

Application No: 14/5148M

Location: 1, SCOTT ROAD, PRESTBURY, CHESHIRE, SK10 4DN

Proposal: Demolition of existing detached house and outbuildings and erection of 5no. apartments together with underground parking and associated landscaping.

Applicant: PH Property Holdings Ltd

Expiry Date: 10-Feb-2015

**Date Report Prepared: 20<sup>th</sup> February 2015**

### **SUMMARY RECOMMENDATION**

APPROVE subject to conditions

### **MAIN ISSUES**

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

### **REASON FOR REPORT**

Councillor Findlow has called the application in to committee on the following grounds:

- 1. Gross overdevelopment from a single house to 5 units of accommodation on 4 levels including underground and roof space.*
- 2. Absence of proper, adequate on site parking for visitors etc.*
- 3. Retention of a single house as now would contribute to checking the remorseless village urbanisation process, and help retain something of the character of the surrounding roads.*
- 4. Harm to the setting of the conservation area.*
- 5. The plot size is insufficient for the magnitude of the proposal, with inadequate surrounding space within the curtilage.*

*6. Deleterious impact on neighbours, particularly following recent adjacent development schemes as yet incomplete.*

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

## **DESCRIPTION OF SITE AND CONTEXT**

The application site relates to an existing detached two storey dwelling located on a corner plot within a predominantly residential area of Prestbury. The Grade 2 Listed Building Butley Hall lies some 42m to the southeast of this building. The ground levels slope down from the site westwards and rise to the north and northwest on the other side of Scott Road. Prestbury Conservation Area lies some 55m away to the west of the site.

## **DETAILS OF PROPOSAL**

This application follows the formal pre- application process, which was based around the principle of redeveloping the site. This is a material planning consideration. Revised plans have been submitted during the application process, reducing the height of the building, altering the design of the second floor balcony and repositioning the building within the site.

The proposals are for the demolition of the existing dwelling and outbuildings and the erection of a 9.1m high building containing 5no apartments with associated undercroft parking for 10no cars and landscaping.

## **Planning History**

None.

## **POLICIES**

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

H1- Phasing Policy  
H2- Environmental Quality in Housing Developments  
H5- Windfall Housing  
H13 – Protecting residential areas  
BE1- Design Guidance  
BE3- Conservation Area  
BE16- Listed Building Setting  
DC1- New Build  
DC3- Amenity  
DC6- Circulation and Access  
DC8- Landscaping  
DC35- Materials and Finishes  
DC38- Space, Light and Privacy  
DC41- Infill Housing Development or Redevelopment  
NE11- Nature Conservation

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

The relevant policies are as follows:

MP1- Presumption in Favour of Sustainable Development  
PG2 - Settlement Hierarchy  
SD1 - Sustainable Development in Cheshire East  
SD2 - Sustainable Development Principles  
SE1 - Design  
SE2 - Efficient Use of Land  
SE4 - The Landscape  
CO1- Sustainable Travel and Transport  
CO4- Travel Plans and Transport Assessments

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

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

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

### **Other Material Considerations**

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

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

Strategic Highways and Transportation Manager- No objection.

Manchester Airport Safeguarding- No objection.

### **VIEWS OF THE PARISH COUNCIL**

Prestbury Parish Council objected to the originally submitted plans on the following grounds:

*We feel that this is an overdevelopment which is out of character for the area and is a step too far in the urbanisation of a semi-rural area. The proposed five very large apartments fit very tightly into the plot available, and will complete a continuous row of developments, thus being the final straw in destroying the ambiance and character of Springfield Road which*

leads from the main car park to the village conservation area. The Parish Council believe that the site is suitable for a single dwelling.

## **OTHER REPRESENTATIONS**

5 objections have been received from neighbours, on the following planning related grounds:

- Overdevelopment of the site
- Out of keeping with the character and appearance of the locality
- Loss of privacy to neighbouring property
- Increased traffic generation and car parking issues
- Adverse impact on the Conservation Area

## **APPLICANT'S SUPPORTING INFORMATION**

Planning/ Design and Access Statement

## **OFFICER APPRAISAL**

### **Principle of Development**

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

### **Sustainability**

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

Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development.

This previously developed brownfield site is less than 1 mile from the town centre and circa 200m from Prestbury train station. Amenity space is provided within the site, and the site is close to local open space. Overall the site is considered to be in a sustainable location. The scheme is therefore considered to accord with the main thrust of the NPPF in terms of constituting sustainable development.

### **Design/ Character/ Listed Building Setting/ Conservation Area**

Paragraph 58 of the NPPF advises that decisions should aim to ensure that development, *inter alia*:

*'Will function well and add to the overall quality of the area;  
Respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;  
Are visually attractive as a result of good architecture and appropriate landscaping.'*

Paragraph 60 of the NPPF advises that:

*'...decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.'*

Local Plan policies BE1, H13 and DC1 address matters of design and appearance. Policy BE1 states that the Council will promote high standards of design and new development should reflect local character, use appropriate materials and respect form, layout, siting, scale and design of surrounding buildings and their setting. Policy DC1 states that the overall scale, density, height, mass and materials of new development must normally be sympathetic to the character of the local environment, street scene, adjoining buildings and the site itself. The National Planning Policy Framework also notes that "good design is a key aspect of sustainable development".

The objections have been carefully considered. However, the revised scheme is considered to be in keeping with the character and appearance of the locality. The area is characterised by dwellings of a variety of architectural styles and scale, including 3 storey dwellings such as at Bollin Mews, and the proposed building is of a similar height to the development in the grounds of nearby Butley Hall, which is in itself a modern design. A very modern two storey flat roofed dwelling has been approved on the plot adjacent to the site. The two storey dwellings on the other side of Scott Road are on a much higher ground level than the proposed development.

The proposal is now set back circa 8.8m from the front boundary. It is considered to site comfortably within the plot.

The Conservation Officer raises no objections. The development is considered to not adversely impact on the setting of the Grade 2 Listed Building due to its distance from it and the fact that a similar scale block of apartments now exists within the grounds of this building on a similar siting in relation to Springfields.

Whilst the development would be visible from the Conservation Area, it is considered to be a sufficient distance away from it to ensure that it would preserve the character and appearance of the Conservation Area.

The site is well screened with boundary trees and vegetation and a landscaping scheme can be conditioned to ensure further landscape mitigation.

Subject to the materials being acceptable, which can be controlled via condition, the revised scheme is considered to accord with all design objectives and to preserve the architectural integrity of the Grade 2 Listed Building and the character and appearance of the Conservation Area, in accordance with policies BE1, DC1, BE3, BE16 and the NPPF.

## **Amenity**

Local Plan policies H13, DC3 and DC38 seek to protect the amenity of residential occupiers. Policy DC3 states that development should not significantly injure the amenities of adjoining or nearby residential property due to matters such as loss of privacy, overbearing effect, loss of sunlight and daylight and traffic generation and car parking. Policy DC38 sets out guidelines for space between buildings.

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

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

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

The objections have been carefully considered. However, the development would be some 27m to the nearest property to the front, which is a bungalow. Even allowing for the differences in ridge height, this distance is considered to accord with the guidelines under policy DC38. The proposed second floor dormers and balcony on the front elevation would not result in overlooking due to the higher ground level and the large difference in building heights and in any case, this property is side facing with no windows to habitable rooms that would be affected. Dormers of a similar height have been built on the nearby apartments within the grounds of Butley Hall.

The two storey property 'The Gate House' to the rear lies some 27m away which again, allowing for differences in building heights is considered to comply with policy DC38.

The site adjacent to the proposal is currently vacant, but in any case the approved two storey dwelling on this site has no side windows to habitable rooms.

Overall, the development would accord with local plan policies H13, DC3 and DC38.

## **Highways**

The Strategic Highways and Transportation Manager raises no objections. Whilst it is noted that the development would increase traffic generation to some extent, this is not considered to be excessive. 10 no parking undercroft spaces for 5no apartments is considered to be sufficient in this central, sustainable location i.e. 2 per apartment. The existing access is proposed to be relocated closer to Scott Road, to enable it to be more central to the site, however this is not considered to result in any adverse impact on the highway network.

Overall the development accords with policy DC6.

## **Trees/ Landscaping**

The Tree Officer has been consulted and does not object. They state:

*The proposed development requires the removal of a limited number of low value (C Category trees) and internal hedging, the loss of which will only have a negligible impact on the amenity of the immediate area or the wider landscape. Any replacement planting should be seen as a net gain.*

*The retained trees apart from T8 can be protected in accordance with current best practice BS5837:2012. A new Bin Store has been partially located within the Root Protection Area (RPA). T8 is a small insignificant Hawthorn, the engineered no dig solution can be dealt with by condition.*

*None of the trees on site scheduled for removal or retention are considered worthy of formal retention*

*Any replacement planting should be seen as a net gain.*

The Landscape Officer raises no objections. A landscaping scheme would be conditioned on any subsequent approved application, in order to mitigate the impact of the development. Subject to this the development would accord with policies DC8 and DC9.

## **Nature Conservation**

The Nature Conservation Officer raises no objections to the development and considers that it would not adversely impact on protected species, in accordance with policy NE11. Conditions should be attached in relation to breeding birds and for bat mitigation.

## **Environmental Health**

The Environmental Health Officer raises no objections, subject to conditions relating to the control of dust, noise and land contamination on the site. A condition should be attached for the submission of a method statement for the demolition, to ensure neighbouring amenity and safety is not compromised.

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

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

The Framework indicates that proposals should only be refused where the level of harm would significantly and demonstrably outweigh the benefits of the proposals. Given that in this case no significant adverse impacts have been identified to outweigh the benefits of the scheme, the development would not conflict with those policies within the MBLP which are consistent with The Framework, and it is considered that planning permission should be granted as the proposals accord with policies BE1 Design Guidance, DC1 New Build, DC3 Amenity, DC6 Circulation and Access, DC8 Landscaping, DC9 Tree Protection, DC38 Space Light and Privacy, DC41 Infill Housing Development or Redevelopment, NE11 Nature

Conservation, H1- Phasing Policy H2- Environmental Quality in Housing Developments, H5- Windfall Housing and H13 – Protecting residential areas of the Macclesfield Local Plan 2004, policies in the Cheshire East Borough Council Submission Version 2014 and guidance within The Framework.

For these reasons, this application is recommended for approval, subject to conditions.

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. A01LS - Landscaping - submission of details.
2. A03AP - Development in accord with revised plans (unnumbered)
3. A03FP - Commencement of development (3 years)
4. A04LS - Landscaping (implementation)
5. A05EX - Details of materials to be submitted
6. A23GR - Pile Driving
7. A32HA - Submission of construction method statement
8. Hours of construction
9. Drainage details to be submitted
10. Dust scheme to be submitted
11. Contamination report to be submitted
12. Bird survey
13. Bird and bat mitigation scheme to be submitted
14. Tree details to be submitted
15. Details of levels to be submitted

