

Application No: 14/2950M

Location: 2, FLETSAND ROAD, WILMSLOW, SK9 2AB

Proposal: Demolition of existing house and erection of 2 no. family dwelling houses.

Applicant: Max Henderson, Henderson Homes Ltd

Expiry Date: 12-Aug-2014

Date Report Prepared: 21 August 2014

SUMMARY RECOMMENDATION

APPROVE, SUBJECT TO CONDITIONS

MAIN ISSUES:

- Design/impact on the character and appearance of the area (Low Density Housing Area) and relationship with the street-scene
- Impact on the amenity of neighbouring properties
- Highways safety
- Forestry, landscape & ecology issues
- Other matters

REASON FOR REPORT

The application has been called to committee by the local ward member, Cllr Menlove, for the following reasons:

The Fletsand/Torkington/Sherbrook area is one of low density housing. As such it is protected by policy H12, which requires existing standards of space, light and privacy to be maintained to retain the openness of the area.

The application is for 2 large dwellings which, by definition, will reduce the existing standards of space and light to an unacceptable level. It also has a severe detrimental effect on the privacy of properties in Fletsand Road and Thorngrove Road due to the number and height of clear glass windows. The application does not accord with policy H12.

DESCRIPTION OF SITE AND CONTEXT

The site to which the application relates is located towards the northern end of Fletsand Road, Wilmslow, opposite the junction with Torkington Road. There are residential properties surrounding the site. The site is located within a Predominantly Residential Area and Low Density Housing Area as defined in the Local Plan and there are Protected Trees

within/around the site. The Low Density Housing Area designation covers Fletsand Road, Torkington Road, Sherbrook Rise and some of the properties along Macclesfield Road.

The site measures nearly 60m wide at the Fletsand Road frontage with an approx. depth of 35m along the northern boundary and 53m along the southern boundary. There is 1 No. dwelling on site at present (number 2 Fletsand Road), which is a detached, two-storey property. The site slopes down from Fletsand Road. It is noted that the next property along Fletsand Road is numbered number 6.

The area is characterised by relatively large, detached properties (mainly two-storey, with some 2.5 storey) of varying ages and architectural styles, all sited within relatively spacious plots. The plot widths vary from around 17m to 45m, though most are within the range of 25m to 30m. The ridge heights of dwellings in the area range from around 7.5 to 10.5m. The ratio of building to plot ranges from around 15% to 30%. The distances between properties at the sides range from approx. 3m to 40m, with a distance of 3m being considered to be the acceptable minimum.

DESCRIPTION OF PROPOSAL

The proposed seeks full planning permission for “demolition of existing house and erection of 2 No. family dwelling houses”. Details of the proposal are provided below within the section assessing design/impact on the area.

RELEVANT PLANNING HISTORY

For completeness the following planning history is noted:

99/2229P 3 No. front dormers and pitched roof side extension. Approved, 24.12.1999

68905P Erection of conservatory. Approved, 15.11.1991

POLICIES

Macclesfield Borough Local Plan – saved policies

- BE1 (Design principles for new developments)
- DC1 (High quality design for new build)
- DC3 (Protection of the amenities of nearby residential properties)
- DC6 (Safe and convenient access for vehicles, special needs groups and pedestrians)
- DC8 (Landscaping)
- DC9 (Tree protection)
- DC38 (Guidelines for space, light and privacy for housing development)
- DC41 (Infill housing development or redevelopment)
- H2 (Environmental quality in housing developments)
- H5 (Windfall housing sites)
- H12 (Preserving character of low density housing areas)
- H13 (Protecting residential areas)
- NE11 (Protection and enhancement of nature conservation interests)

Policies BE1, H2, H13 and DC1 seek to ensure a high standard of design (and quality of living environment) for new development and to ensure that new development is compatible with the character of the immediate locality of the site. Policies H13, DC3, DC38, DC41 and H12 seek to protect the residential amenities of adjoining properties and ensure adequate space, light and privacy between buildings. Policy DC6 seeks to ensure appropriate access for vehicles and pedestrians, appropriate levels of parking and suitable turning area. Policy DC8 seeks appropriate landscaping of new development and policy DC9 seeks to ensure the long-term welfare of trees of amenity value. Policy H12 is specific to Low Density Housing Areas and seeks to preclude development unless specified criteria are met. The policy aims to ensure the proposal is sympathetic to the character of the established residential area, taking into account the physical scale and form of new houses and vehicular access; plot widths and spacing between buildings should be commensurate with the surrounding area; existing high standards of space, light and privacy should be maintained and trees of public amenity value should be retained.

Other material considerations

National Planning Policy Framework
National Planning Practice Guidance
CE Local Plan Strategy – Submission Version (May 2014)
Macclesfield Borough Council (Wilmslow – Fletsand Road) TPO 1984 Group (G3, G4 and A2)

CONSULTATIONS

Environmental Health:

No objections, subject to conditions related to: hours of operation, pile driving, floor floating, dust control and an acoustic report related to air conditioning units.

Strategic Highways Manager:

No objections.

Heritage & Design – Nature Conservation:

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

Heritage & Design – Landscape:

The Landscape Officer has verbally indicated no objections (subject to conditions) and the Arboricultural Officer has recommended appropriate landscape conditions.

Heritage & Design – Forestry:

No grounds for refusal in relation to arboricultural matters. If approved, recommend conditions re tree protection, method statement/construction specification for proposed works within the Root Protection Area (RPA), landscaping and boundary treatment details and landscaping implementation.

United Utilities:

No objections, subject to informatives related to: drainage of foul and surface water, meter supply, connection to water mains/public sewers.

VIEWS OF THE PARISH / TOWN COUNCIL

Wilmslow Town Council:

No objections

OTHER REPRESENTATIONS

11 No. representations have been received from the occupants of neighbouring properties (2 No. in support of the application and the other 9 No. objecting). Details can be read on file. A summary of the issues raised is provided below:

Support

- Congratulate applicant on a well-considered scheme; support the application. However, a few concerns re traffic during construction, damage to Fletsand Road and residential amenity. Recommend conditions: 1) no parking on Fletsand Road (all associated vehicles to be parked within the site); 2) developer to resurface a 100m stretch of Fletsand Road following completion and 3) hours of construction/deliveries to the site restricted to 08.00 to 18.00 Mon to Fri (no work or deliveries outside of these times).

Objections

- Granting permission would set a precedent
- Low density housing area; contrary to policy H12; other applications refused in the area re replacing one dwelling with two (08/0147P – 7 Torkington Road)
- Loss of privacy (overlooking garden – 1 Torkington Rd)
- The existing house has “dummy dormer windows” on the front – to prevent overlooking of garden, lounge, dinning room of 1 Torkington Road
- Not against, in principle, but need to consider impact on neighbouring residents. Proposed will diminish outlook, amenity, privacy and feeling of space from house and garden (1 Fletsand Road)
- Existing tree and ground cover of public amenity value will be compromised
- Dwelling on plot 2 will have a ridge height higher than the adjacent property, number 6 Fletsand Road
- Few details of landscaping and frontage design – hedge H1 and Tree T5 are to be removed (and they offer some screening)
- There is a water course between the site and Thorngrove Road, which has become polluted and malodorous in recent years (possibly polluted by recent developments...)
- Many of the assertions in the applicant’s Statement are not true – eg. “this is one of the last plots within the locality not to be subdivided or redeveloped”; requested that care is taken in assessing the assertions

- Throngrove Road not mentioned in the documentation submitted with the application, and houses are affected re loss of privacy (contrary to policies H12, DC3 and DC41): number 3 – overlooking garden, living room and master bedroom; number 5 – overlooking kitchen, living rooms and garden;
- Design of the rear of the dwellings is unsuitable – large areas of glazing
- The site is an important site in the locality; over development of the site

APPLICANT’S SUPPORTING INFORMATION

The applicant submitted the following additional information, details of which can be read on file:

Planning, Design & Access Statement

Arboricultural Statement

Bat Surveys

During the course of the application the applicant submitted a response to the representations received by the Council. In summary the response stated the following:

- Not an over development of the site. The proposed would provide plot sizes and privacy distances that are comparable and in some cases better than the existing approved properties in the area
- Some residents have stated that the proposed would result in a loss of privacy. The distances between the dwellings has been assessed/outlined with reference to policy DC38 – which relates to distance standards of space, light and privacy. DC38 states distances of 21m front to front and 25m back to back shall normally be achieved. There is no distance standard stated for distance from dwellings to gardens. In relation to the following surrounding properties – 1 Torkington road, 1 Fletsand Road and 3, 5 and 7 Thorngrove Road – the distances between the proposed dwellings and these neighbouring properties exceeds the standards in DC38
- Construction traffic on roads is not a valid objection to a planning application
- Hours of operation (construction and deliveries) can be controlled by condition
- Claims have been made about a stream that runs through the site and historic problems. United Utilities have commented on the application, stating no objections but making certain recommendations
- Wilmslow Town Council do not object to the application

OFFICER APPRAISAL

Principle of Development

The principle of the proposed is acceptable, subject to adhering to relevant Development Plan policies (policy H12 does allow for development in Low Density Housing Areas).

Policy

The relevant policies are listed above and relate to the issues identified.

Design/impact on the character and appearance of the low density housing area and relationship with the street-scene

The proposed dwellings are both two-storey, detached properties; the proposed property on plot 2 also has a basement. The property on plot 1 has 5 No. bedrooms and the property on plot 2 has 4 No. bedrooms. Both have gables to the front and rear and relatively large glazed openings on both front and rear elevations. A new access point for each dwelling is to be created off Fletsand Road. Both plots will have sufficient parking space within the site to accommodate at least 3 No. parked vehicles; also, plot 1 has a double garage at ground-floor level and plot 2 has a triple garage in the basement. Both plots have sufficient turning areas. The plot widths will be approx. 32m (plot1) and 28m (plot 2). The ridge heights will be approx. 9.7m and 10.1m respectively. The ratio of building to plot is approx. 22% for each dwelling. The distance between the proposed dwellings is approx. 14m and the distance from the side elevation to the nearest property (i.e. the southern side elevation of plot 2 and number 6 Fletsand Road) is over 4m. The distances from the proposed dwellings and all neighbouring properties to the front and the rear is in all instances over the recommended distances in policy DC38 (which recommends 21m front to front and 25m back to back for two-storey dwellings). The materials to be used on external surfaces are facing brickwork and stone detailing, grey roof tiles, powder-coated aluminium window frames and timber doors. The boundary treatments are briefly described as hedging and trees and bound gravel is proposed for the driveways/hard-standing areas.

Policy H12

A close look at policy H12 is provided as this is the key reason for the call-in and one of the main issues raised in representations. Policy H12 states the following:

Within the low density housing areas...new housing will not normally be permitted unless the following criteria are met:

- 1. The proposal should be sympathetic to the character of the established residential area, particularly taking into account the physical scale and form of new houses and vehicular access*
- 2. The plot width and space between the sides of housing should be commensurate with the surrounding area*
- 3. The existing low density should not be exceeded in any particular area*
- 4. Existing high standards of space, light and privacy should be maintained*
- 5. Existing tree and ground cover of public amenity value should be maintained*

As regards the elements of policy H12 relevant to this section of the report, bearing in mind the details described above re character of the area and proposal, it is considered that 1) the proposed is sympathetic to the character of the area – the scale and form of the proposed dwellings are in keeping with properties within the area; 2) it has been demonstrated that the proposed plot widths and space between the sides of dwellings is commensurate with plot widths and space between dwellings in the area; 3) the plot sizes, building to plot ratios and space between properties is in keeping with the existing low density of the area. Points 4 and 5 (space, light and privacy and tree cover) will be addressed below in the relevant sections of the report, i.e. amenity and forestry issues.

Overall, it is considered that the design is acceptable and that the proposed has an acceptable impact on the character and appearance of the area and an acceptable relationship with the street-scene. The proposed accords with relevant policies that relate to design/impact on the area, i.e. BE1, DC1, DC3, DC38, DC41, H2, H12 and H13.

Impact on neighbour amenity

Various representations have been received expressing concern over impact on residential amenity. Policies of relevance are H12, H13, DC3, DC38 and DC41 include elements to protect the residential amenities of the occupiers of neighbouring properties.

Policy DC38 provides guidance on distances that should normally be achieved between buildings in respect of space, light and privacy. As noted above, for two-storey properties the desired distance between front to front of dwellings is 21m and back to back of dwellings is 25m. It is considered that in respect of the Low Density Housing Area these distance standards at least should normally apply.

As regards the immediate neighbouring properties (from which representations have been received) the following distances are provided: a) 1 Torkington Road – front elevation of plot 1 to side elevation of 1 Torkington Road (which has habitable room windows) just under 40m and the relationship of plot 1 to the garden is comparable to the general relationship of properties either side of the road in the area; b) 1 Fletsand Road – the nearest relevant windows on plot 2 to 1 Fletsand Road is approx. 26m and again the relationship between the properties and gardens is comparable to those on either side of the road in the area; c) as regards 3, 5 and 7 Thorngrove Road – the distances between the rear of the proposed dwellings and these properties is approx. 37m, 44m and 43m respectively, with the rear gardens of the properties on Thorngrove Road and the proposed dwellings backing on to each other, which is comparable to the general relationship between properties and their rear gardens in the area; d) 6 Fletsand Road – the distance between the southern side elevation of the proposed dwelling on plot 2 and the northern side elevation of number 6 Fletsand Road is a little over 4m and there are no windows on the respective elevations that would raise any amenity issues.

It is noted that trees and hedging to surrounding boundaries are to be retained, additional trees are to be planted and details of landscaping and boundary treatments can be secured via condition.

Hence, bearing all the above in mind, as regards distance standards related to space, light and privacy, issues of overlooking and other amenity aspects, it is considered that existing high standards are maintained (policy H12) and that the proposed would not result in any significant loss of amenity to the occupants of neighbouring residential properties. Hence, it is considered that the proposed accords with policies H12, H13, DC3, DC38 and DC41 in respect of neighbouring residential amenity.

Forestry/landscaping/ecological issues

The Arboricultural Officer notes that all protected trees within the site are to be retained, with the exception of an early mature cherry (T2), located on the Fletsand Road frontage, which is in decline. It is also noted that additional tree planting is proposed within the site to mitigate

against any losses (4 No. additional trees are proposed). Whilst the Arboricultural Officer does have some concerns regarding the impact of the proposed development on Protected Trees, given the need to employ ground protection and special engineering methods where the footprint of the proposed conflicts with Root Protection Areas of retained trees, the proposed methods and mitigation meet current guidelines in relation to trees and construction. Should the application be approved conditions regarding tree protection, method/construction statement related to RPAs and landscaping & boundary treatment details should be attached.

Although details of landscaping and boundary treatment have not been submitted, should the application be approved such details can be required via conditions. Hence, it is considered that there are no landscaping issues that would prevent the application being approved.

As noted above, the Nature Conservation Officer is satisfied that the proposed development does not raise any ecological issues.

Bearing these factors in mind it is considered that the proposed does not create any significant forestry, landscaping or ecological issues and accords with policies H12 (point 5 - existing tree and ground cover of amenity value should be retained), DC8, DC9, NE11, H12 and H13.

Highway safety

As noted above, each property will be provided with an access point, vehicles will be able to turn in the sites, garaging and parking on hard-standing is provided within the sites and the Strategic Highways Manager raises no objections. Therefore it is considered that the proposed does not create any highways safety/parking issues and accords with policies DC6, H12 and DC41.

Other matters

Concerns have been raised about a possible water course running through the site. It is noted that United Utilities (UU) have not raised any objections and the applicant's attention can be drawn to the recommendations of UU via an informative on the Decision Notice, should the application be approved.

Requests have been made for the applicant to surface a stretch of Fletsand Road. It is noted that should the application be approved this could not be a requirement of approval – as it would not meet the CIL requirements. If in the event of approval/implementation the road is damaged, and as regards future arrangements for the maintenance of the road, this would be a civil matter between the appropriate parties.

CONCLUSIONS AND REASON(S) FOR THE DECISION

In summary, representations have been borne in mind. However, in assessing the detail of the application it is considered that the proposed development a) is acceptable in design terms and has an acceptable impact on the character and appearance of the Low Density Housing Area and an acceptable relationship with the street-scene; 2) has a limited and acceptable degree of impact on the amenities of neighbouring properties; c) raises no

significant forestry, landscaping or ecological issues and d) raises no highways safety/parking concerns. Other matters relating to issues raised (water course and resurfacing Fletsand Road) have been addressed and are not matters that would warrant a refusal of the application.

Bearing all the above points in mind, it is considered that the proposed accords with all relevant Development Plan policies and as such it is recommended the application be approved, subject to relevant conditions and informatives.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his absence the Vice Chair) of Northern Planning Committee to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

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. A01TR - Tree retention
4. A02TR - Tree protection
5. A03TR - Construction specification/method statement - where impact on RPAs
6. A01LS - Landscaping - submission of details
7. A04LS - Landscaping (implementation)
8. A12LS - Landscaping to include details of boundary treatment
9. A26HA - Prevention of surface water flowing onto highways
10. A32HA - Submission of construction method statement
11. A23MC - Details of ground levels to be submitted
12. Details of materials to be submitted - brick, stone, roof tiles
13. Hours of operation - noise generative activity
14. Dust control details
15. Pile driving details
16. Floor floating details
17. Acoustic report re air conditioning units

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