

Application No: 12/4108M

Location: 43a, MOBBERLEY ROAD, KNUTSFORD, CHESHIRE, WA16 8EQ

Proposal: Replacement dwelling house

Applicant: Mr Steve Kilgour

Expiry Date: 21-Jan-2013

**SUMMARY RECOMMENDATION:** Approve subject to condition

**MAIN ISSUES**

- Impact upon the Conservation Area
- Design
- Highway Safety
- Amenity

**REASON FOR REPORT**

The application is to be determined by the Northern Planning Committee because it has been called in by Councillor Raynes due to concerns regarding the visual impact on the surrounding area and the Conservation Area, impact upon neighbouring amenity and concerns that there is inadequate parking.

**DESCRIPTION OF SITE AND CONTEXT**

The application site is known as 43a Mobberley Road, Knutsford and comprises a two storey dwelling in a backland location behind a row of terraced Victorian/ Edwardian properties along Mobberley Road in the Cross Town Conservation Area within the settlement boundary of Knutsford.

**DETAILS OF PROPOSAL**

The proposals relate to the demolition of the existing building and the construction of a new dwelling which would have a linear footprint measuring 9.5m in length and 5.6m wide (max) reaching a height of 4.6m to eaves and 6.4m to ridge height. The building would have the appearance of a converted barn.

## **RELEVANT HISTORY**

12/1968M Two storey extension to rear and side Refused 23-Jul-2012

A Conservation Area Consent application has been submitted for the demolition of the building which is within the Cross Town Conservation Area – this is to be determined under delegated powers.

## **POLICIES**

### **Regional Planning Policy**

As part of its stated commitment to protecting the environment the Government decided to carry out an environmental assessment of the revocation of the existing regional strategies, on a voluntary basis. It is the Government's clear policy intention to revoke existing regional strategies outside London, but this is subject to the outcome of environmental assessments and will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the assessments.

The regional strategy whose revocation is proposed is the *North West of England Plan Regional Spatial Strategy to 2021*, published in September 2008. The environmental report on the revocation of the North West of England Plan was undertaken on 20 January 2012. As the abolition of the RSS is imminent, the policies within the RSS are given limited weight. In any event, the policies are listed below:

North West of England Plan Regional Spatial Strategy to 2021

DP1 (Spatial principles applicable to development management)  
DP7 (Criteria to promote environmental quality)  
EM1 (Regional Assets)

### **Local Plan Policy**

The policies within the Macclesfield Local Plan 2004 have been 'saved' by the Secretary of State prior to the production of the Cheshire East Local Plan. Para 215 of the NPPF indicates that relevant policies in existing plans will be given weight according to their degree of consistency with the NPPF.

Macclesfield Borough Local Plan – saved policies

BE1 Design principles for new developments,  
BE2 Preservation of Historic Fabric  
BE3 Conservation Areas  
BE4 Design Criteria in Conservation Areas  
BE23 Development Affecting Archaeological Sites  
DC1 High quality design for new build  
DC2 Design quality for extensions and alterations  
DC3 Protection of the amenities of nearby residential properties

DC6 Circulation and Access  
DC8 Trees  
DC9 Trees  
DC38 Spacing Standards  
DC41 Infill Housing Development  
DC46 Demolition  
H13 Protecting Residential Areas

**Other Material Considerations**

National Planning Policy Framework  
Interim Planning Policy on the Release of Housing Land

**CONSULTATIONS**

**Archaeology** – No objections

**Strategic Highways Manager** – None received at time of writing report

**Environmental Health** – recommends conditions in respect of pile driving operations and construction hours

**Knutsford Town Council** - The Council objects to the application on the grounds of inappropriate and overdevelopment of the site. The privacy of adjoining properties would be put in jeopardy. The Council draws attention to the restricted access and potential noise and access issues during demolition and construction.

**United Utilities** – No objections

**OTHER REPRESENTATIONS**

Letter of objection from 5 Manor Park South, 35, 37, 39 & 47 Mobberley Road, on the following grounds:-

- No access available
- No planning permission for use of building as dwellinghouse
- Exacerbate parking issues
- Pine trees should be protected
- Property will be extended after completion
- Onwership issues
- Disproportionate building
- Inappropriate location for dwelling
- Overbearing
- Impact on archaeology
- Noise
- Privacy
- Overlooking
- Recommends conditions in respect of windows and screening
- Security
- Loss of light

- Impact on historic character
- Impact on views
- Loss of light

Letter of representation received from 7 & 13 Manor Park South regarding concerns in respect of access during construction

## **APPLICANT'S SUPPORTING INFORMATION**

The following documents have been submitted to accompany the application:

Design and Access Statement  
Heritage Statement

## **OFFICER APPRAISAL**

### **Principle of Development**

The site lies within the settlement boundary of Knutsford where there is a presumption in favour of development.

That said, the site also lies within a Conservation Area and S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 specifies that it is the general duty of local planning authorities, in the exercise of their planning functions, to pay special attention to the desirability of preserving or enhancing the character or appearance of these conservation areas.

In addition to issues relating to the Conservation Area and archaeology, the impact on the character of the area, neighbouring amenity and highway safety are also issues for consideration in the determination of the application. These issues are considered below.

### **Heritage Matters**

This section of Mobberley Road is a medieval suburb of Knutsford and is within the designated Cross Town Conservation Area. The existing dwelling sits behind a terrace of buildings which are of Townscape Merit, dating from the early 19<sup>th</sup> century.

The existing building is small and still reads (albeit with changes) as the outbuilding to no. 45. It is approximately 8m x 4m reaching a height of 4.3m and located 5m from the rear elevation of the terrace along Mobberley Road. The building is set back substantially from Mobberley Road and given that the site is enclosed by houses and there are trees and hedge around the site, the building is not visible from public vantage points. As the building appears on late 19<sup>th</sup> century maps it is significant to the terrace.

The Conservation Area Character Appraisal states that:-

‘As the character of dwellings within Cross Town Conservation Area is overwhelmingly modest, it is important that any future infill development is designed to be modest in scale and massing and unpretentious in detail.’

The building the subject of this application has historically been a modest ancillary building to one of the terraces on Mobberley Road. The applicants Heritage Statement indicates that the building originates from the late nineteenth century but has been significantly altered over the years including re-facing the building in concrete blockwork, increasing the height to create two storeys and changing the roof profile. These have been unsympathetic changes which have undermined the character of the building. Its modern appearance now contrasts with the terrace which remains largely unaltered since its construction.

The Heritage Statement indicates that the building has limited value as there are examples of other buildings constructed in the same period of superior architectural and historic character, it has been significantly altered and therefore a lot of its original character has been lost and it is not clearly visible from a series of public vantage points. Its replacement would not have a significant adverse impact upon the character of the Conservation Area. A sensitive replacement would therefore offer an opportunity to improve the character of the Conservation Area.

This building was a former outbuilding/coach house and the replacement structure seeks to replicate this historic relationship. Whilst it is situated further into the plot it would appear as a detached structure and would maintain the physical relationship between the existing row of properties and this ancillary structure. The design of the building in terms of its scale and appearance does take reference from the historic grain of the street and scale and proportions of the existing dwellinghouses along Mobberley Road. The building would appear as a former outbuilding to the terrace and would not be clearly visible from public vantage points.

The principle of a new building in a backland location is acceptable and this replacement building would respect the historic character of the Cross Town Conservation Area provided that appropriate materials and detailing are conditioned.

As such, the proposals seek the replacement of the existing structure with a new dwelling which is sympathetic to the character of the area and the historic character of the surroundings - the proposals have successfully interpreted the historic fabric of the environment and would therefore preserve the character of the Conservation Area in accordance with policies BE3 and BE4 within the Local Plan.

There are no objections to the proposals on archaeology grounds as the Council’s archaeologist has confirmed that no surveys in this respect are required.

The comments from neighbours are duly noted and it is also noted that the proposed building is significantly bigger than that which it is to replace however the key test in respect of the impact upon the Conservation Area is whether it would preserve or enhance. Given the nature of the location, the design of the replacement building and its relationship with the terrace, it is considered that the proposals would preserve the character of the Conservation Area.

## **Design Standards**

Policy BE1 within the Local Plan seeks to encourage high quality design which reflects local character and respects the form, layout, siting, scale and design of surrounding buildings and their setting.

For the reasons noted above it is considered that the proposed replacement building would respect the historic character of the site, its historic relationship with the attractive terraces along Mobberley Road and completely respect the original character, appearance and simple form of the existing outbuilding. In so doing the proposals would respect and reflect local character and the resultant building would represent a high quality design which contributes to the vitality of the area:- this area has been designated as a Conservation Area in recognition of its special qualities including its "visual charm".

Policies DC1 and DC2 indicate that the scale, density, height, mass and materials of new development must normally be sympathetic to the character of the local environment, streetscene, adjoining buildings and the site itself, and that proposals should respect the existing features of the building.

Historically, this building was a former outbuilding hence why it has an intimate relationship with the terrace along Mobberley Road and its overall size, scale and height reads as an ancillary building. The proposals would respect the relationship between the existing building and the terrace as the new dwelling would be subordinate to the terraced property. It is proposed to condition details of materials and details of the windows to ensure that this building has the appearance of a converted coach house. On that basis, the proposals would accord with policies DC1 and DC2.

The comments from neighbours are duly noted however the property would have a similar floor area to the terraces and would have a smaller footprint on adjacent properties along Manor Park North. In addition, it would also have a reduced ridge and eaves height compared to existing properties in the vicinity of the site which is appropriate given that this is a backland location. It is therefore considered that the scale and appearance of the building would be appropriate in this location and would not harm the character of the area. In addition it should be noted that the building would not be readily visible from public vantage points.

## **Amenity**

Neighbours have raised concerns regarding the lawful use of the building however investigations have indicated that the building has been utilized as a residence for over four years and is currently occupied. Notwithstanding this, the proposals have been assessed on the basis of a new dwelling.

Policy DC3 states that development should not injure neighbouring amenity by reason of loss of privacy, overbearing effect, loss of sunlight, daylight, noise and smells etc all of which are concerns which have been raised by residents.

The building would be over 21m from the nearest neighbour and would therefore accord with the spacing standards set out in policy DC38. This distance would negate any impact in

respect of overlooking, overshadowing, loss of light or the perception of being overbearing. In respect of noise during construction, it is considered that this issue could be mitigated through appropriate conditions.

The introduction of additional boundary treatment would also prevent overlooking of garden areas. This would be conditioned accordingly.

## **Highway Safety**

The neighbours have raised concerns regarding highway safety both in terms of vehicular access to the site for occupants and during the construction period. Any disturbance during the construction period would be temporary and as noted above could be mitigated via condition.

Whilst no formal comments from the Highways engineer have been received, informal discussions have indicated that as the existing property does not have off street car parking and the proposals would maintain the status quo - whilst there would be an increase in the number of bedrooms and likely occupancy of the property, this is a highly sustainable location close to the town centre and on street car parking is available. On that basis, it is considered that no off street car parking provision would be acceptable – this approach is supported by para 30 of The Framework.

It is duly noted that the busy nature of the highways network is considered a threat within the Conservation Area character appraisal and that this detracts from the special qualities of the Conservation Area. That said it is not considered that the vehicle movements associated with a replacement dwelling would make this existing situation materially worse.

Whilst the assessment above is made on the basis of the building being a replacement, it is considered that if the dwelling were assessed as a new dwelling, although not ideal, it is considered that the addition of one dwelling without off street parking would be unlikely to have a significant adverse impact upon highway safety to the extent that would warrant a refusal of planning permission.

On that basis it is not considered that the new dwelling proposed would not have an adverse impact upon highway safety. The proposals accord with policy DC6.

## **Housing Land Supply**

The site lies within the settlement boundary of Knutsford – policy H1 states that development on windfall sites will be permitted and is therefore acceptable in principle.

As the Council cannot demonstrate a five year land supply, this strengthens the case in favour of residential development. In addition, the current Interim Planning Policy on the Release of Housing Land seeks to steer development towards sustainable Brownfield sites in order to support sustainability objectives.

This is a Brownfield site within a sustainable location within a defined centre, in short walking distance of Knutsford town centre, Knutsford train station and the bus station. The site is

therefore within walking distance of a range of goods and services available within the town centre and is accessible by a range of means of transport. This is one of the most appropriate locations for residential development. In addition the proposals would support the objectives of the current Interim Planning Policy on the Release of Housing Land.

If the proposals are assessed as a new dwelling the development would make a positive contribution towards the Council achieving a five year land suppl. In the event that the proposals are assessed as a replacement, the impact upon housing supply would be neutral.

### **Other Matters**

It is considered that drainage matters could be dealt with via the imposition of a condition.

The trees on the site are not worthy of a Tree Preservation Order and appropriate landscaping can be secured via the imposition of a condition.

It is not considered that the construction of the dwelling would have any impact upon security experienced by nearby residents.

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

The proposed dwelling would represent an acceptable form of development which would preserve the character of the Conservation Area, respect the character of the area and would not have an adverse impact upon the streetscene. In addition the proposals would not have an adverse impact upon amenity, highway safety, drainage, trees, or in any other way. In so doing the proposals accord with policies BE1 Design principles for new developments, BE2 Preservation of Historic Fabric, BE3 Conservation Areas, BE4 Design Criteria in Conservation Areas, BE23 Development Affecting Archaeological Sites, DC1 High quality design for new build, DC2 Design quality for extensions and alterations, DC3 Protection of the amenities of nearby residential properties, DC6 Circulation and Access, DC8 Trees, DC9 Trees, DC38 Spacing Standards, DC41 Infill Housing Development, DC46 Demolition and H13 Protecting Residential Areas.

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. This has been demonstrated by:

- a) Actively engaging in pre-application discussions with the applicant to try and find solutions to problems
- b) Providing advice to the applicant/agent during the course of the application on potential problems and possible solutions
- c) Securing revised plans during the course of the application which have overcome initial problems

## Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A03EX - Materials to match existing
3. A01AP - Development in accord with approved plans
4. A22GR - Protection from noise during construction (hours of construction)
5. A12LS - Landscaping to include details of boundary treatment
6. A05LS - Landscaping - implementation
7. Pile Driving Operations
8. Removal of permitted development rights
9. Proposed land levels
10. Drainage Details

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