

Application No: 15/3472M

Location: 180A, WILMSLOW ROAD, HANDFORTH, SK9 3LF

Proposal: Conversion to create 12 No. apartments, the erection of a two storey rear extension, repairs and rebuilding part of the chapel, change of use of part of adjacent domestic garden to car park, replacement windows and doors along with the removal of listed trees following the withdrawal of previous planning application 15/1865M

Applicant: Mr A Harrison

Expiry Date: 28-Oct-2015

DATE: 23rd September 2015

SUMMARY

The site comprises previously developed land in a sustainable location. The Council does not have a 5 year supply of housing land. The proposal will provide 12 No. residential units, which is a contribution to the housing needs of the Borough.

The existing building is Grade II Listed and whilst some localised rebuilding will be required, the proposed conversion and extension is considered not to harm the significance of this heritage asset. Though the loss of protected trees is regrettable, their long term retention was unlikely given their poor condition; replacement tree planting is considered to be acceptable. There are no further significant adverse impacts relating to design, impact on the area, residential amenity, highways safety, ecology or environmental health. The proposal accords with all relevant Development Plan policies and is deemed to be a sustainable form of development.

Subject to the receipt of outstanding consultation comments, a recommendation of approval is made subject to conditions, informatives and Heads of Terms for POS and ROS (details to be confirmed), secured via a s106 Agreement.

RECOMMENDATION: Approve, subject to conditions and a s106 Agreement for Open Space.

REASON FOR REPORT

The application is for 12 residential units.

DETAILS OF PROPOSAL

The application seeks Full Planning Permission for “*conversion to create 12 No. apartments, the erection of a two storey rear extension, repairs and rebuilding part of the chapel, change of use of part of adjacent domestic garden to car park, replacement windows and doors along with the removal of listed trees following the withdrawal of previous planning application 15/1865M.*”

It is noted that a corresponding Listed Building Consent application has been submitted (15/3473M), which is also on the agenda.

DESCRIPTION OF SITE & CONTEXT

The application site comprises a two/three-storey Grade II Listed Building, which was last used as staff accommodation ancillary to the adjacent Pinewood Hotel. There is an adjacent area of hardstanding, last used for car parking in association with the building. There are a number of trees within/around the site, some of which are protected by a Tree Preservation Order (it is noted that some have been removed with permission in accordance with the previous planning approval). The site is located very close to Handforth district centre (approx.. 110m to the centre) with excellent access to all the associated shops, facilities, services and public transport links. The site is located within a Predominantly Residential Area, as defined in the Macclesfield Borough Local Plan.

Planning Permission and Listed Building Consent have been granted recently (by committee) for conversion, extension and alterations of the building to 7 No. residential units.

RELEVANT HISTORY

- 15/1865M Full Planning. Conversion to create of 12no. apartments; the erection of a two storey rear extension; repairs and rebuilding part of chapel; replacement windows and doors and removal of listed trees. Withdrawn, 23/06/2015
- 15/1866M Listed Building Consent. Conversion to create of 12no. apartments; the erection of a two storey rear extension; repairs and rebuilding part of chapel; replacement windows and doors and removal of listed trees. Withdrawn, 23/06/2015

- 14/2475M Full Planning. Repairs and rebuilding part of chapel, replacement windows and doors, conversion to create 7no. apartments, two storey rear extension to create additional accommodation and removal of listed trees. Approved, 28/04/2015 (with a s106 Agreement)
- 14/2478M Listed Building Consent. For repairs and rebuilding part of chapel, replacement windows and doors, conversion to create 7no. apartments, two storey rear extension to create additional accommodation and removal of trees subject to TPO. Approved, 03/11/2014
- 14/0738M Proposed new site access with gate from Spath Lane. Approved 02.04.2014

NATIONAL & LOCAL POLICY

By virtue of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. This is repeated in the NPPF (para 2).

The Development Plan for Cheshire East currently comprises the saved policies from the Congleton Borough (January 2005), Crewe and Nantwich (February 2005) and Macclesfield Local Plans (January 2004).

National Policy/Guidance

National Planning Policy Framework (NPPF)

The NPPF states that

The purpose of the planning system is to contribute to the achievement of sustainable development. (para 6)

And, 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. (para 14)

For decision-taking this means

...approving development proposals that accord with the development plan without delay...and

where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- a) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or*
- b) specific policies in the Framework indicate development should be restricted.*

Sustainable development includes economic, social and environmental roles (para 7)

Para 47 of the NPPF states that Local Planning Authorities should “...boost significantly the supply of housing...” Furthermore

Para 49 of the NPPF states that

Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

Additional sections of the NPPF of particular relevance to the appraisal and determination of the application are:-

- Part 1- Building a strong, competitive economy
- Part 3 - Supporting a prosperous rural economy
- Part 4 - Promoting sustainable transport
- Delivering a wide choice of high quality homes
- Part 7 - Requiring good design
- Part 8 - Promoting healthy communities
- Part 10 - Meeting the challenge of climate change, flooding and coastal change
- Part 11 - Conserving and enhancing the natural environment
- Part 12 - Conserving and enhancing the historic environment

National Planning Practice Guidance (NPPG)

The NPPG came into force on 6th March 2014, replacing a range of National Planning Policy Guidance Notes and complimenting the NPPF.

Local Policy - Development Plan

Macclesfield Borough Local Plan – saved policies (MBLP)

Since publication of the NPPF the saved policies within the Macclesfield Borough Council Local Plan are still applicable but should be weighted according to their degree of consistency with the NPPF. The saved Local Plan policies considered to be most relevant are outlined below:

- NE11 (Nature conservation)
- BE1 (Design guidance)
- BE2 (Historic fabric)
- BE15 (Buildings of Architectural and historic importance)
- BE16 (Impact on the setting of a Listed Building)
- H1 (Housing phasing)
- H2 (Environmental quality in housing developments)
- H5 (Windfall housing sites)
- H13 (Protecting residential areas)

- T1 (Integrated transport)
- T2 (Support provision of public transport)
- DC1 (High quality design for new build)
- DC2 (Extensions and alterations)
- DC3 (Protection of the amenities of nearby residential properties)
- DC6 (Circulation and access)
- DC8 (Landscaping)
- DC9 (Tree protection)
- DC38 (Space, light & privacy)
- DC40 (Children's play provision)
- DC63 (Contaminated land)

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following policies are considered relevant material considerations as indications of the emerging strategy: -

- SP1 (Supporting economic prosperity by creating conditions for business growth)
- SP2 (Creating sustainable communities)
- SP3 (protecting and enhancing environmental quality)
- SP4 (Reduce the need to travel, manage car use, promote more sustainable modes of transport).
- IMP1 (Presumption in favour of sustainable development)
- PG6 (Spatial distribution of development)
- SD1 (Sustainable development in Cheshire East)
- SD2 (Sustainable development principles)
- IN1 (Infrastructure)
- IN2 (Developer contributions)
- SC3 (Health & well-being)
- SC4 (Residential mix)
- SE 1 (Design)
- SE2 (Efficient use of land)
- SE3 (Biodiversity and geodiversity)
- SE4 (Landscape)
- SE5 (Trees, hedgerows and woodland)
- SE7 (Historic environment)
- SE12 (Pollution, and contamination and land instability)
- SE 13 (Flood Risk and water management)
- C01 (Sustainable travel & transport)

Other Material considerations:

Interim Planning Statement: Affordable Housing - Feb 2011
Strategic Market Housing Assessment (SHMA)- Up-date Sept' 2013
Strategic Housing Land Availability Assessment (SHLAA)- Jan 2013
Article 12 (1) of the EC Habitats Directive 1992
The Conservation of Habitats and Species Regulations 2010

Nature Conservation Strategy (SPD) – 2006
Trees & Development Guidelines (SPG) - 2004
Wilmslow Urban District Council (Pinewood Hotel Handforth) TPO 1972

CONSULTATIONS

Heritage & Design – Conservation/Listed Buildings:

Formal comments not received as of 23.09.15. However, all the plans associated with work to the building are the same as the plans submitted with the recently withdrawn applications. The Conservation/Design Officer was satisfied with the plans at that point. Hence, it is not anticipated that any objections will be raised by the Conservation/Design Officer. Comments will be provided in the Committee up-date accordingly.

Heritage & Design – Forestry:

The Arboricultural Officer raises no objections, subject to receiving amended plans that show a level of proposed replacement tree planting that matches that of the previous approval and conditions re landscape details and implementation.

Heritage & Design – Ecology:

No objections, subject to a condition to protect nesting birds.

Strategic Infrastructure Manager:

No objections, subject to clarification of land ownership and provision of area for communal recycling.

Environmental Protection:

No objections subject to conditions re 1) habitable room windows to be constructed as specified in the acoustic report, 2) provision of an electric vehicle charging point at each car parking space. Also recommend an informative re contaminated land.

United utilities:

No comments received as of 23.09.2015

Housing:

No objections. No requirement for affordable housing as there are less than 15 units and the floor area is less than 0.4 hectares.

Education:

No objections. No requirement for education provision as the proposal does not meet the 10 No. houses & 2 No. bedrooms plus criteria.

Greenspace:

No formal comments received as of 23.09.15. However, the Open Space Officer has verbally indicated that no objections would be raised, subject to the required additional Public Open Space (POS) and Recreation Outdoor Sport (ROS) commuted sums being provided (i.e. over and above what has already been provided as part of the S106 attached to the previously approved application 14/2475M). A summary of comments will be provided in the Committee up-date.

REPRESENTATIONS

None received as of 23.09.2015 – Last Date For Comments was 18.09.2015

VIEWS OF PARISH/TOWN COUNCIL

Handforth Parish Council:

Oppose the application considering the proposal to be overdevelopment of the plot and insufficient parking provision

APPLICANT'S SUPPORTING INFORMATION

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

- Heritage Statement
- Design & Access Statement
- Tree Survey Report
- Building Survey Report
- Nesting Bird Survey
- Ecological Report
- Environmental Noise Assessment
- Estate Agent's Supporting Letter

OFFICER APPRAISAL

Key Issues

- Principle of the development
- Design/impact on the area and the setting of the Listed Building
- Impact on neighbouring residential amenity
- Highways safety
- Ecological, Arbocultural and Landscape issues
- Environmental health matters (noise, air quality, contaminated land)
- Housing land supply
- Education
- Greenspace
- Sustainability

- Planning balance

ENVIRONMENTAL SUSTAINABILITY

Principle of the development

The principle of the proposed development is acceptable; the site is located within a Predominantly Residential Area. Indeed, the principle has already been accepted (approval of application 14/2475M).

Design/impact on the area, street-scene and the setting of the Listed Building

The proposed consists of converting the existing Grade II Listed Building building to 12 No. apartments, 9. No. of which have 2 No. bedrooms and 3 No. have 1 No. bedroom. The proposal also includes alterations to parts of the building and the erection of a rear extension. Parking is provided on site in accordance with the emerging standards in the Local Plan Strategy – it is noted that the applicant is now able to offer the required level of on-site parking due to having acquired an area of the domestic garden of the neighbouring property, 2 Plumley Road. Provision is provided within the site for refuse storage. (It is noted that a revised plan has been received which includes space for recycling bins as well as bins for everyday waste).

The main differences between the current proposal and that already approved (14/2475M) are: 1) 12 No. units rather than 7 No.; 2) additional parking area to accommodate the requisite number of parking spaces; 3) the changes to the outside of the building are mainly a) rear extension approx. 0.5m deeper, b) dormer and 3 no. sky-lights inserted in the roof of the rear extension, c) some minor fenestration changes on the rear elevation. These differences are considered not to result in a building that is significantly different than that already approved. As such, the design of the proposed development is considered to be acceptable and to have an acceptable impact on the character of the area, street-scene and the setting of the Listed Building. The proposed accords with policies BE1, BE2, BE15, BE16, H2, DC1 and DC2 of the Local Plan.

Highways safety

The Strategic Infrastructure Manager's comments included the following:

- 1) The proposed site plan didn't show provision for recycling bins;
- 2) It was advised that a) confirmation be obtained from the owners of 2 Plumley Road that they were selling the land and b) confirmation be obtained from the Highways Dept. that the area of land now within the site boundary of number 2 Plumley Road was domestic curtilage and not highway land;
- 3) No highways safety issues and complies with policies DC6, T1 and T2.

Amendments have been made to the site plan as recommended and confirmation has been received from both the occupants of number 2 Plumley Road and the Highways Dept that a) the land is to be sold and b) it is not part of the highway.

The objection from the Parish Council regarding insufficient parking has been noted. However, the level of on-site parking provided accords with emerging standards, i.e. 2 No. spaces for a 2 Bed property and 1 No. space for a 1 Bed property. Some cycle parking is also provided within the site. Given that the site is in a highly sustainable location with access to public transport it is considered that adequate parking is provided.

The proposed development would not raise any highway safety issues.

Ecological, Arbocultural and Landscape issues

The Ecologist notes that a previous application included a more detailed bat survey. No evidence of roosting bats was recorded in the building and the area has very limited potential for supporting roosting bats. Hence, it is concluded that roosting bats are not likely to be affected by the proposals. The Ecologist recommends a condition to protect nesting birds if the application is approved.

The Arboricultural Officer notes that the previous approval (14/2475M) conceded certain Protected Trees due to their deteriorating condition. The Arboricultural Survey/Mitigation in support of that application provided for 7 No. replacement trees for the loss of the protected group which, subject to the submission of a detailed scheme of landscaping, was considered to be sufficient to offset the loss. It is noted that the current layout shows only 5 No. replacement trees. Given the loss of protected trees on this site, it is considered that the full compliment of replacement planting, as indicated in the previous scheme, should be provided in order to meet the scheme's requirement for sustainable development. It is noted that the Agent has agreed to amend the plans to ensure that the full compliment of replacement trees are provided. As such, there are no arboricultural grounds for refusing the application.

Subject to receipt of amended tree planting plan, and relevant conditions, it is considered that the proposed accords with policies NE11, DC8 and DC9 of the Local Plan.

Environmental health matters (noise, air quality, contaminated land)

The Environmental Protection Team note that the acoustic report submitted with the application (Peak Acoustics, 24 June 2015 Ref 1606151NR) recommends mitigation designed to ensure that occupants of the properties are not adversely affected by road traffic noise from the adjacent Wilmslow Road and Hotel Car Park. As such, it is recommended that a condition be attached requiring windows facing Wilmslow Road and the car park to be constructed with glazing and ventilation as specified in the report.

The Environmental Protection Team also note that whilst this scheme itself is of a relatively small scale, and as such would not require an air quality impact assessment, there is a need for the Local Planning Authority to consider the cumulative impact of developments in a particular area. In particular, the impact of transport related emissions on Local Air Quality.

Modern Ultra Low Emission Vehicle technology (such as all electric vehicles) are expected to increase in use over the coming years (the Government expects most new vehicles in the UK will be ultra low emission). As such it is considered appropriate to create infrastructure to allow home charging of electric vehicles in new, modern properties. Therefore, it is recommend that a condition be attached requiring a single Electric Vehicle Charging Point to

be provided on car parking spaces provided for each apartment. Charge points should be suitable for overnight charging of electric vehicles.

It is also recommended an informative be attached re contaminated land.

Bearing the above points in mind it is considered that the proposed does not raise any significant environmental health issues. The proposed accords with policies H13, DC3 and DC63 of the Local Plan.

SOCIAL SUSTAINABILITY

Housing land supply

Paragraph 47 of the National Planning Policy Framework requires that Councils identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements.

This calculation of five year housing supply has two components 1) the housing requirement and 2) the supply of housing sites that will help meet it. In the absence of an adopted Local Plan the National Planning Practice Guidance indicates that information provided in the latest full assessment of housing needs should be considered as the benchmark for the housing requirement.

The last Housing Supply Position Statement prepared by the Council employs the figure of 1180 homes per year as the housing requirement, being the calculation of Objectively Assessed Housing Need used in the Cheshire East Local Plan Submission Draft.

The Local Plan Inspector published his interim views based on the first three weeks of Examination in November 2014. He concluded that the Council's calculation of objectively assessed housing need is too low. He also concluded that following six years of not meeting housing targets, a 20% buffer should also be applied.

Given the Inspector's Interim view that the assessment of 1180 homes per year is too low, Officers no longer recommend that this figure be used in housing supply calculations. The Inspector has not provided any definitive steer as to the correct figure to employ, but has recommended that further work on housing need be carried out. The Examination of the Plan was suspended on 15th December 2014.

Following the suspension of the Examination into the Local Plan Strategy and the Inspector's interim views that the previous objectively assessed need (OAN) was 'too low', further evidential work in the form of the "Cheshire East Housing Development Study 2015 – Report of Findings June 2015" produced by Opinion Research Services, has now taken place.

Taking account of the suggested rate of economic growth and following the methodology of the NPPG, the new calculation suggests that need for housing stands at 36,000 homes over the period 2010 – 2030. Although yet to be fully examined this equates to some 1800 dwellings per year.

The 5 year supply target would amount to 9,000 dwellings without the addition of any buffer or allowance for backlog. The scale of the shortfall at this level will reinforce the suggestion that the Council should employ a buffer of 20% in its calculations – to take account of ‘persistent under delivery’ of housing plus an allowance for the backlog.

The definitive methodology for buffers and backlog will be resolved via the Development Plan process. However the indication from the work to date suggests that this would amount to an identified deliverable supply target of around 11,300 dwellings.

This total would exceed the total deliverable supply that the Council is currently able to identify. As matters stand therefore, the Council remains unable to demonstrate a 5 year supply of housing land.

In this context the provision of 12 No. residential units would make a contribution towards meeting the Council’s housing needs. The proposed accords with policies H1, H2 and H5 of the Local Plan.

Impact on neighbouring residential amenity

The nearest neighbouring property is number 2 Plumley Road. The relationship of the proposed converted and extended building with number 2 Plumley Road will be such that the distance standards for space, light and privacy recommended in policy DC38 of the Local Plan will be achieved. Overall the proposed development is considered to have a limited and acceptable degree of impact on the amenities of the occupants of neighbouring properties. The proposed accords with policies H13, DD3 and DC38 of the Local Plan.

Education

As noted above, the scale of development does not require any requirement for additional education places to be provided.

Greenspace

As noted above, formal comments are awaited from the Open Space Officer. However, it is anticipated that some additional commuted sums will be required for Public Open Space and Recreation Outdoor Space due to the increased number of units and bedrooms. The proposed accords with policy DC40 of the Local Plan.

ECONOMIC SUSTAINABILITY

The development will provide economic benefits in respect of a) employment during the construction phase, b) use of local services by employees during the construction phase and c) future incumbents of the apartments will contribute to the local economy as a result of using the services and facilities in the area.

HEADS OF TERMS

Heads of Terms

A s106 legal agreement will be required to include the following heads of terms:

- a commuted sum off-site provision of Public Open Space for improvements, additions and enhancement of existing Public Open Space facilities in Handforth; and
- a commuted sum for the off-site provision of recreation/outdoor sport (outdoor sports facilities and pitches, courts, greens and supporting facilities/infrastructure) for improvements, additions and enhancements of existing facilities in Handforth.

Level of commuted sum to be confirmed in update to committee.

COMMUNITY INFRASTRUCTURE LEVY (CIL) REGULATIONS

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the Agreement satisfy the following:

- (a) Are necessary to make the development acceptable in planning terms;
- (b) Are directly related to the development; and
- (c) Are fairly and reasonably related in scale and kind to the development.

The commuted sum in lieu of public open space and recreation / outdoor sport is necessary, fair and reasonable, as the proposed development is to provide 12 No. apartments, the occupiers of which will use local outdoor space facilities, as there is no open space provision on site. As such, there is a need to upgrade/enhance existing facilities. The contribution is in accordance with the Council's Supplementary Planning Guidance.

All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of the development proposed.

PLANNING BALANCE, CONCLUSION & RECOMMENDATION

The site comprises previously developed land in a sustainable location, with access to a range of local services and facilities nearby, including good public transport links. The existing building is Grade II Listed and whilst some localised rebuilding will be required, the proposed conversion and extension is considered not to harm the significance of this heritage asset. The loss of protected trees is regrettable, however their long term retention was unlikely given their poor condition; replacement planting, secured by condition if necessary, is considered to be acceptable. It is considered that there are no further significant adverse impacts relating to design, impact on the area, residential amenity, highways safety, ecology or environmental health. The proposal, in the round, accords with the Development Plan and is deemed to be a sustainable form of development. As such, in accordance with para 14 of the NPPF, the proposal should be approved without delay. Therefore, subject to the receipt of outstanding consultation comments, a recommendation of approval is made subject to conditions, informatives and Heads of Terms for POS and ROS (details to be confirmed), secured via a s106 Agreement.

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for

approval/refusal) prior to the decision being issued, the Planning & Enforcement Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Application for Full Planning

RECOMMENDATION: Approve subject to a Section 106 Agreement and the following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A02EX - Submission of samples of building materials
4. A01LS - Landscaping - Details to be submitted
5. A04LS - Landscaping - Approved details to be implemented
6. A06NC - Protection of breeding birds
7. A10EX - Rainwater goods - material and colour to be specified
8. A12EX - Fenestration to be set behind reveals as specified
9. A18EX - Specification of window design / style - fabricated in timber & painted or opaque stained
- 10.A21EX - Roof lights set flush
- 11.A22EX - The windows shall be installed in accordance with the details submitted (1386/D/001 Rev A)
- 12.A23EX - Roof ridges - to be finished as specified
- 13.A08HA - Gates to be set back from footway/carriageway
14. Car parking spaces and bicycle parking to be provided prior to first occupation
15. Works to be carried out in total accordance with the submitted acoustic report
16. Provision of electric vehicle charging points

