

Application No: 19/2254M

Location: FERNLEA, STANLEY ROAD, KNUTSFORD, CHESHIRE, WA16 0DJ

Proposal: Construction of 3 dwellings following demolition of the existing dwelling

Applicant: Mr Phil Thewlis, PLT Properties LTD

Expiry Date: 19-Jun-2020

SUMMARY

The application site lies within a predominantly residential area of Knutsford. Within such locations, new residential development is deemed to be acceptable in principle, subject to its adherence with all relevant policies of the development plan.

It is deemed that the design of the scheme responds well to its prominent location within the streetscene providing an attractive feature which also respects the character and heritage of Knutsford. The proposed redevelopment of the site has been designed in a way that will adequately protect the amenities of the occupiers of nearby dwellings.

The proposal is considered to overcome concerns of the local planning authority that have been expressed regarding previous attempts to redevelop this site.

The development creates no concerns in relation to; highways, landscape, trees, ecology or flood risk, subject to conditions.

Although objections to the development have been received, it is considered that the proposal is in accordance with the relevant policies of the Development Plan. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions on planning applications to be made in accordance with the Development Plan unless material considerations indicate otherwise.

For the above reasons, the application is recommended for approval.

RECOMMENDATION

APPROVE subject to conditions

REASON FOR REFERRAL:

This application has been called in to Northern Planning Committee by Councillor Tony Dean, for the following reasons;

1. *Is overdevelopment of the plot*
2. *Damages the amenity of the people living in Tynedale by overlooking*
3. *Includes gardens too small for adequate family space*
4. *Is not in keeping with the nearby properties in St. John's Road, and denigrates the nearby Conservation Area*

DESCRIPTION OF SITE AND CONTEXT

This application relates to a residential plot comprising of a detached bungalow and detached garage and associated garden, located on a prominent corner location between Stanley Road and an access to Stanley Road Trading Estate within a predominantly residential part of Knutsford.

There are two Conservation Areas within close proximity of the site comprising of the Town Centre Conservation Area on the opposite side of the road to the east of Libris Place and St John's Conservation Area on the opposite side of St John's Road.

DETAILS OF PROPOSAL

Full Planning permission is sought to demolish a large, detached bungalow and associated ancillary outbuilding and erect 3 dwellings.

The 3 dwellings would comprise of a pair of 3-storey, semi-detached, 3-bed properties and a single, detached 2-storey, 3-bed unit.

Revised plans have been received during the application process following detailed discussions with Council Officer's in order to overcome concerns in relation to heritage and design, given the prominence of the location.

RELEVANT HISTORY

17/6144M - Construction of 3 detached dwellings following demolition of the existing dwelling – Withdrawn 10th September 2018

05/1118P - Retention of Amendments To Applications 04/2398p And 05/0378p Including Raising Height Of Garage To 5.6m, Alterations To Fenestration And Raising Of Boundary Wall To 2.1m – Approved 19th July 2005

05/0378P – New Boundary Wall – Approved 13th April 2005

04/2395P - Erection of Detached Garage And 2 Metre High Boundary Wall – Approved 18th November 2004

03/2099P - Demolition of Bungalow and Erection Of 1 Detached Dwelling And 4 Town Houses (Resubmission Of Application 03/0501p) – Refused 22nd October 2003 – Appeal Dismissed 26th August 2004

03/0501P - Demolition of Detached Bungalow and Erection Of 1 No Detached Dwelling And 4 No Terraced Dwellings – Refused 16th April 2003

01/2843P - Demolition of Existing Bungalow & Erection of New Dwellinghouse & 7 Flats In A Two/Three-Storey Block – Refused 23rd January 2002

01/2305P - Demolition of Existing Bungalow & Erection of New Dwellinghouse & 7 Flats In A Two/Three-Storey Block – Withdrawn 30th October 2001

72137P - Ground Floor Extensions and New Access – 3rd November 1992

ADOPTED PLANNING POLICIES

The aspects of the Cheshire East Council Development Plan that are relevant to the application proposals include; the Knutsford Neighbourhood Plan, the Cheshire East Local Plan Strategy (CELPS) and the Macclesfield Borough Local Plan (MBLP). The relevant policies within that document are detailed below;

Knutsford Neighbourhood Plan (Made 14th March 2019)

C4 – Utilities, D1 – The Knutsford Design Guide, D2 – Local Distinctiveness, D3 – Landscape in New Development, D4 – Sustainable Residential Design, E5 – Pollution, HW1 – Health and Wellbeing, HE1 – Landmarks, Views, Vistas and Gateways, HE2 – Heritage Assets, HE3 – Conservation Areas, H1 – Housing mix, H2 – Previously Developed and Infill Development, T3 – Public Transport, T4 – Parking

Cheshire East Local Plan Strategy (CELPS)

MP1 - Presumption in favour of sustainable development, PG1 - Overall Development Strategy, PG2 – Settlement Hierarchy, PG7 - Spatial Distribution of Development, SD1 - Sustainable Development in Cheshire East, SD2 - Sustainable Development Principles, IN1 – Infrastructure, IN2 - Developer contributions, SC3 – Health and Wellbeing, SC4 - Residential Mix, SE1 – Design, SE2 - Efficient use of land, SE3 - Biodiversity and geodiversity, SE4 - The Landscape, SE5 - Trees, Hedgerows and Woodland, SE6 - Green Infrastructure, SE7 – This Historic Environment, SE9 - Energy Efficient Development, SE12 - Pollution, Land contamination and land instability, SE13 - Flood risk and water management and CO1 - Sustainable Travel and Transport

Macclesfield Borough Local Plan (MBLP)

DC3 - Protection of the amenities of nearby residential properties, DC6 - Circulation and Access, DC8 – Landscaping, DC9 - Tree Protection, DC13 & DC14 – Noise, PDC38 - Guidelines for space, light and privacy for housing development

Other material planning policy considerations

CONSULTATIONS (External to Planning)

Head of Strategic Infrastructure (HSI) – No objections, subject to an informative regarding entering into a S184 Agreement

Environmental Protection (Cheshire East Council) – No objections, subject to the following condition/s; implementation of noise mitigation measures, provision of electric charging points, provision of low emission gas boilers, submission/approval of a soil verification report (if soil is imported onto site) and that works should stop should contamination be identified. Informatives are also proposed.

United Utilities – No objections, subject to a number of conditions including; that foul and surface water be drained on separate systems, the prior submission/approval of a surface water drainage scheme and the prior submission/approval of a sustainable management and maintenance plan of drainage measures

Natural England – No objections

Flood Risk Manager – No objections

Network Rail – No objections, subject to informatives and conditions including; all drainage should be directed away from the railway & the prior submission of noise and vibration mitigation measures

Knutsford Town Council – Object to the proposed development for the following reasons;

- The development will lead to a loss of privacy to the adjacent property on Stanley Road and within the site due to the overlooking of principal windows to private garden spaces.
- The materials palette chosen are not sympathetic to the adjacent Conservation Areas.
- The gardens provided for plot three are insufficient as they do not provide an adequate amount of usable space for a family property.
- The council is concerned that the proximity of three storey properties to the junction of Stanley Road will create a narrowing effect to the street scene

OTHER REPRESENTATIONS:

Neighbour notification letters were sent to all adjacent properties in relation to the original submission. In response, comments were received from 7 interested parties. The main areas of concern raised included;

- Design – Out of keeping with surrounding area, overdevelopment of site (density), impact upon streetscene, loss of bungalows, height out of character
- Highway safety – Congestion, pedestrian safety, on-street parking concerns, disruption during construction, lack of parking provision
- Amenity – Loss of privacy, lack of proposed amenity space

- Proposals are similar to previous refusal/do not address issues

In response to the re-consultation on the revised plans, comments have been received from 3 properties. The main areas of concern include;

- Highway safety – on-street parking concerns
- Amenity – Loss of privacy
- Contrary to Knutsford NP policies for the following reasons
 - D1 (Knutsford Design Guide) – Does not compliment its surroundings or respond to localised conditions
 - D2 (Local Distinctiveness) – Does not deliver a scale, mass and density commensurate with surrounding townscape
 - HE3 (Conservation Areas) – Impact upon Conservation Area
 - H1 (Housing Mix) – Does not provide the housing type needed
 - H2 (Previously Developed and Infill Development) – plot ratio, scale and height not commensurate with surrounding townscape
- Design – General concerns regarding scale and massing adjacent to Tynedale

OFFICER APPRAISAL

Principle of Development

The application site is located within a predominantly residential part of Knutsford, where there is a general presumption in favour of development, just outside of the defined Town Centre as determined by the MBLP as well as being just outside the 'Central Zone' as defined by the Knutsford NP.

Policy PG2 of the CELPS identifies Knutsford as a Key Service Centre. Within such locations, development of a scale, location and nature that recognises and reinforces the distinctiveness of the town will be supported to maintain the vitality and viability.

Policy H1 of the Knutsford NP supports residential development on brownfield sites, (which the application site represents), which primarily seeks to deliver specific types of housing. This includes; 2/3 bedroom family housing and housing for older people.

The floor plans submitted with the application show that the proposals would each be 3-bed units. The policy also requires the applicant to demonstrate how they have delivered a mix of housing which responds to the site's specific location. In response, although all units are 3-bed units, the applicant has advised that all 3 dwellings would be suitable for young professionals, families or retired couples given the open plan layout and the sites sustainable location within walking distance to the local shops, restaurants, bars, parks, schools and very close to major transport links. These points are agreed with.

Policy H2 of the Knutsford NP states that new housing on previously developed land within the urban area should be approved, where such schemes are able to meet a number of design criteria including;

- Ensuring the proposed scheme has a plot ratio, density, scale and height which is commensurate with the surrounding townscape
- Preservation of vegetation (paraphrased)
- Provision of on-site parking (in accordance with Policy T4) including bin storage, which does not dominate the streetscene.

In response;

- The proposed dwellings would represent a total site coverage of 23%, which is just 4% more than the existing buildings on site.
- Libris Place (opposite) is around 40 meters in width and is some 10 meters in height. Plots 2 and 3 opposite are 24.9 meters across and 8.7 meters in height. As such, the pair of semi's is commensurable in form (albeit smaller) to Libris Place, opposite.
- Plot 1 has been designed so that the scale, massing and height is proportional to Tynedale
- The positions of the dwellings on the site now maximise the potential to open up the site and make efficient use of the available space on this triangular shaped plot.
- The design, with particular regards to the incorporation of the undercroft parking on Plots 2 and 3, creates scope to green up the street scene and further enhance the kerb appeal.
- Most mature vegetation would be retained and any trees removed will be replaced with a 3:1 ratio.
- Additional landscaping is proposed along the northern boundary to screen the road.
- Parking is provided to Cheshire East standards
- Appropriate bin storage is proposed

The proposal involves an increase in mass and scale of built form on the site compared to the existing situation. It is considered that this has been done in a sensitive and innovative way and for the above reasons, it is deemed that the proposal meets the requirements of Policy H2 of the Knutsford Neighbourhood Plan. The principle of development is considered to be acceptable.

Design

The application site is located in a prominent location and as such, it is deemed that design is a key element of the assessment.

In addition to the above design policies within the Knutsford NP for new residential development such as that proposed, Policy SE1 (Design) of the CELPS advises that the proposal should achieve a high standard of design and; wherever possible, enhance the built environment. It should also respect the pattern, character and form of the surroundings.

Policy SD2 of the CELPS states that development should contribute positively to an areas character and identity, creating or re-enforcing local distinctiveness in terms of; height, scale, form, grouping, choice of materials, design features, massing and impact upon the streetscene. These policies are supplemented by the Cheshire East Design Guide SPD.

Policy D1 of the Knutsford NP states that new development of all types and scales should be of a high design quality and complement its surroundings. Design solutions must positively

respond to localised conditions, landscape and built vernacular. All planning applications must demonstrate how schemes comply with the Design Guide or justify why they do not.

Following detailed discussions during the application process with the input of the Council's Urban Design Officer, the applicant arrived at the design now under consideration. The Council's Urban Design Officer, in response to the current proposals has assessed the design of the scheme against the criteria of the Cheshire East Design Guide SPD. This procedure breaks down the design assessment into 9 sections and supplements the design policies of the CELPS. It should also be noted that the design considerations of the Knutsford NP would be considered as part of this all-encompassing assessment. These sections are; sustainability of location, parking, storage, context and locally distinctive design, scale and massing, density, materiality, green infrastructure and environment. The acceptability of each section is assessed using a traffic light system in order to assess acceptability, with 'green' being acceptable, 'amber' meaning needs more work or 'red', meaning a fail. This assessment is broken down below;

Sustainability of location (Green)

The development is located close to Knutsford Town centre and is served by local transport links to local and national destinations. There are many local facilities within walking distance of the site.

Context and locally distinctive design (Green)

The proposal sits amidst traditional and contemporary designs with heights ranging from single-storey to three-storeys.

Whilst the illustration of the design appears contemporary, the base of the design comes from the classical proportions of the adjacent traditional buildings. The scale and proportion of window openings, bays and parapet details have been successfully transferred to the design. The development is in a prominent location, a short distance from Knutsford Station, Adams Hill and A50 Toft Road junction and provides the potential for a key gateway to this area. The design responds to this opportunity by providing a feature towards this junction and also a corner turning feature to St Johns Road/Stanley Road.

Scale and massing (Green)

The proposal respects and reflects the scale of the adjacent bungalow and apartments. The single dwelling reduces height to align with the adjacent bungalow's ridge line. Whilst this block is two-storeys, it forms the function of a bookend to St John's Road and corner turner with focal point/feature to Stanley Road.

The relationship of development on this site to the bungalows on St Johns' Road was a concern of an Inspector as part of a historical application that was refused (and subsequently dismissed) for 4 townhouses (ref: 03/2099P) in 2004. However, for the above reasons, the current proposals are deemed to overcome this as a concern.

The three-storey element of the proposal provides a gateway feature into the street, relocating street clutter and greening the street scene. The scale of this block is well proportioned and set back within the site to avoid any proximity issues with the three-storey apartment block opposite. This set-back also overcomes another concern raised by the Inspector on the

abovementioned previously dismissed appeal. Within the Inspector's decision, 'tunnelling' was deemed an issue as was the overbearing and dominant nature of the proposals upon the streetscene. However, on this historical application, the development sat at the front of the site parallel with Stanley Road and Libris Place opposite, whereas the application proposals are set well back. As such, this historical concern is deemed to have been nullified as a result.

Where there is a pinch point, screening and skew views are used to overcome any potential privacy issues. The rear of the proposal incorporates openings to provide natural surveillance to the access road to the trading estate rather than a blank façade.

Density (Green)

The development is located in the centre of Knutsford which is a mix of tight, high density grains and some lower density areas. Adjacent to the site is a mix of medium and high density residential along Stanley Road and low density retail/commercial development within Stanley Road Trading Estate/Booths and civic buildings fronting Toft Road.

Whilst the development replaces one dwelling with three, the latter is more characteristic of the density and built form within Knutsford Town centre and the adjacent site.

Materiality (Amber)

The materials palette (envelope and surface) reflects elements of the local architecture but would require further verification to ensure permeable and high quality specifications are being achieved.

Parking (Green)

The undercroft design ensures that cars do not dominate the street scene or amenity space, providing a secure and out of sight solution for two of the three homes. The existing boundary wall which sits adjacent to the pavement on Stanley Road is retained, providing an element of visual continuity along the street frontage.

Electric charge points are provided for each of the dwellings to enable future proofing and storage for alternative sustainable travel modes have been provided.

Storage (Green)

Cycle and bin storage have been provided, integrated into the design of the buildings.

Green infrastructure (Green)

Whilst the development does not incorporate areas of public realm, the enhancement of the street has been achieved by greening the existing wall and the addition of high level structural planting (trees).

There is individual amenity provision in addition to communal gardens to the front of the homes. Balconies provide access to further outdoor space that is enhanced with greened screens.

Environment (Green)

The design incorporates active aspects of sustainability from the inclusion of Roof top PV units for energy creation, Green roof for active greening, habitat creation and water attenuation. The use of green screening to the balconies not only provides visual shading but contributes to the greening of the street scene and vertical habitat. EV points to the parking spaces provide the opportunity for future proofing and encourage a more environmentally friendly form of transport.

This assessment concludes that 8 of the 9 criteria were assessed as 'green' with the remaining section, 'amber'. The amber assessment was in relation to 'materiality', simply because the specific detail of materials had not been provided. However, subject to the materials being conditioned for prior approval and the detail agreed at discharge of conditions stage, this too would be assessed as 'green'.

Within the Knutsford Design Guide, there is a section that states that the development of gardens within the town shall only be supported in exceptional circumstances and should subsequently meet a set of design criteria. Whilst it is accepted that part of this development would be on garden land, only 4% more of the plot is being developed than the existing built form that is to be demolished. Furthermore, this element of the Design Guide is only one part of many. The design of the scheme, in the round, is deemed to meet the vast majority of the requirements of the Knutsford Design Guide as well as the Cheshire East Design Guide. The scheme is considered to positively respond to the site's characteristics.

As such, it is deemed that the design of the proposed development is acceptable, adhering with the relevant design policies of the Development Plan.

Heritage

The application site lies within relative close proximity to two Conservation Areas. These comprise of St John's Conservation Area, located approximately 8 metres to the west and the Town Centre Conservation Area, located approximately 11-12 metres to the north-east, both on the opposing sides of highways. There is also a Grade II listed building 27 metres to the north-east within the Town Centre Conservation Area.

As such, the impact of the proposed development upon the setting of these heritage assets is a consideration.

Policy SE7 of the CELPS states that development should seek to avoid harm to heritage assets including their setting, and make a positive contribution to the character of Cheshire East's historic and built environment.

Policy HE1 of the Knutsford NP seeks to protect Landmarks, views, vistas and gateways. Policy HE2 seeks to conserve and protect heritage assets. Policy HE3 refers to Conservation Areas and the impact of development upon these.

The Council's Heritage Officer has been involved in detailed discussions helping to arrive at the latest set of proposals. In response to these the Heritage Officer has advised that although the proposal would be larger and more prominent adjacent to the Town Centre Conservation Area, it is her view that the proposal would relate in form and mass to the library/apartment development on the other side of Stanley Road. With carefully detailed elevations and complementary materials the Council's Heritage Officer has advised that this could result in the

creation of a gateway to St John's Conservation Area, creating a better form of urban design in an area which has little architectural or historic character currently.

The Heritage Officer goes on to state that she agrees with the Council's Urban Design Officer that this scheme is a good example of contemporary design.

Part of the concern of the Inspector back in 2004 was the impact of the dominance and visually intrusive nature of the development when viewed from the adjacent Conservation Areas. This is not a concern of the Council's Heritage Officer as part of this application. The 2004 scheme, as previously advised, was more prominent and intrusive largely because of its position at the front of the site, where most of the development in this instance, is pushed back towards the rear of the site.

On the above basis, the Council's Heritage Officer considers the scheme would improve the neutral impact of the existing bungalow on this unusual corner plot and would create a new positive character which would not harm the setting of the adjacent Conservation Areas.

The proposals are therefore deemed to adhere with Policy SE7 of the CELPS and policies HE1 to HE3 of the Knutsford Neighbourhood Plan.

Amenity

Policy DC3 of the MBLP states that development should not significantly injure the amenities of adjoining or nearby residential property or sensitive uses due to (amongst other considerations); loss of privacy, sunlight and daylight, an overbearing impact and environmental considerations.

Policy DC38 sets out separation standards as does the Cheshire East Design Guide. The separation standards within Policy DC38 of the MBLP state that for 3-storey properties, there should be a separation distance of 28 metres between habitable rooms and 16.5 metres where only one of the buildings impacted includes habitable rooms. However, the more up-to-date Cheshire East Design Guide SPD refers to the standards within the emerging SADPD, which sets a minimum standard separation distance for 3-storey development of 20 metres (front-to-front) and also encourages the *'use innovative, design led approaches to ensure privacy without slavishly responding to the minimum distances approach'*

Policy SE1 of the CELPS states that development should ensure an appropriate level of privacy for new and existing residential properties.

The closest neighbouring dwellings to the proposed development would be the occupiers of Tynedale a bungalow on the adjoining plot to the south-west and the occupiers of Libris Place, a part two-storey apartment block (with an internal second floor mezzanine level) on the opposite side of Stanley Road.

Tynedale

Tynedale is a detached bungalow on St John's Road. Its side elevation would lie parallel and 5.2 metres away from the dwelling proposed on plot 1.

There is a tall hedgerow between the sites at this juncture and within the relevant side elevation of Tynedale is a kitchen window (also served by another opening on the rear elevation), 2 doors and 2 roof lights.

Three openings are proposed on the proposed elevation closest to Tynedale (Plot 1).

Of these three, two would be obscurely glazed and non-opening. The third would be a ground-floor window to a kitchen which would be screened by boundary treatment. As such, subject to the obscure glazing being conditioned, no privacy issues for this neighbour are deemed to occur as a result of the proposals with regards to this elevation.

The occupiers of Tynedale have raised concerns about overlooking into their private amenity space from the openings within the side elevation of plot 2. To rectify this, the applicant has agreed to obscurely glaze all of the first and second floor windows on this elevation and this is shown on updated plans. The windows could also be non-opening up to 1.7 metres above floor level. Subject to these being conditioned accordingly, it is deemed that this is an effective solution. The rooms of the proposed dwellings would receive adequate light as the obscurely glazed windows would serve non-habitable rooms or, where they serve habitable rooms, at least one principal clear glazed window would exist in a separate elevation.

It is considered that the windows on the principal elevation of plot 2 are sufficiently offset from Tynedale so as not to result in a loss of privacy. As such, the privacy of the occupiers of Tynedale would be adequately safeguarded by the proposed development.

Given that none of the openings within the side elevation of Tynedale represent sole windows to principal habitable rooms, no significant concerns with regards to loss of light or visual intrusion are envisaged either.

It should be noted that as part of the dismissed appeal for 4 townhouses on this site back in 2004, where a two-storey dwelling was proposed in a similar location to that currently proposed, the Inspector found no amenity issues in relation to Tynedale.

Libris Place

The principal elevations of the dwellings sought on plots 2 and 3 which form the proposed semi-detached units would be between 12.1 metres and 27.6 metres away from the principal elevation of Libris Place. This variation in distances is because these semi-detached units would be erected at an angle to Libris Place.

The dwelling proposed on plot 1, the detached unit, would be approximately 14.5 metres away from the principal elevation of Libris Place.

Privacy

No concerns are raised about the proposed ground-floor accommodation of any of the 3 dwellings sought upon the occupiers of Libris Place, as this accommodation would be predominantly screened by existing and proposed boundary treatment.

In consideration of the dwellings proposed on plots 2 and 3, at first-floor level, the layout proposed seeks the inclusion of 8 openings facing in the direction of Libris Place (although offset). Working from the closest to the furthest openings to Libris Place, these would comprise of; x3 obscurely glazed windows which would be between 13.7m and 17m from Libris Place

and x5 clear windows between 19 and 27.6 metres from Libris Place. These clear windows are deemed sufficiently far enough away and sufficiently offset so not to result in privacy concerns.

At second floor, again 8 openings are also proposed. In addition, x3 balconies are sought. Working from the closest to the furthest openings to Libris Place, these would comprise of; x7 screened openings (balconies by a 1.9 metre-tall, green wall/screen and windows by obscure glazing). These would account for all openings between 12.1m and 22m from Libris Place. The remaining 2 openings would comprise of clear windows, but these would be between 24.5 and 26.5 metres from Libris Place, far enough away so not to cause concern with regards to privacy.

For the above reasons, it is not deemed that the dwellings proposed on plots 2 and 3 would significantly injure the privacy of the occupiers of Libris Place.

In terms of the dwelling proposed on plot 1, at first-floor level, the layout proposed seeks the inclusion of 4 openings facing in the direction of Libris Place (although offset). Working from the closest to the furthest openings to Libris Place, these would comprise of; x3 obscurely glazed windows which would be between 14.8m and 21.5m away from Libris Place and x1 clear window 25 metres from Libris Place.

As the only clear opening proposed would be approximately 25 metres from Libris Place, it is not considered that the dwelling proposed on Plot 1 would significantly injure the privacy of the occupiers of Libris Place.

Loss of privacy to the occupiers of Libris Place was a concern of the Inspector on the 2004 appeal. However, this proposal differs as previously explained as the application proposals are set-back within the site whereas this historical proposals were forward of the site, closer to Libris Place.

Light

The application units would be located to the south of Libris Place, therefore, there is a potential for the development to impact upon the light of the occupiers of this neighbouring block mostly in the winter months. In response to this concern, the applicant commissioned a daylight and sunlight survey. This concluded that none of the proposed development would breach the light standards as set out in the widely used BRE Report '*Site Layout Planning For Daylight and Sunlight – A guide to good practice*'. As such, there are no concerns regarding a loss of light as a result of the development upon Libris Place.

Loss of light was not a concern of the Inspector as part of the 2004 application which was closer to Libris Place than the current application proposals.

Visual obtrusion

Although 3-storeys in height, it is deemed that the flat-roofed nature of the building, with a maximum height of 8.6 metres, a typical height of a two-storey dwelling, in conjunction with the off-set relationship to Libris Place, ensures that the occupiers of Libris Place should not be detrimentally impacted in relation to visual obtrusion.

Again in 2004, the Inspector did not raise visual obtrusion as a concern.

Amenity of future occupiers

Each of the 3 dwellings shall be afforded a private amenity area (garden space), sufficient for them to undertake normal activities such as sitting outside, having a BBQ or hanging out washing. Although the level of private amenity space provided to plot 3 appears limited, the plans show an additional amenity area forward of the dwelling proposed on plot 2, which would be shared between plots 2 and 3, providing additional space. There are no minimum standards within existing policy.

In terms of loss of privacy, light or visual obstruction, clearly plots 2 and 3 would not directly impact each other. The south-east elevation of plot 1 has the potential to result in a loss of privacy for the future occupiers of Plot 2, in terms of their private amenity space. As such, the x2 first-floor bedroom windows proposed within plot 1 that would be obscurely glazed in the event of approval.

Environmental considerations

The Council's Environmental Protection Officer has reviewed the submission and advised that they have no objections, subject to the following condition/s; implementation of noise mitigation measures, provision of electric charging points, provision of low emission gas boilers, submission/approval of a soil verification report (if soil is imported onto site) and that works should stop should contamination be identified.

As a result of the above reasons, subject to the suggested conditions (minus the gas boiler condition as it is not deemed to meet the conditions tests and should be dealt with under Building Regulations), it is considered that the application proposals would adhere with Policy DC3 and DC38 of the MBLP and the amenity aspects of Policy SE1 of the CELPS.

Highways

The application proposes to retain the existing access and create a new, second access 9 metres further to the west to serve the dwelling proposed on plot 1.

Two off-street parking spaces are proposed for each of the 3 dwellings as well as turning space.

The Council's Head of Strategic Infrastructure (HSI), has reviewed the proposals and advised that there are no material highway implications associated with the above proposal. The proposal for access to each of the dwellings is acceptable and there is sufficient space within each plot for off-street parking provision to be in accordance with CEC parking standards. All vehicles can safely enter and exit each parking space in a forward gear.

No highways objections are raised subject to an informative regarding entering into a S184 Agreement for the new vehicular access.

Subject to the above and a condition to implement the access, the proposal is deemed to adhere with the requirements of Policy DC6 of the MBLP.

Landscape & Trees

The site falls within a predominantly residential area of Knutsford and relates to an existing residential plot. The existing site has a brick wall on the Stanley Road frontage and the frontage off the access road down to the trading estate. The northern corner and along St John's Avenue is hedgerow.

The application seeks to retain the majority of this existing arrangement and replace to match existing where necessary. It is not considered that the proposal would result in any wider landscape considerations subject to a condition for the specific detail of the boundary treatment to be agreed.

In relation to trees, the Council's Tree Officer has advised that she has no concerns, subject to the submitted tree protection measures identified in the AIA, Arboricultural Method Statement, Tree Protection Report and Tree Protection Plan, being conditioned for implementation.

As such, subject to the conditions as suggested, the application is deemed to adhere with the relevant landscape and tree policies of the Development Plan.

Ecology

The application site falls within Natural England's SSSI impact Zone (Tatton Meres). Natural England have reviewed the proposals and advised that they have no objection to the proposals as they do not consider they will have a significant adverse impact upon this statutory protected site.

The Council's Nature Conservation Officer has advised he has no objections to the proposed development, subject to a number of conditions including; a condition to protect nesting birds, the prior submission/approval of breeding bird and roosting bat features and that the landscaping scheme be updated so it includes the retention and enhancement of existing hedgerow where possible and compensatory replacement where possible.

Subject to these conditions, the proposal is therefore deemed to adhere with Policy SE3 of the CELPS and the ecology policies of the development plan.

Flood Risk and Drainage

The application site does not fall within a Flood Risk Zone 2 or 3 and is not of a scale that triggers the requirement of a Flood Risk Assessment (FRA) or sequential test to accompany/be considered as part of the application. As such, no flood risk concerns are raised and the Council's Flood Risk Officer has raised no objections.

In relation to drainage, United Utilities have been consulted and have advised that they have no objections, subject to a number of conditions including; that foul and surface water be drained on separate systems, the prior submission/approval of a surface water drainage scheme and the prior submission/approval of a sustainable management and maintenance plan of drainage measures.

Subject to the above recommended conditions, the application is deemed to adhere with Policy SE13 of the CELPS and the other drainage policies of the development plan.

PLANNING BALANCE, CONCLUSIONS AND REASON(S) FOR THE DECISION

The application site lies within a predominantly residential area of Knutsford. Within such locations, new residential development is deemed to be acceptable in principle, subject to its adherence with all relevant policies of the development plan.

It is deemed that the design of the scheme responds well to its prominent location within the streetscene providing an attractive feature which also respects the character and heritage of Knutsford. The proposed redevelopment of the site has been designed in a way that will adequately protect the amenities of the occupiers of nearby dwellings.

The proposal is considered to overcome concerns of the local planning authority that have been expressed regarding previous attempts to redevelop this site.

The development creates no concerns in relation to; highways, landscape, trees, ecology or flood risk, subject to conditions.

Although objections to the development have been received, it is considered that the proposal is in accordance with the relevant policies of the Development Plan. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions on planning applications to be made in accordance with the Development Plan unless material considerations indicate otherwise.

For the above reasons, the application is recommended for approval.

RECOMMENDATION: APPROVE subject to the following conditions;

- 1. Time (3 years)**
- 2. In accordance with approved plans**
- 3. Submission/approval of facing and roofing materials**
- 4. Obscure glazing - Implementation**
- 5. Obscure balcony screens – Implementation**
- 6. Noise mitigation - implementation**
- 7. Electric Vehicle Charging Points**
- 8. Soil verification**
- 9. Works to stop if contamination identified**
- 10. Implementation of access**
- 11. Landscape - implementation**
- 12. Submission/approval of boundary treatment**
- 13. Submission/approval of levels**
- 14. Trees protection - Implementation**
- 15. Nesting birds**
- 16. Submission/approval of breeding bird and roosting bat features**
- 17. Foul and surface water be drained on separate systems**
- 18. Submission/approval of a surface water drainage scheme**

- 19. Submission/approval of a sustainable management and maintenance plan of drainage measures**
- 20. Removal of PD Rights A-E**

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning, 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.

