cheshire East Local Plan Strategy – Submission Version* for publication and submission to the Secretary of State. It was also resolved that this document be given weight as a material consideration for Development Management purposes with immediate effect.

The relevant policies are as follows:

MP1 – Presumption in Favour of Sustainable Development

PG2 – Settlement Hierarchy

SD1 – Sustainable Development in Cheshire East

SD2 – Sustainable Development Principles

SE1 – Design

SE2 – Efficient Use of Land

SE4 – The Landscape

SE5 – Trees, Hedgerow and Woodland

SE7 – The Historic Environment

CO1 – Sustainable Travel and Transport

CO4 – Travel Plans and Transport Assessments

### **Other Material Considerations**

Ministerial Statement – Planning for Growth

National Planning Policy Framework

Planning Practice Guidance

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

None received

### **VIEWS OF THE TOWN COUNCIL**

The Council **objects** on the grounds that this application, if approved, would serve to prejudice the ability of the remainder of the land around it to be developed. As such the application is considered premature until a comprehensive scheme to develop the whole site can be brought forward. Therefore KTC recommends that the application should **be refused**.

The Council further raises concerns regarding pedestrian safety; the safe crossing at the main entrance onto Brook St and failure to fully meet the requirements of the Equality Act and Part M of the Building Regulations in respect of best practice with regard to the previous application.

The Council requests that if the application is approved that a feature ~~is~~ should be installed; which pays due regard to the Caesar's Place cottages which formerly occupied the site.

Furthermore the Council request that if the application is approved the surfacing is a of permeable material.

## **OTHER REPRESENTATIONS**

Letters of representation have been received from 5 households. All of these letters either raise concern or object to the proposal on the following grounds:

- Concerns regarding a failure to provide a Travel Plan
- Concerns regarding footpaths
- Concerns regarding failure to close bus stop
- Concerns regarding existing layout of the car park
- Concerns regarding pedestrian safety
- Concerns new access would create a bottleneck and additional highway safety problems
- Suggest turned into a Pay and Display car park for the town
- Impact of car park on the Conservation Area
- Concerns regarding consultation arrangements
- Impact on trees
- Impact on neighbouring amenity
- Conduct of Aldi

Knutsford Conservation and Heritage Group object on the following grounds:

Any extension of the car park would probably preclude the possibility of using the land for other purposes, such as housing. At present, the disposition of parking spaces is so arranged as to cause obstruction when cars are leaving (especially reversing) out of spaces on either side of the exit/entrance. The design should be re-configured to facilitate the smooth flow of vehicles and reduce the possibility of disturbance to traffic movement along the main road. It is extremely regrettable that Aldi were party to the unapproved demolition of a row of cottages of significant historical importance (Caesars Place). The removal of these buildings, together with surrounding trees, has robbed the town of a valuable visual amenity and replaced it with a with a building and car park which are unsympathetic with the adjacent Conservation Area. Aldi have made no offer of redress and Knutsford Conservation and Heritage Group (KCHG) strongly recommend that some recognition of the former dwellings should be made, after consultation with local bodies such as Knutsford Town Council and ourselves. If the Planning Application is approved then a condition should be that Aldi must make every effort to mitigate the visual impact by judicious use of landscaping such as planting substantial trees and shrubs. They should not merely pay lip device to this principle.

## **APPLICANT'S SUPPORTING INFORMATION**

The following documents have been submitted on behalf of the applicant:

### **Cover Letter**

Explains that the existing car parking numbers are inadequate hence the application for additional spaces. In addition, the applicant considers that the pedestrian footway to the side of the nursery linking to Brook Street exits at a point of limited visibility and they are concerned that a child may run along the footway towards the store and straight out into the road. They consider that this situation could be improved by the installation of a low stainless steel barrier around one of the car parking spaces resulting in the loss of the said car parking space.

## **OFFICER APPRAISAL**

### **Principle of Development**

The site lies within the settlement boundary of Knutsford outside of the town centre boundary and outside the Conservation Area. The site also lies within a predominantly residential area.

In principle, as Aldi contend that the car park extension is necessary for their operational requirements, and would therefore support the improvement of their business, the presumption in favour of economic growth indicates that there would be a presumption in favour of development.

Permission should only be refused where any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

### **Highway Implications**

The proposed changes would see an increase in car parking spaces from 91 to 105 which is a modest increase of 15 spaces. The car parking standards in the Local Plan and the emerging standards indicate that 96 spaces would be recommended for a store of this size. The proposal alleviates the slight shortfall in spaces that currently exist against the emerging standard and provides an excess of 9 spaces. No objection is raised to the provision of 9 spaces above the guideline recommendation of 96 spaces for this site.

Concern has been raised about the lack of a travel plan required under application 10/2460M. This is valid concern and officers are investigating this matter separately. However, the absence of the travel plan is not considered to have any material impact on the assessment of the proposal for the additional parking spaces required.

The store is now operational and therefore a clearer picture of the actual car parking requirements is garnered. Despite the provision of cycle parking, pedestrian links to the town centre and the restrictions to the car park (which restrict it to solely for use by Aldi customers), it is evident that there is not sufficient car parking within the existing car park. The lack of car parking is causing highway safety problems and anecdotal evidence from neighbours within the letters of representation supports this view.

The Travel Plan may help to reduce some car parking trips but given the issues noted above it is not considered that approval of this proposal would counter the objectives of achieving a sustainable travel plan. To ensure every effort is made in respect of sustainable patterns of travel, a condition requiring a new and updated Travel Plan is recommended.

The provision of additional spaces would help to alleviate congestion associated with queuing and would discourage on street car parking in the vicinity of the site.

In addition the changes to the layout are designed to enhance pedestrian safety which would be in accordance with policy T3.

The comments from neighbours in respect of the access creating a bottleneck is duly noted however this point of access has already been approved and is in situ.

Overall it is considered that there are benefits to highway and pedestrian safety resulting from this proposal.

### **Trees**

There are a number of trees on the site although these are scheduled for retention – the proposed car park extension would not encroach into tree protection areas as required, and therefore any impact during construction can be mitigated accordingly. Some new landscape planting is proposed which would soften the edges of the car park extension. The Council's landscape architect has no objections to the proposals.

The comments from neighbours are duly noted however any actions undertaken by the applicants outside of this application are not a matter for consideration here and this application would not prejudice any action the Council may or may not wish to take in this regard.

### **Amenity**

The main concerns in respect of amenity would be the disturbance associated with the new car parking spaces, the disturbance associated with congestion and the disturbance associated with the construction period.

Turning to the new car parking spaces, these would be 30m from the nearest neighbour and separated by boundary fences and trees. Therefore any impact is unlikely to be significant.

The proposals would help to alleviate some of the congestion associated with the operation of the foodstore and therefore would represent an improvement.

A condition would be imposed to ensure disturbance during the construction period would be minimised.

### **Character of the Area/ Heritage Assets**

The site lies outside of the Conservation Area boundary however comprises part of the setting of the Nursery building which is listed.

The comments from KCHG are duly noted however the buildings historically on the site have been demolished and the site no longer has any buildings of historic interest on it. The car park extension comprises the furthest extent of the site which is some distance from this listed building and its curtilage which is affected more by the existing foodstore and car park.

The impact of the proposals on heritage assets is limited.

Turning to the impact upon the character of the area, the site is currently bounded by timber close boarded fencing and the site beyond this contains nothing but a few trees. The car parking would maintain the existing open character and would therefore not have an adverse impact upon the character of the area.

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

The Framework indicates that proposals should only be refused where the level of harm would significantly and demonstrably outweigh the benefits of the proposals. Given that the adverse impacts identified are clearly outweighed by the benefits to highway safety and the proposals would not conflict with those policies within the MBLP which are consistent with The Framework, it is considered that planning permission should be granted as the proposals accord with policies BE1 Design Guidance, BE2 Preservation of Historic Fabric, BE3 Conservation Areas, BE16 Setting of Listed Buildings, T3 Pedestrians, DC1 New Build, DC2 Extensions, DC3 Amenity, DC6 Circulation and Access, DC8 Landscaping, DC9 Tree Protection of the Macclesfield Local Plan 2004 and guidance within The Framework.

The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Planning and Place Shaping Manager has delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Committee's decision.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A01AP - Development in accord with approved plans
2. A01LS - Landscaping - submission of details
3. A03FP - Commencement of development (3 years)

4. A04LS - Landscaping (implementation)
5. A07HA - No gates - new access
6. A12LS - Landscaping to include details of boundary treatment
7. A22GR - Protection from noise during construction (hours of construction)
8. A23MC - Details of ground levels to be submitted
9. A26HA - Prevention of surface water flowing onto highways
10. A33HA - Details to be approved (i.e. external lighting)
11. car park extension subjected to same hours of operation and restriction as existing car park
12. Travel Plan to be updated

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Application No: 14/1693M

Location: WILMSLOW SERVICE STATION, PARSONAGE GREEN, WILMSLOW, CHESHIRE, SK9 1HT

Proposal: Redevelopment of existing petrol filling station to include new sales building, canopy, fuel pumps, storage tanks, car parking spaces, minor boundary treatments and ancillary rearrangements to forecourt, and removal of car wash.

Applicant: BP Oil (UK) Ltd

Expiry Date: 29-May-2014

**Date Report Prepared: 29<sup>th</sup> May 2014**

#### **SUMMARY RECOMMENDATION**

Approve subject to condition

#### **MAIN ISSUES**

- Impact on the character and appearance of the application site and wider locality;
- Impact on the residential amenity of nearby properties;
- Highway safety;
- Land contamination; and

#### **REASON FOR REPORT**

This application has been called into Committee by Councillor Menlove for the following reasons:

- a) The negative impact on the amenity of the neighbouring properties; and
- a) Overdevelopment of the site due to the massing and scale of the proposed new shop footprint.

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

The application site is currently used as a petrol filling station with associated sales building, car wash, fuel pumps, canopy and forecourt. The existing ingress is taken from Broadway and egress is onto Alderley Road (A538).

The site is located within Wilmslow town centre, approximately 0.3km from Wilmslow Railway Station. The site is rectangular in shape with the forecourt and associated petrol pumps and canopy located in the centre of the site. The single storey sales building is located in the western part of the site and the car wash is a single storey structure located adjacent to the southern boundary of the site. Associated vehicle access to the carwash runs to the rear of the sales building near to the western boundary of the site.

To the north of the site is Alderley Road (A538), and beyond, there are a range of food outlets, shops and a post office. A residential area bounds the site to the south. The site shares a boundary to the east with Broadway and to the west with Parkway.

### **DETAILS OF PROPOSAL**

Planning approval is sought for a series of works to upgrade the existing site. The alterations to the site include:

- Demolition and replacement of the existing sales building with a gross floor space of 225m<sup>2</sup>;
- Replacement of the existing canopy;
- 2 no. new 80,000 litre underground fuel tanks and decommissioning the existing tanks;
- New underground offset fills, and vent stack;
- New external plant to the rear of the sales building;
- The erection of a compound enclosure to the side of the sales building;
- Replacement of existing fuel pumps;
- New parking arrangements to provide additional customer parking spaces;
- Alterations to the existing landscaping and boundary treatments, and
- Ancillary alterations to the forecourt which adopts a similar layout as existing.

### **RELEVANT HISTORY**

35248P	Improvements to existing shop facility Approved, 04.11.1983
44545P	Proposed demolition and redevelopment of site Approved, 22.05.1986

### **POLICIES**

#### **Local Plan Policy**

BE1	Design Guidance
DC1	New Build
DC3	Amenity
DC6	Circulation and Access
DC8	Landscaping
DC38	Space, Light and Privacy
DC63	Contaminated Land
H13	Protecting Residential Areas

#### **Other Material Considerations**

National Planning Policy Framework  
Local Plan Strategy Submission Version March 2014

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

**Environmental Health:** No objection subject to appropriately worded conditions in respect of hours of demolition and construction, dust control, lighting, hours of use, noise mitigation and land contamination.

**Highways:** Awaiting formal comments following the submission of amended plans.

**United utilities:** No objection subject to appropriate conditions relating to drainage.

## **VIEWS OF THE PARISH / TOWN COUNCIL**

Wilmslow Town Council has provided the following comments:

The Town Council's Planning Committee consider this to be a prime site in Wilmslow and would favour this not being a petrol station,. However, should the petrol station be retained the Planning Committee would favour a change to an 'M&S Simply Food' store. The Planning Committee would also request changes to improve the visual aspect of the plain wall facing Alderley Road and request improved arboreal cover to the side elevation in order to disguise the air-conditioning unit. The Planning Committee expressed concerns that the area given to waste storage is of insufficient size and that all waste (including cages) should be kept out of view in addition, deliveries to the site, and waste processing activities should be restricted to normal working hours.

The Planning Committee request that a Section 106 Agreement be put in place to remove the raised bed forward of the site and introduce a herringbone parking area off the service road, thus increasing the parking provision in an area that is likely to have increased parking demand and at the same time enhancing the environment. The Section 106 Agreement should also cover the re-landscaping of the area at the junction of Parkway and the service road.

## **OTHER REPRESENTATIONS**

Representations have been received from Nos. 1, 7, 9 and 11 Draxford Court, No.4 Hallwood Road, Covington Place and No.43 Park Road. Full copies of all representations received can be found on the application file and are available for public view. Nevertheless, the comments made can be summarised as follows:

- The development will result in increased noise generated by patrons/vehicles visiting the site;
- The increase canopy height and lighting arrangement will impact on the amenity of residents living at Draxford Court;
- Air conditioning units and refrigeration units have increased from those currently in situ, therefore noise will be greatly increased to those living in Draxford Court; they will also be detrimental to the visual amenity of the area of landscaping to the rear of the shop;
- It is felt that the increased opening hours will result in increased litter and disruptive; beach
- Wilmslow currently has 2 no. Shell garages that open 24hours, similarly there are other supermarkets within the immediate area; Accordingly, it is felt that there is not a justified need for a unit if the size proposed or increased opening hours;
- The design of the roof (flat) is not sympathetic to the architecture of Draxford Court or the adjacent shops;
- The shop should ideally have two entrances. The proposed shop only has one entrance. This brings an un-necessary number of people, possibly disabled, in the vicinity of the forecourt, with safety implications.
- The positioning of the ATM will increase illegal parking on a very busy street corner;
- The significant expansion of the shop will lead to more drivers parking on the private land to the front of Draxford Court;
- The site must be kept tidy at all times;

- There should be no damage to existing trees.

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

This application has been supported by the submission of the following documents:

- Design and Access Statement;
- Planning Statement;
- Geo-Environmental Investigation Report;
- Waste Storage, Recycling and Collection Facilities;
- Detailed Quantitative Risk Assessment;
- Remedial Strategy;
- Petrol Filling Station Designs for Underground and Above Ground Storage;
- Decommissioning Procedure;
- Fuel System Specification and Construction Details;
- Acoustic Consultants; and
- Underground Storage Tank Installation Details.

#### **OFFICER APPRAISAL**

##### **Design**

Local Plan policies DC1 and BE1 seek to ensure that the overall scale, density, height, massing and palette of materials of new developments are sympathetic to the character of the local environment, street scene, adjoining buildings and the site itself. New development should respect the characteristics of the area; respect the form, layout, siting, scale and design of the locality; contribute to the rich environment and vitality of the area; be human in scale and use appropriate materials.

It is proposed to carry out a series of works to upgrade and expand the existing petrol filling station facility. The proposal includes the demolition and replacement of the existing sales building and associated canopy. The existing car wash that is currently positioned on the southern boundary is to be demolished. 4 no. new pump islands are proposed to replace existing. 2 No. new 80,000 litre underground double skin fuel tanks are proposed; the existing tanks are to be decommissioned New underground offset fills and a vent stack are also proposed, as well as new fuel lines, pipework gauges and monitoring systems introduced to modernise the storage.

Existing ingress from Broadway and egress onto Alderley Road is to be retained. 9 no. customer parking spaces are to be positioned adjacent to the southern boundary with 1 no. disabled space positioned in front of the proposed sales building.

Alterations to the existing landscaping and boundary include, 2.2m high walling to replace the existing angled wall to the side of the sales building and also behind the existing car wash; and would reflect the remaining boundary wall. New protective bollards are to be installed in front of the sales building and new air conditioning units are proposed to the rear, which are to be screened by timber fencing.

Concern has been raised regarding the size and overall design of the new sales building with a view that it is overdevelopment of the plot and that it would detract from the character and appearance of the area.

The new sales building is a single storey flat roof structure, measuring 4.4m in height. The footprint of the building would be approximately 160% larger than the existing building, providing 145m<sup>2</sup> in additional net retail floor space. The building would sit adjacent to an existing area of landscaping to the west of the site. It would sit closer to the southern site boundary, leaving a separation distance of 1.5m, and no closer to Alderley Road.

The proposed canopy would cover a smaller area than the existing canopy. Albeit, the proposed canopy would be higher at 4.9m as apposed to 4.3m as existing. A difference of 600mm is considered acceptable and it is not considered that the canopy would appear intrusive compared to the existing site circumstances.

A simple design approach has been adopted with profile cladding coloured 'Pearl'. The shop frontage is orientated to face into the site, which is representative of the use as a Petrol Filling Station.

Consideration has been given to the concerns raised in respect of the overall scale and appearance of the building. However, the site is positioned within a town centre location where there is a clear mix between buildings in terms of scale, design and use of materials. Baring this in mind, the building would not appear out of character in its setting.

Existing landscaping to the west of the site is to be retained and enhanced. Extraction equipment positioned on the west facing elevation is to be screened by a timber fence; and existing landscaping to the western side of the site is to be retained and enhance. The applicant has agreed to a landscaping condition if Members felt it appropriate and necessary.

### **Amenity**

Draxford Court is a town house development that is positioned to the south of the application site. Entrance doors and garaging are positioned on the ground floor. A kitchen diner and living room are located at first floor and bedroom accommodation and a bathroom are positioned at second floor. A site visit confirmed that there are a number of windows that serve habitable accommodation fronting the application site.

Taking account of the internal layout of these properties, the single storey nature of the proposed sales building and the reduced canopy height the development would not result in a significant loss of privacy or result in n intrusive form of development.

Concerns raised specifically relate to the proposal to operate 24hour opening. The existing site opens between 0600 and 2300. This is not controlled by a condition under the original approval and a change to the existing opening hours could be implemented without the need for formal planning permission.

The site is in a town centre location where transient noise and disturbance is to be expected. Nevertheless, the proposal may lead to significant harm to the residential amenity of nearby properties if adequate controls are not put in place. Officers are not satisfied that it has been sufficiently demonstrated that the proposal would not result in patron levels of noise and disturbance that would not cause a nuisance to nearby residential properties.

In light of this, the Applicant has agreed to a condition to restrict the hours of operation to reflect the existing opening hours of 0600 to 2300. Members are informed that it is likely that the applicant will seek to vary this condition to operate 24 hours once sufficient information has been gathered. However, such a proposal would need to be considered on its merits at that time.

Sufficient information has been submitted to demonstrate that the operational noise levels generated from plant and equipment on the site, including the air conditioning units and refrigeration units attached to the shop, is acceptable and would not lead to the detrimental harm to residential amenity.

Conditions in respect of lighting, hours of demolition and construction and dust control are recommended.

### **Highways**

The Strategic Highways Manager expressed concern that the site appears overdeveloped and that the parking and vehicular movements are not demonstrated to work.

The Agent has liaised with the Strategic Highways Manager and an amended plan to address the concerns raised has been secured. Confirmation has not yet been received from the Strategic Highways Manager that the details received are acceptable. This will be dealt within in an update report to Committee Members.

Concern has been raised as to the possibility of motorists parking within the parking area of Draxford Court. During a site visit it was noted that Draxford Court has an area of car parking that is clearly identified as being for private residents parking only. Motorists are not permitted to park within this area and would be doing so at their own risk. This is a civil matter that would not constitute a material planning consideration for the purposes of this assessment.

### **Land Contamination**

The Environmental Health Officer has been consulted as part of this assessment. Due to the sensitive nature of the existing use of the site the application has been supported by a Land Contamination Survey. Subject to a condition to request a remediation strategy that is to be submitted to and agreed by the LPA, no objection has been raised.

### **Other Matters**

Wilmslow Town Council have requested that a Section 106 Agreement be put in place to remove the raised bed located forward of the site and introduce a herringbone parking area. The raised bed falls outside of the application site and is in fact highways land. Accordingly, it would be unreasonable for the Council to impose an obligation to require the applicant to carry out such works. Such an obligation would be unlikely to meet the tests of the CIL regulations.

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

This application seeks approval to expand and upgrade an existing petrol filling station facility, including the demolition and replacement of an existing sales building and canopy structure. The site is located within Wilmslow Town Centre where the principle of development is considered to be acceptable.

A presumption in favour of sustainable development is at the heart of the National Planning Policy, which should be seen as a golden thread running through the decision-taking and plan-making process. Para 14 of the NPPF advises that Local Planning Authorities should positively seek to meet development needs that accord with the Local Plan without delay, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Local plan.

The main points for consideration of this application include the acceptability of the design and scale of the proposed sales building; the impact upon the residential amenity of nearby properties, in particular Draxford Court; and whether or not the proposal would result in significant highway safety implications.

Consideration has been given to the comments received from nearby residents, Wilmslow Town Council and statutory consultees. Amendments have been secured to lessen the degree of impact the development would have on the visual amenity of the area and to the residential amenity of nearby properties.

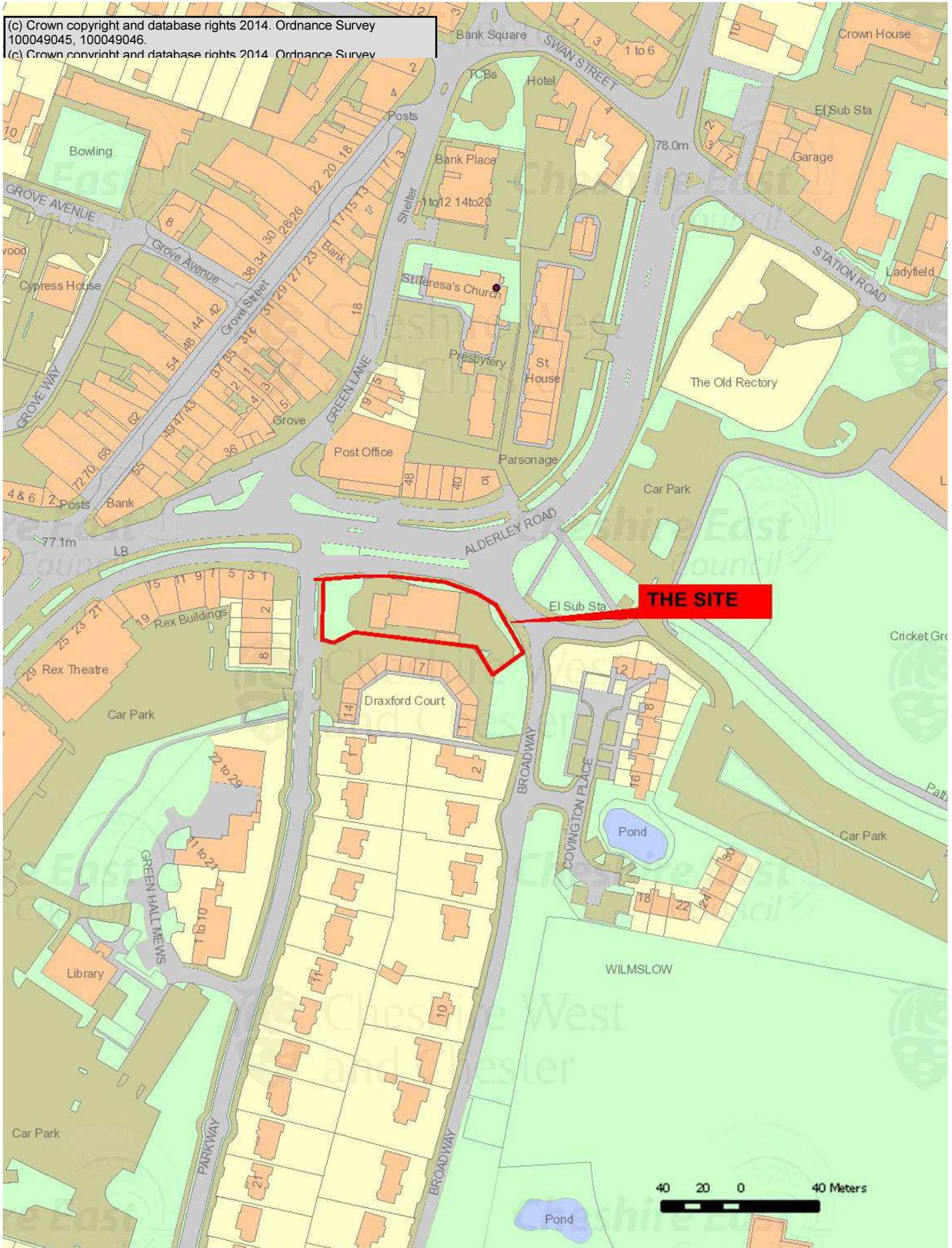
Subject to appropriate conditions this application is considered to adequately accord with the relevant policies of the Local Plan and a recommendation of approval is given subject to the Strategic Highways Manager's approval of the revised parking layout.

#### 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. Drainage
7. Drainage
8. Lighting
9. Dust Control
10. Land Contamination
11. Hours of Demolition/Construction
12. Hours of Use

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Application No: 14/2066M

Location: ST ALBANS RC PRIMARY SCHOOL, PRIORY LANE, MACCLESFIELD, CHESHIRE, SK10 3HJ

Proposal: Improve the security fencing for the school boundary of the school

Applicant: Mrs T Cooke

Expiry Date: 23-Jun-2014

**SUMMARY RECOMMENDATION** Approve subject to conditions

**MAIN ISSUES**

Impact upon the character of the area  
Impact upon residential amenity

**Date Report Prepared** 28<sup>th</sup> May 2014

**REASON FOR REPORT**

Paragraph 2 (C) of the Council Constitution (September 2013) requires that planning applications, which involve the Council as a Landowner and receive objections should be considered by the Planning Committee.

It is understood that the Council owns part of the land in which this application relates a number of objections to the proposal have been received.

**DESCRIPTION OF SITE AND CONTEXT**

The application site comprises St Albans RC Primary School and playing Fields.

The site is identified within the Local Plan as an existing area of Open Space. The surrounding land uses are predominantly residential and the site falls within the settlement area of Macclesfield Town.

**DETAILS OF PROPOSAL**

The proposal seeks full planning permission to replace existing fencing with weld mesh fencing varying from 1.5m to 2.4m in height and to incorporate pedestrian and vehicular access gates. The fencing is proposed in the following locations:

- 2.4m high fencing along the northern boundary of the site
- 2.1m high along the northern side of Keates Drive;
- 2.4m high fencing to the south of the site across the playing fields
- relocation of existing 1.5m high fencing to two locations within the curtilage of the existing school building.

## RELEVANT HISTORY

None relevant

## POLICIES

### National Policy

The National Planning Policy Framework

### Local Plan Policy

BE1	Design Guidance
DC1	New Build
DC3	Residential Amenity
DC9	Tree Protection
DC6	Circulation and Access

## CONSIDERATIONS (External to Planning)

**Police:** - No comments received at the time of writing this report. Responses will be provided in an update to Committee.

**Sport England** - No comments received at the time of writing this report. Responses will be provided in an update to Committee.

The Strategic Highways and Transport Manager- No objections

## OTHER REPRESENTATIONS

Four representations have been received. Comments are available to view in full on the Council online planning system however; concerns raised in brief are as follows:

- *The fence will block out light, it also has the resemblance of a prison compound!;*
- *The fence will remove all views and cause the pathway between the house to resemble and underpass possible causing a concern for crime;*
- *The opposite end of the grounds for the school are having a 2 metre fence - why are we subjected to 3 metre?*
- *The proposal will devalue my property;*
- *The applicant proposes to relocate the boundary within the site and on the playing fields;*
- *The application appears to identify the redesignation of the from playing fields to school activity. Will school playing field remain?;*
- *The proposal will prevent wildlife from pass through the site;*
- *I believe the school is likely to close so why do they require the fencing;*
- *The height of the fencing will block light to our property;*
- *The proposed heavy duty mesh fence is excessive;*
- *Object to location of the proposed pedestrian access, should only be able to access the site form the main entrance. People currently park cars here an block me in and out of my property;*
- *Unaware of any serious security issues at the school;*

During the course of the application, amended plans reducing the height of a small section of the fencing have been received. Neighbouring properties have been re consulted Comment received will be reported to members in an update to Committee.

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

A Design & Access Statement was submitted with the planning application. A full copy is available to view on the application file.

#### **OFFICER APPRAISAL**

##### **Principal of Development**

This application site is located within an existing urban area of Macclesfield Town. The National Planning Policy Framework set outs a presumption in favour of sustainable development. The main issues with the application therefore relate to whether the design of the proposed fencing is considered in be in keeping with the character of the area and whether the proposal will result in any amenity issues for the occupants of nearby neighbouring properties.

##### **Policy**

The school and its playing fields are identified with the Macclesfield Local Plan as existing Open Space which is covered by Local Plan Policy RT1 (Open Space)

Policy RT1 seeks to ensure that areas of recreational land and open space will be protected from development. The applicant advises that the proposed fencing is required for the security purposes. The outer southern boundary of the site, which is bound by a woodland area, is not fully enclosed, as some sections of the fencing panels have collapsed or are missing. The Applicant advises that this has caused the School significant safeguarding issues, as the boundary cannot be monitored and it is claimed that trespassers are able to cut through the field and school grounds. It is advised that the cost of replacing the fencing along the existing boundary is too costly. The new fencing will allow the school to monitor and manage the safeguarding more closely, which is a requirement of Ofstead.

The applicant does not propose a change of use of the existing playing fields and the openness and integrity of the playing fields will be retained. The proposal is therefore considered to satisfy Policy RT1 of the Local Plan.

##### **Design**

The works involve the erection of a close wired horizontal and vertical mesh patterned fencing polyester powder coated in a green colour.

Amended plans have been received reducing the proposed fencing along the northern boundary from a 3m in height to 2.4m. This fencing will replace an existing fencing, which varies from 3m, 2m and 1.5m in places and runs adjacent to existing apartments and garage blocks

Existing 1.5m high fencing, which runs parallel to the northern side of Keates Drive and to the western boundary, is to be replaced with 2.1m high weld mesh fencing. New automatic 2.4m high vehicle gates are to be sited at the school access which is to be connected to a an existing secure entry system.

The applicant proposes to re use existing 1.5m high fencing to re site it from an existing school building to the eastern boundary and a create a small area of fencing between two existing school buildings.

A new 2.4 m weld mesh fence is also proposed to be erected to the south of the school building within the playing fields and will run from the eastern boundary to the west.

The site is not located within a Conservation Area nor within the setting of a Listed Building. The proposed fencing, in most parts, will not be highly prominent or visible from a public vantage point.

Following concerns over the appearance and oppressive nature of a 3m high fence. The fencing proposed along the northern boundary of the site has been reduced from 3m to 2.4m and proposed fencing along Keates Avenue to 2.1m in height in order to ensure the proposal does not have an imposing impact. The amendments sought are now considered to be of a more appropriate height having regard to the nature of the site and the character of the surrounding area.

The type and height of the fencing proposed in terms of its design is not considered to be unusual having regard to the nature of the application site. The applicant has submitted a photograph of the type of fencing proposed, which is currently in situ at St Benedict's Catholic Primary School in Wilmslow.

The proposed fencing will be coated in a dark green colour and therefore will not be overly prominent. The proposed fencing therefore by virtue of its siting design and height will not be out of keeping with the character of the existing area and therefore satisfies policies DC1 and BE1 of the Macclesfield Borough Local Plan.

### **Residential Amenity**

The proposed fencing is considered to be a sufficient distance from the neighbouring properties on Cornwall Close so as not to have an impact upon loss of light or an obtrusive overbearing impact.

The proposed fencing will replaces existing fencing and therefore the impact of which are unlikely to have greater or significant impact upon the residential amenity of adjacent residential properties.

The proposed development is considered to accord with Policy DC3 of the Macclesfield Borough Local Plan.

### **Forestry**

The Council Forestry Officer has been consulted on the application and advises that a limited amount of minor pruning will be required in order to facilitate the proposed fencing. This will involve the removal of epicomic growth, secondary and sub lateral branches only and can be expedited in accordance with a current best practice regulations without detracting from the mature trees surrounding the school. A planning condition tree/pruning specification is required to be submitted prior to the commencement of development. No development shall be carried out until the approved works have been agreed and carried out on site.

**Other Matters**

Members should be aware that the proposed fencing amounts to operational development. However if the proposed enclosure was to be reduced to 2m in height and does not sit adjacent to a highway, fencing could be constructed under permitted development rights.

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

The proposed development is considered to represent an appropriate form of development that will not be detrimental to the existing open space provision or trees. The proposed development is considered acceptable in term of design and siting and will have an acceptable impact on neighbouring amenity. The proposed development accords with relevant policies within the Development Plan.

Subject to comments from the Police, Sports England and representations a recommendation of approval is made subject to conditions.

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Northern Area Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority shall be delegated to the Northern Area Manager in consultation with the Chairman of the Northern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

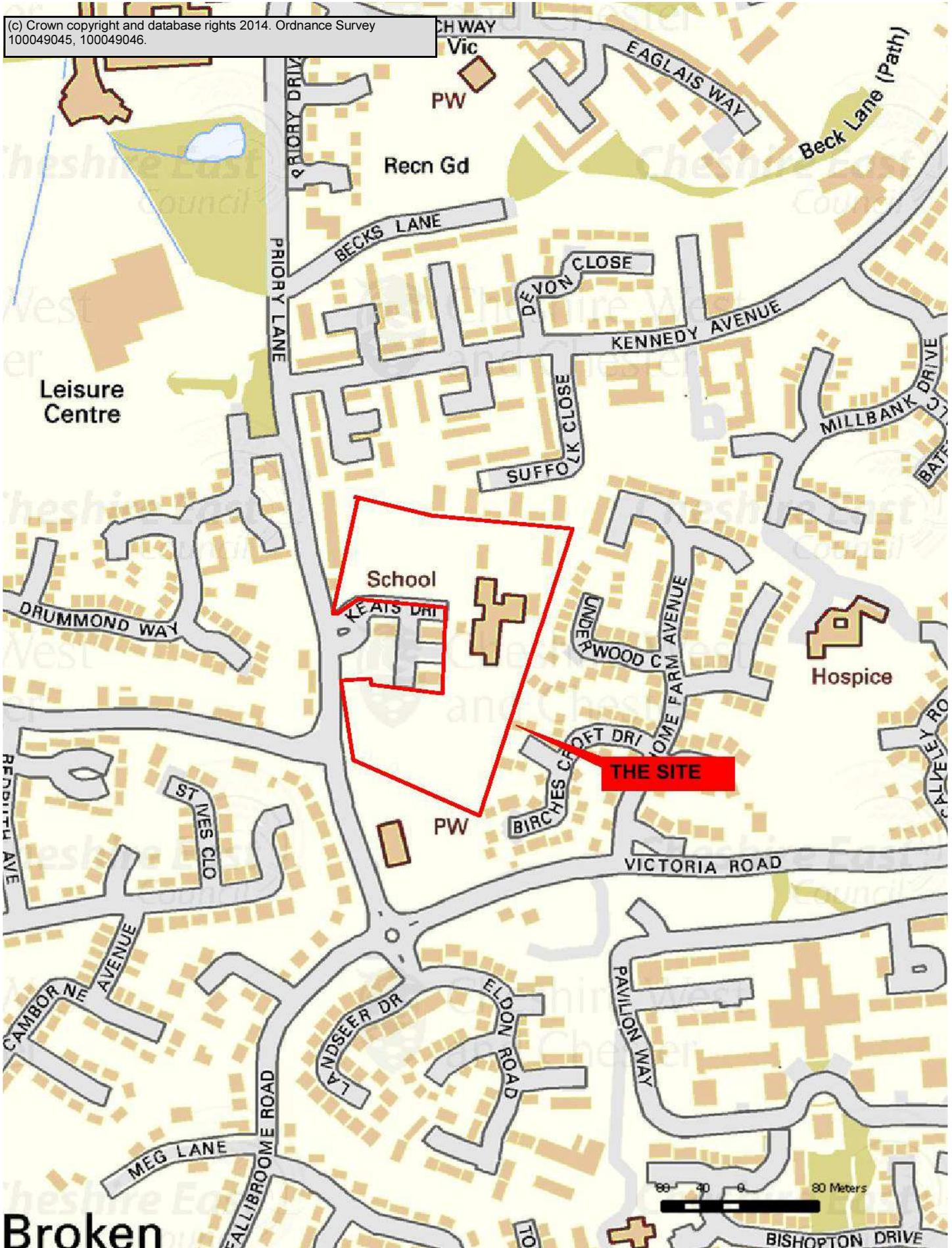
Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A01AP - Development in accord with approved plans
2. A03FP - Commencement of development (3 years)
3. A06EX - Materials as application
4. A04TR Tree Pruning/Felling Specification



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Application No: 14/1687M

Location: BRYBOUR LODGE KENNELS, ALTRINCHAM ROAD, WILMSLOW, SK9 4LY

Proposal: Conversion to form office accommodation, amendments to approval 13/2906M Redevelopment of site from kennels to office accommodation

Applicant: adel lababedi, pearl construction

Expiry Date: 01-Jul-2014

Date Report Prepared: 30.05.14

**SUMMARY RECOMMENDATION**

**APPROVE, SUBJECT TO  
CONDITIONS**

**MAIN ISSUES**

- Principle of the proposed development
- Design/impact on the character and appearance of the area
- Impact on Green Belt
- Highways safety
- Arboricultural, Landscape & Nature Conservation issues
- Environmental Health issues

**REASON FOR REPORT**

The application submitted originally included development of over 1000 sq. m of floorspace.

**EXECUTIVE SUMMARY**

The principle of this development has already been accepted under planning application 13/2906M, which was approved on the 23<sup>rd</sup> December 2014 by the Northern Planning Committee.

The original plans submitted with this current application sought a change to the layout of the building, increase in floor space, increase in height, volume, and alterations to the external elevations.

Following concerns raised by Officers over the impact of the proposal upon the openness of the Green Belt amended plans have been received reducing the proposal increasing the floor space, volume and height of the scheme. The scheme submitted now is very similar to the

scheme approved under planning application 13/2906M. The following amendments to the scheme however are as follows:

- Separation of the previously approved building from one 'U' shape structure into two separate buildings;
- Alterations to the elevations to include more glazed window openings

The circumstance on this site remain the same. The key considerations relate to;

- The impact of the proposed development upon the openness of the Green Belt and
- Impact upon the character of the area.

The report presented considers the same key issues as the Committee Report for application 13/2906m however, it has been updated to take into account consultee and representations received.

The proposal sought in terms of the external alterations and changes to the layout will have a minimal impact upon the openness of the Green Belt and character of the area. A recommendation for approval is therefore made for the reasons set out below.

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

The site to which the application relates is Brybour Kennels, located on the western side of Altrincham Road, approx. 1.5k from Wilmslow Town Centre. The site is currently a mixed use site that includes kennels, a two-storey detached dwelling and a building which has a use as an office and storage facility. There are a range of buildings on site, of varying sizes, all scattered within the northern half of the site, mainly sited within the central area of this half of the site, between the existing house and the 2 No. main kennels. The two-storey dwelling is the highest building, there is a single-storey barn (the second highest building on the site) and the rest of the buildings on site are lower level single-storey. The main existing parking area is located in the south-eastern corner of the site, to the left of the site access. There is also a large area of hard-standing within the northern half of the site spread between all the buildings. There are trees and hedges surrounding the site.

The site covers an area of approx. 6595 sqm. The site lies within the North Cheshire Green Belt, as defined in the Local Plan.

#### **DETAILS OF PROPOSAL**

The proposed seeks full planning permission for redevelopment of the site from kennels to office accommodation. The proposal broadly consists of retaining the residential building on site and converting it to office use, demolishing all other buildings & structures on site.

The scheme approved under application 13/2906M sought to replace the existing building with 1 No. single-storey 'u' shaped building of office accommodation, with a 'courtyard area' created between the proposed new building and the retained building.

The applicant now seeks to break up the previously approved 'u' shape to create two buildings consisting of an 'L' and 'I' shape. The southern separated part of the building is to be relocated approx 2 m from the main building.

The applicant seeks to make external alterations to the building when compared with the previously approved scheme by intruding timber cladding in lieu of brick to areas to soften elevations and the opening of glazed apertures to increase window areas.

The existing dwelling is to be converted into a 4th Unit as previously approved.

The main change to the external appearance of the existing building, that is to be retained, will be the removal of the paint over the brickwork and minor external alterations to fenestration details. The external materials of the proposed new building will mainly be red brick and timber cladding walls and a slate roof.

A substantial amount of hard-standing will be removed from within the site. The existing car parking area situated to the south eastern corner of the site will be used as the main car parking area with a small number of additional car parking spaces (5 No.) provided within 'courtyard area', mainly for disabled parking.

The level of car parking is provided at a standard level of 1 No. space per 30sqm of office floor area. A covered cycle storage area is provided within the site along with a refuse storage point. The existing access to the site is to be retained with a pedestrian crossing point provided from the access across the road to link with a pedestrian/cycle path.

## RELEVANT HISTORY

- |          |   |
|----------|---|
| 13/2906M | Redevelopment of site from kennels to Office accommodation. Approved 23.12.14   |
| 06/2206P | Implement planning permission 06/0844P – Alterations to barn to provide additional living accommodation as part of existing dwelling, in non-compliance with condition 4, to allow upvc windows. Approved, 27.10.2006 |
| 06/0844P | Alterations to barn to provide additional living accommodation as part of existing dwellinghouse. Approved, 26.05.2006  |
| 04/1120P | Change of use of kennels reception and pet shop to office & storage area. Approved, 18.06.2004  |
| 46157P   | Conversion of pet food storage area to retail pet food. Approved, 03.09.1986  |
| 12660P   | Erection of detached dwelling. Refused, 21.12.1977  |

## POLICIES

### Macclesfield Borough Local Plan – saved policies

- BE1 (Design Guidance)
- NE11 (Nature Conservation)
- GC1 (New Buildings in Green Belt)
- DC1 (New Build)

DC3 (Amenity)  
DC6 (Circulation and Access)  
DC8 (Requirements for Landscaping)  
DC9 (Tree Protection)  
DC63 (Contaminated Land)

**National Planning Policy Guidance**

National Planning Policy Framework

**Other Material Planning Considerations**

Local Plan Strategy (Submission Version) March 2014

**CONSULTATIONS**

**Manchester Airport:**

No safeguarding objections. Recommend an informative be added to any approval re use of cranes during the course of development.

**Heritage & Design – Forestry:**

No objections, subject to conditions relating to levels details, tree retention, tree protection and a construction specification/method statement (car parking area).

**Heritage & Design – Nature Conservation:**

The Nature Conservation Officer is satisfied that the proposed development does not raise any significant ecological issues. Hence, no objections and no conditions recommended.

**Strategic Highways & Transportation Manager:**

With the previous application no objections were raised from the Strategic Highways & Transportation Manager (SHM) subject to condition and an informative.

Members will be provided with update comments from the Strategic Highways & Transportation Manager (SHM) in an update to Committee.

**Environmental Health:**

No objections subject to a condition regarding hours of demolition/construction and an informative re action to take if any potential contamination is encountered on site.

**Greenspace:**

As the amended plans now create less than 1000sqm in floor space there is no requirements for the applicant to provide a contribution to Public Outdoor and Recreation Outdoor Sport.

## PARISH COUNCIL

### Wilmslow Town Council:

Recommends refusal for the following reasons:

*The Planning Committee recommends refusal of this planning application on the grounds of it representing an inappropriate increase in the footprint within the green belt, with respect to the increase from single storey to double storey. It is noted that conditions imposed by the earlier application (13/2906M) in relation to car parking provision do not form part of this new application, the Committee feel it important that they enforced. In addition the Committee raise grave concerns regarding the proposal to introduce a crossing to Altrincham Road at this location.*

The Parish Council have be consulted on revised plans any comments received will be reported to member in an update to Committee.

## REPRESENTATIONS

Representation have been received from the occupant of on neighbouring properties. Comments made are (in brief) as follows:

- New building 2 has increased in height and now appears to be planned as a two storey building as the original drawings for application 13/2906M
- A new two storey building will have a negative impact upon the openness of the Green Belt
- This new application also appears to be designed to potentially increase the available net let table space (i.e. occupancy by adding a second floor to unit 4 new building;
- A new reception area appears to have been provided for "New Building 1". This does not appear to have been incorporated on any of the elevation drawings
- seems to show more canopy being provided on drawing 10302-110 rev c
- No information has been provided for the second floor of renovated building no 3. This is required to identify whether a secondary means of escape access is required;
- Condition 12 attached to planning application 13/2906m has not been met in this application.

Occupants of neighbouring properties affected by the development and relevant internal and external consultee have been reconsulted on the revised plans. Additional comments will be provided in an update to Committee.

## APPLICANT'S SUPPORTING INFORMATION

The following additional information has been submitted with the application:

*Design & Access Statement  
Bat Survey  
Arboricultutal Survey*

Documents submitted in support of the previous application include;

*Demand for Office Accommodation*  
*Sustainability Statement*  
*Transport Statement*

A summary of some key points raised in the documents is provided below:

- The site comprises a dwelling, large number of outbuildings and barns and large areas of hard-standing; visitor parking is currently located primarily in the south-eastern corner
- The site is mainly used as kennels; one building has been used as a reception and pet shop area and as offices
- Site is approx. 6595 sqm and abuts Altrincham Road to the east; access is gained from Altrincham Road
- The house has brick walls, which are painted over, and a slate roof. The outbuildings are constructed of a range of materials inc. brick, corrugated metal, timber and cementitious board
- The proposed is to renovate and redevelop the site. The existing dwelling building will remain and will be renovated and the brick cleaned back (building 4)
- The proposed new buildings are a replacement for the range of other outbuildings scattered within the site
- The site layout broadly reflects the current layout of the larger buildings on site, though it is more coherent;
- The buildings are designed to reflect the size and scale of the existing house and kennels
- An existing line of conifers within the site (located to the south of the kennels where building 1 is proposed) are overgrown and are to be removed to decrease the visual massing of this area
- All mature trees on site will be retained in order to retain the character of the site and provide some privacy
- The appearance of the buildings is a simple contextual response to the form and appearance of existing local vernacular – the new buildings will be reclaimed brick, with slate roofs, stained timber cladding and frameless glazed apertures to add a contemporary feel
- Existing access is to be retained; car parking spaces are to be provided in line with current policy of 1 space per 30 sqm of office space; secure bicycle storage is to be provided
- Bin and recycling storage is provided within the site (inc. timbered louvered housing screened with planting); waste is to be recycled
- Site is within close proximity to Wilmslow Town centre (approx. 1m) and the available transport interchanges and local services/facilities; 3m from Manchester Airport; a bus stop is located approx. 500m from the site; the nearest services is a convenience store and petrol station approx. 500m from the site; it is approx 200m to nearest outdoor space (Jim Evison playing fields)
- All buildings are fully accessed at ground-floor level and will be DDA compliant; all will comply to latest building regulations
- Materials include reclaimed Cheshire brick partly from the site, and other materials sustainably sourced; energy efficient construction

- Energy efficient series of buildings that reduces reliance on fossil fuel energy generation and subsequent CO2 impact; natural ventilation and heat recovery systems; rainwater is to be stored for use in washrooms and landscape maintenance
- High quality grade A offices to encourage businesses to stay in Wilmslow, stimulate local economy, contribute to economic opportunities, benefits to other local companies re supply, support and service, contributing to local skills and training
- Offices aimed at a wide audience of business operators within the South Manchester market; despite the economic turndown in recent years, Wilmslow has continued to attract a good level of office enquiries and there has been a steady up-take in levels; the majority of space taken has been refurbished 1980s/90s offices Category A; recent trends show a demand (from a range of sectors) for something different to the majority of office space currently supplied – there has been a lack of ultra modern, contemporary, design lead office space; the plans for the Brybour development have attracted a good level of interest.

## **OFFICER APPRAISAL**

### **Principle of Development**

The principle of the proposed redevelopment of this site has already been established under planning application 13/2906M, which was assessed accordingly under the key test of Green Belt Policy.

Paragraph 89 of the NPPF allows for the *...the partial or complete redevelopment of previously developed sites (Brownfield land), whether redundant or in continuing use...which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.*

The site is a brownfield site and the proposed office development is for redevelopment of the site. Hence, the development may be considered appropriate development in the Green Belt, subject to the proposed development not having a greater impact on the openness of the Green Belt than the existing and not threatening any of the purposes of including land within the Green Belt.

### **Impact on the Green Belt**

Revised plans have been submitted during the course of this application reducing the amount of floorspace, ridge height and volume of the buildings so, as to be similar as the previously approved scheme.

The applicant proposes to consolidate the footprint of the existing buildings on site into two buildings as well as retaining and converting the existing dwelling.

Although the applicant proposes to separate the previously approved 'u' shape building into two, the buildings have been kept within close proximity of each other still create a small courtyard area between the existing and new buildings with which a small area of parking will be provided (primarily for disabled parking).

As with the previous approval, the existing parking area to the south-eastern corner of the site will be retained as the main parking area. The existing access will be retained. Most of the

existing trees and hedges around the perimeter of the site and the quality trees within the site will be retained.

The overall proposed footprint and floor space of the new building are considered to be the same as the previously approved scheme. The combined footprint of the new buildings will equate to a an approx 16% reduction compared with the what is currently on site and a reduction in approx 13% of floor space. The proposed development will however create a slight increase in volume of approx 3% when compared with existing structures on site.

Amended plans are awaited to clarify the height of the proposed buildings, but Officers have been led to believe, by the applicants agent, that the proposed new building will be of the same ridge height (5.6m) and eaves height (3.2m) to what has previously been approved. **This recommendation is based on the amended plans to ensure that the height is not increased beyond the extant permission.**

As part of the scheme the proposed development seeks to remove a substantial amount of hard standing approx 43% less then what is currently on site.

Whilst it is considered that the proposed development will create a slight increase in height compared with the existing buildings on site, given the reduction in to the floor space, floor area and marginal increased in volume and the proposal to remove a substantial area of existing hard standing (approx 43% less then what is currently on site). It is considered that the proposed development will have a comparable impact on the openness of the Green Belt when measured against the existing buildings on the site.

In light of these factors combined, the proposed development and the marginal changes proposed to the layout it is not considered that the proposed development would not have a greater impact on the openness of the Green Belt. The proposal is therefore considered to appropriate development within the Green Belt and satisfies paragraph 89 of the NPPF and is therefore a listed exception to new buildings, which would otherwise be inappropriate development in the Green Belt.

#### **Design and the character and appearance of the area.**

The design details approved under the previous 13/2906M application for the new buildings sought to construct a modern building with a duel pitch roof using brick, stained timber cladding and large glazed openings and a slate roof. The general design and material proposed for the new building proposed under this application remain similar, however the applicant now proposes to enlarge some of the previous window openings and create new window openings within the elevations.

As with the previous application, the paintwork on the retained dwelling will be stripped back to the brick.

The most visible elevation from the public highways is the existing dwelling by retaining the layout to reflect a courtyard appearance, it is considered that the proposed development will create a development that would appear rural in character.

The general form and character of the proposed building will remain similar to as previously approved scheme. Given that there are few other buildings within the immediate vicinity of the

site (the main one now being the new 'Waters Spectrometry' building across the road from the application site). It is considered that the proposed design, scale and materials will not only have an acceptable impact upon the character and appearance of the surrounding area but along with an agreed landscaping scheme will be an improvement to the visual appearance of the existing site.

The proposed development is therefore considered to satisfy the Council design Policies in particular Policies BE1 and DC1 of the Local Plan.

### **Impact on residential amenity**

It is noted that there are no residential properties within the immediate vicinity of the site and therefore the proposed development does not have any detrimental impact on residential amenities.

### **Highways Safety**

The applicant site is in an existing commercial property. The applicant seeks to make no alterations to the existing access.

The Strategic Highways & Transportation Manager was consulted on the previous application and raised no objections subject to a condition to ensure the proposed development will provide;

- 29 parking spaces
- A dropped kerb crossing is to be provided within the vicinity of the site access (providing a link from the site to the pedestrian/cycle path on the opposite side of the road which is to be constructed as part of the 'Waters' development) and
- access is to be provided as indicated.

The applicant seeks to make no increase to the floorspace beyond what has been approved under application 13/2906M and parking arrangements remain as before it is therefore not anticipated that the proposed development will raise any highway safety concerns.

The Strategic Highways & Transportation Manager has been consulted on this application. Comments are awaited and will be reported to Members in an update to Committee.

### **Arboricultural, Landscape & Nature Conservation issues**

Comments from the Arboricultural Officer in relation to the previous application advised that that trees that are impacted upon within the site are either structurally damaged or of poor quality and do not contribute to the wider amenity of the site. No arboricultural objections have been raised within this application subject to conditions relating to proposed levels, tree retention, tree protection and a construction method statement re car parking (to protect tree roots) will ensure the future well being of the trees of value that will remain on site.

The Nature Conservation Officer is satisfied that the proposed development does not raise any significant ecological issues.

### **Environmental Health issues**

As with the previous application, the Environmental Health Officers raise no objections, subject to conditions and an informative relating to Contaminated land.

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

The principle of the re development of this Brownfield site has already been established as an acceptable and sustainable form of development under planning application 13/2906M.

The applicant seeks to make no increase to the scale, bulk of massing of the proposed development therefore the proposed development will no greater impact on the openness of the Green Belt than the existing buildings and not to threaten the purposes of including land within the Green Belt. The proposed amendment to the external elevations are considered to have an acceptable impact on the character and appearance of the area.

There are no issues regarding residential amenity arising from the proposal. The proposed development does not raise any significant arboricultural, landscape or ecological issues.

It is considered that the revisions will overcome the concerns raised by Wilmslow Town Council. The impact on the openness of the Green Belt and the impact on highway safety are unchanged from the extant permission.

There is no increase to floorspace, access or parking arrangements and it is not anticipated that the proposed development will raise any Highways safety concerns.

The proposed development is considered to comply with the relevant policies of the Development Plan, which are consistent with the NPPF.

Subject to the submission of amended plans clarify the height of the proposed buildings, outstanding comments from The Strategic Highways & Transportation Manager and representation received concern the revised plans a recommendation for approval is made subject to conditions

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Northern Area Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority shall be delegated to the Northern Area Manager in consultation with the Chairman of the Northern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

RECOMMENDATION: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A02AP - Approved plans and detail on plans overridden by condition
3. A06EX - Materials as application
4. A02EX - Submission of samples of building materials
5. A01TR - Tree retention
6. A02TR - Tree protection
7. A03TR - Construction specification/method statement - car park area
8. A02LS - Submission of landscaping scheme
9. A04LS - Landscaping (implementation)
10. A02HP - Provision of car parking (scheme to be submitted)
11. A01GR - Removal of permitted development rights
12. Noise generative demolition & construction restrictive hours
13. Dropped kerb and access

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