

Application No: 15/1553M  
Location: 29, CHELFORD ROAD, MACCLESFIELD, SK10 3LG  
Proposal: Proposed demolition of house & outbuildings and the erection of a terrace of 7 three storey houses.  
Applicant: B Jepson  
Expiry Date: 08-Jun-2015

### **SUMMARY**

This application is for the demolition of the existing dwelling and outbuildings and the erection of a two and half storey building containing 7no. three bedroom, townhouse style dwellings.

The Council cannot currently demonstrate a 5 year housing land supply. The development would provide 7no. new houses, which would make a beneficial contribution to meeting an acknowledged shortfall within the Borough.

It is considered that there are no significant adverse impacts relating to design, impact on the area, residential amenity, highways safety, ecology or environmental health. The proposal accords with the Development Plan and is deemed to be a sustainable form of development.

The application is therefore recommended for approval 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**

This application has been called in to committee at the request of Cllr. Louise Brown on the 30<sup>th</sup> April due to concerns raised in respect to whether it is overdevelopment of the site and also Highway safety concerns. The site is close to the junction of Whirley Road with Chelford Road (which is at a sharp angle) and Whirley Road narrows towards the junction. Cllr. Brown has since left the authority; however the call-in was maintained by the existing councillor, Cllr. Martin Hardy.

## **DESCRIPTION OF SITE AND CONTEXT**

The site is officially located on Chelford Road; however it is positioned adjacent to the junction between Whirley Road and Chelford Road, with the main frontage of the site onto Whirley Road. The site measures approximately 0.15 hectares and is currently occupied by a detached two storey dwelling with outbuildings.

To the rear of the site there are relatively new apartment blocks on the former Henbury High School site with a new residential block of 5no. town houses on the adjacent site to the east at number 27 Chelford Road.

The roadside boundary is made up of a 2m high wall with trees and planting.

The area has a mixture of house types including detached, semi-detached, apartments and terraced properties. Broken Cross is located approximately 170m away, and is an existing local shopping centre.

## **DETAILS OF PROPOSAL**

Full planning permission is sought for the demolition of the existing dwelling and outbuildings and the erection of a two and half storey building containing 7no. three bedroom townhouse style dwellings. The building would be two storey with the third floor located within the roofspace with front dormer windows. The height would be similar to the surrounding properties. Each unit would comprise an entrance hall, open-plan kitchen/living/dining area on the ground floor, two bedrooms and a bathroom at first floor, with the master bedroom at second floor. Each dwelling would have a private garden to the rear. The elevations would be faced in a mixture of brick and render.

Vehicular access would be from a new access point positioned further to the west than the existing access, away from the junction, to a parking area which would include provision for 14no. cars.

## **RELEVANT HISTORY**

None

## **POLICIES**

Macclesfield Borough Local Plan – saved policies

BE1 (Design principles for new developments)

DC1 (High quality design for new build)

DC2 (Design quality for extensions and alterations)

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)

DC40 (Children's Play Provision and Amenity Space)

DC41 (Infill Housing Development or Redevelopment)  
NE11 (Nature Conservation)  
H1 (Phasing Policy)  
H2 (Environmental Quality in Housing Developments)  
H5 (Windfall Housing Sites)  
H13 (Protecting residential areas)

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

Other Material Considerations

National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)

**National Policy:**

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs 1, 4, 5, 6, 7, and 10.

**Cheshire East Local Plan Strategy – Submission Version (CELP)**

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

MP1 (Presumption in Favour of Sustainable Development)  
SD1 (Sustainable Development in Cheshire East)  
SD2 (Sustainable Development Principles)  
SE1 (Design)

**CONSULTATIONS (External to Planning)**

**Highways:** no objections subject to condition

**Forestry:** no objections

**Nature Conservation:** no objections subject to conditions

**Environmental Health:** no objections subject to conditions

**United Utilities:** no objections subject to conditions

**VIEWS OF THE PARISH / TOWN COUNCIL**

N/A

**OTHER REPRESENTATIONS**

Representations from 28no. different properties have been received for the original submission. A summary of these can be viewed below:

- Highway safety issues due to increased traffic close to a busy, dangerous junction.
- The existing farmhouse is a beautiful, historic building and it would be a shame to demolish it.
- Traffic/noise etc. from building will impact on people's lives.
- Loss of privacy and light to flats at the rear.
- The new building next door is unattractive and would not want another one like that in the area.
- A lot of other new properties in the area have not sold, not a need for them.
- Parking in the area is already an issue and this development would make the situation worse, no visitor parking in the scheme.
- Out of keeping with the area, too dense.
- The building would be much taller than the surrounding properties.

A comment has also been received from the Macclesfield Civic Society raising concerns regarding the size of the proposed building in relation to the plot size and suggests that the scheme should be reduced.

Following re-consultation of the amended plans only one objection was received raising concerns about the impact of the development on highway safety in the area.

## **APPLICANT'S SUPPORTING INFORMATION**

The applicant has submitted a Planning Statement, Tree Survey, Design and Access Statement and a Bat Report. Details of these can be viewed on the electronic file.

## **OFFICER APPRAISAL**

### **Key Issues**

- Design and impact on the character and appearance of the area, including the street-scene
- Impact on the amenity of neighbouring properties
- Highways safety
- Landscaping & nature conservation

## **ENVIRONMENTAL SUSTAINABILITY**

### **Principle of Development**

The site lies within a Predominantly Residential Area of the adopted Macclesfield Borough Local Plan where residential uses are acceptable in principle.

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 much needed housing within a built up area.

### **Design**

The properties within the area are varied – detached, semi-detached and terraced – of differing styles and sizes, along with the recently developed block of dwellings, at the adjacent site at number 27 Chelford Road. It is considered that the immediate area around the site does not have a particularly distinctive character, or appearance.

The plot is currently occupied by a two storey dwelling with various outbuildings to the rear. 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.

The street-scene plan illustrates the proposed roof height is in scale with the property to the east at number 27, which, in turn, is comparable to the existing height. The use of render and small gable detailing to the front elevation has been incorporated to break up the frontage of the building. 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.

Along with the new townhouse style properties on the adjacent site, there is also 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.

The two and a half storey townhouse style would be an appropriate addition within the setting, particularly considering the adjacent development.

## **Amenity**

The new dwellings to the east at number 27 Chelford Road do not contain any windows facing the application site. To the west there are no dwellings and the dwellings to the front at 35 – 39 Chelford Road are positioned approximately 28m away from the front of the dwelling which would accord with policy DC38 of the Local Plan for three storey properties.

To the rear, the apartments in Jasmine Park are positioned over 25m away, which would be in accordance with policy DC38 for two storey properties.

It is considered that the impact on the amenity of the neighbouring properties is acceptable and would accord with policies DC3 and DC38 of the Local Plan.

## **Highways**

There is currently a single dwelling on the site and it is proposed to demolish this site and erect 7 new dwellings. The units proposed are 7no. 3 bed units, the car parking provision is 17no. spaces which equates to 2 spaces per unit which accords with the Council's parking standards.

Whirley Road provides access to residential areas and connects with other local roads; it has a significant level of existing traffic using the road. Whirley Road meets Chelford Road at a sharp angle, but it does still meet requirements for visibility at the junction. The safety of the junction has been considered and there has been no recorded Personal Injury Accidents (PIA's) in the last five years.

There is one main access to the site proposed and this is on the frontage of the site and is a standard priority junction access with adequate visibility provided. Refuse collection would take place from Whirley Road, there is a communal bin store provided close to the access point.

As there are 7no. dwellings proposed in total, the level of traffic generation will be very low indeed and given that there is already a significant traffic flow on Whirley Road, the impact of the additional generation cannot be considered severe. Additionally, although the junction with Chelford Road is non standard, there the safety record of the junction is good.

The concerns raised regarding the impact of this development have been considered, however, it is not considered that a highway reason for refusal of the application can be supported.

## **Trees**

The property road frontage is subject of a 1951 Tree Preservation Order, which originally supported a linear group of 18 trees. None of these appear to have been retained from the species listed in the first schedule. It is also doubtful that the Holly Purple Leaf Plum and Yew which form the present road frontage were planted as replacements.

The application is not supported by any suitable arboricultural impact assessment, only a Tree Plan, which depicts the crown spread and trunk diameter of the Holly and Yew.

The site plan depicts the loss of both the Holly and Purple Leaf Plum, whilst retaining the Yew situated within the south east corner of the site immediately adjacent to the existing access. The tree has been poorly pruned historically to maintain vehicular access.

None of the mature tree aspect associated with the site is considered worthy of formal protection despite their position within the street scene. In terms of categorisation and current best practice in respect of BS5837:2012 all are considered to be low value category C specimens.

The protected trees associated with the recent new development to the east are not affected by the proposals as presented.

The amended plans submitted ensure that more landscaping to the front of the property is introduced. Arboricultural conditions are not required, standard landscape conditions should be included if approved.

## **Ecology**

The application is supported by an acceptable bat survey report.

The Council's Nature Conservation Officer advises that there are unlikely to be any significant protected species issues associated with the proposed development. Conditions are suggested for any approval.

## **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. This would accord with policy DC40 of the Local Plan.

## **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 Macclesfield; 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 Macclesfield.

The level of commuted sum will 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 7no. dwellings, 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, CONCLUSIONS AND REASON(S) FOR THE DECISION**

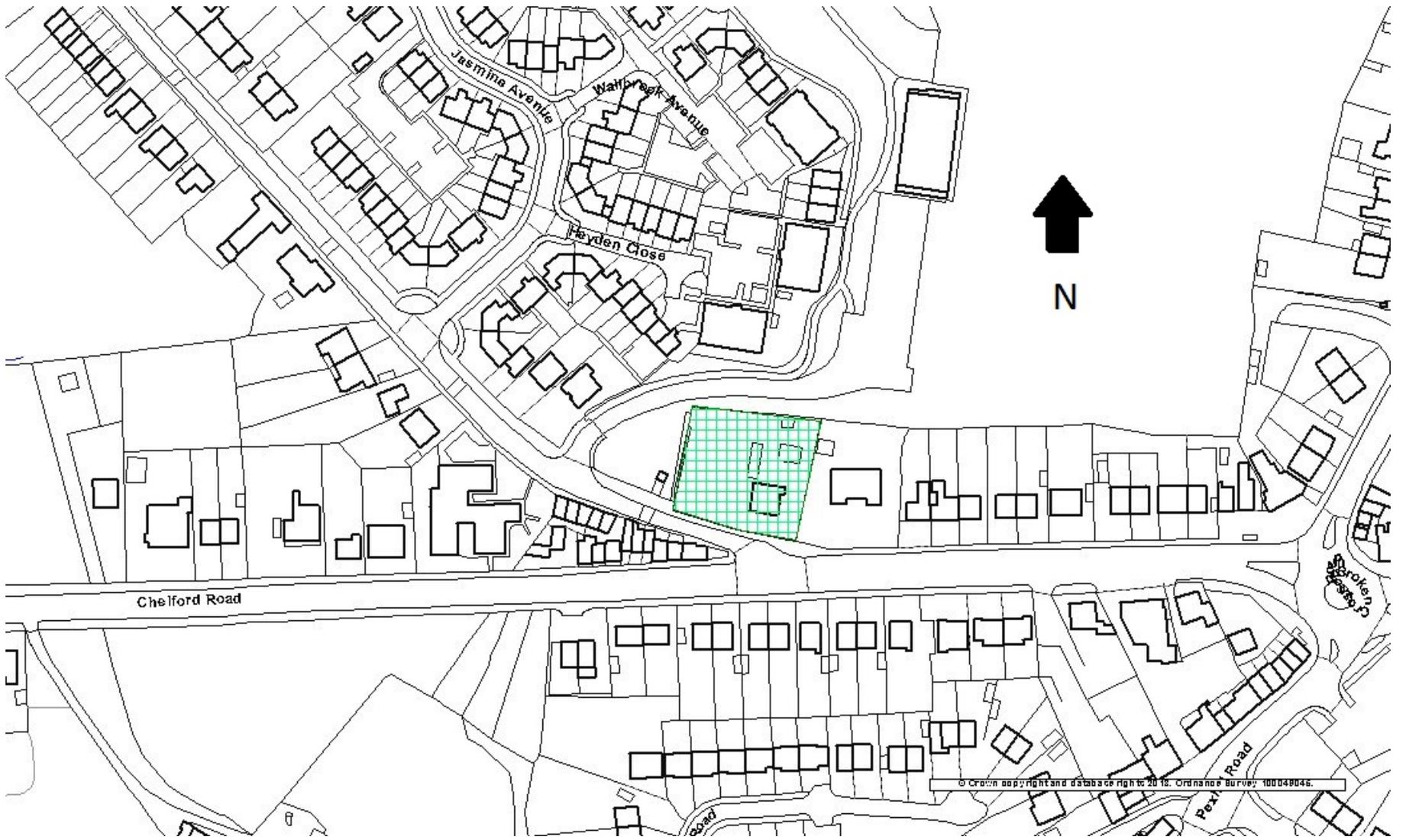
The comments from the neighbours have been taken into consideration. The site comprises previously developed land in a sustainable location, with access to a range of local services

and facilities nearby, including good public transport links. It is considered that there are no significant adverse impacts relating to design, impact on the area, residential amenity, highways safety, ecology, or environmental health. The proposal 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.

### **RECOMMENDATION    Approve subject to s106 Agreement**

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.

1. A02LS            - Submission of landscaping scheme
2. A04LS            - Landscaping (implementation)
3. A03FP            - Complies with development plan
4. A01AP            - Development in accord with approved plans
5. A02EX            - Submission of samples of building materials
6. A01GR            - Removal of permitted development rights
7. A22GR            - Protection from noise during construction (hours of construction)
8. A03HA            - Vehicular visibility at access (dimensions)
9. A06HP            - Use of garage / carport
10. Foul Water Drainage
11. Surface Water Drainage
12. Electric Vehicle Charging Sockets
13. Phase 1 Investigation Required
14. Contam land
15. Breeding birds
16. Dust control
17. Contaminated Land
18. Pile foundations



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