

Application No: 17/2061M

Location: ROSEGARTH, 51, ADLINGTON ROAD, WILMSLOW, CHESHIRE, SK9 2BJ

Proposal: Demolition of existing buildings and erection of 7 new dwellings.

Applicant: Mr & Mrs Wilman

Expiry Date: 13-Jun-2017

SUMMARY

The principle of the development can be accepted subject to there being no significant adverse impacts arising from it.

It would make a small contribution to the stock of housing and its construction and occupation would result in social and economic benefits.

The proposal ensures an appropriate level of development which is located within a sustainable urban location. The proposal would also not significantly or detrimentally impact the amenities of neighbouring occupiers.

However the loss of the protected Oak tree which is required in order to provide a safe access to the site would be unacceptable and contrary to policy SE5 of the Cheshire East Local Plan and saved policy DC9 of the Macclesfield Borough Local Plan. Significant weight is attached to this loss and would override any benefits of the proposal.

With this in mind the application is recommended for refusal.

RECOMMENDATION: Refuse

REASON FOR REPORT

1. The application is to be presented at Northern Planning Committee because it has been 'called-in' to committee at the request of Cllr Toni Fox on the 28th April due to the following concerns:

2. *"Overdevelopment of the site. Inconsistent with the current street scene and approved street scene of planning application 14/0007M. Insufficient parking and car turning space within dwelling curtilages, particularly plots 2, 3 and 4. Insufficient information on TPO tree removal and site access visibility splays. Bat survey to be submitted that has been*

undertaken in mid bat survey season. Inaccurate information submitted in relation to the history of the site.”

3.

DESCRIPTION OF SITE AND CONTEXT

4. The site is in an area of 0.428ha which lies on the north side of Adlington Road (A5102) to the west of Wilmslow Town Centre, in unallocated land in policy terms. It is currently occupied by a single large detached dwellinghouse, Rosegarth, and its residential curtilage. There is mature landscaping to the boundaries and trees subject to a blanket TPO across the whole site.

The site lies in an Area of Special County Value for Landscape (ASCVL) in the MBLP.

DETAILS OF PROPOSAL

Full planning permission is sought for the demolition of the existing dwelling and outbuilding and the erection of 7no. new dwellings.

RELEVANT HISTORY

16/5382M Demolition of the existing property and the erection of 9 new residential dwellings.

Withdrawn 22 December 2016

11/0419M New Garden Store/Plant Room and Amendments to Design of Entrance Gate Walls

Approved with conditions 15 June 2011

10/4938M Non-Material Amendment - Change in the design of the rear bay window to from curved to rectangular

Approved, 13 January 2011

10/4717M Application for a Non-Material Amendment – 08/2190P

29 December 2010

10/3767M Non-Material Amendment to Applications 10/0324M – Amendment to existing consent 08/2190P – Additional dormer window to south elevation

Approved 01 November 2010

10/3105M Non-Material Amendment Ref: 10/0324M – New conservatory – change in external appearance

Approved 07 September 2010

08/0750P Two storey side extension and erection of front wall and gates, Approved with conditions, 21 May 2008

08/2190P Two storey side & single storey rear extensions, front porch & balcony, Approved with conditions, 19 January 2009

POLICIES

Cheshire East Local Plan Strategy – adopted 27th July 2017

MP1 Presumption in Favour of Sustainable Development

PG1 Overall Development Strategy

PG2 Settlement Boundaries

PG7 Spatial distribution of development

SD1 Sustainable development in Cheshire East

SD2 Sustainable development principles

SE1 Design

SE2 Efficient Use of Land

SE3 Biodiversity and Geodiversity

SE4 The Landscape

SE5 Trees, Hedgerows and Woodland

SE8 Renewable and Low Carbon Energy

SE12 Pollution, Land Contamination and Land Instability

Appendix C – Parking Standards

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.

Saved Macclesfield Borough Local Plan Policies

NE11 (Nature conservation interests)

DC3 (Amenities of residential property)

DC6 (Circulation and Access)

DC8 (Landscaping)

DC9 (Tree protection)

DC35 (Materials and Finishes)

DC36 (Road layouts and circulation)

DC37 (Landscaping in housing developments)

DC38 (Space, light and Privacy)

DC41 (Infilling housing or redevelopment)

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 Framework (NPPG)

Wilmslow Neighbourhood Plan

The Wilmslow Neighbourhood Plan has not reached Regulation 14 (the pre-submission consultation) stage to date. An emerging policies report went out to consultation in July – September 2017.

National Policy:

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

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

CONSULTATIONS (External to Planning)

Highways: no objections, subject to conditions

Environmental Health: no objections subject to conditions

United Utilities: no objections

VIEWS OF THE PARISH / TOWN COUNCIL

Wilmslow Town Council:

“Recommend refusal on the grounds of this being overdevelopment of the site and out-of-character with the area and streetscene. The Planning Committee also expressed concerns regarding traffic movements to and from the site on this dangerous corner...”

OTHER REPRESENTATIONS

Representations from 11no. different properties and Jones Homes have been received. A summary of the relevant points can be viewed below:

- Out of character with the road – overdevelopment.
- Highway safety issues due to location on a bend. Also increase in traffic.
- Design of houses not in keeping with the area
- Additional pressure on schools, medical and other local services from the development.
- Too dense.
- Impact on the residential amenity of the surrounding properties.
- Not a sustainable location

OFFICER APPRAISAL

Key Issues

- Impact on the character of the area,
- Impact on trees,
- Impact on the amenity of neighbouring properties,
- Highway safety implications

Principle of Development

The Cheshire East Local Plan has now been adopted and so forms the Development Plan for the Borough. In the new Local Plan the site has been removed from the safeguarded land and Green Belt allocations and so the proposed use would be suitable in principle.

The principle of the development can therefore be accepted subject to there being no significant adverse impacts arising from it.

Design and Impact on Character of the Area

The comments from the previous application and pre-application have been taken on board by the applicant.

As viewed within the streetscene it is considered that the pre-existing area is characterised by individual dwellings of varying sizes set amongst mature plots where it is evident that there is no prevailing architectural style. This will be diluted somehow by the recently approved development currently under construction adjacent to the site. While this development is fairly dense it was agreed that the houses that were to front onto Adlington Road would be less dense and individually designed in order to complement the pre-existing character along Adlington Road.

The development would consist of a small cul-de-sac accessed from Adlington Road. The proposed properties facing onto Adlington Road contain a dual aspect so that a frontage is also provided onto Adlington Road.

The street scene provided shows the large amount of space between the two dwellings facing onto Adlington Road with the mature retained trees further reducing the prominence of the houses. These properties are individually designed and help to complement the character of the surrounding area.

Whilst there would be dwellings visible from Adlington Road to the rear of the site within the proposed cul-de-sac they would be significantly set back and would not be prominent. When considering this alongside the adjacent development under construction the density of this rear section would be similar to the density of the whole of the adjacent site. Whilst it is noted that the density of the dwellings fronting onto Adlington Road are less in the adjacent development it would be impossible to disguise the fact that there is a dense development to the rear of these dwellings and it is considered that the proposed development would not detract from the character of the area.

The proposed building line facing onto Adlington Road is in line with the approved development and the overall design is in keeping with the design of the new development under construction.

Overall, the proposal is considered to comply with policies SE1 and SD2 of the CELPS and the requirements of chapter 7 of the NPPF.

Amenity

Local Plan policy DC3 seeks to ensure development does not significantly injure the amenities of adjoining or nearby residential properties through a loss of light, overbearing effect or loss of sunlight/daylight. In respect to the spacing standards, these are set out in the guidance contained within policy DC38 and the Cheshire East Design Guide.

The objections have been carefully considered. Although a lot of the adjacent properties have yet to be built the impact on them must be fully considered. To the west, plots 1 and 2 have been designed so that the amount of habitable windows facing onto plot 188 is minimised. Between the rear elevation of plot 2 and the side elevation of plot 188 on the adjacent land there is a distance of approx. 22m. When considering the surrounding development this distance is considered to be acceptable.

Plot 3 would be offset from the rear elevation of plot 182 on the adjoining site. The distance between the two properties would be approx. 19m, which is considered to be sufficient with the off-set relationship of the two properties.

There is a distance of approximately 23m between the rear elevations of plots 4 and 5 with the rear elevation of plot 181 on the adjacent site. When considering that the rear elevation of plot 181 is not parallel to the rear elevations of plots 4 and 5 this distance is considered to be acceptable.

The distance between the rear elevations of plots 6 and 7 to the side elevation of plot 189 on the adjacent site is approximately 27m which is sufficient.

It has been noted that due to the proposed buildings consisting of two and a half storeys a higher distance should be maintained between dwellings. While there is a further storey within the loft space the properties have been designed so that none of the windows to the loft storeys overlook adjacent properties.

In addition to the above, the site has existing mature trees and vegetation which would help retain privacy between the proposed dwelling and neighbouring properties and help filter visibility of the development as viewed from these occupiers.

The proposal is therefore considered to meet the stipulations of policies DC3, DC38, DC41 of the MBLP, and the Cheshire East Design Guide.

Highways

The original application included the proposed visibility splay to the east of the site obstructed by a protected mature Oak tree. Objections were raised to the impact of this on the safety of the new access from the Council's Strategic Infrastructure Manager. It is noted that the access is an existing access serving the existing dwellinghouse. However the intensification of this access caused by the increase from 1no. to 7no. dwelling raises concerns in terms of the safety of the access.

Following discussions amended plans were received at the beginning of this year with the removal of the protected Oak with mitigation planting further into the site, away from the visibility splay. Subject to the condition that all vegetation within the visibility splay in this direction is removed and this is maintained the objection from the Council's Strategic Infrastructure Manager is overcome.

Arboriculture and Forestry

For the proposed access and visibility splay to be considered acceptable by the Council's Strategic Infrastructure Manager the proposal would require the loss of a protected Oak tree, which the applicant has graded as a Low (C) category tree. The Council's Forestry Officer disputes this categorisation. The loss of the tree would be in direct conflict with policy SE5 of the Cheshire East Local Plan and saved policy DC9 of the Macclesfield Borough Local Plan.

A landscape layout (Barnes Walker Drawing M2708.02i) and Tree Removal and Mitigation Strategy has been submitted in support of the proposal. The mitigation proposed for the loss of the TPO Oak comprises of 6 No advanced Nursery Stock size Oak (*Quercus robur*) and 3 No Broadleaved Cockspur Thorn (*Crataegus prunifolia*). The proposed trees at advanced Nursery Stock will be 25-30cm girth (5-6 metres in height). The applicant states that the trees will provide an overall enhancement in landscape terms and whilst the proposed trees are of advanced Nursery Stock size, the trees would take some considerable time to reach the size and age of the protected Oak tree and therefore any overall enhancement would not be met in the short to medium term

For the reasons stated, The Council's Forestry Officer is unable to support the application as proposed.

Nature Conservation

No objections are raised regarding the impact of the proposed development on the nature conservation of the site.

Housing Land Supply

For the purpose of determining current planning applications it is the Council's position that there is a five year supply of deliverable housing land.

Economic Sustainability

With regard to the economic role of sustainable development, the proposed development will help to maintain a flexible and responsive supply of land for housing to a small extent as well as to some extent bringing direct and indirect economic benefits to the town including additional trade for local shops and businesses. However, it is only for seven dwellings and therefore the impact is limited.

CONCLUSION

The principle of the development can be accepted subject to there being no significant adverse impacts arising from it.

It would make a small contribution to the stock of housing and its construction and occupation would result in social and economic benefits.

The proposal ensures an appropriate level of development which is located within a sustainable urban location. The proposal would also not significantly or detrimentally impact the amenities of neighbouring occupiers.

However the loss of the protected Oak tree which is required in order to provide a safe access to the site would be unacceptable and contrary to policy SE5 of the Cheshire East Local Plan and saved policy DC9 of the Macclesfield Borough Local Plan. Significant weight is attached to this loss and would override any benefits of the proposal.

With this in mind the application is recommended for refusal for the following reason:

- 1. The proposed access would result in the direct loss of an existing tree which is the subject of the Macclesfield Borough Council (Wilmslow Park No. 2 Wilmslow) Tree Preservation Order 1974. The loss of this tree is considered unacceptable because of the impact upon the general amenity and character of the area in which the application site is located and would be contrary to policy SE5 of the Cheshire East Local Plan and saved policy DC9 of the Macclesfield Borough Local Plan.**

In order to give proper effect to the Committee's intent and without changing the substance of its decision, authority is delegated to the Head of Planning (Regulation) in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice

