

NORTHERN PLANNING COMMITTEE

8TH APRIL 2009

Appl Number	Location	Page Number
09/0026P	CROFT GARAGE NEWTON HALL LANE MOBBERLEY WA16 7LL	2
09/0032P	221 BLAKELOW ROAD MACCLESFIELD SK11 7EF	10
09/0027P	HEATH COTTAGE GASKELL AVENUE KNUTSFORD WA16 0DA	17
09/0028P	HEATH COTTAGE GASKELL AVENUE KNUTSFORD WA16 0DA	24
08/2670P	DALE STREET MILL DALE STREET MACCLESFIELD SK10 1NH	30
09/0087P	41 BULKELEY ROAD HANDFORTH SK9 3DS	38
09/0095P	9 LORD STREET MACCLESFIELD	46
09/0096P	9 LORD STREET MACCLESFIELD	51
09/0115P	120 CUMBERLAND STREET MACCLESFIELD SK10 1BT	60
09/0133P	WYCH COTTAGE WYCH LANE ADLINGTON SK10 4NB	69
09/0313P	27 CHELFORD ROAD MACCLESFIELD SK10 3LG	77
09/0226P	THE ORCHARD 2 HILLCREST ROAD BOLLINGTON SK10 5DR	85
09/0227P	11 BRANDEN DRIVE KNUTSFORD WA16 8EJ	89
089/0281P	PRES DU DOUIT, HOLEHOUSE LANE SUTTON SK11 0NB	96

Application No: 09/0026P

Location: CROFT GARAGE, NEWTON HALL LANE, MOBBERLEY, KNUTSFORD, CHESHIRE, WA16 7LL

Proposal: PROPOSED ERECTION OF 3NO. DETACHED HOUSES FOLLOWING DEMOLITION OF ALL EXISTING BUILDINGS ON SITE

For OAK BUILDING DEVELOPMENTS LIMITED

Registered 27-Feb-2009

Policy Item Yes

Grid Reference 380517 380447

SUMMARY RECOMMENDATION: Refuse

The proposal is inappropriate development in the Green Belt and the very special circumstances put forward are not considered sufficient to warrant approval of the application. The proposed design and layout of the dwellings would be harmful to the character and appearance of the area and the site is not in a suitable or sustainable location for new housing. Insufficient information has been submitted regarding contamination and protected species.

MAIN ISSUES:

- Whether the proposal constitutes appropriate development in the Green Belt and if not whether there are any very special circumstances that would outweigh any harm caused by inappropriateness
- Whether the principle of housing on the site is acceptable and whether the proposal complies with the Council's PPS3 Housing and Saved Policies Advice Note
- Whether the design and appearance of the proposed dwellings are acceptable
- Whether the proposal would have any adverse impact on protected species
- Whether the access and parking arrangements are acceptable

REASON FOR REPORT

The application is referred to Committee as it involves development for the erection of more than 1 dwelling. It was scheduled for Committee under Macclesfield's constitution.

DESCRIPTION OF SITE AND CONTEXT

The site is located in the Green Belt to the east of Newton Hall Lane, Mobberley. It was formerly used as a petrol station and MOT/car repair garage and contains a number of vacant buildings, some of which are in a derelict state. Two existing residential properties are located to the south with a residential caravan site located to the east. Open fields are located to the north and west.

DETAILS OF PROPOSAL

Planning permission is being sought for the demolition of the existing buildings and their replacement by 3 detached, two-storey dwellings. Two of the dwellings would front onto and be accessed off Newton Hall Lane with the other dwelling located to the rear of the site and accessed off an existing access road located to the south of the site.

RELEVANT HISTORY

04/0009P

Full Planning

DEMOLITION OF EXISTING BUILDINGS AND REMOVAL OF EXISTING RESIDENTIAL CARAVANS. ERECTION OF 11 NO. THREE STOREY DWELLINGHOUSES IN 3 NO. BLOCKS AND 10 NO. APARTMENTS IN THREE STOREY APARTMENT BLOCK. ATTACHED GARAGE BLOCK WITH 1NO FLAT OVER. NEW ACCESS DR CROFT GARAGE NEWTON HALL LANE MOBBERLEY CHESHIRE
refused 20040218

05/0704P

Certificate of Lawful Existing Use/ Dev

CERTIFICATE OF LAWFULNESS (EXISTING USE) FOR RESIDENTIAL CARAVAN PARK

CROFT PARK HOME ESTATE NEWTON HALL LANE MOBBERLEY KNUTSFORD
positive certificate 20050812

POLICIES

Regional Spatial Strategy

DP1 (Spatial Principles)

DP2 (Promote Sustainable Communities)

DP4 (Make the Best Use of Existing Resources & Infrastructure)

DP5 (Manage Travel Demand, Reduce the Need to Travel & Increase Accessibility)

DP7 (Promote Environmental Quality)

DP9 (Reduce Emissions and Adapt to Climate Change)

RDF4 (Green Belts)

RT2 (Managing Travel Demand)

EM1 (Integrated Enhancement and Protection of the Region's Environmental Assets)

EM2 (Remediating Contaminated Land)

EM5 (Integrated Water Management)

MCR3 (Southern Part of the Manchester City Reason)

Local Plan Policy

NE11 (Nature Conservation)

BE1 (Design Guidance)

GC1 (New Buildings)

H1 (Phasing Policy)

H2 (Environmental Quality in Housing Developments)

H5 (Windfall Housing Sites)

T2 (Transport)

DC1 (Design New Build)

DC3 (Amenity)
DC6 (Circulation and Access)
DC8 (Landscaping)
DC9 (Tree Protection)
DC38 (Space, Light and Privacy)
DC63 (Contaminated Land including Landfill Gas)

Other Material Considerations

The Council's PPS3 Housing and Saved Policies Advice Note.

CONSULTATIONS (External to Planning)

Highways: comments awaited.

Environmental Health (Contaminated Land): object to the application.

VIEWS OF THE PARISH / TOWN COUNCIL

Mobberley Parish Council strongly object to the application. Do not believe that the passage of time and total neglect of the site justifies three 'rather large' out of character houses. Accept that there would be merit in a change of use from industrial to private housing but should be of a suitable size and character compatible with the adjoining properties and Green Belt. The proposal would urbanise this pleasant part of the countryside and its derelict state is no excuse for overdevelopment at this stage.

OTHER REPRESENTATIONS

None received to date.

APPLICANT'S SUPPORTING INFORMATION

Various documents have been submitted in support of the application. These include a Design & Access Statement, a PPS3 checklist, a Planning Statement, a Bat & Barn Owl survey, a Phase 1 Land Quality Assessment and a report regarding environmental ratings for homes. Copies of these documents are available on the application file.

In summary, it is acknowledged that the proposed development is inappropriate development in the Green Belt. However it is submitted that very special circumstances exist which would justify the proposals. The Design & Access Statement concludes that the site is a vacant, derelict site with large amounts of overgrown areas which has a negative appearance along Newton Hall Lane. The proposed development is architecturally superior to the existing buildings.

OFFICER APPRAISAL

Principle of Development

The site lies in the Green Belt where policies seek to maintain openness. Local Plan Policy GC1 states that within the Green Belt approval will not be given, except in very special circumstances, for the construction of new buildings unless it is for a specified number of purposes, none of which apply in this case. The applicants accept that the proposal is

inappropriate development but state that very special circumstances exist in this case. The very special circumstances put forward are:

- Beneficial re-use of previously developed land
- Enhancement of openness of the Green Belt by reduction in plot ratios from 24% to 20.4% (this relates to the ratio of building footprint in relation to the overall size of the site)
- Restoration of a derelict site which detracts from the amenities of the Green Belt
- Extinguishment of non-conforming lawful use as a petrol filling station and MOT/repair garage
- Reduction in potential traffic movements, therefore more sustainable development

With regard to the very special circumstances put forward, it is not considered that these are sufficient to justify approval of the proposed development. Whilst it is accepted that the visual appearance of the site is poor, it is not considered that this together with the other circumstances put forward are sufficient to warrant approval of the proposed inappropriate development. The overall footprint of development may be being reduced, however the mass of development would be increased due to the increased height and bulk of the proposed dwellings. Additionally the proposed dwellings to the front of the site would be much more prominent than the existing buildings. No evidence has been put forward to demonstrate that none of the buildings on site are capable of re-use. Whilst the majority of the existing buildings appear to be structurally unsound, the brick building to the rear of the site appears to be reasonably sound and in the absence of any information to indicate otherwise, it is potentially suitable for some form of re-use.

In terms of compliance with the Council's Housing policies and in particular with the PPS3 Housing and Saved Policies Advice Note, a completed PPS3 checklist has been submitted with the application. Whilst the views of the Local Plans team is awaited, and whilst the site is previously developed land, it is in a rural location, located some distance from the centre of Mobberley. It is not therefore considered to be in a suitable or sustainable location for new housing. The density of the development falls below 30 dwellings per hectare as recommended by PPS3, however it is considered that in this case this is acceptable given the rural location of the site.

Highways

Access to the site is currently via an access road off Newton Hall Lane. This road also provides access to the residential caravan site, to an existing range of garages and to residential properties located to the south of the site. Access to Plots 1 & 2 is to be via two new access points off Newton Hall Lane, with access to Plot 3 via the existing access road. Parking is to be provided within the proposed garden/driveway areas.

The comments of the Highways Authority are awaited and will be reported in an update to Committee.

Design

The design of the proposed dwellings is fairly traditional, with Plots 1 & 2 having an identical appearance. The dwellings would be constructed from a mixture of brick and render (Plots 1 & 2) and brick, render and cedar cladding (Plot 3). Plots 1 & 2 have been positioned over the footprint of the existing main garage shop and workshop to the front of the site with Plot 3 positioned over the footprint of the warehouse at the rear of the site.

Whilst the design of the proposed dwellings is fairly traditional, it is considered that the proposed design and appearance is unacceptable in this case. The proposed dwellings are higher and larger than the existing buildings on the site, with Plots 1 & 2 located very close together (gap of 1.6m), approximately 12 – 14m back from Newton Hall Lane. It is considered that the proposed design and layout would result in the development being much more prominent than existing buildings on the site.

Amenity

A number of residential properties adjoin the site, one located on the residential caravan site to the east of the site and two on the opposite side of the access road to the south of the site.

The side elevation of Plot 3 would be located approximately 9.6m from the rear boundary of the site at the nearest point. This side elevation would not contain any windows. The side elevation of a residential caravan is located approximately 2m to the other side of the rear boundary and contains two windows and a door in this elevation facing towards the site. At this stage it is not clear whether these windows are to habitable rooms. If they are then Local Plan policy DC38 requires a minimum distance of 14m between habitable rooms and non habitable rooms (or blank walls). The proposal therefore appears to fall below this standard.

The side elevation of Plot 2 would face towards the two existing residential properties on the opposite side of the access road. The proposed site layout indicates that the distance between the side elevation of Plot 2 and Croft Cottage would be approximately 11m and the distance to The Croft 6.6m. None of the windows in the side elevation of Plot 2 would serve habitable rooms. Extensive screening exists along the side boundary of Croft Cottage with a stone wall (approximately 2m high) along part of the boundary. Again, it is not clear at this stage whether there are any habitable room windows in either Croft Cottage or The Croft facing towards the site. If there are habitable room windows in these elevations, then as with Plot 3, the proposal would fall below the standards outlined in Policy DC38. However, any impact on these properties would be mitigated in part by the existence of boundary treatments.

Further investigation of the impact of the proposal on existing residential properties will be carried out and an update on this issue will be reported to Committee.

In terms of the space between the proposed dwellings, the layout of the scheme appears to comply with the space standards outlined in Policy DC38.

Ecology

A Bat and Barn Owl report has been submitted with the application. The Council's Nature Conservation Officer has considered this and notes that there was no evidence of bats or barn owls recorded at the site. The proposed development may however have an adverse impact on great crested newts which may occur within an adjacent water body. Further survey work is therefore required and this should be carried out prior to the determination of the application. In the absence of this survey work, the Council's Nature Conservation Officer objects to the proposal.

Landscaping and Tree Implications

The site contains a number of trees and a number of trees are located immediately adjacent to the site. An existing tree survey has been submitted in support of the application, though there appears to be no indication as to which trees are to be removed as part of the proposal.

The views of the Council's Forestry Officer are awaited and will be reported in an update to Committee.

With regard to general landscape impact, as previously stated, there is concern with regard to the size of the proposed dwellings fronting onto Newton Hall Lane. The footprints of these dwellings are considered too large in proportion to the width of available land. Additionally there is some concern with regard to the proximity of one of these dwellings to the boundary ditch and with regard to the proximity of the dwelling at the rear to the access road. There is also concern about the fact that there are two new access points proposed off Newton Hall Lane and about the proposed boundary treatment along the Lane. It is considered that soft landscape features should be used at this point to reflect the rural location of the site.

Environmental Factors

The site was previously used as a petrol filling station and as an MOT/car repair garage and the land may therefore be contaminated. The application is for new residential properties which are a sensitive end use and could be affected by any contamination present.

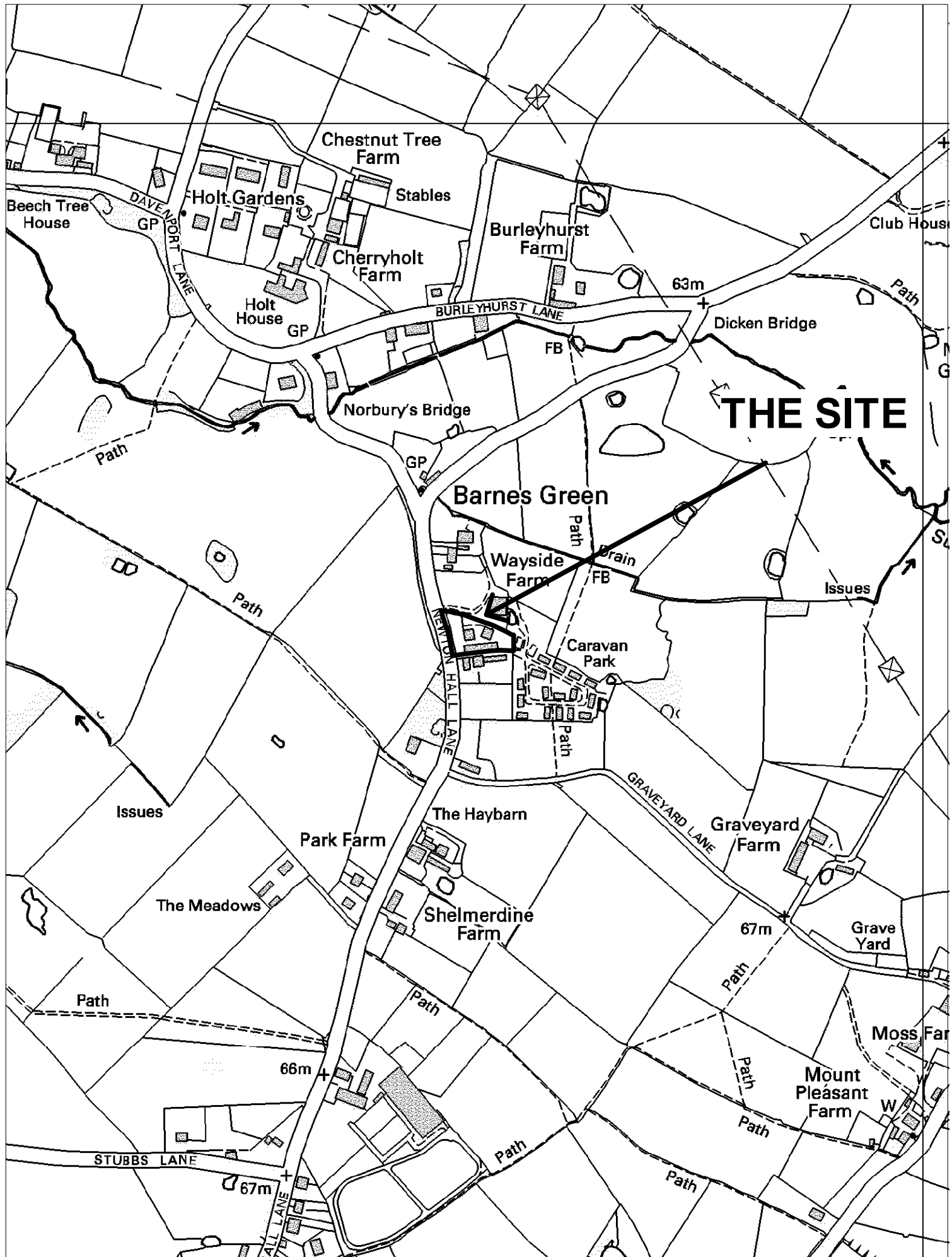
The report submitted with the application indicates that there is significant potential for contamination to be present at the site. There is no evidence that the petrol station (in particular the fuel tanks and lines) has been decommissioned or a suitable exit strategy implemented. Consequently there is significant potential for contamination to exist at the site, which could be both prejudicial to the redevelopment of the site as well as off site receptors. Should transboundary migration of the contamination have occurred then any redevelopment of the site may impair the ability of any future action to remediate any off site contamination that may have occurred. An intrusive investigation is therefore required to be submitted prior to the determination of the application. In the absence of this, the Council's Contaminated Land Officer advises that the application should be refused.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The site lies in the Green Belt and whilst it is accepted that the appearance of the site detracts from the visual amenity of the area, it is not considered that this together with the other circumstances put forward are sufficient to warrant approval of the application which proposes inappropriate development. Additionally, there are concerns regarding the design and layout of the proposal and the impact that it may have on the amenity of nearby residential properties. Insufficient information has been submitted with regard to the impact of the proposal on protected species and in terms of contamination. Finally it is not considered that the site is a suitable or sustainable location for new housing.

SUBJECT TO

The expiry of the publicity period, the views of outstanding consultees and further investigation regarding the impact on nearby residential properties



09/0026P - CROFT GARAGE NEWTON HALL LANE MOBBERLEY

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Scale 1:10000

Application for **Full Planning**

RECOMMENDATION : Refuse for the following reasons

1. R12LP - Contrary to Green Belt / Open Countryside policies
2. R05LP - Harmful to appearance of the countryside
3. R01PL - Contrary to national policies
4. R04MS - Insufficient information
5. R03NC - Insufficient ecological information

Application No: 09/0032P

Location: 221, BLAKELOW ROAD, MACCLESFIELD, CHESHIRE, SK11 7EF
Proposal: PROPOSED SIDE EXTENSION, REAR EXTENSION AND INCREASE IN ROOF HEIGHT

For MR JOHN BURGESS

Registered 03-Feb-2009
Policy Item No
Grid Reference 393025 372834

Date Report Prepared: 27.03.2009

SUMMARY RECOMMENDATION: Refuse

MAIN ISSUES:

- Design
- Impact on the character and appearance of the area (including the street-scene)
- Impact on the Green Belt
- Impact on residential amenity
- Highways safety

REASON FOR REPORT

The application was 'called-in' to committee by the Ward Councillor, Cllr Neilson.

DESCRIPTION OF SITE AND CONTEXT/ DETAILS OF PROPOSAL

The property to which the application relates is a two-storey, detached cottage with an existing single-storey outrigger that pre-dates 1948. The dwelling is located within the North Cheshire Green Belt and an Area of Special County Value. For the purposes of Green Belt policy it is noted that the property lies within a ribbon of development.

The property is set-back approximately 5m from the edge of the highway. The site rises from the front to the rear such that the existing single-storey rear outrigger is partially cut into the landscape. The garden terrace area at the rear of the garden is considerably higher than the ground-level at the front of the property. There is currently a gap between the western side elevation and the boundary of approximately 10m.

The proposed development seeks to extend the existing two-storey cottage in the following manner: 1) increase the ridge height by approx. 1m; 2) erect a two-storey side extension on the western side of the property; 3) demolish an existing single-storey outrigger at the rear and replace with a two-storey outrigger; 4) erect an additional two-storey rear extension adjacent to the two-storey outrigger; 5) erect a front porch and 6) increase the size of the fenestration on the front of the property.

These extensions would provide the following: a) a lounge approximately double the size of the existing; b) a separate hall (the same space currently comprising hall and dining area combined); c) a separate dining room; d) an extended kitchen; e) a utility area; f) a downstairs wc; g) a separate landing area (the same space currently comprising open landing/bedroom combined); h) a replacement bathroom and i) 2 additional bedrooms, both with en-suite facilities.

RELEVANT HISTORY

08/2271P Two-storey side extension, 2 No. two-storey rear extensions, increase in roof height and front porch. Withdrawn 11/12/08

POLICIES

Regional Spatial Strategy

DP1: Spatial Principles
DP7: Promoting Environmental Quality
RDF4: Green Belt

Local Plan Policy (MBLP)

BE1: Design Guidance
GC12: Alterations and Extensions to Houses (Green Belt)
H13: Protecting Residential Areas
DC1: New Build
DC2: Extensions and alterations
DC3: Amenity
DC38: Space Light and Privacy
NE1: Area of Special County Value

Other Material Considerations

National Planning Policy Guidance Note 2 (Green Belts)

CONSULTATIONS (External to Planning)

None

OTHER REPRESENTATIONS

One representation has been received to date from the occupant of the neighbouring property to the east, 225 Blakelow Road. The author notes that the applicant has discussed the plans with him and he has no objection to the proposed, being of the view that it does not impact on the amenity of neighbouring properties.

APPLICANT'S SUPPORTING INFORMATION

The applicant has submitted a number of documents to draw attention to the history of the site and present a case in support of the size of the proposed extensions. Within the supporting information the applicant refers to the site

originally having a 'shippon building' at the rear of the plot, a detached garage erected around 1946 and a stone garden building having been erected in 1953. The applicant has calculated the sizes of these outbuildings and included them in figures presented as constituting the existing footprint. However, it is noted that neither of these buildings exist on site today and that they do they form part of the calculations undertaken by the Local Planning Authority regarding existing floor-area.

In regard to the outbuilding on site, it is noted that a 'sun room' has been erected on site within approximately the last 6 months (towards the south-western corner of the rear garden). Landscaping works have also been carried out. Whether these works constitute Permitted Development is currently being investigated.

OFFICER APPRAISAL

Principle of Development

The principle of the development is acceptable, i.e. extensions to dwellings in the area within which the site is located may be allowed.

Green Belt

MBLP Local Policy GC12 states the following:

Alterations and extensions to existing houses in the countryside may be granted for up to 30% of the original floor space providing the scale and appearance of the house is not significantly altered. Exceptions to the policy may be permitted where:

- 1. The proposal lies in a group of houses or ribbon of development and the extension would not be prominent*
- 2. The extension is to provide basic amenities or an additional bedroom or living room in a small cottage*
- 3. The extension is to provide a conservatory or domestic building in the curtilage.*

And the proposal would not adversely affect the character and appearance of the countryside.

Planning Policy Guidance Note 2 (Green Belts) allows for extensions to properties within the Green Belt. Such development is not considered to be inappropriate provided:

(para. 3.6)...that it does not result in disproportionate additions over and above the size of the original dwelling...

As noted above, the application site lies within a ribbon of development. As such, an exception to an increase in floor area of 30% may be allowed. From the information submitted by the applicant in respect of the history of the site and the findings derived from research undertaken, the dwelling as existing is accepted as being the 'original dwelling' for the purposes of calculating the proposed increase in floor-area.

The floor area of the existing dwelling is 115m². The additional floor area proposed is 120m². Hence, the increase in floor area is 104% over the original dwelling.

Bearing in mind policies PPG2 and GC12 referred to above, it is considered a) that an increase of this magnitude cannot be interpreted as anything other than a '*disproportionate increase*' (PPG2, para.3.6) and would, therefore, be inappropriate development within the Green Belt, which by definition is harmful to Green Belt policy; b) that the two-storey side extension and the addition of the first-floor on the rear two-storey outrigger would both be '*prominent*' extensions (GC12 – 1); c) that the cumulative impact of the extensions make the overall proposals '*prominent*' (GC12 – 1) and d) that the '*scale and appearance of the house* [would be] *significantly altered*' (GC12).

Bearing these factors in mind it is considered that the proposed would have a detrimental impact on the openness of the Green Belt, which is contrary to the purposes of including land within the Green Belt as outlined in PPG2 (paragraph 1.5), as such, the proposed development would be contrary to Green Belt policy GC12 and PPG2.

Design

MBLP policies BE1, DC1 and DC2 are relevant to an appraisal of the design of the proposed. The design should also be considered in the context of the comments made above in respect of Green Belt policy.

Policy BE1 seeks to '*promote high standards of design*'. 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.

And policy DC2 states that:

Proposals to alter and extend buildings should meet the criteria in DC1. In addition, proposals should respect the existing architectural features of the building.

It is considered that the design, in respect of the cumulative effect of the scale, height and mass of the proposed extensions and alterations, would result in the size and bulk of the dwelling being significantly increased and its appearance being significantly altered. Such alterations are considered a) not to respect the '*existing architectural features of the building*' (DC2) and b) not to be sympathetic to '*the site itself*' (DC1).

Bearing the above points in mind, it is considered that the design of the proposed in respect of size, scale, height, mass and bulk lead to the proposed having a detrimental impact on the openness of the site itself and the openness of the Green Belt.

Character and appearance of the area/street-scene

Given that the application site lies within a ribbon of development and that properties within the area are mainly detached dwellings of varying architectural

styles, it is considered that the proposed does not significantly affect the character and appearance of the area, as such, other than its detrimental impact on the openness of the Green Belt.

Amenity

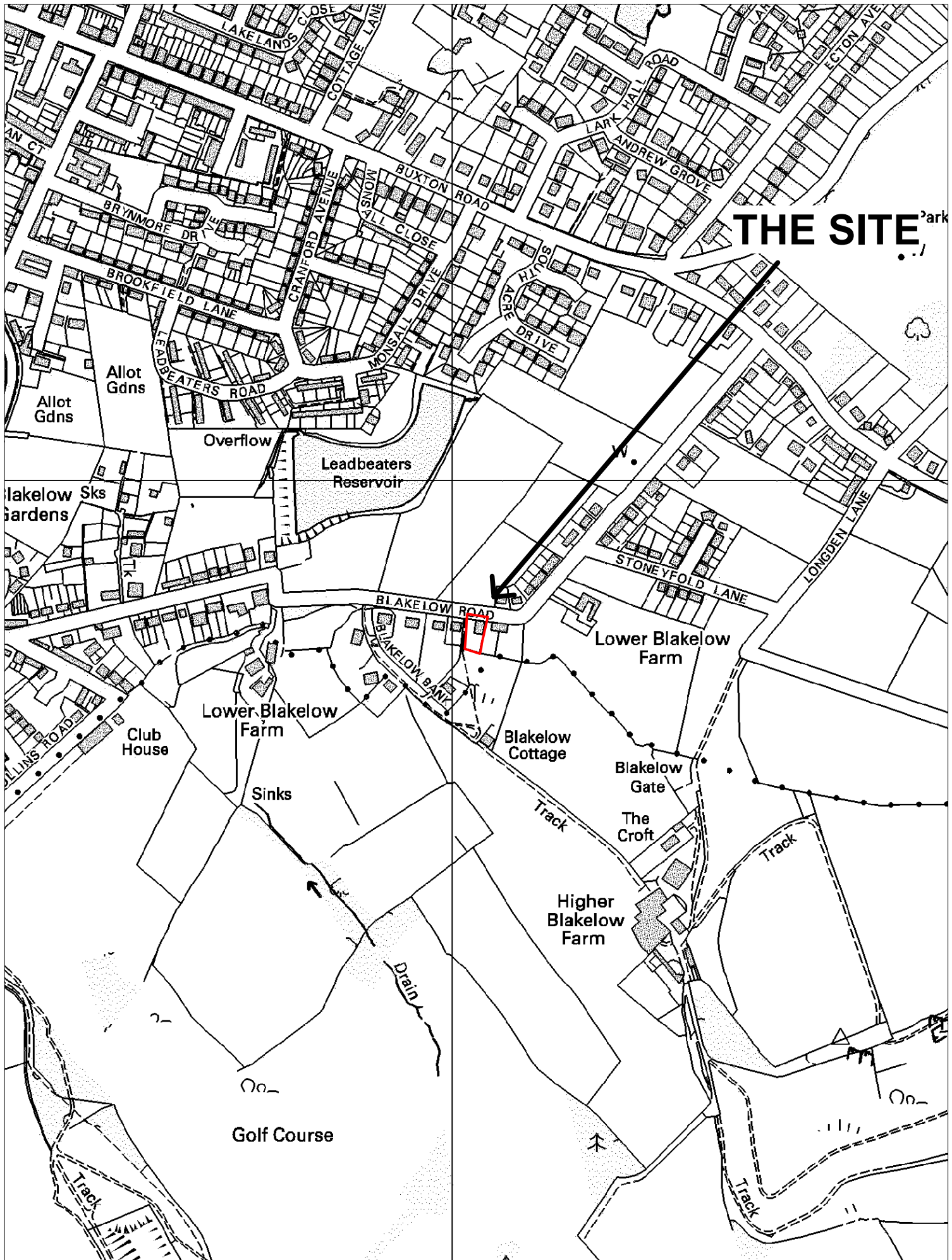
Given the nature of the relationship between the 2 No. immediate neighbouring properties to the east and west of the application site, it is considered that the proposals do not have a detrimental impact on the amenity of any neighbouring properties.

Highways

It is considered that the site could accommodate sufficient parking spaces for a property of the proposed size. Should the application be approved a condition will be required for details of a scheme for parking to be submitted.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposed extensions and alterations are considered: a) to amount to a disproportionate increase in floor area (which would be inappropriate development within the Green Belt); b) to be prominent; c) to significantly alter the scale and appearance of the dwelling; d) not to respect the architectural features of the dwelling and e) not be sympathetic to the site itself. For these reasons the proposed would have a detrimental impact on the openness of the site and the openness of the Green Belt (which would be contrary to the purposes of including land within the Green Belt), and as such the proposed development would be contrary to policies GC12, DC1, DC2 and PPG2. It is for these reasons that a recommendation of refusal is made.



THE SITE

09/0032P - 221, BLAKELOW ROAD, MACCLESFIELD, CHESHIRE
N.G.R. - 393,030 - 372,840

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Application for **Full Planning**

RECOMMENDATION : Refuse approval

1. R01LP - Contrary to Local Plan policies - Green Belt, Countryside and Development Control
2. R01PL - Contrary to national policies PPG2 (Green Belt)

Application No: 09/0027P

Location: HEATH COTTAGE, GASKELL AVENUE, KNUTSFORD, CHESHIRE, WA16 0DA

Proposal: SINGLE STOREY REAR EXTENSION (RENEWAL OF 06/0962P)

For DR.S.DEAN

Registered 05-Feb-2009

Policy Item Yes

Grid Reference 374828 378561

Date Report Prepared: 30 March 2009

SUMMARY RECOMMENDATION:

Approve subject to conditions

MAIN ISSUES:

- The impact upon the Listed Building,
- The impact upon the character and appearance of the Conservation Area,
- The impact upon the residential amenity of neighbouring property.

REASON FOR REPORT

The application has been called in by the local Ward Member, Councillor Vivien Davies, quoting concern over the neighbourliness of the extension and its impact upon the character of the building and the area as her reasons.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a mid-terraced Grade 2 Listed property with rear garden area. The site is located within a Predominantly Residential Area in the Knutsford Town Centre Conservation Area as identified in the Macclesfield Borough Local Plan.

DETAILS OF PROPOSAL

This application seeks full planning permission to erect a single-storey rear extension (as a renewal to 06/0962P). A report on an accompanying application for Listed Building Consent (09/0028P) appears elsewhere on the agenda.

RELEVANT HISTORY

08/2081P – Single-storey rear extension – Refused 05.11.2008

08/2082P – Single-storey rear extension (LBC) – Refused 05.11.2008

08/1103P – Garden room (LBC) – Withdrawn 11.07.2008

08/1128P - Garden room – Withdrawn 11.07.2008

08/0220P – Single-storey rear extension (LBC) - Withdrawn 25.02.2008

07/3152P - Single-storey rear extension - Withdrawn 25.02.2008

06/0963P - Single-storey rear extension (LBC) – Approved 14.06.2006

06/0962P - Single-storey rear extension – Approved 14.06.2006

POLICIES

Regional Spatial Strategy

DP1 (Spatial Principles)

DP7 (Promote Environmental Quality)

Local Plan Policy

BE1 (Design Guidance)

BE3 (Conservation Areas)

BE16 (Buildings of Architectural and Historic Importance)

DC1 (Design New Build)

DC2 (Extensions & Alterations)

DC3 (Amenity)

Other Material Considerations

Knutsford Town Centre Conservation Area Appraisal SPG (2005)

CONSULTATIONS (External to Planning)

None

VIEWS OF THE PARISH / TOWN COUNCIL

Knutsford Town Council recommends refusal of this application on the grounds that the proposed extension would:

1. Adversely affect the character, appearance and historic interest of this Listed Building.
2. Neither enhance nor preserve its features.

OTHER REPRESENTATIONS

To date, three letters of representation have been received from local residents objecting to the proposal on the following grounds:

- a. Incorrect plan submitted
- b. Boundary wall not a party wall, therefore previous permission not achievable without neighbours consent.

- c. Notice to owners not served correctly
- d. Not a renewal if the intention is to build within existing wall
- e. Changes in planning circumstances
- f. Impact on Listed façade
- g. Impact upon amenity
- h. Incorrect answers to questions on application form.

The letters are particularly detailed and can be viewed in full on the application file.

APPLICANT'S SUPPORTING INFORMATION

The applicant has submitted a Design and Access statement which briefly outlines the design philosophy behind the proposal, and a Heritage Statement outlining the changes to the Listed Building. The full statements can be viewed on the application file.

OFFICER APPRAISAL

Principle of Development

As a single-storey extension to a domestic property in a built up area, the proposed development is acceptable in principle.

However, before assessing the merits of the application, it is necessary to address the comments received in representation relating to the principle of the application.

An incorrect site plan was submitted with the application that related to a previous application on the site. The applicant has corrected this mistake with an amended site plan.

The neighbour states that the garden wall upon which the previous consent in 2006 was to be constructed is not a party wall, but is under their ownership. Therefore this previous permission cannot be implemented without their consent, which will not be given. To date the applicant has not sought to challenge this claim. No notice has been served on the neighbour, as Certificate A has been submitted with the application, which states that the applicant is the sole owner of all the land to which the application relates.

In response to this ownership issue, a detailed construction plan has been submitted that indicates the extension will not be constructed upon the garden wall; rather a new cavity wall will be constructed entirely on the applicant's side of this wall. As this plan deviates from the plans approved under 06/0962P, this may mean that the application cannot constitute a 'renewal'. (Revised elevations are awaited for the avoidance of doubt). Whether or not the application is a strict 'renewal' is largely a matter of semantics. The land use planning merits of this proposal and the earlier approved scheme are so similar as to justify consideration of this scheme as a renewal of the earlier one (albeit with slight changes to the development's impact on the boundary wall).

Under the new procedures (under Article 4E of the General Permitted Development Order, as amended in 2008), applicants can no longer apply to renew an existing permission simply with a letter setting out enough information to

identify the permission sought to be renewed. Instead, applicants must submit a fresh application for planning permission on the Standard Application Form. In this respect, all the necessary information has been submitted with the application whether it is a renewal or not.

Highways

No significant highway safety issues are raised by the proposal.

Design

Policies BE1, DC1 and DC2 seek to ensure that the design of extensions of is sympathetic with the local environment and that they respect the existing architectural features of the building. The design and features of the extension are considered to be appropriate and in keeping with the existing building. The extension is relatively low with a maximum ridge height of 2.9 metres, and covers only a small part of the existing rear elevation. The Conservation Officer noted on the previous application that the extension will only obscure the rear door opening on the existing rear elevation which is not of any significant architectural or historic merit. The substantial ground floor Georgian feature window remains unaltered.

Policy BE3 of the Macclesfield Borough Local Plan allows for development within Conservation Areas which preserves or enhances the character or appearance of the Conservation Area. The extension will be located within the rear garden of Heath Cottage, and due to its limited scale will not be a prominent feature. Having regard to the fact that the extension will not be visible from public vantage points, and its acceptable design, the character and appearance of the Conservation Area is adequately preserved.

Amenity

Policy DC3 of the Local Plan states that development should not significantly injure the amenities of adjoining or nearby residential property. The eastern boundary to the application site shared with Heath House comprises a 2-metre high wall and beyond this, in the neighbour's garden, a hedgerow that provides additional height to this boundary. Despite the 6.5 metre length of the extension, its limited height would not have a significant impact upon the neighbour's living conditions, as the boundary wall would screen the extension almost up to eaves level. The neighbour's land immediately adjacent to the extension is also approximately 1 metre higher than the application site, and the extension would not be intrusive. Similarly, the extension does not result in any significant loss of sunlight or privacy to this neighbour.

The neighbours also consider that the physical appearance of Heath Cottage is a very important part of the amenity of Heath House, Highwayman's Lodge and Hamlet House, as the rear façade is the one out of which they all live rather than the front onto Gaskell Avenue. As noted above the design of extension is considered to be appropriate and will not be a prominent feature. The simple presence of the extension is not considered to have a significantly detrimental impact upon the living conditions of these neighbours. No further amenity issues are raised, and the proposal is considered to comply with the objectives of policy DC3.

Other considerations

For the reasons outlined above, the application is considered to be acceptable on its own merits, having regard to relevant development plan policies. However, a significant material consideration is the presence of the earlier permission (06/0962P). Whether the proposal is treated as a renewal of this permission or

not, the key issue is that the Council is not unfettered in its consideration of the current proposal. In the event of a refusal of this application, the applicant is able to implement the existing permission to keep the consent alive.

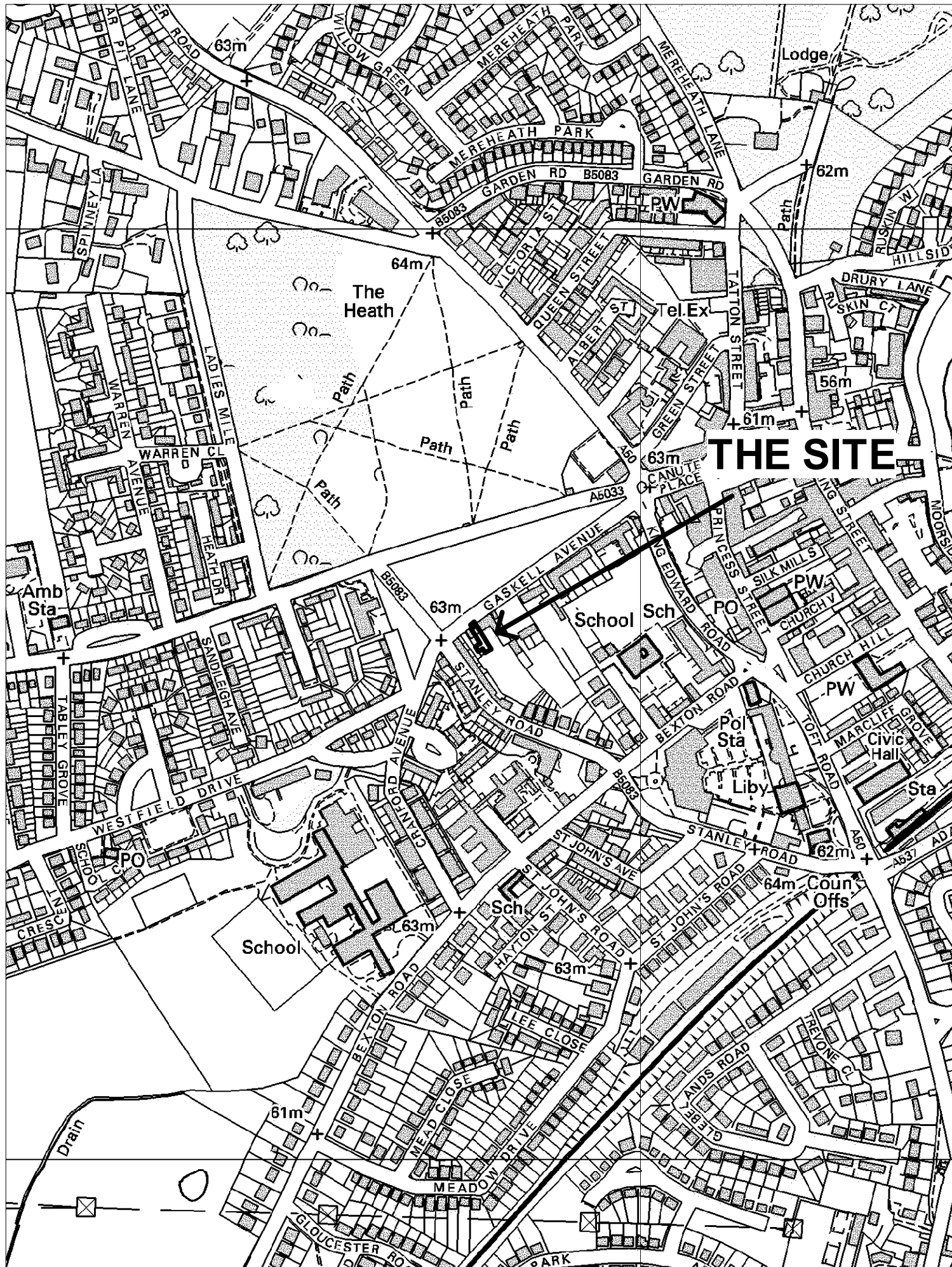
For information, Members are advised that an application to renew an existing planning permission should only be refused where:

- a) there has been a material change in planning circumstances since the original permission was granted
- b) continued failure to commence the development would contribute unacceptably to uncertainty about the future pattern of development in the area;
- c) the application is premature because the permission still has a reasonable time to run.

There is not considered to have been a material change in land use circumstances since the original permission was granted; there has not been a continued failure to commence the development, and the current permission expires in June 2009. In these circumstances a refusal to renew a planning permission may be unreasonable.

CONCLUSIONS AND REASON(S) FOR THE DECISION

Due to the scale, form and design of the extension, and its position relative to adjoining property, the proposal is considered to comply with relevant Local Plan policies, and a recommendation of approval is therefore made. The existence of the existing permission (06/0962P) is also an important material consideration that should carry significant weight in the determination of this application.



09/0027P - HEATH COTTAGE GASKELL AVENUE KNUTSFORD

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Scale 1:10000

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. A22EX - Roofing materials
4. A23EX - Roof ridges
5. A10EX - Rainwater goods
6. A13EX - Specification of bonding of brickwork
7. A07EX - Sample panel of brickwork to be made available
8. A12EX - Fenestration to be set behind reveals
9. A18EX - Specification of window design / style
10. A24EX - Details of colour
11. AD02 - Complies objections considered
12. AD18 - maintain character of listed building
13. Window sills

Application No: 09/0028P

Location: HEATH COTTAGE, GASKELL AVENUE, KNUTSFORD,
CHESHIRE, WA16 0DA

Proposal: SINGLE STOREY REAR EXTENSION (RENEWAL OF 06/0963P)

For DR S DEAN

Registered 05-Feb-2009

Policy Item Yes

Grid Reference 374828 378561

Date Report Prepared: 30 March 2009

SUMMARY RECOMMENDATION:

Approve subject to conditions

MAIN ISSUES:

- The impact upon the Listed Building,

REASON FOR REPORT

The application has been called in by the former local Ward Member, Councillor Vivien Davies, quoting concern over the neighbourliness of the extension and its impact upon the character of the building and the area as her reasons.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a mid-terraced Grade 2 Listed property with rear garden area. The site is located within a Predominantly Residential Area in the Knutsford Town Centre Conservation Area as identified in the Macclesfield Borough Local Plan.

DETAILS OF PROPOSAL

This application seeks Listed Building Consent to erect a single-storey rear extension (as a renewal to 06/0963P). A report dealing with an accompanying application for full planning permission (09/0027P) appears elsewhere on the agenda.

RELEVANT HISTORY

08/2081P – Single-storey rear extension – Refused 05.11.2008

08/2082P – Single-storey rear extension (LBC) – Refused 05.11.2008

08/1103P – Garden room (LBC) – Withdrawn 11.07.2008

08/1128P - Garden room – Withdrawn 11.07.2008

08/0220P – Single-storey rear extension (LBC) - Withdrawn 25.02.2008

07/3152P - Single-storey rear extension - Withdrawn 25.02.2008

06/0963P - Single-storey rear extension (LBC) – Approved 14.06.2006

06/0962P - Single-storey rear extension – Approved 14.06.2006

POLICIES

Local Plan Policy

BE18 (Buildings of Architectural or Historic Importance)

Other Material Considerations

Knutsford Town Centre Conservation Area Appraisal SPG (2005)

CONSULTATIONS (External to Planning)

None

VIEWS OF THE PARISH / TOWN COUNCIL

Knutsford Town Council recommends refusal of this application on the grounds that the proposed extension would:

3. Adversely affect the character, appearance and historic interest of this Listed Building.
4. Neither enhance nor preserve its features.

OTHER REPRESENTATIONS

To date, three letters of representation have been received from local residents objecting to the proposal on the following grounds:

- i. Incorrect plan submitted
- j. Boundary wall not a party wall, therefore previous permission not achievable without neighbours consent.
- k. Notice to owners not served correctly
- l. Not a renewal if the intention is to build within existing wall
- m. Changes in planning circumstances
- n. Impact on Listed façade
- o. Impact upon amenity
- p. Incorrect answers to questions on application form.

The letters are particularly detailed and can be viewed in full on the application file.

APPLICANT'S SUPPORTING INFORMATION

The applicant has submitted a Design and Access statement which briefly outlines the design philosophy behind the proposal, and a Heritage Statement outlining the changes to the Listed Building. The full statements can be viewed on the application file.

OFFICER APPRAISAL

Principle of Development

Before assessing the merits of the application, it is necessary to address the comments received in representation relating to the principle of the application.

An incorrect site plan was submitted with the application that related to a previous application on the site. The applicant has corrected this mistake with an amended site plan.

The neighbour states that the garden wall upon which the previous consent in 2006 was to be constructed is not a party wall, but is under their ownership. Therefore this previous permission cannot be implemented without their consent, which will not be given. To date the applicant has not sought to challenge this claim. No notice has been served on the neighbour, as Certificate A has been submitted with the application, which states that the applicant is the sole owner of all the land to which the application relates.

In response to this ownership issue, a detailed construction plan has been submitted that indicates the extension will not be constructed upon the garden wall; rather a new cavity wall will be constructed entirely on the applicant's side of this wall. As this plan deviates from the plans approved under 06/0963P, this may mean that the application cannot constitute a 'renewal'. (Revised elevations are awaited for the avoidance of doubt). Whether or not the application is a strict 'renewal' is largely a matter of semantics. The land use planning merits of this proposal and the earlier approved scheme are so similar as to justify consideration of this scheme as a renewal of the earlier one (albeit with slight changes to the development's impact on the boundary wall).

Under the new procedures (under Article 4E of the General Permitted Development Order, as amended in 2008), applicants can no longer apply to renew an existing permission simply with a letter setting out enough information to identify the permission sought to be renewed. Instead, applicants must submit a fresh application for planning permission on the Standard Application Form. In this respect, all the necessary information has been submitted with the application whether it is a renewal or not.

Design

Policy BE18 of the Macclesfield Borough Local Plan seeks to ensure that extensions and alterations to existing buildings maintain the architectural and historic integrity of the building. The design and features of the extension are considered to be appropriate and in keeping with the existing building. The extension is relatively low with a maximum ridge height of 2.9 metres, and covers only a small part of the existing rear elevation. The Conservation Officer noted on

the previous application that the extension will only obscure the rear door opening on the existing rear elevation which is not of any significant architectural or historic merit. The substantial ground floor Georgian feature window remains unaltered, and overall the architectural and historic integrity of the building is adequately maintained, and complies with the objectives of policy BE18.

Other considerations

For the reasons outlined above, the application is considered to be acceptable on its own merits, having regard to relevant development plan policies. However, a significant material consideration is the presence of the earlier permission (06/0963P). Whether the proposal is treated as a renewal of this permission or not, the key issue is that the Council is not unfettered in its consideration of the current proposal. In the event of a refusal of this application, the applicant is able to implement the existing permission to keep the consent alive.

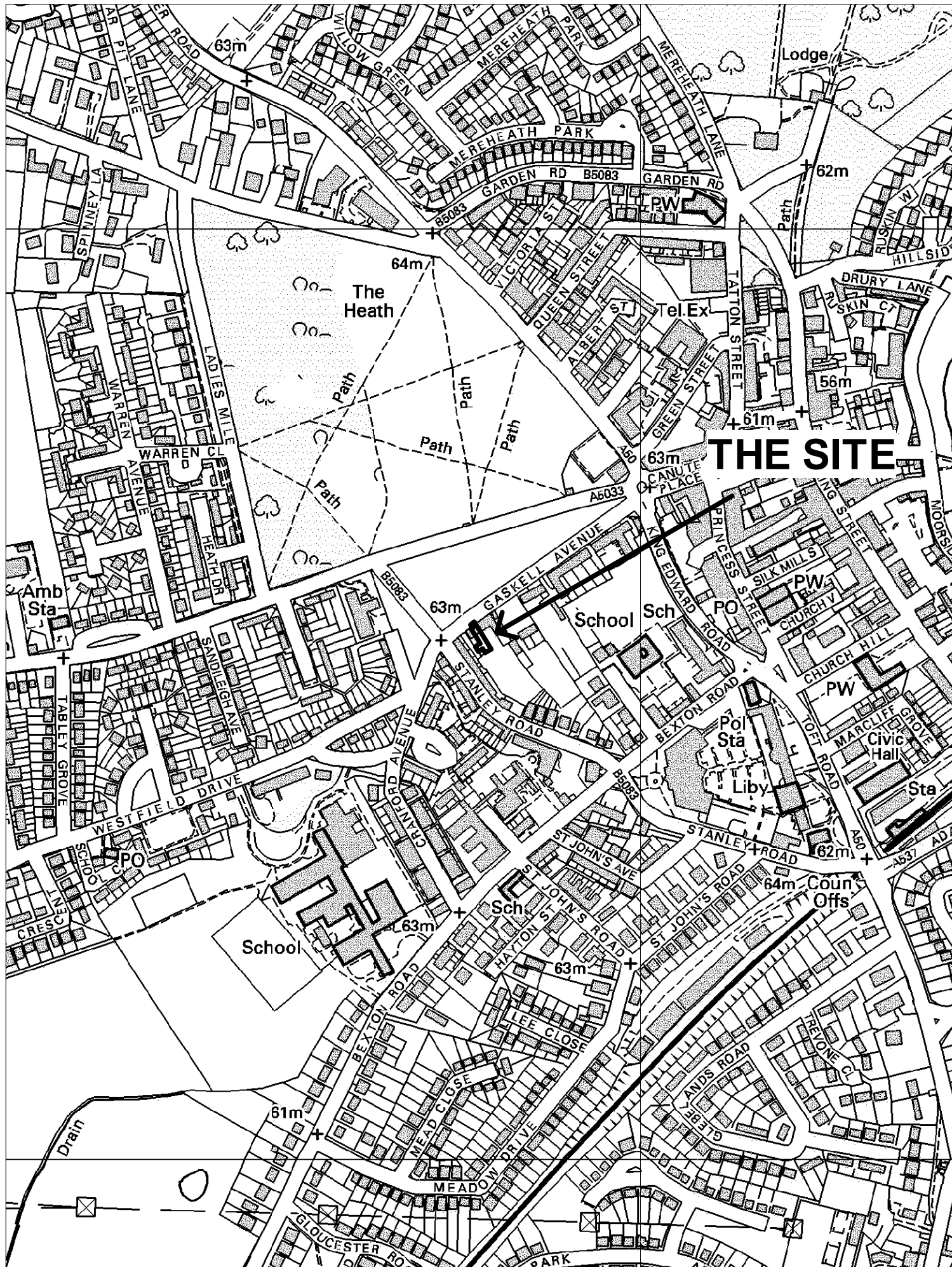
For information, Members are advised that an application to renew an existing planning permission should only be refused where:

- a) there has been a material change in planning circumstances since the original permission was granted
- b) continued failure to commence the development would contribute unacceptably to uncertainty about the future pattern of development in the area;
- c) the application is premature because the permission still has a reasonable time to run.

There is not considered to have been a material change in land use circumstances since the original permission was granted; there has not been a continued failure to commence the development, and the current permission expires in June 2009. In these circumstances a refusal to renew a planning permission may be unreasonable.

CONCLUSIONS AND REASON(S) FOR THE DECISION

Due to the scale, form and design of the extension, the proposal is considered to comply with relevant Local Plan policies, and a recommendation of approval is therefore made. The existence of the existing permission (06/0963P) is also an important material consideration that should carry significant weight in the determination of this application.



09/0027P - HEATH COTTAGE GASKELL AVENUE KNUTSFORD

N.G.R.; - 374.828 - 378.560

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Scale 1:10000

Application for **Listed Building Consent**

RECOMMENDATION : Approve subject to following conditions

1. A07LB - Commencement of development
2. A01AP - Development in accord with approved plans
3. A22EX - Roofing materials
4. A23EX - Roof ridges
5. A10EX - Rainwater goods
6. A13EX - Specification of bonding of brickwork
7. A07EX - Sample panel of brickwork to be made available
8. A12EX - Fenestration to be set behind reveals
9. A18EX - Specification of window design / style
10. A24EX - Details of colour
11. AD02 - Complies objections considered
12. AD18 - maintain character of listed building
13. Window sills

Application No: 08/2670P

Location: DALE STREET MILL, DALE STREET, MACCLESFIELD, CHESHIRE, SK10 1NH

Proposal: OUTLINE APPLICATION FOR 2 NO BLOCKS OF 3 NO TERRACE COTTAGES (6 NO RESIDENTIAL UNITS IN TOTAL)

For MRS M SLATER

Registered 20-Jan-2009

Policy Item No

Grid Reference 392298 373498

Date Report Prepared: 27.03.09

SUMMARY RECOMMENDATION: Approve subject to conditions

MAIN ISSUES:

- Impact on the character and appearance of the area;
- Loss of a locally important building
- Impact upon highway safety;
- Impact upon residential amenity

REASON FOR REPORT

This application was registered prior to 01.04.09 and therefore needs to be determined under Macclesfield Borough Councils criteria for assessing planning applications. Due the number of dwellings, the application requires to be determined by a committee.

DESCRIPTION OF SITE AND CONTEXT

The site is located on Dale Street, which is a relatively quiet back street which runs parallel to Buxton Road in Macclesfield. The site is visible from Fountain Street to the south. The site measures approximately 0.1 hectares. The site is presently occupied by Dale Street Mill, which is a two storey mill building which dates back to the nineteenth/early twentieth century.

The site is within a predominantly residential area.

DETAILS OF PROPOSAL

This application seeks permission to demolish the existing building and replace it with 2 blocks of 3 no. two storey dwellings. The proposed dwellings are generally sympathetic to the character of the surrounding dwellings in terms of there design and scale. Each unit would comprise a living kitchen, sitting room, and wc on the ground floor, with 3 no. bedrooms and a bathroom on the first floor. Each dwelling would have a private garden to the rear.

The building has been designed to minimise the impact on the dwellings to each side (no. 12 and no. 28). The dwellings fronting Dale Street would not satisfy front to front distances as contained within the local plan. However, the pattern of development would generally be commensurate with that of the area.

The elevations would be faced in brick with slate roofs.

A total of 10 parking spaces would be included within the site with the access taken off Dale Street. A parking space for no. 12 Dale St is shown within the development.

RELEVANT HISTORY

08/2042P - Outline application for 2no block of 3no terrace cottages (6no residential units in total on 0.106 hectares) - Withdrawn

POLICIES

Regional Spatial Strategy

DP1, DP5, DP6, DP7

Local Plan Policy

NE11, BE1, BE20, H1-H3, H13, DC1-DC6, DC8

CONSULTATIONS (External to Planning)

Highways –

No highway objection in principle to the outline scheme, but points are raised in respect of the layout which will need to be addressed.

Environmental Health – The Head of Environmental Health supports this application as it removes an industrial use from a predominantly residential area. If an industrial use was resurrected on the site then such use would have high potential to cause environmental problems to residents of neighbouring dwellings such as noise, dust and odour nuisance. The construction of dwellings on the application site would therefore harmonise with the adjoining land uses.

In order to minimise noise and disturbance associated with the demolition and construction work on the site to residents within the locality an hours of working during construction condition is recommended.

In addition, the **Head of Environmental Health** notes that the application area has a history of use as a Chemical Works and Textile Works and therefore the land may be contaminated. The application is for new residential properties which are a sensitive end use and could be affected by any contamination present. The report submitted in support of the planning application indicates that there is significant potential for contamination to exist and recommends a phase 2 site investigation be carried out. The Phase 2 report recommends that remedial measures are carried out and reported. If contaminants are found then a remediation statement will be required followed by a site Completion Report which details the conclusions and actions taken at each stage.

The Historic Environment Officer comments that the mill and its associated structures will be demolished as part of the proposed redevelopment of the site. In order to ensure this aspect of Macclesfield's Industrial Archaeology is recorded prior to demolition and determine the history of this site it is advised that a full Level 2 survey, as defined in English Heritage's *Understanding Historic Buildings: a guide to good practice*, (2006) would be appropriate in this instance.

United Utilities – raise no objections to the proposal. United Utilities comment that the site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the soakaway/watercourse/surface water sewer and may require the consent of the Environment Agency. If surface water is allowed to be discharged to the public surface water sewerage system United Utilities may require the flow to be attenuated to a maximum discharge rate determined by United Utilities.

Manchester Airport - raise no aerodrome safeguarding objection to the proposal.

The Ministry of Defence - raise no safeguarding objections to this application.

OTHER REPRESENTATIONS

A letter has been received from a resident whose property adjoins Dale Street Mill. The neighbour is concerned about what damage may occur to the side of the property; if pile driving is necessary; the start/finishing times of any works on site; and, that access to their property will be maintained at all times.

APPLICANT'S SUPPORTING INFORMATION

The following documents were submitted with the application: -

- A Design and Access Statement
- A Bat Survey Report
- An Environmental Desk top study

They are available for Member's information on the application file.

OFFICER APPRAISAL

Principle of Development

The main issues to consider in determining this application are:

- 1) Design and impact on the character and appearance of the area, including the street-scene.
- 2) The loss of a locally important building
- 3) Impact on the amenity of neighbouring properties
- 4) Highways safety
- 5) Landscaping & nature conservation
- 6) The desirability of maximising the use of previously developed land.

Policy

The site lies within a Predominantly Residential Area on the adopted Macclesfield Borough Local Plan where residential uses are acceptable in principle. The application needs to be assessed against Local Plan Policy BE1 (Design Guidance), BE20 (Locally Important Buildings), H2, (Environmental Quality in Housing Developments), H13 (Protecting Residential Areas), and Development Control Policies DC1, DC3, and DC38, which relate to the standard of design, amenity and space standards. Policy DC6 relates to circulation and access. Policy DC8 relates to landscape issues.

Policy BE20 relates to Locally Important buildings. These are buildings of historic interest which do not enjoy the full protection of statutory listing. Development which would

normally affect their architectural or historic character will only be allowed if the Council is satisfied that the building is beyond reasonable repair. Dale Street Mill is on this local list.

A report on the supply of housing has been approved by the Environment Policy Development Committee and the Cabinet of MBC, which effectively replaced the former SPG on Restricting the Supply of Housing with the new guidance "PPS3 Housing and Saved Policies Advice Note".

The Advice Note is based on a list of 5 criteria outlined in PPS3 which planning authorities should have regard to when deciding planning applications for new housing and on the Council's saved policies and other guidance in PPS3. In summary, the Advice Note states that planning applications for new housing should meet the following criteria.

1. Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in the area and does not undermine wider policy objectives *(does the application accord with the housing objectives of the Borough and wider policy objectives e.g. affordable housing and urban regeneration)*
2. Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people *(does the application meet the housing needs of the area and/or provide affordable housing)*
3. The suitability of a site for housing, including its environmental sustainability *(is the site in a suitable and sustainable location, is it previously developed land, what constraints exist)*
4. Using land effectively and efficiently *(is the density at least 30 dwellings per hectare)*
5. Achieving high quality housing *(is the site accessible to public transport and services, is the development well laid out, safe, accessible and user friendly, is there adequate open space and/or access to recreational open space, does the design complement/improve the character of the area, is the car parking well designed and integrated, does the development enhance biodiversity)*

In this case it is considered that the proposal broadly complies with the five listed criteria. The site is considered to be in a suitable and sustainable location. It is a previously developed site, within an area surrounded by housing, which is within walking distance of public transport links and to services. The scheme achieves high quality housing in a town centre location.

Highways

The Highways Engineer raises no objections to the proposal subject to a revised layout plan which resolves the following issues: -

The parking bays on the access road are of insufficient length to allow them to be used effectively. This could lead to vehicles being parked on the highway, or having to reverse out onto the highway. The disabled space would be located below a tree which would impair accessibility for both able bodied and disabled people. Whilst not a highway issue the footpath inside the site is not practical. If vehicles were parking in the bay residents could not readily access/egress the footpath which would pose difficulty particularly when it comes to taking a bin in and out. The junction with Dale Street would need to be improved

to demonstrate that two cars can utilize the access safely. The footpath either side of the access should be extended into the bellmouth to at least 2 metres past the identified rumble strip, to match the width of those within the existing adopted highway. The visibility splay is considered to be acceptable. In relation to parking standards the applicant is proposing 9 spaces when in fact the current standards are 2 spaces per dwelling equating to 12 overall. 9 spaces is however 1.5 spaces per dwelling reflecting the standards for communal parking. In light of the fact the applicant is also providing cycle parking facilities and the development is located in a sustainable location the parking provision is acceptable. If the development is approved then the junction will need to be constructed to highway standards, which will form part of a Section 106 and 278 agreements.

Design

The properties within the area are a mixture of traditional terraced properties and semi detached of differing styles and sizes. It is considered that the immediate area around the site does not have a particular distinctive character or appearance. Some of the dwellings on Buxton Road have access to garages and gardens on Dale Street.

The plot is currently occupied by a disused mill which fronts the back edge of the highway. The front wall is rendered. The new dwellings would be sited approximately 1.8 metres back from the pavement. The design is traditional with arched headers over the windows and each dwelling would have a chimney. The height is in scale with the properties either side. It is considered that the overall design of the proposed in respect of style, size, scale and bulk is in keeping with the properties within the area and, as such, is sympathetic to the street-scene.

Amenity

The properties immediately adjacent to the application site – Nos. 7 and 9 (opposite) and Nos. 12 and 28 Dale Street (either side) are ones that have been closely considered in respect of the potential impact of the proposed on residential amenity. The dwellings across the road would be approximately 13 metres away which is considered to fall below the space between dwellings standards contained within the Local Plan. However, it is considered that as the relationship is similar to the existing and that the distance is broadly commensurate with the pattern of development on Dale Street, that this relationship is acceptable. The impact on nos. 12 and 28 is undoubtedly better than the existing relationship.

There would be some overlooking of rear gardens from the units to the rear of the site, however, this would generally be an improvement over the existing relationship if the building were brought back into use.

Ecology

The Nature Conservation Officer raises no objections to the proposal. The submitted survey is acceptable and no evidence of protected species other than breeding birds was recorded. Whilst the presence of bats appears unlikely a condition is recommended to safeguard any small numbers or individual animals that may use the building. A condition is also requested to protect any birds which may be nesting in the site between 1 March and 31 August.

OTHER MATERIAL CONSIDERATIONS

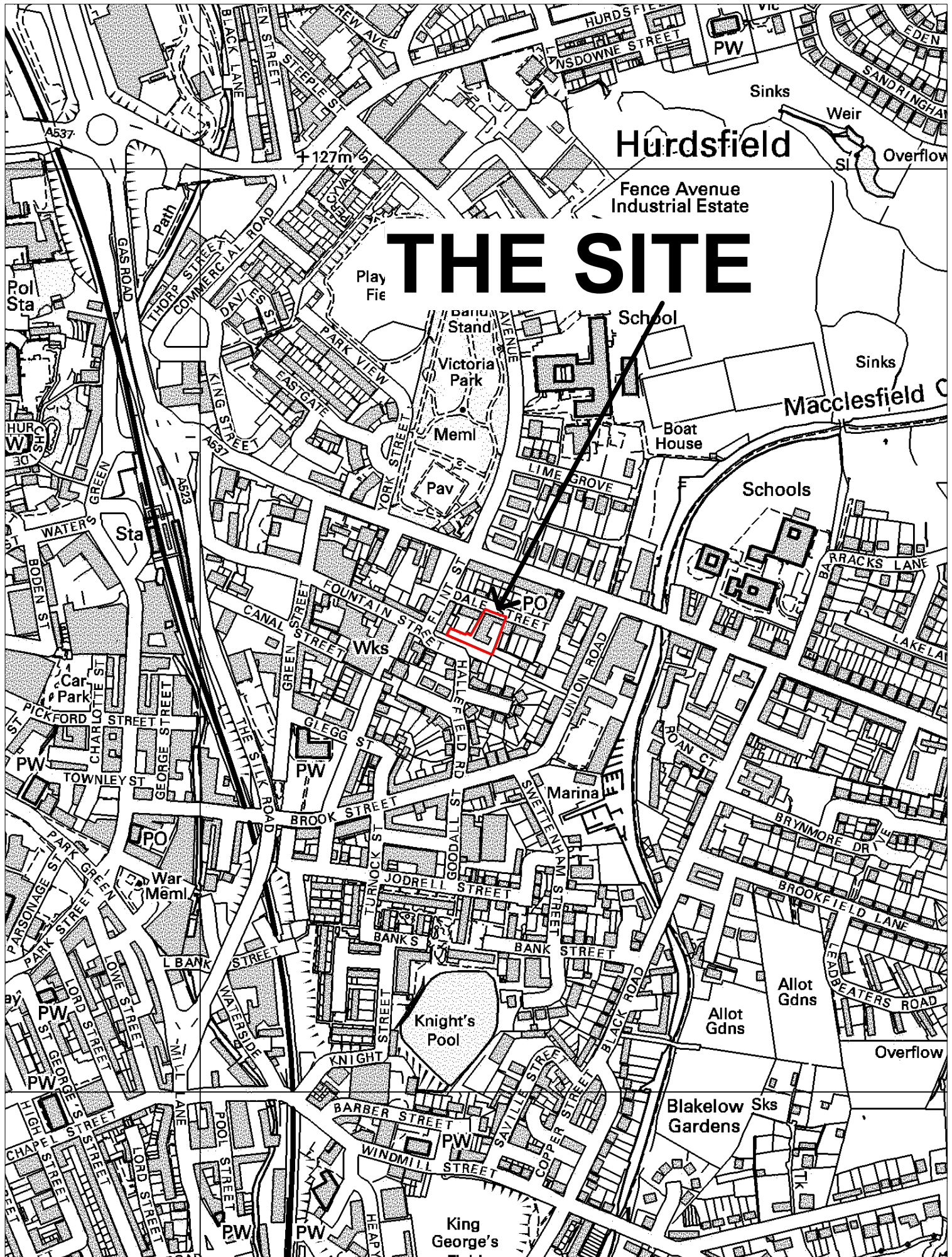
As the building is on the list of locally important buildings it is necessary to consider whether the building is beyond reasonable repair. A Structural Report has been submitted

which concludes that the property is in a poor condition and it has been poorly maintained for a considerable number of years. The design of the structure is flawed, the roof has failed in part and the main roof beams have deflected to an unacceptable degree. The first floor structure has settled and is seriously distorted. It is the surveyors' view that the building is unstable and it is likely to deteriorate further in time and is beyond sensible structural repair. The Council's Structural Engineer has carried out an external visual inspection of the property and in general concurs with the engineer's report. Due to the failures and movement within the structure it is the Structural Engineers view that considerable sections of all external walls would have to be demolished along with complete replacement of the roof and first floor of the building if it were to be considered for conversion.

The formal comments of the Conservation Officer are awaited. However, it is considered initially that the building is capable of conversion (albeit with a degree of rebuilding/stabilisation works).

CONCLUSIONS AND REASON(S) FOR THE DECISION

On the basis that the building is on the list of locally important buildings, it is considered that it is necessary for the applicant to substantiate the claim that the building is beyond reasonable repair. At the time of the report's preparation the formal comments of the Conservation Officer are awaited. However, initial discussions suggest that buildings of far worse appearance have been saved and converted. In the absence of proper justification for the building's complete demolition, a recommendation of refusal is made.



08/2670P DALE STREET MILL, DALE STREET, MACCLESFIELD, CHESHIRE, SK10 1NH

NGR: 392,300m - 373,490m

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Application for **Reserved Matters**

RECOMMENDATION : Refuse for the following reasons

1. The Council is not satisfied that the existing building is beyond reasonable repair

Application No: 09/0087P

Location: 41, BULKELEY ROAD, HANDFORTH, WILMSLOW, CHESHIRE, SK9 3DS

Proposal: DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF 3 DWELLINGS

For MR PAUL WATSON

Registered 19-Feb-2009

Policy Item No

Grid Reference 385335 383367

Date Report Prepared: 26th March 2009

SUMMARY RECOMMENDATION: Approve subject to conditions

MAIN ISSUES:

- Principle of development
- Impact on ecology
- Impact on residential amenity
- Highway considerations

REASON FOR REPORT

The application has been brought to the Northern Committee under the scheme of delegation of Macclesfield Borough Council, which was effective when the application was registered.

DESCRIPTION OF SITE AND CONTEXT

The site is a rectangular plot that measure 0.16 hectares and contains an existing dormer bungalow. The site lies in a residential area close to the centre of Handforth and has boundaries that adjoin other residential properties on Bulkeley Road, Clare Avenue, and Valley Drive. The surrounding dwellings are mainly modern detached properties. The property is currently accessed by an unmade section of road that merges with the end of Bulkeley Road. A protected tree exists in the centre of the site, but this has recently died due to waterlogging. The site formerly included a pond, which has been filled in at some point over the last several years.

DETAILS OF PROPOSAL

The proposal seeks outline planning permission, with all matters reserved, for the demolition of the existing bungalow and its replacement with three detached two storey dwellings. The site adjoins the end of the cul-de-sac off Clare Avenue and the proposal seeks to take access to the site from there, so in effect the development would form an extension to Clare Avenue. The proposal also

includes the creation of a pond in response to nature conservation issues that arose during the course of the previous planning application.

Based on the indicative site layout and scale parameters submitted with the application, the dwellings would have an average footprint of approximately 95 sq m, a ridge height of 7.7 metres and an eaves height of 5.1 metres.

RELEVANT HISTORY

This application follows a previous planning application, reference 08/1336P, which was withdrawn on the 19th September 2008. That application sought outline permission for 4No. detached dwellings.

POLICIES

Regional Spatial Strategy

North West of England plan Regional Spatial Strategy to 2021 policies DP1 (Spatial Principles), DP4 (Make the Best Use of Existing Resources and Infrastructure), DP5 (Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility), DP7 (Promote Environmental Quality), and L4 (Regional Housing Provision) are of relevance to the application.

Local Plan Policy

Macclesfield Borough Local Plan policies H1, H13, BE1, DC1, DC3, DC6, DC8, DC9, DC35, DC37, DC38 and DC41 are most relevant to this planning application. Policies BE1 and DC1 seek to ensure a high standard of design for new development and that new development is compatible with the character of the immediate locality of the site. Policies H13, DC3, DC38 and DC41 seek to protect the residential amenities of adjoining properties and ensure adequate space, light and privacy between buildings. Between them policies DC6 and DC36 seek to ensure safe and convenient access and road layouts within housing developments. Policy DC8 seeks appropriate landscaping of new development and policy DC9 exists to ensure the long-term welfare of trees of amenity value.

Other Material Considerations

National planning guidance in the form of PPS1: Delivering Sustainable Development, PPS3: Housing and PPS9: Biodiversity and Geological Conservation are also of relevance to the consideration of this proposal.

CONSULTATIONS

Highways: Comments are awaited

Environmental Health: The application area is located on a suspected former pond that may have been in-filled and therefore the land may be contaminated. As such a condition for a contaminated land report is required.

OTHER REPRESENTATIONS:

2 letters of objection have been received. The key concerns are:

- The site is too small for the development and care for the wildlife on the site.
- Harm to wildlife, including Great Crested Newts and breeding birds.
- Has there been a recent review of bats at the site?
- Disruption and increased traffic to Bulkeley Road and Clare Avenue.
- Clare Avenue is quite narrow and cannot support the extra traffic (possibly up to an extra 12 vehicles). The proposed houses appear to have limited parking and very little additional areas to park and even less space to accommodate larger vehicles. There will probably be times when extra parking will be needed for visitors etc. The current residents already need to park on both sides of the Avenue and more traffic will further restrict the passage of large vehicles, i.e. refuse trucks, emergency services, etc.
- The development will change the character of the surroundings.
- Trees have been cleared which formed a natural screen at the end of the avenue.

APPLICANT'S SUPPORTING INFORMATION:

The design and access statement is summarised as follows:

The proposal is to seek outline planning consent for three detached dwellings. The site is located to the south side of Bulkeley Road approximately 0.5 km west of Handforth Village. The existing property is to be demolished is a detached dormer bungalow with boundary access to Bulkeley Road and Clare Avenue. The existing property is currently unoccupied and has been for some time. It is proposed that the new properties could be two storey house in line with the other surrounding properties and the submitted drawing shows minimum space separation can be achieved in relation to the surrounding properties.

An arboricultural statement is submitted with this application and this includes proposed and existing features in relation to the proposal. A Great Crested Newt Mitigation plan is also submitted which includes details of a proposed new pond within the site.

The current property has pedestrian and vehicular access from Bulkeley Road with the addition of boundary access onto Clare Avenue, an adjoining cul-de-sac. It is proposed that the Bulkeley Road access will be closed and access to serve the new properties would be provided from Clare Avenue.

PPS1 and PPS3 promote urban regeneration to improve the well being of communities. The current property and the site are in a rundown condition and the proposal would therefore result in a regeneration of the site.

PPS1 also promotes development that reduces the need to travel and good accessibility to public transport. The site being within 500m of Handforth Town Centre is close to good public transport facilities and there is safe pedestrian access to services provided.

OFFICER APPRAISAL

Principle of Development

Lying within a residential area, close to Handforth District Centre, the site is a brownfield site in a sustainable location for new housing development. The redevelopment of the site for housing is therefore in accordance with objectives of policies within PPS3, the Regional Spatial Strategy and Local Plan. The principle of the development is therefore considered acceptable, subject to site planning constraints.

The development would have a density of 19 dwellings per hectare, which is below the 30 dwellings per hectare normally required by PPS3. However, in this instance, due to the requirement to allocate space for ecological mitigation and taking into account the housing density of the surrounding area, there is no policy objection in this respect.

Highways

Local residents have raised objections in respect of the new access from Clare Avenue. The highway authority raised no objection to the previous application, which had the same indicative access arrangements. The access from Clare Avenue is preferential to the poorer quality access to Bulkeley Road and sufficient parking could be accommodated within the site. The development of 3 houses on the site will have minimal impact on the highway network and no objection is raised in this respect.

Amenity

The indicative layout of the development would follow the line of detached dwellings along Clare Avenue. A detached bungalow exists to the west side of the site and the rear boundary of the site is shared with properties on Valley Drive. The indicative layout would comply with distance standards of local plan policy DC38 with 25 metres between the rear of the proposed dwellings and the dwellings of 32 and 34 Valley Drive. Similarly, the relationship with other adjoining properties would comply with adopted standards. It is not considered that there would be any undue levels of overlooking to adjoining properties or gardens. Relatively good boundary screening exists at the rear and this would need to be bolstered in a landscaping plan along the side boundary.

The indicative dwelling on Plot 2 would extend forward of No. 12 Clare Avenue, but this respects a 45-degree line from the front window and this element of the building is indicated to be single storey which would reduce the impact to an acceptable level. There is not considered to be any harmful loss of light to the surrounding dwellings.

The scale of the dwelling is indicated to have an eaves height of 5.1 metres and ridge height of 7.7 metres. This is comparable to properties on Clare Avenue and is acceptable in principle subject to ground level detail. The relationship with the adjoining bungalow on Bulkeley Road is considered to be acceptable and not over-dominant in scale.

Ecology

Great Crested Newts

A large pond was formally present in the garden to the rear of number 41 Bulkeley Road. Great Crested Newts, a European protected species have been recorded at this site and it is suspected that the former pond was used by this species for breeding.

A method statement detailing how Great Crested newts will be protected during the development and proposing a replacement pond and a small area of terrestrial habitat have been submitted with the application. These proposals are acceptable and should be secured by means of condition. The submitted protection measures, however, do not take account of the demolition of the building. A revised methodology has been requested to deal with this issue and must be received and approved prior to determination. Members will be updated on this matter.

It should be noted that since a European Protected Species has been recorded on site and is likely to be adversely affected by the proposed development, the planning authority must consider two of the three tests in respect of the Habitat Regulations, i.e. (i) that there is no satisfactory alternative and (ii) that the development is of overriding public interest. Evidence of how the LPA has considered these issues will be required by Natural England, prior to them issuing a protected species license once permission has been granted.

In this particular case, it is considered that the development offers the opportunity to mitigate the damage caused from the pond infilling and that there would be no satisfactory alternative to achieve this.

Bats and Breeding Birds

An acceptable bat and breeding bird survey has been submitted with this application. Bats were recorded as being active in the area, but there was no evidence of a roost being present at the property.

There was some evidence of breeding birds being present. To comply with guidance in PPS9, conditions are required to protect breeding birds and also to ensure that the site retains some potential for roosting bats.

Management Plan

A 10 year management plan is required to secure the long term viability of the proposed habitat creation works. The plan should include proposals for how issues relating to invasive non-native species and the introduction of fish will be resolved. This can be achieved by condition.

Trees

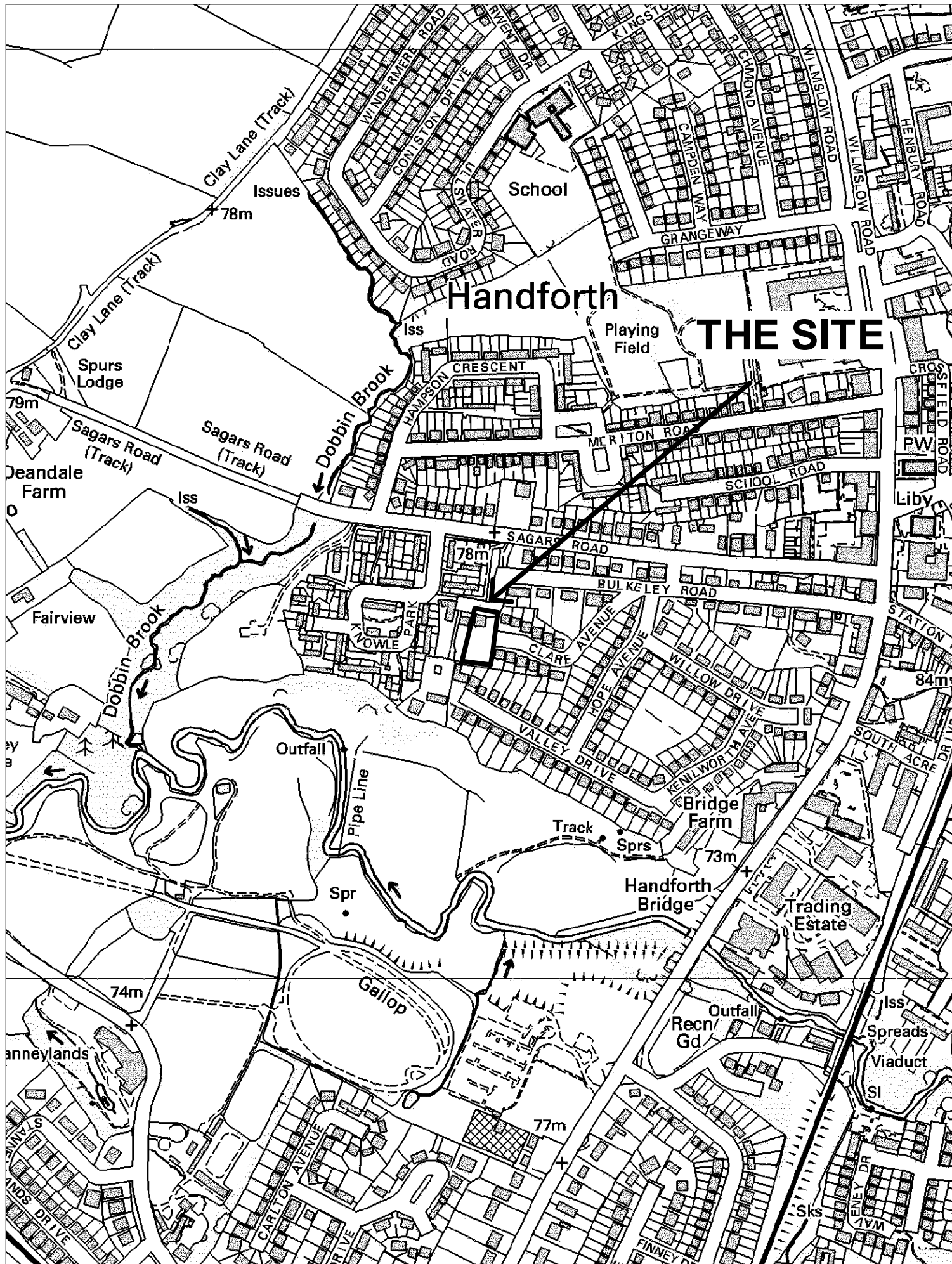
The comments of the Council's officer for arboriculture are awaited. However, no objections were raised to the previous application subject to appropriate conditions.

The site includes a protected Ash Tree, which has unfortunately died due to waterlogging arising from the pond which was infilled. As a protected tree there is a duty to replace it. Any planning approval should require an appropriate replacement within the site, along with a scheme for the landscaping of the site.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The application seeks outline consent for 3 detached dwellings on the site. The site lies in a sustainable location within an established residential area and will contribute to the supply of housing required by policy L4 of the Regional Spatial Strategy. The submitted site plan and scale parameters demonstrate that the site can accommodate the dwellings whilst maintaining acceptable distance standards to adjoining properties in line with Local Plan policies DC38 and DC3. Subject to conditions, the development can accommodate the requirements to protect and enhance nature conservation interests, including European Protected Species, in line with national planning guidance PPS9 and Local Plan policy NE11. There would be no adverse highway implications resulting from the development.

As such the development complies with the relevant policies of the Development plan and there are not considered to be material considerations that would outweigh a decision other than in accordance with the Plan. The application is therefore recommended for approval subject to conditions.



09/0087P - 41 BULKELEY ROAD HANDFORTH WILMSLOW

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Application for **Full Planning**

RECOMMENDATION : Approve subject to following conditions

1. A03OP - Time limit for submission of reserved matters
2. A06OP - Commencement of development
3. A01OP - Submission of reserved matters
4. A02OP - Implementation of reserved matters
5. A02HA - Construction of access
6. A06HA - Pedestrian visibility at access in accordance plans to be approved
7. A07HA - No gates - new access
8. A26HA - Prevention of surface water flowing onto highways
9. A30HA - Protection of highway from mud and debris
10. A32HA - Submission of construction method statement
11. A10OP - Details to be submitted
12. A06NC - Protection for breeding birds
13. A08OP - Ground levels to be submitted with reserved matters application
14. A17MC - Decontamination of land
15. Newts
16. No fish in pond
17. Replacement tree
18. Management Plan

Application No: 09/0095P

Location: 9, LORD STREET, MACCLESFIELD, CHESHIRE

Proposal: DEMOLITION OF EXISTING GARAGE AND THE CONSTRUCTION OF A PAIR OF SEMI-DETACHED TOWN HOUSES.

For MRS ANN EVANS

Registered 23-Feb-2009

Policy Item Yes

Grid Reference 391844 373122

Date Report Prepared: 30.03.09

SUMMARY RECOMMENDATION:

Approve, subject to outstanding representations and approval of the parallel application 09/0096P.

MAIN ISSUES:

- Whether the existing buildings have any historical or architectural merit
- Whether the existing buildings make any positive contribution to the character and appearance of the Conservation Area (and street-scene)
- Whether a suitable scheme for replacement has been submitted

REASON FOR REPORT

In line with the Council's constitution

DESCRIPTION OF SITE AND CONTEXT

The site currently has a land use as a commercial garage (maintenance and repair of motor vehicles), though it has been redundant for approximately 2 years.

The site is located at the northern end of Lord Street, within a Predominantly Residential Area and the High Street Conservation Area.

The site comprises the following attached buildings: a single-storey, stone structure on its north-eastern corner, a two-storey stone structure positioned along the north-western boundary (facing the rear of some residential properties on Park Street), a single-storey, concrete block structure along the eastern boundary fronting Lord Street and a single-storey, concrete block within the site used as workshop bays. At present vehicles access the site at its south-eastern corner from Lord Street.

A full planning application has been submitted concurrently to erect two semi-detached dwellings (09/0096P). The report for this application is elsewhere on this agenda.

DETAILS OF PROPOSAL

The proposed development seeks to demolish the existing buildings on site. The parallel application (09/0096P) seeks to construct 2 No. semi-detached, 3-bedroom town houses, with off-road car parking provision to the sides and gardens to the rear.

RELEVANT HISTORY

No relevant planning history.

POLICIES

Regional Spatial Strategy

DP7 – Promote Environmental Quality

Local Plan Policy

BE3 – Conservation Areas

BE4 – In Conservation Areas (Consent for Demolition)

BE7 – High Street (Conservation Area)

Other Material Considerations

Planning Policy Guidance Note 15 – Planning and the Historic Environment

CONSULTATIONS

(External to Planning)

None

(Internal to Planning)

Conservation/Listed Building & Design – No objection

OTHER REPRESENTATIONS

Representations received for both the Conservation Area Consent application and the concurrent Full Planning application have been considered in respect of both applications. Two representations have been received so far (the last date for comments in 01 April 2009). The issues raised are summarised as follows:

- Gated off-road parking and the impact on parking availability on Lord Street
- The proposed 'set-back' (as only 2 No. dwellings) not in keeping with, in particular, Lord Street
- Suggested that 'Cheshire Bricks' would be the most suitable bricks to use in this location

- It is claimed that a comparison of ridge heights/degree to which proposed may be overbearing or intrusive is difficult to appraise from the plans submitted
- Concern regarding disruption during construction
- Suggested that Health & Safety precautions will need to be taken during demolition (due to presence of asbestos)

It is noted that the author of one representation received to-date states at the outset that he is in favour of the proposal to demolish the existing buildings and erect 2 No. semi-detached town houses.

APPLICANT'S SUPPORTING INFORMATION

The applicant has submitted a '*Design and Access Appraisal*' with the application. It is stated in this document that the existing buildings are of sub-standard quality and have little architectural value.

OFFICER APPRAISAL

Principle of Development

The Conservation Officer has no objection to the principle of demolition.

Policy

The proposed parallel application (09/0096P) is considered to be acceptable. As such, the demolition of the existing buildings accords with policy BE4, in that the site would not be left vacant.

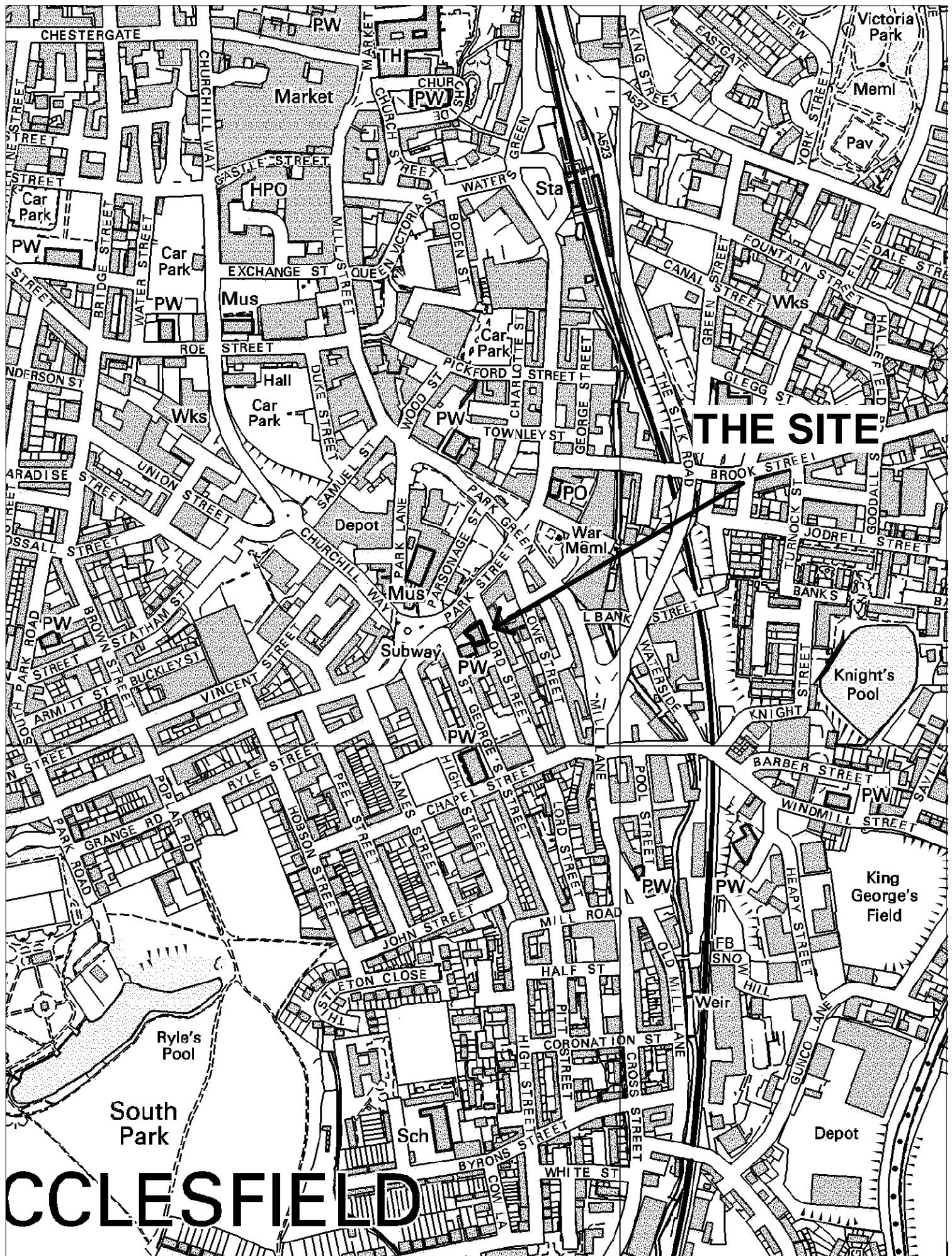
Character and appearance of the Conservation Area/street-scene

The loss of the buildings is considered not to cause any harm to the character and appearance of the Conservation Area or the street-scene.

The Conservation Officer considers that the proposed parallel application (09/0096P) would sit comfortably within the street-scene and enhance the Conservation Area.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The existing buildings are not considered to have any architectural merit nor does their loss harm the character and appearance of the Conservation Area/street-scene. A parallel application for development has been submitted as is considered to be acceptable. A recommendation of approval is made, subject to any outstanding representations and the approval of application 09/0096P.



09/0095P - 9 LORD STREET MACCLESFIELD

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Application for **Conservation Area Consent**

RECOMMENDATION : Approve subject to following conditions

1. A03CA - Standard Time Limit
2. A02CA - Demolition as precursor of redevelopment
3. A22GR - Protection from noise during construction (hours of construction)
4. A01AP - Development in accord with approved plans

Application No: 09/0096P

Location: 9, LORD STREET, MACCLESFIELD, CHESHIRE

Proposal: DEMOLITION OF EXISTING GARAGE AND THE CONSTRUCTION OF A PAIR OF SEMI-DETACHED TOWN HOUSES.

For MRS ANN EVANS

Registered 25-Feb-2009

Policy Item Yes

Grid Reference 391844 373122

Date Report Prepared: 30.03.09

SUMMARY RECOMMENDATION:

Approve, subject to: a) submission of a satisfactory Contaminated Land report; b) receipt of outstanding consultations and representations and c) conditions.

MAIN ISSUES:

- Design
- Impact on the character and appearance of the Conservation Area
- Impact on residential amenity
- Highways safety
- Environmental issues

REASON FOR REPORT

In line with the Council's constitution

DESCRIPTION OF SITE AND CONTEXT

The site currently has a land use as a commercial garage (maintenance and repair of motor vehicles), though it has been redundant for approximately 2 years.

The site is located at the northern end of Lord Street, within a Predominantly Residential Area and the High Street Conservation Area.

The site comprises the following attached buildings: a single-storey, stone structure on its north-eastern corner, a two-storey stone structure positioned along the north-western boundary (facing the rear of some residential properties on Park Street), a single-storey, concrete block structure along the eastern boundary fronting Lord Street and a single-storey, concrete block within the site used as workshop bays. At present vehicles access the site at its south-eastern corner from Lord Street.

A Conservation Area Consent application has been submitted concurrently to demolish the existing buildings (09/0096P). The loss of the buildings is considered not to cause any harm to the character and appearance of the Conservation Area. The report for this application is elsewhere on this agenda.

DETAILS OF PROPOSAL

The proposed development seeks to construct a pair of semi-detached, 3-bedroom town houses, with off-road car parking provision to the sides and gardens to the rear.

The dwellings are set-back a little from the footpath with a low level dwarf-wall, railings and iron gates to the front of the properties. The plans submitted included electronically operated iron gates at the sides of the properties. However, revised plans have been requested as these a) were deemed to create a highways safety issue and b) were not particularly in keeping with the Conservation Area.

RELEVANT HISTORY

No relevant planning history.

POLICIES

Regional Spatial Strategy

- DP1 – Spatial Principles
- DP2 – Promote Sustainable Communities
- DP4 – Make the Best Use of Existing Resources and Infrastructure
- DP5 – Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility
- DP7 – Promote Environmental Quality
- L2 – Understand Housing Markets
- L4 – Regional Housing Provision

Local Plan Policy

- BE1 – Design Guidance
- BE3 – Conservation Areas
- BE7 - High Street (Conservation Area)
- H1 – Phasing Policy (Housing)
- H2 – Environmental Quality in Housing Developments
- H13 – Protecting Residential Areas
- DC1 – New Build (Design)
- DC3 – Amenity
- DC37 – Landscaping
- DC38 – Space, Light and Privacy
- DC41 – Infill Housing Development or Redevelopment
- DC63 – Contaminated Land including Landfill Gas

Other Material Considerations

Planning Policy Statement 3 – Housing
Planning Policy Guidance Note 13 – Transport

CONSULTATIONS

(External to Planning)

CCC Highways – No objection, subject to conditions

(Internal to Planning)

- Conservation/Listed Building & Design – No objection, subject to conditions
- Environmental Health (Contaminated Land) – Object, unless a satisfactory Phase 1 Contaminated Land Survey is submitted prior to determination

OTHER REPRESENTATIONS

Representations received for both the Full Planning application and the concurrent Conservation Area Consent application have been considered in respect of both applications. 2 No. representations have been received so far (the last date for comments is 01 April 2009). The issues raised are summarised as follows:

- Gated off-road parking and the impact on parking availability on Lord Street
- The proposed 'set-back' (as only 2 No. dwellings) not in keeping with, in particular, Lord Street
- Suggested that 'Cheshire Bricks' would be the most suitable bricks to use in this location
- It is claimed that a comparison of ridge heights/degree to which proposed may be overbearing or intrusive is difficult to appraise from the plans submitted
- Concern regarding disruption during construction
- Suggested that Health & Safety precautions will need to be taken during demolition (due to presence of asbestos)

It is noted that the author of one letter received to-date states at the outset that he is in favour of the proposed.

APPLICANT'S SUPPORTING INFORMATION

The applicant has submitted a '*Design and Access Appraisal*' and '*PPS3 Self Assessment Checklist*' with the application. The following points are made within these documents:

- Seeking to provide good quality housing that will enhance the street-scene and that take account of the historical character of the area.
- Consideration has been given to relevant sustainability, design and access policies within the Local Plan.
- The existing buildings are of sub-standard quality and have little architectural value.
- It is suggested that, although not all the criteria in the range of relevant Development Plan policies can be met in full, the overall advantages outweigh any shortcomings.

- The proposed design takes account of architectural features of properties in the area and the intention is to use materials of a very high quality, to sit well within the existing street-scene.
- The set-back has been incorporated to minimise impact on amenity. The introduction of the dwarf-wall is used to minimise the effect of the set-back.
- Off-road parking has been introduced to satisfy highway safety requirements.
- The size and scale of the proposed would allow for some off-road parking and outdoor amenity space.
- The site is in a sustainable location, with access to all relevant amenities, facilities and public transport networks and provides accommodation appropriate to the area.

OFFICER APPRAISAL

Principle of Development

The application site is located within a Predominantly Residential Area, as defined in the Local Plan. As such, the principle of the development of 2 No. dwellings within the area is acceptable.

Policy

Some members will be aware that Macclesfield Borough Council's Restrictive Housing Policy was lifted, and the North West Regional Spatial Strategy adopted, in September 2008. Consequently, the Development Plan allows for new housing development, providing regard has been given to key criteria outlined in PPS3 (Housing), i.e. meeting the housing needs of the area, providing a good mix of housing, sites being in suitable and sustainable locations, land being used effectively and efficiently and achieving high quality housing.

A '*PPS3 Self Assessment Checklist*' has been submitted with the application. It is considered that the proposed a) provides high quality housing of a type that contributes to the housing needs of the area, b) is in a sustainable location, c) makes effective and efficient use of a brownfield site.

Design/Conservation/Character and appearance of the area/street-scene

The design of the proposed dwellings has taken account of the style of properties immediately adjacent to the site and that of others within the High Street Conservation Area. The constraints of the site in terms of residential amenity and highways safety have also been borne in mind.

Lord Street consists, primarily, of two and three-storey terraced dwellings, with varying ridge heights, frontage directly adjacent to the footpath and on-street parking.

The height of the proposed is similar to the height of the immediate neighbouring properties to the south, as can be seen on Drawing No. DB/AE/01 Sht. 02 – 'View From Lord Street'). Window and door details are also in keeping.

The existing site layout has gaps between a) the buildings on site and the immediate neighbouring dwelling, No. 7 Lord Street and b) the northern boundary and the properties at right-angles to the site on Park Street. Broadly speaking, the erection of two semi-detached dwellings would retain these gaps; though in the case of 'b', the gap would be increased to improve amenity and provide off-street parking.

The set-back at the front of the proposed is similar to the set-back of other properties within the vicinity of the site in the High Street Conservation Area.

The existing stone wall on the northern boundary will be retained at approx. 2m High and some of the stone removed will be used on the proposed dwarf-wall at the front.

The Conservation Officer considers that the proposed development would sit comfortably within the street-scene and enhance the Conservation Area.

To ensure materials are in keeping with the locality, should the application be approved, a condition could be attached requiring materials such as bricks and roof tiles to be agreed with the Local Planning Authority.

Overall, it is considered that the design is acceptable and that the proposed makes a positive contribution to the Conservation Area.

Amenity

The dwellings to the north, east and south of the application site have been closely considered in respect of the impact of the proposed on the amenity of neighbouring properties.

At the outset, it is considered that removing the existing light industrial, commercial garage from this residential area would improve the amenity of the area.

The proposed development includes the demolition of existing buildings on site. The existing two-storey structure along the northern boundary is approx. 7.5m high. The proposed dwellings are approx. 8.5m high and, in relation to the rear of the properties on Park Street along the northern boundary, the proposed dwellings are a) set-back at the front approx. 2m, b) set-in from the boundary between approx. 4m and 1.5m and c) are only approx. half the depth of the existing buildings referred to. It is noted that there are no habitable room windows proposed on the northern and southern side gables. Overall, it is considered that the amenity of the occupants of the properties on Park Street and the neighbouring property No. 7 Lord Street (in respect of space, light and privacy) would either be improved or at least maintained at existing levels.

In regards to the impact on properties to the east, the proposed dwellings would result in being approx. 11m from the front of the existing dwellings. Although this does not meet the desired distance standard for new build, it is noted that the general relationship between properties front-to-front on Lord Street (and within the area) is approx. 9m. Hence, the proposed development ensures that a commensurate degree of space, light and privacy between these properties is achieved, which accords with policy DC38.

Bearing the above points in mind it is considered that the extent to which the proposed impacts on the amenity of neighbouring properties is of an acceptable degree.

Highways

The Highways Officer has raised no objection in principal to the scheme.

The off-road parking level proposed is 2 No. spaces for the southern property and 1 No. space for the northern property. Although current Cheshire County Council ideal standards are 2 No. spaces per dwelling, in light of current Planning Policy Guidance (PPG13) 1 No. parking space for the northern most property will be acceptable as the development is located within an existing town centre location with access to an integrated public transport network.

In respect of the access points, both dwellings would be bounded by walls from adjacent properties which would compromise any form of pedestrian/vehicle visibility. However, it is acknowledged a) that the proposed access points could not achieve the required visibility splays as the areas of amendment are not within the applicant's control and b) that 1 No. of the access points is already used by vehicles to access/exit the existing commercial garage.

The gates proposed across the access points would need to be set-back 5.5m to meet highway safety standards. However, as this could not be achieved within the constraints of the site revised plans have been requested removing the gates from the scheme.

To facilitate the southern most access will require the relocation of a 'no waiting' sign and post. This could be addressed by way of a Grampian condition (negative condition).

Overall the proposal is welcomed as it will significantly reduce the potential traffic production associated with to site's current land use.

Environmental Health

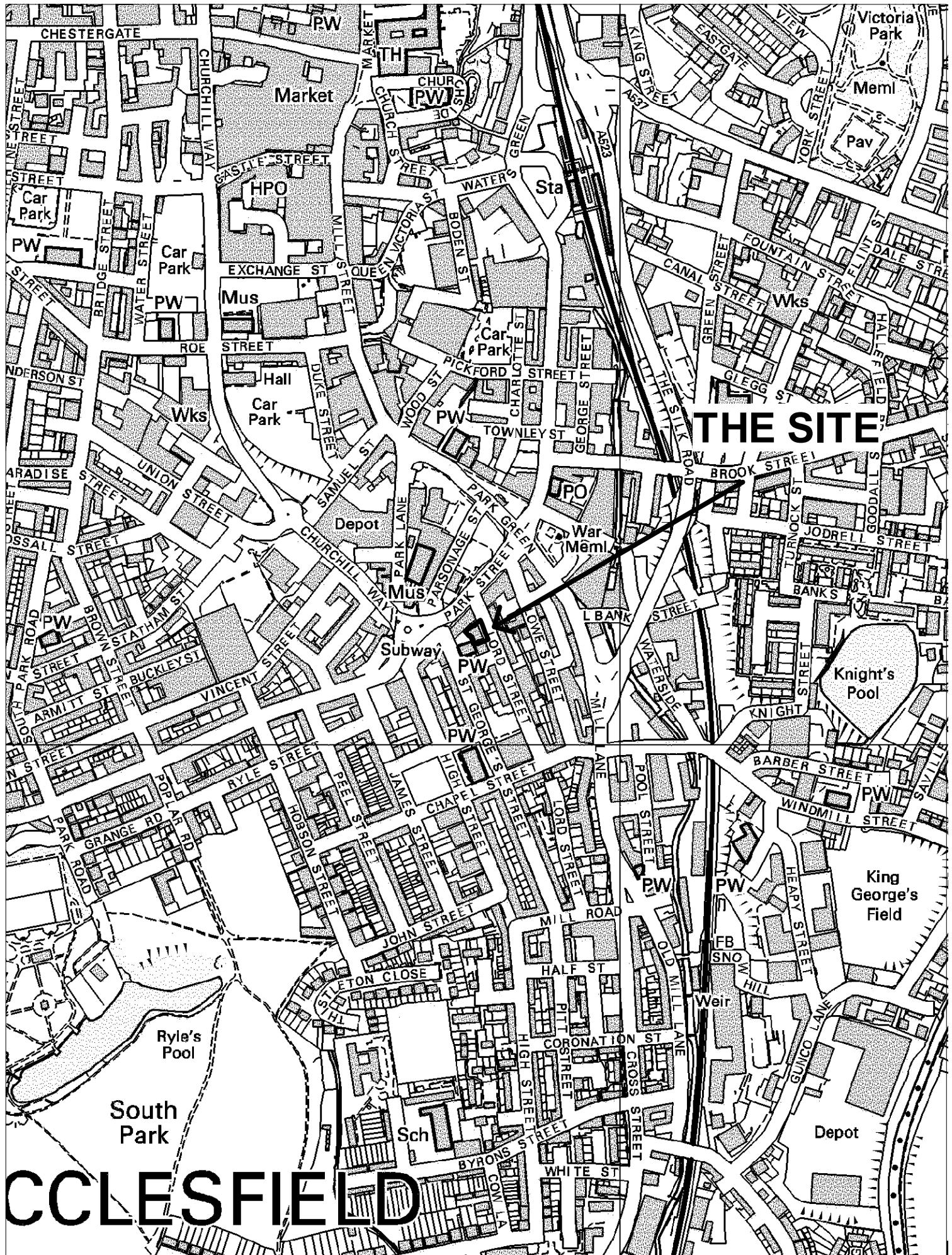
The Environmental Health Officer has requested that a Contaminated Land Report be submitted prior to determination of the application.

It is noted that the applicant has agreed to undertake a survey and submit the information during the course of the application.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The demolition of the existing commercial garage and the erection of two-semi-detached town houses is an efficient use of this brownfield site. Removal of the commercial premises would make a positive contribution to the general amenity of the area. The dwellings are located in a sustainable location and contribute to the housing needs. It is considered that the design is in keeping with the area and that the proposed scheme would make a positive contribution to the character and appearance of the Conservation Area and the street-scene. The levels of amenity and parking that would be achieved are considered to be acceptable. Overall, the benefits of the proposed development are considered to outweigh any negative

aspects and a recommendation of approval is offered, subject to a) a satisfactory Contaminated Land Report being received during the course of the application, b) any outstanding consultations/representations and c) conditions.



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Application for **Full Planning**

RECOMMENDATION : Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A02AP - Detail on plan overridden by condition
3. A07EX - Sample panel of brickwork to be made available
4. A02EX - Submission of samples of roof tiles
5. A02LS - Submission of landscaping scheme
6. A06GR - No windows to be inserted
7. A25GR - Obscure glazing requirement
8. A02HA - Construction of access
9. A07HA - No gates - new access
10. A01HP - Provision of car parking
11. A26HA - Prevention of surface water flowing onto highways
12. A10HP - Driveway surfacing - single access drive
13. A30HA - Protection of highway from mud and debris
14. A32HA - Submission of construction method statement
15. Submission of samples of stone
16. Relocation of 'waiting sign/post'

Application No: 09/0115P

Location: 120, CUMBERLAND STREET, MACCLESFIELD, CHESHIRE, SK10 1BT

Proposal: ERECTION OF REPLACEMENT 2 & 3 STOREY BUILDING TO PROVIDE 8NO. 2 BEDROOM APARTMENTS

For MISS KARREN FENTON

Registered 11-Feb-2009

Policy Item Yes

Grid Reference 391280 373927

Date Report Prepared: 27.03.09

SUMMARY RECOMMENDATION: Approve subject to conditions

MAIN ISSUES:

- Impact on the character and appearance of the area;
- Affordable Housing
- Tree issues
- Impact upon highway safety;
- Impact upon residential amenity

REASON FOR REPORT

This application was registered prior to 01.04.09 and therefore needs to be determined under Macclesfield Borough Council's criteria for assessing planning applications. Due to the number of dwellings, the application requires to be determined by a committee.

DESCRIPTION OF SITE AND CONTEXT

The site is a triangular parcel of land located on Cumberland Street, which is on one of the main roads into Macclesfield. Whalley Hayes (lane) is sited to the rear of the site. The site is presently occupied by a 2-storey building which was previously used as an office for Cheshire Peaks and Plains. There is a car park which serves the building to the west which is surrounded on the periphery by trees. There is a large Lime tree to the south west which is protected by a Tree Preservation Order.

The immediate neighbourhood is characterized by a mixture of development, which includes large Victorian family houses, flats and bungalows. To the north of Cumberland Street is the large Sainsbury's supermarket, and to the northeast is Kings School.

DETAILS OF PROPOSAL

This application seeks permission to provide 8no. two bedroom apartments in a 2 and 3 storey building for rent. Cheshire Peak and Plains would construct the building with the Housing Corporation Grant and will manage the facility in perpetuity as affordable houses. The architects have designed a building which has evolved from a contemporary modern design (application 08/1700P) to one which is more traditional. Each unit would comprise an entrance hall, living room, dining room, kitchen, shower/bath room, store room and bedroom.

The building faces Cumberland Street. It has been designed in effect as two three storey buildings separated by a circulation hallway and another two storey building. The roofs are lowered over the top floor and separated to reduce the visual impact.

The elevations would be faced in red brick. The north elevation features a pair of gables flanking the entrance hall, which gives access to 6 flats.

Vehicular access is currently from Cumberland Street onto an open car park, the exit is onto Whalley Hayes. The proposal closes off the access from Cumberland Street and the access to the car park would be taken solely off Whalley Hayes. The car park would have initially incorporated 7 parking spaces, with a further 5 accessed to the rear of the building off Whalley Hayes to the rear. However, this proposal has been revised and 11 spaces are now included within the car park area. The parking spaces to Whalley Hayes have been removed from the scheme. Details of proposed bin and cycle storage are also provided.

RELEVANT HISTORY

08/1700P Demolition of existing building and erection of two storey building to provide eight 2 bedroom apartments - Withdrawn 25.09.08

POLICIES

Regional Spatial Strategy

DP1, DP5, DP6, DP7, L2, L5

Local Plan Policy

NE11, BE1, H1-H3, H9, H13, DC1-DC6, DC8-DC9, DC12, DC15.

CONSULTATIONS (External to Planning)

Highways

Highways: The Highways Engineer raises no objections to the proposal. However, the Highways Engineer would wish to see a turning facility for a service vehicle, a secure cycle store, relocation of the bin store, pedestrian visibility splays at each end of the chevron parking facility on Whalley Hayes, and alterations to the parking bays onto Whalley Hayes to ensure they don't project onto the highway.

Environmental Health

The Environmental Health Officer raises concerns about the proposal in relation to environmental noise and local air quality. A report was submitted with the application in relation to air quality and an acoustic study was also undertaken. The impact of the local environment on the development, in terms of air quality is considered to be acceptable, however, the day-time and night-time noise levels fall outside that normally considered to be acceptable. As there are no gardens on the sensitive façade it is not a requirement to consider garden areas in terms of noise exposure. It is considered that it would be appropriate to attach a condition which would afford acoustic protection to internal living areas of the properties.

In addition, the Head of Environmental Health also notes that the application is for new residential properties which are a sensitive end use and could be affected by any contamination present. The Phase 2 report recommends that remedial measures are carried out and reported. If contaminants are found then a remediation statement will be

required followed by a site Completion Report which details the conclusions and actions taken at each stage.

United Utilities object to the proposal as a public sewer crosses the site and United Utilities will not permit building over it. United Utilities will require an access strip width of 12 metres, 6 metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for adoption". Therefore a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary. If possible, the site should be drained on a separate system, with foul drainage only connected into the foul sewer. Surface water should discharge to the soakaway/watercourse/surface water sewer and may require the consent of the Environment Agency.

OTHER REPRESENTATIONS

A letter of objection has been received from a resident of Whalley Hayes. The comments are available on the application file and are summarised as follows: -

- The building should be reverted to its original use as a community meeting area for the elderly residents who lived in the adjacent flats and bungalows.
- The development is aimed at a broad choice of occupants which will be incompatible with the current properties (managed by Cheshire Peaks and Plains) which are adjacent that are ideal for elderly residents.
- The location is wholly unsuitable for children as Cumberland Street is one of the busiest roads in Macclesfield.
- Whalley Hayes is used as a 'rat run', especially during peak hours and there is no protection for pedestrians. Traffic levels have increased significantly since late 2008.
- The buildings are too high for the local area and will be obtrusive and overbearing.
- The building will reduce the green space that occupies the area. The proposal highlights the removal of a number of trees which should be retained.
- The proposal will cause a loss of privacy.
- The number of parking spaces proposed are in excess of that required for such a development.
- Will the road be adopted? If so will this restrict residents who have parked outside their houses for years. The parking bays proposed for the development will be impractical to use.
- The proposed fence will be overbearing.
- As we are in March, the area should be surveyed again for birds.

APPLICANT'S SUPPORTING INFORMATION

The following documents were submitted with the application: -

- A Design and Access Statement
- An Ecology Survey which specialised in protected species
- An Environmental Noise Assessment and Air Quality Impact Assessment
- A Tree Survey Report
- A Desktop environmental study

OFFICER APPRAISAL

Principle of Development

The determining issues are whether the apartment block and houses would have an adverse impact on the character and appearance of the area, the potential impact on local residents, the impact on trees, the impact on the housing policy, the desirability of maximising the use of previously developed land and impact on parking and highway safety.

Policy

The site lies within a Predominantly Residential Area on the adopted Macclesfield Borough Local Plan where residential uses are acceptable in principle. The application needs to be assessed against Local Plan Policy BE1 (Design Guidance), H2, (Environmental Quality in Housing Developments), H9 (Affordable Housing), H13 (Protecting Residential Areas), and Development Control Policies DC1, DC3, and DC38, which relate to the standard of design, amenity and space standards. Policy DC6 relates to circulation and access. Policy DC8 relates to landscape and tree issues.

The scheme would provide accommodation to meet the needs of the Borough's population in accordance with the Borough's Housing Strategy.

A report on the supply of housing has been approved by the Environment Policy Development Committee and the Cabinet of MBC, which effectively replaced the previous SPG on Restricting the Supply of Housing with the new guidance "PPS3 Housing and Saved Policies Advice Note".

The Advice Note is based on a list of 5 criteria outlined in PPS3 which planning authorities should have regard to when deciding planning applications for new housing and on the Council's saved policies and other guidance in PPS3. In summary, the Advice Note states that planning applications for new housing should meet the following criteria.

1. Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in the area and does not undermine wider policy objectives (*does the application accord with the housing objectives of the Borough and wider policy objectives e.g. affordable housing and urban regeneration*)
2. Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people (*does the application meet the housing needs of the area and/or provide affordable housing*)
3. The suitability of a site for housing, including its environmental sustainability (*is the site in a suitable and sustainable location, is it previously developed land, what constraints exist*)
4. Using land effectively and efficiently (*is the density at least 30 dwellings per hectare*)
5. Achieving high quality housing (*is the site accessible to public transport and services, is the development well laid out, safe, accessible and user friendly, is there adequate open space and/or access to recreational open space, does the*

design complement/improve the character of the area, is the car parking well designed and integrated, does the development enhance biodiversity)

In this case it is considered that the proposal broadly complies with the five listed criteria. The site is considered to be in a suitable and sustainable location. It is a previously developed site, within an area surrounded by housing, which is within walking distance of public transport links and to services. The scheme achieves high quality housing in a town centre location.

As the scheme is for affordable housing it will be necessary to secure this by way of a legal agreement. It should be noted that the affordable housing would be at a level higher than normally anticipated by Policy H8 of the Local Plan.

Highways

The Highways Engineer has requested further information into how the building will be adequately serviced. It is understood that the applicants are in discussions with the Highways Engineer to resolve this issue. The other issues raised by the Highways Engineer in relation to cycle parking, bin storage, pedestrian visibility splays and the parking bays onto Whalley Hayes can be addressed by conditions. At the time of report preparation the Agent has submitted a revised plan with the aim of improving the car parking situation by omitting the parking bays on Whalley Hayes. A requirement for eleven parking spaces has been agreed and the plan has been amended to show how a box van can turn within the site and exit in a forward gear. Provision for cycle storage is shown at the front and rear of the building together with a store for 3 large eurobins. Comments in relation to the revised plan will be sought from the Highways Engineer.

Design

The site lies within a residential area of a mixture of bungalows, two and three storey dwellings in a variety of styles including Victorian properties and late twentieth century housing. With the exception of the bungalows, the predominant walling material is brick.

The building incorporates an interesting design and is a sensitive reworking of the traditional pattern of development and this is considered an appropriate approach to this site. It reads as two and three storey buildings which have been seamlessly linked together. The massing has been visually reduced by the articulation of the elevations. The building does have presence as it is 3.5 metres back from the pavement at its closest point. This relatively close proximity is however a feature of other properties in the locality some of which are 2 – 3 stories high. It is considered that the general massing and proportions of the development is similar to the Victorian Houses on Whalley Hayes and the buildings (nursery and physiotherapist to the west and the former architects practice to the east) on Cumberland Street.

The western elevation can be seen on the approach along Cumberland Street and a central window has been positioned on the side gable enhancing the overall design and avoiding a blank wall. The southern elevation (fronting Whalley Hayes (lane)) features an angled bay window, which allows views along the road, without causing an issue of neighbour amenity.

The overall design, while making use of the traditional elements of brick, and pitched roofs, is clearly of the twenty-first century, which is fitting in this area of eclectic residential styles.

Amenity

In general the proposed buildings accord with Local Plan Policy DC38 (space, light and privacy standards). The distance between the rear of the proposed apartments which face Whalley Hayes and nos. 56 and 58 would be approximately 16m. It is considered that the proposed relationship is acceptable due to the design of the proposed development and fact that the location of the proposed windows have been considered in relation to the impact on the dwellings opposite at the rear. It is considered on balance that the impact on neighbour amenity would be acceptable given the space distance, orientation of the properties, and overall relationships.

Ecology

The Arboricultural Officer raises no objections to the proposal. The proposed development will not have an adverse impact on a specimen tree (a mature Lime located on the southern boundary adjacent to the car park and Whalley Hayes) located on the site providing a suitable tree protection scheme is implemented. Only two trees (Birch & Cherry) are identified for removal within the submission. Both are located on the Cumberland Street road frontage but their loss can easily be mitigated by specimen planting elsewhere within the site. The group of Sycamore, Thorn and Cypress which are identified for removal are close to existing hard standing features and the sewer line and therefore they lack amenity value. The Tree Officer has been asked to comment on the revised plan which shows a revised car parking layout, in order to verify whether this has any further impact on the trees.

It is noted that the landscaping screen for the houses opposite (on Whalley Hayes) has been improved by the planting of small trees and a hedge is shown to the Cumberland Street boundary. The boundary fence opposite no 25 and no. 27 has been set back further from the road to improve the relationship and make the fence less overbearing.

The Nature Conservation Officer comments that the application was supported by an acceptable bat survey. As no evidence of bats were recorded the Nature Conservation Officer does not anticipate there being any significant ecological impacts associated with the proposed development. The Nature Conservation Officer has been asked to provide further comments in relation to the issue raised by a local resident in relation to birds nesting at the site.

CONCLUSIONS AND REASON(S) FOR THE DECISION

It is considered that the principle of redeveloping the site for residential purposes complies with planning policies. In terms of the details of the scheme it is considered that the layout of the building on the site makes good re-use of a brown field site which is an awkward shape. The design and elevational treatment of the building will make a positive addition to Cumberland Street and what is a major thoroughfare to the town centre. The comments of consultees and the neighbour are noted and it is considered that the comments which are relevant to planning have been addressed in the report above, subject to the further views sought from the Highways Engineer and Arboricultural Officer in relation to the revised parking plan. It is understood that the applicant is in discussions with United Utilities in relation to the public sewer which runs close to the eastern wall of the proposed building. The applicants hope to be able to design a foundation which United Utilities will consider to be acceptable. It is considered that this matter can be dealt with by way of a condition.

A recommendation of approval is therefore made.

HEADS OF TERMS

It will be necessary for a Section 106 agreement to be completed, which will restrict the occupation of the dwellings. The Section 106 Agreement will contain requirements for the following: -

- To ensure that the proposed dwellings are genuinely affordable, having regard to the Council's policies and standards.



Scale 1:10000

Application for **Full Planning**

RECOMMENDATION : Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A04AP - Development in accord with revised plans (numbered)
3. A02EX - Submission of samples of building materials
4. A17EX - Specification of window design / style
5. A01LS - Landscaping - submission of details
6. A04LS - Landscaping (implementation)
7. A22GR - Protection from noise during construction (hours of construction)
8. A23GR - Pile Driving
9. A01TR - Tree retention
10. A02TR - Tree protection
11. A04TR - Tree pruning / felling specification
12. A02HA - Construction of access
13. A03HA - Vehicular visibility at access (dimensions)
14. A05HA - Pedestrian visibility at access (dimensions)
15. A02HP - Provision of car parking (scheme to be submitted)
16. A04HP - Provision of cycle parking
17. A26HA - Prevention of surface water flowing onto highways
18. A27HA - Gradient of access drive
19. A10HP - Driveway surfacing - single access drive
20. Contaminated land report
21. No gates
22. Existing access to be closed
23. Pedestrian visibility splay
24. Environmental Health noise mitigation condition
25. All habitable rooms on Cumberland St to be ventialed without opening windows

Application No: 09/0133P
Location: WYCH COTTAGE, WYCH LANE, ADLINGTON, MACCLESFIELD, CHESHIRE, SK10 4NB
Proposal: REPLACEMENT DWELLING WITH TRIPLE GARAGE & BAT HOUSE

For MR PAUL NICHOLSON

Registered 03-Feb-2009
Policy Item No
Grid Reference 391691 380046

Date Report Prepared: 25th March 2009

SUMMARY RECOMMENDATION: Approve subject to conditions

MAIN ISSUES: -

- The principle of demolition
- Impact upon the openness and character of the Green Belt
- Scale and design of replacement dwelling

REASON FOR REPORT

This application was initially referred to the Macclesfield Borough Council Sub Planning Committee by Councillor Jackson on behalf of Adlington Parish Council who has expressed concerns with regard to the loss of a historic cottage, which is part of 'old' Adlington.

Macclesfield's Planning Sub Committee resolved to defer the application to seek further information on the historical significance of the property. This has now been received.

DETAILS OF PROPOSAL

This application seeks full planning permission for the demolition and erection of a replacement dwelling with a detached triple garage. This proposal is a resubmission of application 08/2433P, which was withdrawn in January 2009.

DESCRIPTION OF SITE AND CONTEXT

The existing dwelling is a large two storey detached timber framed building that covers a sizeable footprint and is surrounded by mature landscaping along the boundary.

Access to the site is via a single-track which leads off from Wych Lane a built up residential area of Adlington.

The application site is surrounded by open fields to the north and an area of ancient woodland to the southwest. The site lies within an isolated rural area and is designated within the Local Plan and Green Belt.

RELEVANT HISTORY

- 08/2433p Replacement dwelling with triple garage
Withdrawn 15.01.2009
- 08/0435p Lean to glazed extension at rear and external alterations
Approved with conditions 02.05.2008
- 17785p Shower WC entrance hall cloak room, utility, bathroom stairs & games room
& garage
Approved 19790223
- 60077p Replace and enlarge existing flat roof lounge area
Approved 21.11.1989

PLANNING POLICIES

Planning Policy Statement (PPS)1: Delivering Sustainable Development
Planning Policy Statement (PPS) 2: Green Belts

The North West Regional Spatial Strategy to 2021 (RSS): -

DP7 (Promote Environmental Quality)
DP2 (Promote Sustainable Communities),
DP7 (Promote Environmental Quality),
RDF4 (Green Belts)

Macclesfield Borough Council Local Plan: -

BE1 (Design Guidance),
GC1 (New Buildings),
GC12 (Alterations and Extension to Houses),
DC1, DC2, DC3, DC38 (Standards of Design, Amenity and Space),
DC6 (Circulation and Access),
DC8 and DC37 (Landscaping)

CONSULTATIONS

Adlington Parish Council – objects to this application on the grounds that the proposed new house does not retain the original building, which is some 400-500 years old, thereby destroying this inheritance.

OTHER REPRESENTATIONS:

None received

APPLICANT'S SUPPORTING INFORMATION:

The following documents have been submitted in support of this application and can be read in conjunction with the plans submitted and viewed in further detail on the Council's website:

- A Design and Access Statement
- Tree Survey
- Habitat Survey and Ecological Impact Assessment

Additional information regarding the historical context of the site has now also been received.

OFFICER APPRAISAL

Principle of Demolition at the buildings historical context.

The existing timber framed cottage dates back to the 17th Century and has been subject over the years to a number of incremental extensions.

The original footprint of Wych Cottage is believed to be sited within the west wing of the existing dwelling and consists of two rooms (the snug and family room) excluding the single storey rear extension and the two bay windows on the front elevation.

The earliest part of the dwelling is believed to relate to an old settlement of Aldington and may have been used as a Game Keeper's Cottage.

The original part of the dwelling has been constructed of rough stone, poor quality brick work and soft wood timber planks to give a timbered appearance.

The external wall of the western elevation is currently supported by a visible brick and stone buttress wall.

The Conservation Officer advises that there is little evidence of timber framing left within the original dwelling and in most parts; elements of walls and roofing appear to have been rebuilt poorly at some time. It is only a small part on the northern elevation which appears to have retained the original timber framing.

Due to its historical merits and association to the growth of the local area the original section of the Wych cottage dwelling has recently been placed on the Council's draft Supplementary Planning Guidance (SPG) for Locally Important Buildings.

However, the existing dwelling is not considered worthy of Listed building status and is not located within a Conservation Area and therefore the building does not benefit from protection against demolition.

Discussions have now been had with the developer regarding the possible retention of the original part of the dwelling. However these discussions have been influenced by the presence of a large mature Yew tree which is positioned 2m from the dwelling. This has had an impact upon the existing foundations of the dwelling. Therefore, any proposals for rebuilding would require significant stabilisation works which would inevitably have an adverse affect upon the Yew tree.

The existing Yew tree is considered to be between 500 - 1000 years of age. By virtue of the age, health and siting the tree long term retention is a material consideration.

Further negotiations with the developer and Conservation Officer have resulted in a proposed scheme which will see the retention of the original timber framed part of the

north elevation. This would be retained as a free-standing feature and would measure 2.5m in height. It would be incorporated within a suitable landscaping scheme. The benefits of this would essentially record the fact that the cottage existed and would allow for no further harm to the ancient Yew Tree.

Given the historical merits of the site it is advised that the retained wall feature can be secured through a condition and that a historical survey be carried out.

Green Belt Policy

Located within the Cheshire Green Belt as defined by the Local Plan any new developments should seek to preserve the character of the area and maintain the openness and visual amenity of the Green Belt.

The proposed two-storey replacement dwelling is to be repositioned to a more central position within the site and will overlap the footprint of the existing dwelling.

The height of the existing dwelling is approx 7.4 metres, the proposed dwelling is marginally higher with the main ridge height measuring 8 metres. However, the footprint of the replacement dwelling is 6% less than that of the existing.

The proposed dwelling has a total floor space of 552 square metres, which amounts to approx 8 square metres more when compared with the usable floor space of the existing dwelling.

Paragraph 3.6 of PPS 2: Green Belts states that replacement dwellings may not be inappropriate provided that the new dwelling is not materially larger, then the dwelling it replaces.

Both the height and floor space of the proposed dwelling are to be increased marginally, this is however considered to be negligible. The length and footprint of the dwelling are to be reduced creating a more compact development which when compared with the existing will reduce the amount of built form on site and increase the openness. It is therefore considered that the overall scale, bulk and massing the proposed dwelling will be comparable to the existing building on site and as a result complies with Green Belt policy.

In addition to the above the applicant proposes a triple garage and small 'bat house'. Policy GC12 of the Local Plan allows for domestic outbuildings within the residential curtilage.

The proposed garage is to be sited to the south west of the proposed dwelling and will cover a footprint of approx 57 square metres. With a dual pitched roof, which will measure approx 5m in height, the proposed garage had been designed to reflect the character of the proposed dwelling and will be subservient to its surroundings.

The small 'bat house' has mainly been designed to reflect the character of a tool shed. The building is to be located within the southeast corner of the site and is to accommodate bats during and after the construction period. The proposed building has been designed with a dual pitch roof. By virtue of its

scale, bulk and siting it is considered the proposed building will have a minimal impact upon the openness and character of the Green Belt.

There is a substantial level of mature screening along the boundaries of the site, which will sufficiently obscure any public views of the proposed dwelling. The proposal is considered to fit comfortably within the existing plot and is therefore unlikely to have an adverse impact upon the visual amenities of the Green Belt.

Design/Character & Appearance

The proposed dwelling has been designed in a 'H' shape with two pitched roof gable elevations which project forward on both the rear and front elevations. The rear elevation of the dwelling has been designed to incorporate a large amount of glazing. By virtue of its style and character the proposed dwelling is considered to be similar to the existing but is more contemporary in terms of design.

The triple garage has been designed in a similar style to the proposed dwelling and incorporates a small clock tower feature along the centre of the roof ridge.

The proposed dwelling and garage are to be constructed with a timber frame, red brick, white rendered panels and slate roofing. In order to ensure the brick proposed is sympathetic to this character of this particular area a condition requesting material samples to be submitted prior to commencement of development is advised.

Given the size of the existing plot the scale, bulk and massing of the proposal is considered to be sympathetic to its surroundings and therefore complies with Council design policies.

Residential Amenity

The site is located a sufficient distance for neighbouring properties and will not have a harmful impact upon residential amenity.

Landscaping

Given the amount of mature trees and hedging, which surround the site, it is not considered that the proposed development will have a significant visual or physical impact upon the surrounding landscape. A comprehensive landscaping scheme has been submitted detailing planting schemes and hard standing. The Landscaping Officer raises no objections subject to a standard landscaping condition.

The Council's Forestry Officer considers that the repositioning of the dwelling to a more central location will improve the physical relationship upon existing trees. The applicant seeks to remove six trees within the site due to the poor health and proposes to replace them with suitable substitutes. The ancient Yew tree would be retained.

Nature Conservation

Evidence of a number of brown Long Eared Bats have been found to be residing within the roof space of the existing dwelling. As part of mitigation scheme the applicant proposes a small bat house to be located in the southern corner of the site. The building has been designed carefully with a

duel pitch roof so as to allow bats to roost within the roof space of the building.

The Nature Conservation Officer raises no objections to the proposal subject to a condition relating the implementation of the proposed bat mitigation scheme. Given the number of trees which surround the site and its close proximity to the existing ancient woodland a condition is also necessary to carry out a survey of nesting birds.

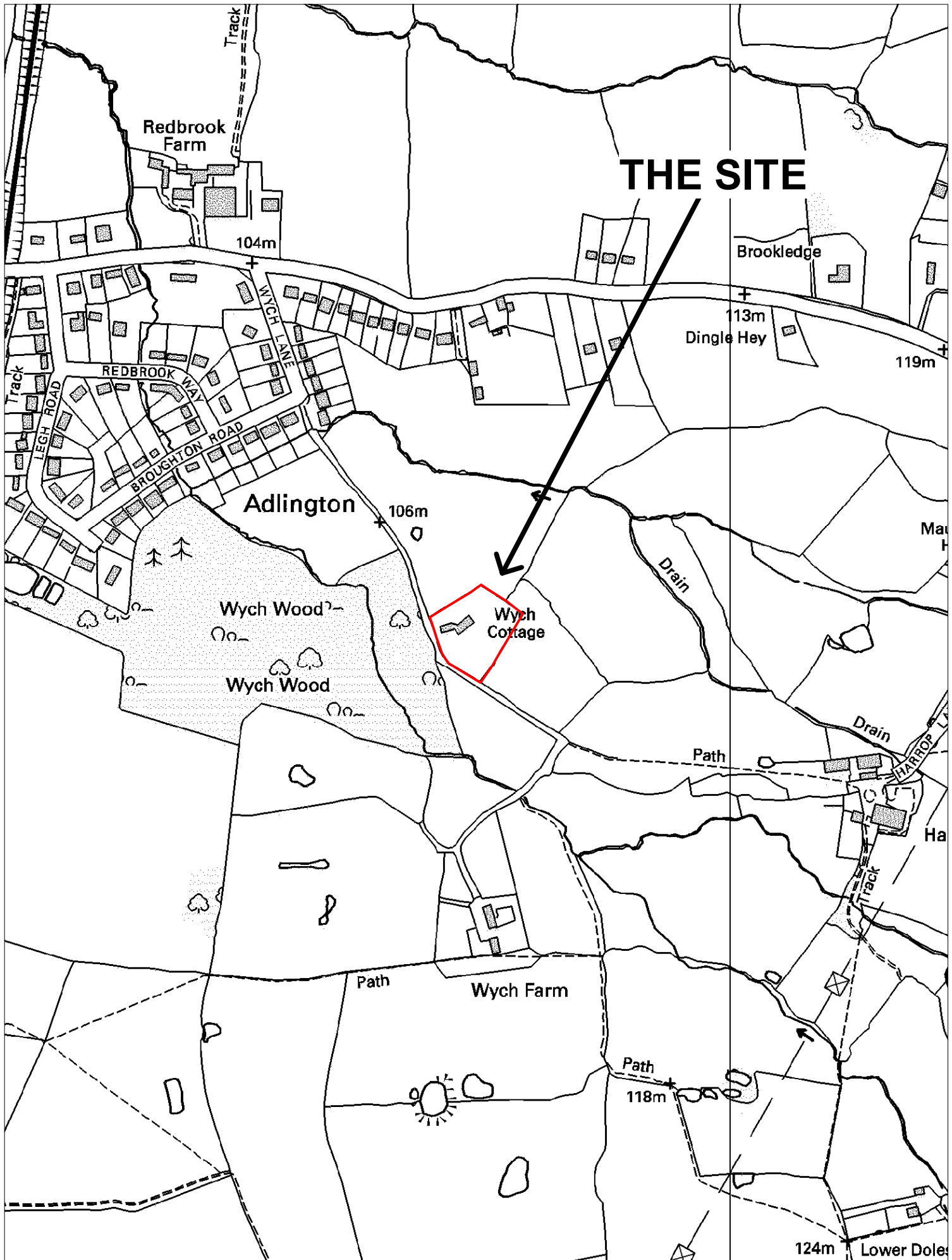
Highways and Transport Implications

The applicant proposes to utilise the existing access of Wych Lane an unadopted highway. In order to improve access to the site the width of the entry is to be increase to improve visibility splays and the existing gates are to be removed and new ones erected further into the site. Taking into account the size of the site and the triple garage the site has a more then adequate level of parking provision for a 5 bed roomed property. This proposal is therefore, unlikely to have an adverse impact upon Highway Safety.

CONCLUSIONS

Given the historical merits of this site it is acknowledged that there is a small part of the original dwelling that is of historical significance. However the re use of the original section of the building is likely to threaten the long term health and well-being of the ancient mature Yew Tree. Given that there are no policy grounds for refusing the demolition of the dwelling the compromise for the retention of the small part of the original dwelling is considered to be acceptable.

The proposal is considered to comply with objectives of Green Belt policy and is an appropriate design in keeping with the character of the surrounding area. This proposal is therefore recommended for approval subject to conditions.



09/0133P - WYCH COTTAGE, WYCH LANE, ADLINGTON, MACCLESFIELD, CHESHIRE

N.G.R. - 391,720 - 380,040

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Application for **Full Planning**

RECOMMENDATION : Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A02AP - Detail on plan overridden by condition
3. A02EX - Submission of samples of building materials
4. A11LS - Implementation of landscaping scheme submitted with application
5. A02TR - Tree protection
6. A03TR - Construction specification / method statement
7. A12LS - Landscaping to include details of boundary treatment
8. A08HA - Gates set back from footway/carriageway
9. Development to be carried out in accordance with tree survey
10. Bat Mitigations Scheme
11. Nesting Birds Survey
12. A scheme to be submitted for retained wall feature.

Application No: 09/0313M

Location: 27, CHELFORD ROAD, MACCLESFIELD, CHESHIRE, SK10 3LG
Proposal: DEMOLITION OF SINGLE BUNGALOW AND ERECTION OF 5 NO. 2/3 STOREY TERRACED DWELLINGS WITH 3/4 BEDROOMS, INTEGRAL GARAGES, EXTERNAL PARKING, GARDENS, WITH MODIFIED VEHICULAR/PEDESTRIAN ACCESS

For MR R KARMOUTA

Registered 25-Feb-2009
Policy Item Yes
Grid Reference 389187 373642

Date Report Prepared: 27.03.09

SUMMARY RECOMMENDATION: Approve subject to conditions

MAIN ISSUES:

- Impact on the character and appearance of the area;
- Tree issues
- Impact upon highway safety;
- Impact upon residential amenity

REASON FOR REPORT

This application was registered prior to 01.04.09 and therefore needs to be determined under Macclesfield Borough Council's criteria for assessing planning applications. Due the number of dwellings, the application requires to be determined by a Committee.

DESCRIPTION OF SITE AND CONTEXT

The site is located on Chelford Road, which is the main road when approaching Macclesfield from the west. The site is adjacent to the junction with Whirley Road. The site measures approximately 0.12 hectares. The site is presently occupied by a bungalow which lies at a lower level than the road. The former Henbury High School site is to the rear of the site and this is currently being redeveloped for housing.

The roadside boundary (to the south) is made up of mature trees which are afforded protected by a Tree Preservation Order.

The site is within a residential area.

DETAILS OF PROPOSAL

This application seeks permission to demolish the existing dwelling and replace it with 2 No. three-bedroomed dwellings and 3 No. four-bedroom dwellings in a 2/3 storey building. The architect has utilised the changing levels of the site to achieve a building which is predominantly three-storey in height, however, the ridge height would be similar to the surrounding properties. Each unit would comprise an entrance hall, dining room/kitchen, WC and garage on the ground floor, with a living room and two bedrooms and a bathroom

on the first floor with one or two bedrooms on the second floor. Each dwelling would have a private garden to the rear.

The building has been designed to minimise the impact of the dwellings to either side. The elevations would be faced in a mixture of brick and render. There would be small offsets between the rendered and brick sections of the frontage in order to enhance the design.

Vehicular access would be from the existing access point down a ramp to a parking area which would include provision for 7 cars (5 for each dwelling in addition to 1 garage per dwelling and 2 visitor spaces).

RELEVANT HISTORY

08/1531P Demolition of existing bungalow and erection of 3No. four-bedroom three storey detached dwellings with integrated garages
Withdrawn 15.08.08

POLICIES

Regional Spatial Strategy

DP1, DP5, DP6, DP7

Local Plan Policy

NE11, BE1, H1-H3, H13, DC1-DC6, DC8-DC9

CONSULTATIONS (External to Planning)

Cheshire County Council Highways – comments awaited

Environmental Health - The Head of Environmental Health notes that the application is for new residential properties which are a sensitive end use and could be affected by any contamination present. A contaminated land Phase I report should be carried out and submitted to the LPA to assess the actual/potential contamination risks at the site. If contaminants are found then a remediation statement will be required followed by a site Completion Report which details the conclusions and actions taken at each stage.

OTHER REPRESENTATIONS

None at the time of report preparation.

APPLICANT'S SUPPORTING INFORMATION

The following documents were submitted with the application: -

- A Design and Access Statement
- A Sustainability Appraisal
- An Arboricultural Report

OFFICER APPRAISAL

Principle of Development

The main issues to consider in determining this application are:

- 7) Design and impact on the character and appearance of the area, including the street-scene.
- 8) Impact on the amenity of neighbouring properties
- 9) Highways safety
- 10) Landscaping & nature conservation
- 11) The desirability of maximising the use of previously developed land.

Policy

The site lies within a Predominantly Residential Area of the adopted Macclesfield Borough Local Plan where residential uses are acceptable in principle. The application needs to be assessed against Local Plan Policy BE1 (Design Guidance), H2, (Environmental Quality in Housing Developments), H13 (Protecting Residential Areas), and Development Control Policies DC1, DC3, and DC38, which relate to the standard of design, amenity and space standards. Policy DC6 relates to circulation and access. Policy DC8 relates to landscape and tree issues.

A report on the supply of housing has been approved by the Environment Policy Development Committee and the Cabinet, which effectively replaced the SPG on Restricting the Supply of Housing with the new guidance "PPS3 Housing and Saved Policies Advice Note".

The Advice Note is based on a list of 5 criteria outlined in PPS3 which planning authorities should have regard to when deciding planning applications for new housing and on the Council's saved policies and other guidance in PPS3. In summary, the Advice Note states that planning applications for new housing should meet the following criteria.

1. Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in the area and does not undermine wider policy objectives (*does the application accord with the housing objectives of the Borough and wider policy objectives e.g. affordable housing and urban regeneration*)
2. Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people (*does the application meet the housing needs of the area and/or provide affordable housing*)
3. The suitability of a site for housing, including its environmental sustainability (*is the site in a suitable and sustainable location, is it previously developed land, what constraints exist*)
4. Using land effectively and efficiently (*is the density at least 30 dwellings per hectare*)
5. Achieving high quality housing (*is the site accessible to public transport and services, is the development well laid out, safe, accessible and user friendly, is*

there adequate open space and/or access to recreational open space, does the design complement/improve the character of the area, is the car parking well designed and integrated, does the development enhance biodiversity)

In this case it is considered that the proposal broadly complies with the five listed criteria. The site is considered to be in a suitable and sustainable location. It is a previously developed site, within an area surrounded by housing, which is within walking distance of public transport links and to services. The scheme achieves high quality housing within a built up area.

Highways

Comments are awaited from the Highways Engineer.

Design

The properties within the area are varied – detached, semi-detached and terraced – of differing styles and sizes. It is considered that the immediate area around the site does not have a particular distinctive character or appearance.

The plot is currently occupied by a bungalow which is set at a lower level to the road. The size of the plot and the size and nature of immediate neighbouring properties is such that a larger building than the one that exists on the site could be accommodated comfortably within it.

The design of the proposal reflects some of the features found in a number of the properties along Chelford Road, e.g. render and relatively simple designs with little in the way of features.

In regard to the size, the proposed compares with the existing as follows:

- Existing max. width 15.6m, height 6.0m & depth 11.4m
- Proposed max. width 24.2m, height 9.6m and depth 10.8m

The street-scene plan illustrates the proposed roof height is in scale with the properties either side. The use of render and small gable detailing to the front elevation has been incorporated to break up the frontage of the building and chimneys have been incorporated on the roof to provide some visual interest. It is considered that the overall design of the proposal in respect of style, size, scale and bulk is in keeping with the properties within the area and, as such, the proposal is sympathetic to the street-scene.

Although there are currently no townhouse properties within close proximity to the site, there is a row of terraced properties close by at the junction of Whirley Road and Chelford Road and bearing in mind the design as outlined above, it is considered that the proposed building would not harm the character or appearance of the area.

Amenity

The properties immediately adjacent to the application site – Nos. 25 and 29 Chelford Road have been closely considered in respect of the potential impact of the proposed development on residential amenity. The dwellings across the road would be some 35+ metres away and are therefore are considered to be of sufficient distance from the application site.

The dwelling to the west of the site closest to no. 29 Chelford Road would be approximately 5.2 metres closer than the existing bungalow. The design incorporates a sloping roof with an eaves height of approximately 5.0m to lessen the impact on no. 29 at this point. It is noted that no. 29 only has relatively small secondary windows which face towards the application site on the ground floor only. The space distance between the proposed development and no. 29 would be approximately 10 metres. It is considered that the proposed building would have an acceptable impact on the amenity of no. 29. the rear parking area would inevitably be more enclosed than at present, however, it is noted that no. 29 has a large garden to the west of the dwelling.

The impact on no. 25 has also been considered. It was noted at the time of the previous proposal (application 08/1531P) that no. 25 has two windows to the side elevation which serve habitable rooms (a dining room on the ground floor with bedroom above). The design of the proposed building seeks to take this relationship into account and although the proposed building would be approximately 3 metres closer than the existing building, it is considered that given the existing boundary treatment and the design of the roof of the closest dwelling, (which slopes away from no. 25) and the fact that the proposed building is set 3.0 metres further back than the existing bungalow, the proposed relationship is on balance acceptable.

The corners on the first and second floors of the building have been chamfered, which reduces the impact of the bulk of the building on the neighbouring properties. There are windows on each of these chamfered corners, however, it is considered that although this will result in possible views of parts of the neighbouring gardens at no. 25 and no. 29, the loss of privacy from these windows would not be sufficient to warrant a recommendation of refusal and an appropriate level of privacy would be maintained in the garden areas of both properties. No other windows are incorporated within the side elevations.

It is also considered that, although the surrounding properties would experience a little loss in levels of light currently enjoyed, the degree to which this would occur is of an acceptable level.

Ecology

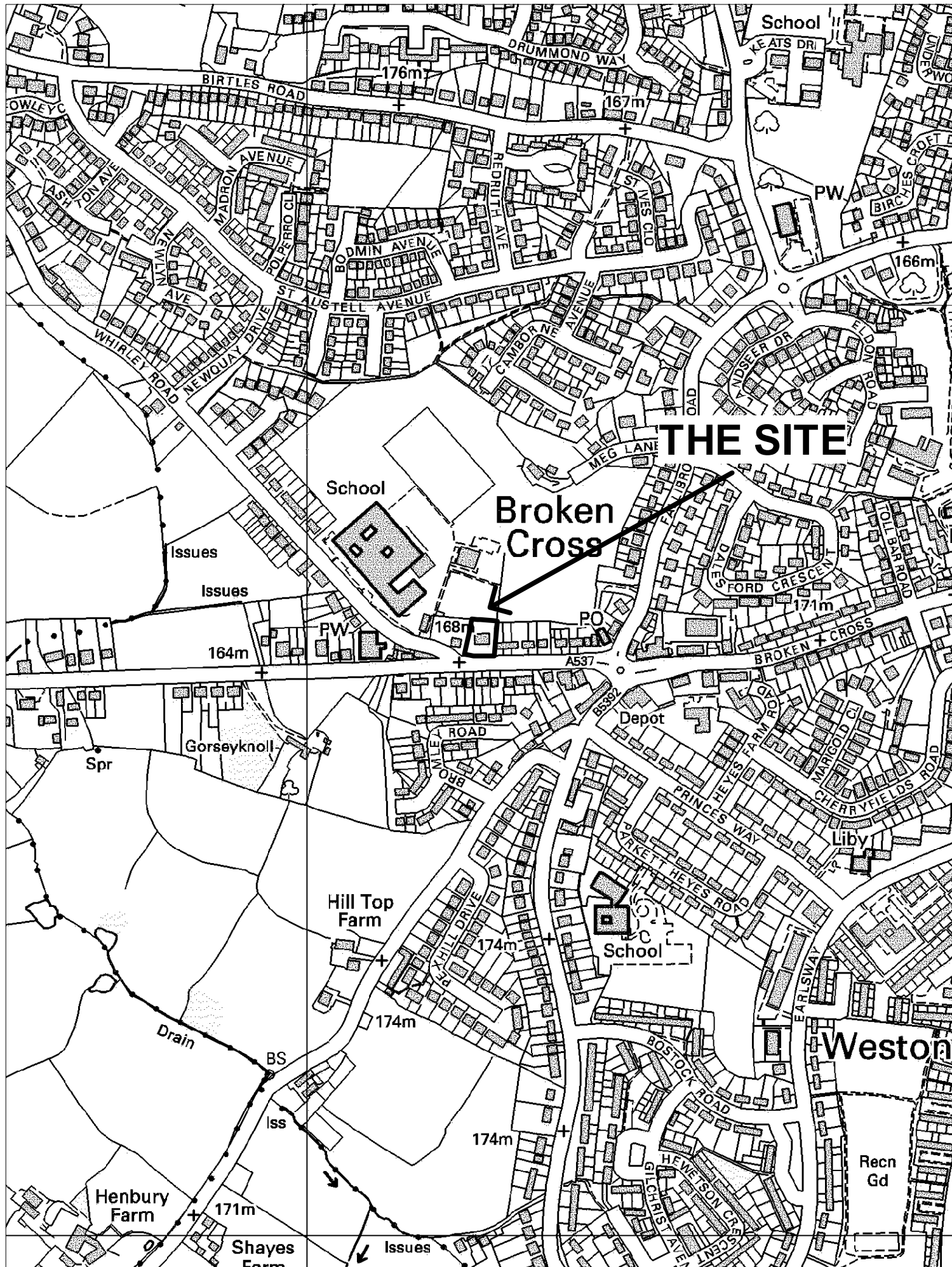
The Arboricultural Officer initially requested further information from the agent in the form of an Arboriculture Implication Study/Tree Report/Survey. A Tree Report was submitted on 25.03.09. The Arboricultural Officer has considered the additional information; however, further clarification has been requested in order to have a degree of assurance that the future health and longevity of the protected tree cover on the site will not be compromised. This relates to the capability of the access ramp to sustain construction traffic. It was noted that there is an intention to widen the access - does this have implications for the adjacent protected tree cover when taking into consideration the extent of the Root Protection Areas (RPA) as identified within Tree Heritages report? The report states that the width of the ramp should not be altered. The block plan indicates that the gradient down to the site will be eased. It is assumed that this can be facilitated by raising the levels within the internal aspect of the site. This may have implications for the trees and also the finished height of the new build. Levels will be required both existing and proposed. Again, consideration will have to be given to the trees RPA. The visitor parking area has been accommodated within the RPA of some of the trees. Whilst an indication has been given on the site plan and arboricultural report that grasscrete is an option it needs to be confirmed that any development of this area will be undertaken under a 'no dig solution'. This again will have implications in terms of the ground levels. The retention of these trees is critical given the

importance they will have in terms of filtering views of the development from the adjacent highway and properties to the south.

The Nature Conservation Officer make no comments on this application.

CONCLUSIONS AND REASON(S) FOR THE DECISION

Relevant local and national planning policies are supportive of maximising the use of previously developed sites such as this. In so doing, much needed new dwellings are provided in locations which are generally sustainable and pressure to build on more remote 'green field' sites is reduced. The detailed impacts of this proposal have been considered carefully. Whilst the new building would be larger than the one it replaces, the impact of that increase in scale would not cause material harm to the immediate neighbours nor the wider area. The comments of the Arboricultural Officer are noted and further information has been requested. It is important to retain the tree screening to the front of the site given the scale of the replacement building. At the time of report preparation, it is considered that the comments should be able to be incorporated into the scheme without causing a significant impact on the neighbouring properties or street scene. A recommendation of approval is made subject to any outstanding consultation comments/representations that may be received.



09/0313M - 27 CHELFORD ROAD MACCLESFIELD

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Application for **Full Planning**

RECOMMENDATION : Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A04AP - Development in accord with revised plans (numbered)
3. A02EX - Submission of samples of building materials
4. A01LS - Landscaping - submission of details
5. A04LS - Landscaping (implementation)
6. A22GR - Protection from noise during construction (hours of construction)
7. A23GR - Pile Driving
8. Contaminated land report

Application No: 09/0226P

Location: THE ORCHARD, 2, HILLCREST ROAD, BOLLINGTON, MACCLESFIELD, CHESHIRE, SK10 5DR

Proposal: REPLACEMENT OF PATIO DOOR WITH BAY WINDOW

For MR RICHARD CHRISTOPHERSON

Registered 03-Mar-2009

Policy Item No

Grid Reference 392533 377249

DATE REPORT PREPARED:

26.03.09

SUMMARY RECOMMENDATION:

Approve subject to conditions as the proposal complies with the relevant policies in the adopted Macclesfield Local Plan

MAIN ISSUES:

The key issues when assessing this application are the impact on the character and appearance of the area and the impact on residential amenity.

The applicant and his wife work for MBC. The application has been referred to Committee for determination under the Constitution of Macclesfield Borough Council which was in force at the time of registering the application.

DESCRIPTION OF SITE AND CONTEXT:

The property is located on a corner plot in a predominately residential area in an elevated position above Henshall Road.

DETAILS OF PROPOSAL:

The scheme proposes a bay window to replace the existing patio door; the window will have a flat lead roof and the bricks will match those as existing.

RELEVANT HISTORY:

Planning approval 69842P which granted consent for the erection of a bungalow granted consent subject to a number of conditions, one of which removed 'permitted development' rights for extensions to the property. The works proposed by this application would normally have constituted permitted development.

POLICIES:

BE1 – Design Guidance
H13 – Protecting Residential Areas
DC1 – New Build
DC2 – Extensions and Alterations
DC3 – Amenity
DC38 – Space, Light and Privacy

CONSULTATIONS:

None

VIEWS OF THE PARISH / TOWN COUNCIL:

Comments Awaited

OTHER REPRESENTATIONS:

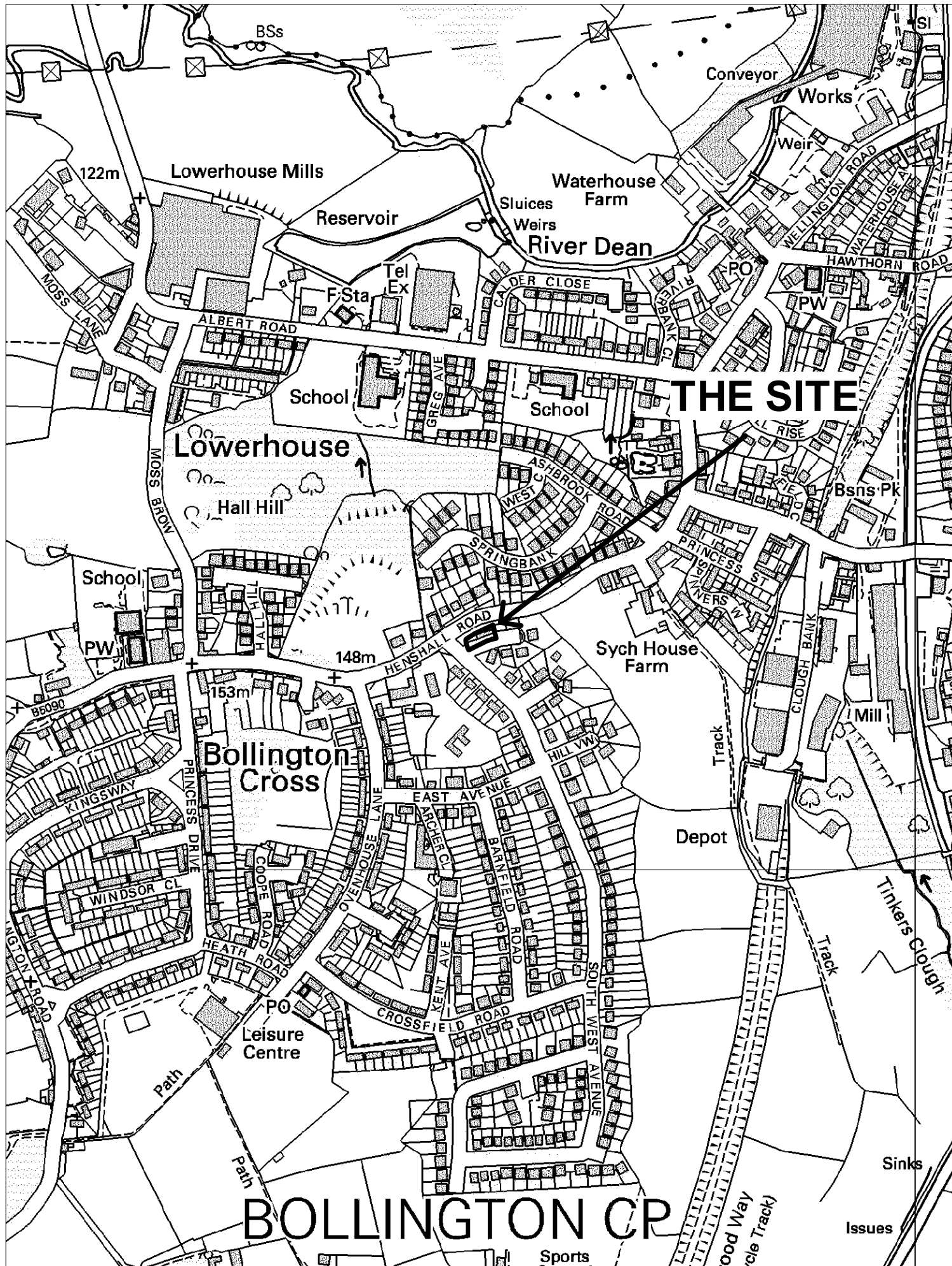
Neighbour notification letters were sent out and a site notice was posted at the site with a last date for comments 08.04.09. To date no comments have been received.

OFFICER APPRAISAL

The property is located on a corner plot in a predominately residential area in an elevated position above Henshall Road. The proposal would be well screened by virtue of the existing mature hedging and dense vegetation to the north, south and western boundaries, resulting in negligible views of the bay window being visible from outside of the site. As such the scheme is considered to have an acceptable impact on the character and appearance of the streetscene and on the amenity of the surrounding properties.

CONCLUSIONS AND REASONS FOR THE DECISION

In light of the above the application is recommended for approval subject to conditions



09/0226P - THE ORCHARD 2 HILLCREST ROAD BOLLINGTON

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Application for **Full Planning**

RECOMMENDATION : Approve subject to the following conditions.

1. A03FP - Commencement of development (3 years)
2. A04EX - Materials to match existing

Application No: 09/0227P

Location: 11, BRANDEN DRIVE, KNUTSFORD, CHESHIRE, WA16 8EJ

Proposal: DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF 6 FLATS - RESUBMISSION OF 08/2221P

For KEYN LOGISTIC MANAGEMENT LTD

Registered 12-Feb-2009

Policy Item No

Grid Reference 375620 378477

Date Report Prepared: 26 March 2009

SUMMARY RECOMMENDATION: Refuse

MAIN ISSUES

- The impact upon the character and appearance of the area
- The impact upon amenity of neighbouring property
- Highway safety in the vicinity of the site.

REASON FOR REPORT

The application is referred to Committee as it involves development for the erection of more than 1 dwelling. As such it was scheduled for determination by Macclesfield's Planning Sub Committee.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a single-storey detached timber clad building with tiled roof and side / rear parking area. The site is located within a Predominantly Residential Area opposite the Cross Town Conservation Area with dwelling houses either side, apartments to the rear and playing fields opposite. The property is currently being used for the teaching of yoga.

DETAILS OF PROPOSAL

This application seeks full planning permission to demolish the existing building and erect a new three-storey building comprising 6 residential flats. The proposal is identical to that withdrawn in November 2008 (08/2221P).

RELEVANT HISTORY

04/2358P – Demolition of existing Women's Institute building and construction of meeting hall for Jehovah's Witnesses (outline) – Approved 27.10.2004

05/2016P – Demolition of existing building and erection of two-storey building to provide MRI scanning facility – Approved 28.09.2005

06/0003P – Change of use from D1 to D2 for the teaching of yoga – Approved
27.02.2006

08/2221P – Demolition of existing building and construction of six flats – Withdrawn
19.11.2008

POLICIES

Regional Spatial Strategy

DP1 (Spatial Principles)
DP2 (Promote Sustainable Communities)
DP4 (Make the Best Use of Existing Resources & Infrastructure)
DP5 (Manage Travel Demand, Reduce the Need to Travel & Increase Accessibility)
DP7 (Promote Environmental Quality)

Local Plan Policy

NE11 (Nature Conservation)
BE1 (Design Guidance)
BE3 (Conservation Areas)
H1 (Phasing Policy)
H5 (Windfall Housing Sites)
DC1 (Design New Build)
DC3 (Amenity)
DC6 (Circulation and Access)
DC38 (Space, Light and Privacy)

Other Material Considerations

The Council's PPS3 Housing and Saved Policies Advice Note.

CONSULTATIONS (External to Planning)

Highways - Comments awaited

Environmental Health - No objection subject to condition

VIEWS OF THE PARISH / TOWN COUNCIL

Knutsford Town Council recommends refusal on the grounds that the proposed development by virtue of its size, design and position relative to its neighbouring property, would be detrimental to the residential amenities of the occupiers of that property.

OTHER REPRESENTATIONS

To date, three letters of representation have been received from local residents and others with an apparent interest in the site objecting to the proposal on the following grounds:

- q. Loss of community use
- r. Covenant restricting use to WI
- s. Loss of view
- t. Insufficient parking
- u. Impact upon residential amenity

APPLICANT'S SUPPORTING INFORMATION:

The applicant has submitted a design and access statement, which broadly outlines the design philosophy behind the proposal. The full statement can be viewed on the application file.

A completed PPS3 Housing Self Assessment Checklist has also been submitted on behalf of the applicant.

OFFICER APPRAISAL

Principle of Development

The site is located within walking distance of all the services and facilities of Knutsford Town Centre, and as a brownfield site within a Predominantly Residential Area, the use of the site for residential purposes is acceptable.

Highways

Comments from Highways are awaited, however, no objections are anticipated as they did not object to the previous (identical) proposal. At the time of the previous application they noted that the generated parking demand for this development is 9 spaces, with an additional space for disabled persons. It is understood that this amount of car parking could be provided but in an alternative manner to that shown on the plans.

Formal comments from Highways will be reported to Committee as an update.

Design

The proposed building will occupy a similar footprint to the existing building. The main front elevation will be positioned 2 metres further back than the existing building, and the single-storey entrance feature will then project 2.7 metres forward of the new main elevation. The setting back of the building at the front, increases its projection at the rear by 1.5 metres compared to the existing. It will sit 500mm closer to the east side boundary than the existing and will have an additional 2.3 metres added to its western side.

Due to the sloping nature of the site some excavation will be required to provide a lower ground floor level than the existing building. The plans indicate that ground levels the eastern side will be lowered by 1.5 metres. The ridge height of the building, taken from the lower ground level, will be 9.9 metres, compared to the maximum height of the existing building (on its west elevation) of 6.8 metres.

The proposed street scene elevations show the new ridge to be 800mm higher and the eaves 200mm higher than the adjoining cottages. The eaves height of the adjoining cottages has been measured on-site from the nearest corner of number 9 Branden Drive, and is approximately 5 metres as shown on the submitted plans.

The application site is located within a Predominantly Residential Area, and as such is surrounded by residential properties of varying ages and designs. The existing building is relatively prominent in the street scene due to its form and positioning, however, the timber cladding gives the existing building a more lightweight appearance, which serves to reduce its visual impact. Despite its set back into the site, the proposed building will sit forward of the adjacent cottages by approximately 2 metres. A rendered central pier will project 500mm further forward, in addition to the proposed first and second floor balconies projecting 1.3 metres from the front elevation. Whilst it is acknowledged that the newer properties from 15 Branden Drive have brick and PVC cladding, this is in contrast to the simple elevations of the cottages and the existing building. Furthermore, having regard to the 3.5 metre increase in eaves height above the existing east elevation, the proposed building will appear as a very bulky and dominant element in the street scene when viewed from the top of Branden Drive, close to Mobberley Road. Similarly, the building will dominate the street scene when viewed from the west and the low-lying parts of Branden Drive. The detail outlined above, combined with the substantial increase in scale and bulk is considered to result in a building that is out of character with neighbouring properties and one which would appear dominant in the street scene.

Amongst other matters, policies BE1 and DC1 of the Local Plan provide that development should respect the form, layout, scale and design of surrounding buildings, and be sympathetic to the character of the local environment and street scene. The proposed building does not meet these criteria and is considered to cause significant harm to the character and appearance of the area.

The Cross Town Conservation Area is located on the opposite side of Branden Drive to the application site. The new building will be a prominent feature in views from this area, and for the reasons outlined above will not serve to preserve or enhance its character of appearance. The proposal is therefore considered to be contrary to policy BE3 of the Local Plan. The Conservation Officer shares this view noting that the existing building is simple in character, but modest in height and makes a neutral contribution to the street scene. Adjacent is a terrace of C19th cottages, also very modest in height. Because of this context, he is wholly unconvinced that a three-storey building on this site, even if a little dug-in, is either appropriate or desirable in principle. The design, incorporating a distinct excess of balconies, is also unappealing. He strongly recommends refusal, on Conservation Area / street scene grounds.

Amenity

It should be noted a full topographical survey has not been submitted, and the height differences between sites are not precise. The existing height difference between the lowest point of the west elevation of the existing building and the neighbours rear garden is between 1 and 2 metres.

The side wall of the new building comprising bathroom windows, is positioned 14 metres from the rear elevation of number 15 Branden Drive. Policy DC38 of the Local plan recommends a distance of 14 metres for a habitable room facing a non-habitable room. This distance applies to a building with one or two storeys. An additional 2.5 metres should be added per additional storey. Although the proposed building utilises the roof space as living accommodation, it is effectively a three-storey building. Due to the height of the building and its position at a higher ground level than the property at 15 Branden Drive, there is not considered to be sufficient

separation distance between the buildings. Due to its proximity and scale, the new building will be overbearing when viewed from both the ground floor and first floor habitable room windows of the neighbour, as well as it towering over their rear garden in an intrusive and overbearing manner to the extent that it detrimental to the living conditions of the occupants of this property.

Similarly, to the opposite side, the increased side elevation will present a 4.5 metre high wall, plus roof, 1 metre from the rear garden of 9 Branden Drive. This is in comparison to the existing wall that has eaves of 2 metres. The proposal is again overbearing and intrusive to this neighbour.

The proposal is therefore contrary to the objectives of policies DC3 and DC38 of the Local Plan.

Housing

The applicant has submitted a PPS3 Housing and Self Assessment Checklist. Having regard to the applicant's self assessment, in this case it is considered that the proposal broadly complies with the five listed criteria. The site is considered to be in a suitable and sustainable location. It is a previously developed site, within a predominantly residential area, which is within walking distance of public transport links and to services.

Ecology

The Nature Conservation Officer has commented on the proposal and does not consider that there will be any significant ecological impacts associated with the proposed development.

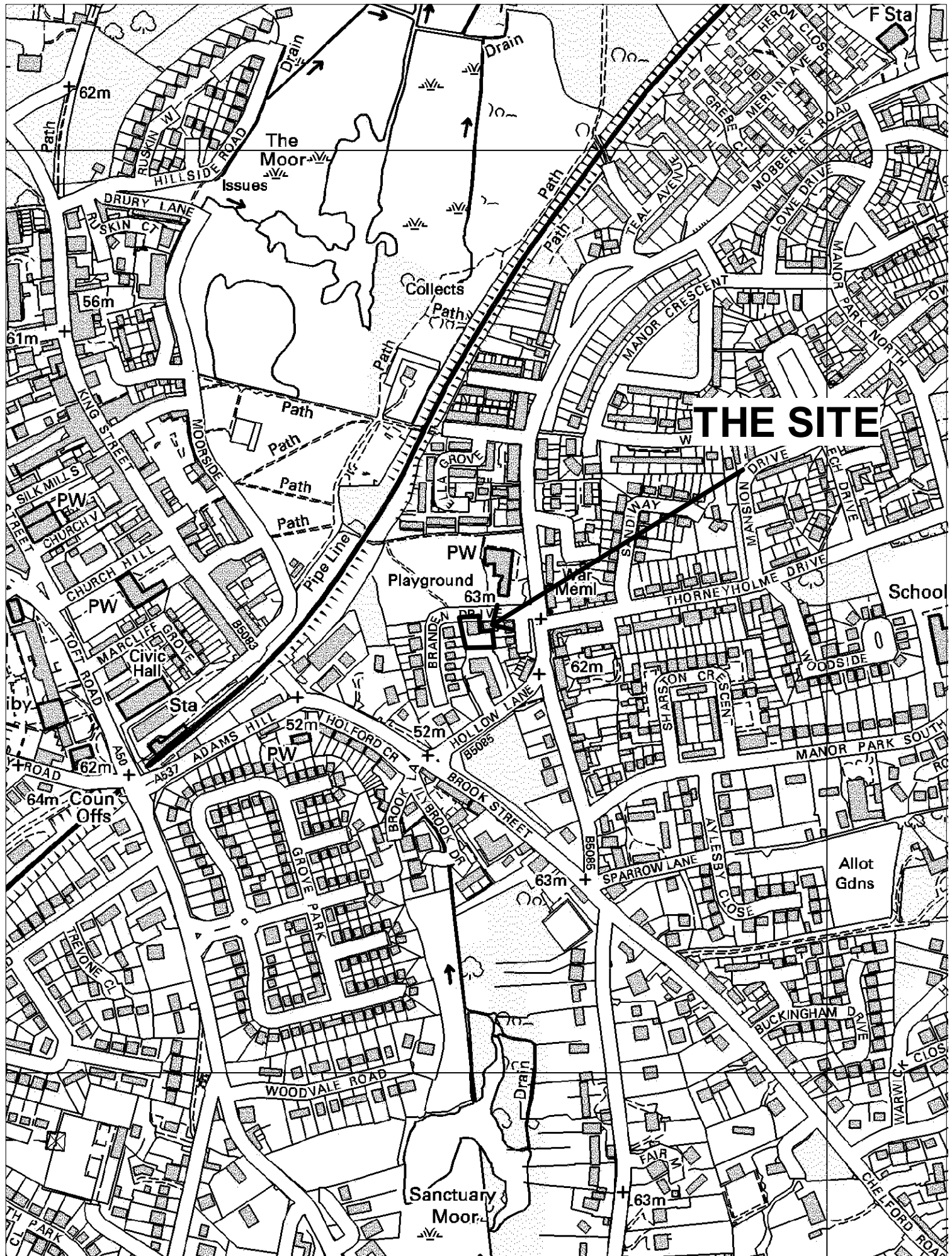
Other considerations

With regard to the comments received in representation, not addressed above, there are no local plans that require the retention of community facilities such as the existing building, therefore this cannot be used as grounds for refusal. Furthermore, the existence of a covenant restricting the building's use, and the stated loss of view are not material planning considerations in this case.

It should also be noted that there is an extant permission (05/2016P) for a replacement building for an MRI scanning facility. Due regard has been afforded to this potential fall back position, however, the approved building is two-storey with a lower ridge and eaves, and is not considered to raise the same amenity or design / character issues highlighted above.

CONCLUSION

Due to the scale, form and design of the new building, and its position relative to adjoining property, it would be detrimental to the character of the area and the amenities of the occupiers of neighbouring properties. The proposal is therefore contrary to policies BE1, BE3, DC1, DC3 and DC38 of the Macclesfield Borough Local Plan.



09/0227P - 11 BRANDEN DRIVE KNUTSFORD

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Application for **Full Planning**

RECOMMENDATION : Refuse for the following reasons

1. R01LP - Contrary to Local Plan policies
2. R07RD - Development unneighbourly

Application No: 09/0281P

**Location: PRES DU DOUIT, HOLEHOUSE LANE, SUTTON,
MACCLESFIELD, CHESHIRE, SK11 0NB**

Proposal: SINGLE STOREY SIDE/REAR EXTENSION

For MR ALAN ROBERTS

Registered 03-Mar-2009

Policy Item No

Grid Reference 394365 371656

Date Report Prepared: 27 March 2009

SUMMARY RECOMMENDATION: Approve subject to conditions

MAIN ISSUES:

- **Impact of the proposed development on the existing street scene**
- **Impact of the proposal on the visual amenity and openness of the Green Belt**

REASON FOR REPORT

The application was called into Northern Area Committee by Councillor Gaddum on the following grounds:

- Over intensification build on an extremely large property
- Concern that the proposed bridge would encroach onto Council owned playing field
- Inappropriate development within a rural setting

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a large detached dwelling off Holehouse Lane. The application site also falls within the Cheshire Green Belt.

DETAILS OF PROPOSAL

The proposal seeks full planning permission for the construction of a single storey side extension, decking to the rear of the dwelling and a replacement footbridge.

POLICIES

Regional Spatial Strategy

RDF4: Green Belts

DP1: Spatial Principles

DP7: Promote Environmental Equality

Local Plan Policy

NE1: Areas of Special County Value

BE1: Design Guidance

H13: Protecting Residential Areas

GC12: Alterations and Extensions to Houses
DC1: New Build

VIEWS OF THE PARISH / TOWN COUNCIL

Sutton Parish Council object to the proposal on the following grounds:

- Over intensified build on an extremely large property
- Totally inappropriate and unsuitable in the rural setting
- Concerns that the bridge would encroach onto Council owned playing field as this could set a precedent.

OTHER REPRESENTATIONS

None received to date

APPLICANT'S SUPPORTING INFORMATION

A design and access statement was submitted with the application. In summary the statement provided the following information:

- The existing dwelling is a three storey dwelling, comprising of lower level, mid-level and upper level. The lower level is attached to the workshop area of the dwelling
- The proposal seeks to join the mid and level to the older workshop aspect of the dwelling.
- The proposal also includes alterations to the appearance of the dwelling in the form of cedar cladding overlay to the existing brick work.

This document can be viewed on file, or online.

OFFICER APPRAISAL

Principle of Development

The application site falls within an Area of Special County Value and the Green Belt, therefore the principle of extensions to dwellings is acceptable providing the scale and design of the proposal would have no / limited impact on the character of the area.

Policy

The principle of an extension to a dwelling in the Green Belt is acceptable, providing the overall scale and appearance of the dwelling would not have a detrimental impact upon the character of the area, and the openness of the Green Belt.

Design

The application seeks a relatively modest extension to the existing dwelling. The proposal would join the existing dwellinghouse with the older workshop area at mid-floor level. This area is already joined to the dwelling at lower floor level. The house is currently linked to the workshop via a lower level of accommodation which is not readily apparent from st level. This proposal would see a small extension added to this link.

The existing dwelling's side wall abuts Holehouse Lane. It is prominent in the public domain and presents a fairly 'heavy' aspect. The proposed side extension

would span some 8m in width and measure 5.6m in height, being some 2.5m lower than the ridge height of the dwelling. The dwelling would remain significantly higher than the extension which would step down to the workshop building. In this context it is considered that the extension would form a subservient extension linking the existing modern dwelling and the older mill part of the property. Whilst there would be more building visible from the public domain this, in itself, would not be harmful and the area's character would be appropriately protected. Whilst the proposed extension would be prominent it is not considered that this impact would be sufficient in order to substantiate a refusal.

The rear elevation of the extension would be predominantly glazed in order to maximise views. Whilst the appearance of the rear elevation of the proposal is considered to be relatively contemporary, it is not considered to impact upon the character of the area as this would not be prominent from any public vantage points.

The proposal also includes the addition of a further decked area at lower floor level to the rear of the dwelling. Two additional stair ways would also be provided linking the lower floor level and mid and upper floor levels therefore improving the overall access and circulation to the rear amenity space afforded to the dwelling.

Concerns have been raised by the Parish Council regarding the addition of the bridge to the rear of the dwelling. The existing dwelling has a small bridge crossing a stream. The proposal would replace this bridge and provide a further bridge closer to the driveway of the dwelling. The new bridges have been deleted from the scheme in response to the Parish Council's concerns.

Green Belt

The application site is considered to fall within a loose group of development in the Green Belt. The proposed extension would provide a further 79m² of living accommodation, a percentage increase of 29% to the existing dwelling. This increase would fully comply with GC12 of the Macclesfield Local Plan.

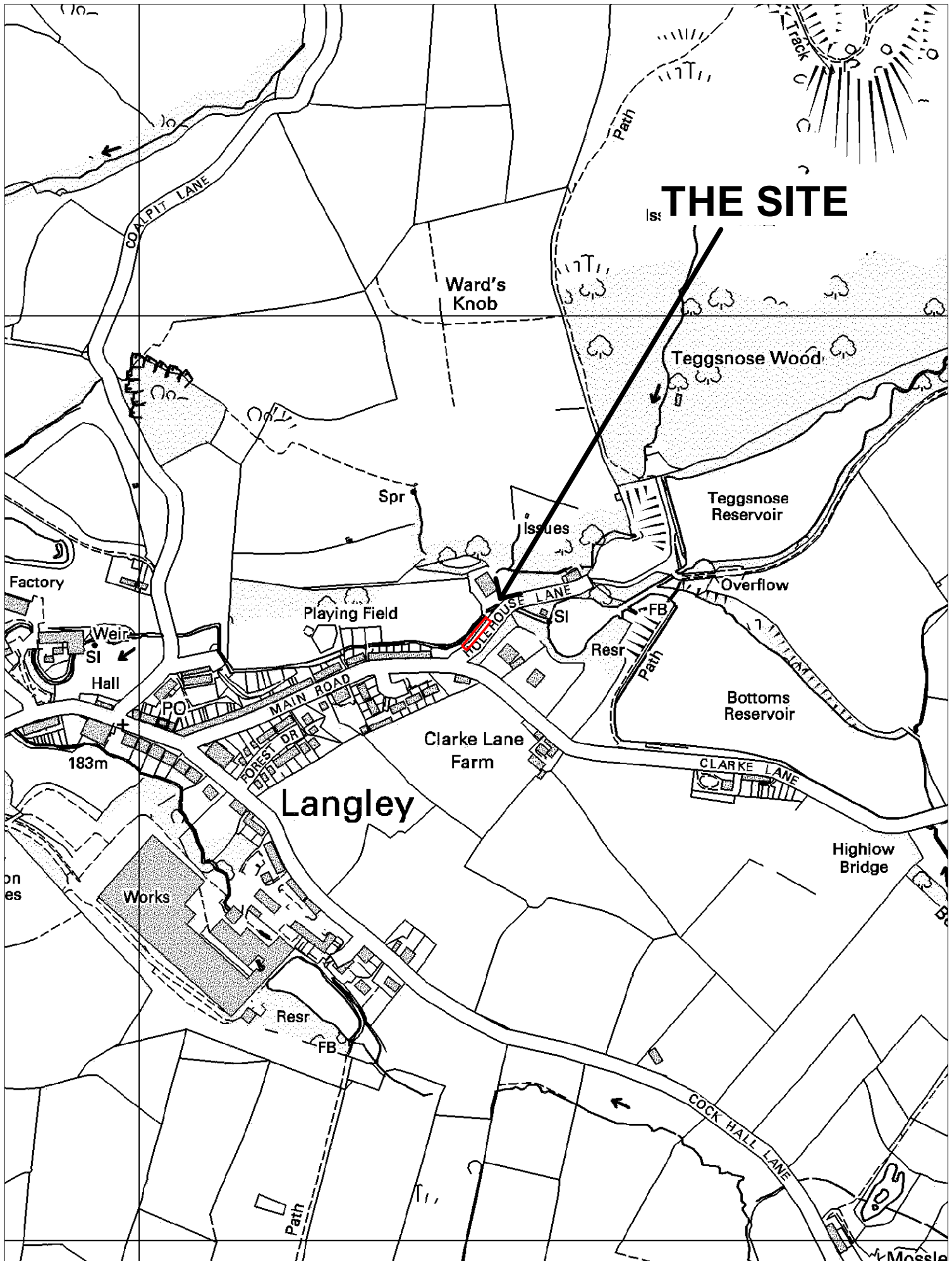
Amenity

The replacement decking would have no further impact on residential amenity than the existing as the scale and location would remain unchanged.

Whilst it is noted that the side extension would be predominantly glazed to the rear elevation of the dwelling, it is not considered that this would have an adverse impact on amenity as the extension would overlook the fields to the rear of the dwelling. This arrangement would have no further impact than the existing dwelling.

CONCLUSIONS AND REASON(S) FOR THE DECISION

In light of the discussion above, and as the proposal complies with planning policy, the application is recommended for an approval.



09/0281P - PRES DU DOUIT, HOLEHOUSE LANE, SUTTON, MACCLESFIELD,
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Application for **Full Planning**

RECOMMENDATION : Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A05EX - Details of materials to be submitted
3. Plans