

Application No: 10/0127M
Location: 53, GRANGE PARK AVENUE, WILMSLOW,
CHESHIRE , SK9 4AL
Proposal: LANDSCAPING OF REAR GARDEN & BOUNDARIES
INCLUDING RETAINING WALL

For MR P. WIGHTMAN

Registered 18-Feb-2010
Policy Item No
Grid Reference 384207 381897

Date Report Prepared: 23 June 2010

SUMMARY RECOMMENDATION

Approval subject to conditions

MAIN ISSUES

Design and impact on the character and appearance of the area
Impact on the residential amenity of neighbouring occupiers

REASON FOR REPORT

This application has been called into committee by Councillor Wesley Fitzgerald on grounds of the impact on residential amenity.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a detached dwellinghouse that is currently being extended under planning approval 09/1668M. The site is located on the western side of Grange Park Avenue where all sites rise steeply from west to east. The application site is located within a predominantly residential area of Wilmslow. The site is located on a residential street comprising properties that are similar in design and scale, with most having been extended in the past.

DETAILS OF PROPOSAL

Full planning approval is sought retrospectively for landscaping works to the rear garden of the site. The works have commenced on site at the same time as the extensions to the dwelling under planning permission 09/1668M.

RELEVANT HISTORY

47478PB FIRST FLOOR REAR EXTENSION
Approved, 18.12.1986

08/0410P SINGLE STOREY SIDE/REAR EXTENSION, RE-BUILD OF
SIDE GARAGE, LOWER GROUND FLOOR REAR
EXTENSION, LOFT CONVERSION AND EXTERNAL
ALTERATIONS
Approved with conditions, 16.04.2008

09/1668M PROPOSED ALTERATIONS, EXTENSIONS AND LOFT
CONVERSION

Approved with conditions, 05.08.2009

POLICIES

Regional Spatial Strategy

DP1 Spatial Principles

Local Plan Policy

BE1 Design Guidance

DC1 New Build

DC2 Extensions and Alterations

DC3 Amenity

DC38 Space, Light and Privacy

Other Material Considerations

Planning Policy Statement 1: Delivering Sustainable Development

OTHER REPRESENTATIONS

Two letters of representation have been received from neighbouring occupiers, raising objections to the proposed landscaping. The concerns raised are summarised as follows:

- The works are neither in keeping nor in character with the surrounding properties on Grange Park Avenue;
- Due to the height variations between the proposed works towards the bottom of the garden and the ground level of neighbouring gardens; the proposed works would result in overlooking which would be harmful to residential amenity;
- The proposed leylandii hedge measuring 3m in height would exceed the government recommended height of 2m; resulting in overshadowing of a patio area;
- A statement submitted by the applicant refers to a 2m height boundary wall to replace an existing 2m dilapidated fence. This could cause loss of light to a kitchen and be visually harmful to the streetscene.

Concerns were also raised with respect to noise, disruption and road congestion caused during the construction works. Additionally concerns were raised with respect to drainage.

OFFICER APPRAISAL

Principle of Development

The application site is located within a predominantly residential area as designated in the Macclesfield Borough Local Plan 2004. The acceptability of the works is therefore subject to planning policies relating to design and residential amenity.

Policy

Macclesfield Borough Local Plan Policies BE1, DC1 and DC2 seek to promote high standards of development that reflects local character in respect to design, use of materials, height, form and massing. Policies DC3 and DC38 seek to ensure the protection of the amenities of residential properties in the vicinity of the site. National guidance PPS1: Delivering Sustainable Development is also relevant and includes objectives to promote high quality and inclusive design.

Design

Full planning permission is sought for significant landscaping works to the rear garden of the application site. Properties situated along the southern side of Grange Park Avenue are characterised by long steeply sloping gardens. The works that have been undertaken have reduced the degree to which the garden previously sloped. The works that have taken place have involved the excavation of ground at the top of the garden, which has been utilised towards the bottom of the garden to create a raised ground area. The raised ground is supported by a retaining wall which currently measures approximately 2.2m at the furthest point adjacent to the northwestern boundary, and approximately 2.1m on the southeastern boundary.

Following initial concerns with regards to the degree to which the land levels have been altered in the context of the site, amended plans have been received to retain a degree of sloping within the site. Furthermore, the retaining wall and internal ground levels have been reduced. Consequently, at the furthest point, the retaining wall is proposed to be reduced by approximately 600mm in height and the ground level is proposed to be reduced by 400mm.

Consideration has been given to concerns raised with respect of the harmful impact on the character of the area. Macclesfield Borough Local Plan policies BE1, DC1 and DC2 seek to protect and enhance the character and appearance of the area. As such, in the context of the proposed scheme, a development should seek to achieve the following design principles:

1. Reflect local character:
2. Respect the form, layout, siting, scale and design of surrounding buildings and their setting; and
3. Contribute to the rich environment and add to the vitality of the area.

The proposed works relate to the rear of the site and are not be visible from public vantage points. It is in this respect that it is considered the proposed landscaping scheme does not have a detrimental impact on the character and appearance of the streetscene. Following the amendments made it is considered that the proposed works would not adversely impact upon the character and appearance of the area. It is considered that with appropriate landscaping the development can be achieved whilst remaining sympathetic to the neighbouring sites.

Amenity

Consideration has been given to concerns relating to overlooking, noise and disturbance.

Macclesfield Borough Local Plan policy DC3 states that *Development should not significantly injure the amenities of adjoining or nearly residential property due to:*

1. *Loss of privacy*
2. *Overbearing effect*
3. *Loss of sunlight and daylight*
4. *Noise, vibration, smells, fumes, smoke, soot, ash, dust or grit*
5. *Environmental pollution*
6. *Hazardous substances and industrial processes*
7. *Traffic generation, access and car parking.*

Whilst this policy acknowledges the impact of noise and traffic generation as being harmful to residential amenity; this policy relates to the continued generation of noise and disturbance following the completion of an approved development. In light of the temporary nature of the construction works in respect of a residential development, it is considered that there would be an acceptable level of impact on residential amenity in this respect.

Concerns raised primarily relate to the raised ground level and retaining wall situated towards the bottom of the garden. The proposed wall would be positioned approximately 1.1m from the common boundary shared with the north-western boundary and approximately 1.2m from the southeastern boundary. Due to the sloping nature of the site, at the highest point, the proposed retaining wall would measure 1.6 m in height, with a ground level of 1.1m above pre-existing levels.

The raised ground level at this point is positioned approximately 30m beyond the rear elevation of no.55 Grange Park Avenue and approximately 42m beyond the rear elevation of no.51 Grange Park Avenue. Due to the topography of the site in addition to existing boundary treatment and the distances specified, it is considered that the proposed development does not result in an unacceptable loss of privacy.

Concerns have been raised with particular reference to the overlooking of a patio area situated to the rear of no.55 Grange Park Avenue. Following a site visit, this property has two patio areas to the rear garden; the larger of which is situated directly beyond the rear elevation of the property and a second smaller area is situated towards the bottom of the garden. The latter is that referred to as an area of concern. This area is positioned adjacent to the proposed retaining wall. At this level following the amendments made, the proposed wall would measure 1.6m height, with an internal ground level of 1.1m.

It is accepted that there would be a degree of overlooking to this area; however there are a number of private spaces to the rear garden of this property that would not be affected by the proposed works. Notwithstanding

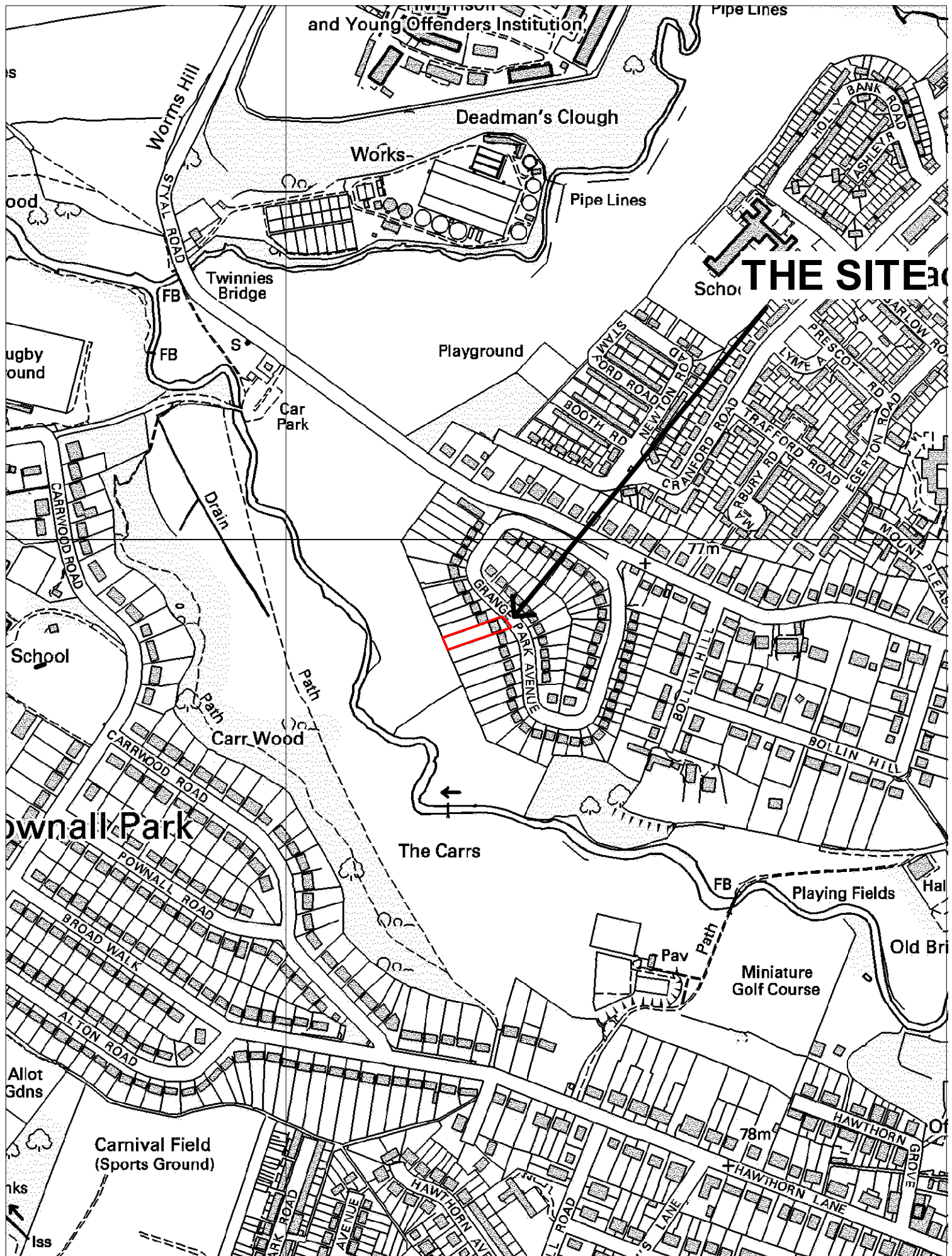
this, the applicant has agreed to a condition should planning approval be granted, to require screen planting of 2m in height along this boundary which would help to mitigate the impact on privacy and would also soften the impact of the retaining wall. It is therefore considered that the objections raised are not sufficient to warrant refusal of this application.

Other Mattersⁱ

Concerns from neighbours have been raised with respect of drainage and highway congestion during construction. These matters are not considered to be relevant to a household development such as this proposal. Issues of drainage would be dealt with through Building Control and any highway congestion during construction would be common to any household development in a residential area.

CONCLUSIONS AND REASON(S) FOR THE DECISION

In conclusion, following the amendments made to reduce the height of the retaining wall and subject to a landscaping condition, the proposed works are considered not to have a detrimental impact on the character and appearance of the area and residential amenity. The proposed landscaping proposal is therefore considered acceptable and compliant with MBLP policies BE1, DC1, DC2, DC3 and DC38. A recommendation of approval is therefore made.



10/0127M - 53 GRANGE PARK AVENUE WILMSLOW

N.G.R: 384.206 - 381.898

Reproduced from the Ordnance Survey map with the permission of HMSO.

© Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to legal or civil proceedings. Cheshire East Council, licence no. 100049045 2009.



Application for **Householder**

RECOMMENDATION : Approve subject to following conditions

1. A04AP - Development in accord with revised plans (numbered)
 2. A03LS - Submission of landscaping scheme for retrospective planning permission
 3. A07LS - Landscaping (implementation for retrospective planning application)
 4. A12LS - Landscaping to include details of boundary treatment
 5. Ground levels and retaining wall as shown on the revised plans to be implemented within 6 months
 6. Details of the finish of the retaining wall to be submitted and approved with 1 month
-