

Planning Reference No:	10/4154M
Application Address:	5-7 PRESTBURY ROAD, WILMSLOW
Proposal:	TWO REPLACEMENT DWELLINGS
Applicant:	MS ALISON MALONE
Application Type:	FULL
Grid Reference:	385963 380501
Ward:	WILMSLOW SOUTH
Earliest Determination Date:	2 FEBRUARY 2011
Expiry Date:	12 JANUARY 2011
Date of Officer's Site Visit:	13 JANUARY 2011
Date Report prepared:	24 FEBRUARY 2011
Constraints:	GREEN BELT TPO PROTECTED TREES

SUMMARY RECOMMENDATION

Refuse - The application comprises inappropriate development in the Green Belt and the scale bulk and design of the replacement dwellings would be excessive and have a detrimental impact on the character and appearance of Prestbury Road.

MAIN ISSUES

Whether the proposed development comprises inappropriate development in the Green Belt and whether very special circumstances have been advanced that outweigh the harm. Impact on neighbouring amenity, the character and appearance of the surrounding area, nature conservation, the existing trees and highway safety

Date Report Prepared: 24th February 2011

REASON FOR REPORT

The application was called-in to committee by Cllr Menlove. Whilst recognising that the development may be contrary to Green Belt policy, the specifics in this particular case allied to the characteristics of the area, may warrant reviewing as very special circumstances. As such it would benefit from consideration by Members within the context of the Planning Committee

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a pair of semi-detached 2½-storey dwellinghouses. The building originally comprised of one detached dwellinghouse, but was subdivided into 2no. residential properties in the 1960s.

The dwellinghouses are located within the North Cheshire Green Belt and are sited within a ribbon of houses that comprise large detached dwellings set within substantial plots. Each of the houses in the ribbon are distinctly different from one-another and comprise a range of ages with some having been replaced in recent years.

DETAILS OF PROPOSAL

Full planning permission is sought to erect 2no. replacement dwellinghouses.

RELEVANT HISTORY

Proposed conversion of house into two separate dwellings

Approved with conditions on 5th December 1961

POLICIES

Regional Spatial Strategy

DP1	Spatial Principles
DP4	Making the Best Use of Existing Resources and Infrastructure
DP7	Promote Environmental Quality
EM1(B)	Integrated Enhancement and Protection of the Region's Environmental Assets: Natural Environment
EM1(D)	Integrated Enhancement and Protection of the Region's Environmental Assets: Trees, Woodlands and Forests

Local Plan Policy

NE11	Nature Conservation
BE1	Design Guidance
GC1	New Buildings
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
H1	Phasing Policy
H2	Environmental Quality in Housing Developments

Other Material Considerations

PPS1	Delivering Sustainable Development
PPG2	Green Belts
PPS3	Housing

CONSIDERATIONS (External to Planning)

Highways: No objection

Environmental Health: No objection subject to a condition

APPLICANT'S SUPPORTING INFORMATION

A Design & Access Statement, a Bat Report and a Tree Protection Report & Survey were submitted with the planning application.

OFFICER APPRAISAL

Green Belt Policy

Replacement dwellings may be an exception to the categories of inappropriate development in the Green Belt as outlined in policy GC1 of the Local Plan, so long as the replacement dwelling is not materially larger than

the dwelling it replaces. The Local Plan does not contain a saved policy that defines “materially larger” or expands further on the advice within PPG2. Case law has established the factors that should be considered when assessing what is “materially larger”. It includes a comparative assessment of the scale of the proposed dwelling against the existing dwelling on the site. This includes matters of floorspace, footprint, height, massing, volume, design and position on the plot. Any, or a combination of such factors, could contribute towards a dwelling being materially larger than the existing dwelling. Floorspace will normally be a key factor in this assessment. The general intention is that the new building should be similar in scale to that which it replaces.

If a replacement dwelling is considered to be materially larger than the dwelling it replaces then it must be considered as inappropriate development for which there is a presumption against. Inappropriate development should not be permitted, except in very special circumstances. Very special circumstances will only exist if the harm by reason of inappropriateness and any additional harm is clearly outweighed by other considerations.

The correct approach to assessing a replacement dwelling in the Green Belt is:

1. Assessment of whether it is materially larger.
If it is materially larger then:
2. Assessment of any harm in addition to that of inappropriateness.
3. Assessment of considerations put forward in favour of the development.
4. Do those considerations clearly outweigh the harm to the Green Belt by reason of inappropriateness and any other harm?
5. If yes, do they amount to very special circumstances to justify granting of planning permission?

Are the dwellings materially larger than the dwellings they replace?

The applicant has stated in their Design & Access Statement that the replacement dwellings would result in an 11% increase in footprint and a 27.9% increase in floorspace. They go on to state that these increases are lower than what has been allowed at other properties along Prestbury Road and add that the percentage increases are within the parameters set on many sites in the Green Belt, as well as the 30% policy figure for extensions. They therefore conclude that the replacement dwellinghouses are appropriate development in the Green Belt.

The Case Officer has undertaken her own assessment of the existing dwellings versus the proposed dwellings and does not concur with the calculations put forward by the applicant. The Case Officer’s findings are:

	Existing Dwellings	Replacement Dwellings (% increase)
Floorspace (m ²)	571.95	895 (56.5%)
Footprint (m ²)	294.64	351.21 (19.2%)

Eaves Height (m)	5.9	5
Ridge Height (m)	10.8	9.5
Space to Side Boundaries (m)	19.4 (west), 15 (east)	9.4 (west), 6.4 (east)
Total Width of Both Houses (m)	20.2	35.8
Total Depth of Both Houses (m)	28.4	16.3

Whilst the height of the proposed dwellings would be marginally lower than the existing dwellinghouses and the depth would decrease, the replacement dwellings would have a significantly larger floorspace and footprint and the spread of development on the site would significantly increase. Taking into account all of these factors, the proposed dwellings are materially larger than the dwellings they replace. The proposed replacement dwelling is therefore inappropriate development in the Green Belt.

Assessment of any additional harm

PPG2 states that the most important attribute of Green Belts is their openness and therefore any building has an effect on openness. The footprint and floorspace of the replacement dwellings would be greater than the dwellings they would replace and the change from what is currently a pair of semi-detached properties to 2no. detached dwellings would result in the spread of development significantly increasing on the site. All of these factors would result in a greater scale and bulk which would reduce openness, to the detriment of the Green Belt.

Assessment of considerations in favour of the development

PPG2 Green Belts states at paragraph 3.2 that *'it is for the applicant to show why permission should be granted'*. The applicant maintains that the proposed dwellinghouse does not comprise inappropriate development and, as such, has not advanced any very special circumstances.

The proposed development comprises inappropriate development in the Green Belt and is therefore considered to be contrary to policy GC1 of the Local Plan and national planning policy in respect of Green Belts.

Design

The existing dwellinghouses comprise a pair of semi-detached 2½-storey brick built properties that are located centrally on the plot. Whilst the property has been subdivided into two units, the building still gives the impression of one large, double-fronted detached dwellinghouse when viewed from Prestbury Road. The original driveway is positioned to the eastern part of the site, whilst an additional access was formed under the 1961 planning permission to the west. No. 5 Prestbury Road has both an attached garage and a detached garage and No. 7 Prestbury Road has an attached garage; all of which are located to the rear of the site. Each property's curtilage is demarcated by a centrally planted boundary hedge/shrubs. The plot size of both dwellings is commensurate to a plot that would contain one large detached property along Prestbury Road.

The replacement dwellinghouses would comprise 2no. detached 2½-storey dwellinghouses and would be handed. They would be positioned marginally further from Prestbury Road than the existing semi-detached houses, but would have a greater spread across the frontage of the site with a large proportion of the replacement dwellings occupying the existing side gardens. The spacing to the sides of the plot would be significantly reduced and the properties would be set three metres from one-another. A boundary wall would be erected between the two properties. Each dwellinghouse would be rendered with a tiled roof. They would have a steeply hipped roof with two gables to the front elevation and small dormer windows within the front and rear roof slopes. Revised plans were received that deleted the proposed detached garages from the scheme and therefore no garaging is now proposed.

No building line is present along this part of Prestbury Road and therefore the siting of the replacement dwellings in relation to Prestbury Road is considered acceptable. However the scale and bulk of the dwellinghouses would significantly increase due to their siting within the plot, the reduced spacing to the sides and the inclusion of dormer windows and gables within the front elevation. Whilst the depth of the built form has reduced, this is currently occupied by single storey garaging/outbuildings. A number of trees and shrubs are positioned along the front boundary and are shown to be retained on the submitted drawings. Whilst they provide some screening, the existing dwellinghouse is still visible from Prestbury Road and the trees are deciduous. Given that the proposed dwellinghouses would occupy more of the site's width and would have a similar eaves and ridge height to the existing semi-detached dwellinghouses, it is considered that they would be highly visible from Prestbury Road.

The surrounding dwellinghouses comprise large detached dwellinghouses of individual designs constructed of a variety of materials, with no two dwellings being the same. Whilst the design of the replacement dwellings when considered individually are not considered out-of-character with the surrounding area, concern is raised regarding a pair of dwellings with the same design being introduced into the street scene.

The surrounding dwellings all occupy substantial plots. Whilst there is some variety in the size and shape of the plots, the plot size of the application site is commensurate with the size of plot that would be occupied by one detached dwellinghouse. By erecting two distinctly separate detached dwellings in replace of the existing subdivided dwellinghouse that still maintains the appearance of one large detached dwelling would have a detrimental effect on the character and appearance of the street scene and surrounding area.

For the reasons outlined above it is considered that the 2no. detached replacement dwellings would not reflect local character or be sympathetic to the character of the local environment or street scene, contrary to policies BE1 and DC1 of the Local Plan.

Amenity

The application site is located in a ribbon of dwellings located in the North Cheshire Green Belt. Detached dwellings are sited to the east and west of the application site. The replacement dwellings would be sited closer to the properties on either side than the existing dwellinghouses. However, only secondary windows would be positioned in the side elevations. Where these windows would directly face the neighbouring property they would exceed the separation distances outlined in policy DC38 of the Local Plan. Each dwelling would be sited between approximately 7 and 9 metres from the side boundaries and existing trees and shrubs form the boundary treatment. The proposed dwellings would be sited further from Prestbury Road than the existing dwellings and would exceed the separation distances in respect of the properties on the opposite side of the road. For these reasons, it is not considered that the proposed dwellings would have a detrimental effect on the amenity of the adjacent dwellings and are considered to comply with policies DC3 and DC38 of the Local Plan.

The proposed dwellings would be sited three metres from one-another with a boundary wall between, in compliance with the separation distances outlined in policy DC38. The properties would be a mirror image and therefore the proposed windows within the facing side elevations would directly face each other. Whilst the view from the ground floor windows would be obscured by the proposed boundary wall, the first floor windows would have a direct view into the neighbouring property's rooms. It is therefore recommended that a condition be attached requiring these windows to be obscure glazed and fixed in order to protect the occupiers' amenity. Providing such a condition is attached, it is considered that the proposed dwellings would have an acceptable relationship to each other and would comply with policies DC3 and DC38 of the Local Plan.

The Environmental Health Division has assessed the application and has recommended that construction and demolition times be conditioned in order to protect neighbouring amenity given the scale of the development and the proximity to neighbouring dwellings.

Highways

The proposed dwellinghouse would utilise the existing accesses onto Prestbury Road. A detached double garage was proposed for each dwelling but they have been subsequently deleted from the proposed scheme at the request of the Agent. The Strategic Highways Manager has assessed the proposed development and does not consider there to be any highway issues. He therefore raises no objection. The proposed development is therefore considered to comply with policy DC6 of the Local Plan.

Ecology

The application is supported by an acceptable ecological survey undertaken by a suitably qualified and experienced consultant. No evidence of bats was recorded and consequently the proposed development is unlikely to have an adverse impact upon this species group. The Nature Conservation Officer recommends that conditions be attached in respect of nesting birds and for

features to be incorporated for breeding birds and roosting bats. Subject to these conditions, the proposed development is considered to comply with policy NE11 of the Local Plan.

Trees

The application site contains a number of TPO protected and unprotected trees. The Forestry Officer assessed the submitted Tree Report & Survey and noted a number of omissions. Additional information has therefore been requested and is currently awaited.

Landscape

The Landscape Officer has assessed the application and raises no objection to the proposed development subject to conditions in respect of the submission and implementation of a landscaping scheme and details of the proposed boundary treatment. For these reasons it is considered that the replacement dwellings would comply with policy DC8 of the Local Plan.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The replacement dwellinghouses are considered to comprise inappropriate development in the Green Belt and would cause additional harm to its openness. No very special circumstances have been put forward by the applicant. In addition, the design, siting and scale of the replacement dwellings are not considered to reflect the local character of the surrounding area or street scene. The replacement dwellinghouses are therefore considered to be contrary to policies BE1, DC1 and GC1 of the Local Plan and national planning policy in respect of Green Belts.

SUBJECT TO

Additional information being received in respect of the existing trees on the site and the comments of the Forestry Officer.

RECOMMENDATION

The application is therefore recommended for refusal for the following reasons:

1. The proposal is an inappropriate form of development within the Green Belt, as defined by the Development Plan. There are no exceptional circumstances that would warrant an exception to adherence. The development is therefore contrary to policy GC1 of the Macclesfield Borough Local Plan and would cause harm to the objectives of those policies. The development is similarly contrary to national policy guidance relating to development within the Green Belt.
2. The proposed development fails to achieve an adequate quality of design to justify approval of planning permission. The replacement dwellings are excessive in scale and bulk, they would be highly visible from Prestbury Road and they occupy a large proportion of the site's width which would have a detrimental impact on the street scene/character of the area. It is therefore concluded that the proposal would detract from the character and appearance of the area, within

which the site is located and be contrary to policies BE1 and DC1 of the Macclesfield Borough Local Plan and national planning policies which seek to promote high quality and inclusive design.

Location Plan: Cheshire East Council Licence No. 100049045

