

Application No: 20/1170M

Location: DALE BROW COTTAGE, 63, MACCLESFIELD ROAD, PRESTBURY, SK10 4BH

Proposal: Demolition of existing detached two storey dwelling and replacement with a new detached two storey dwelling.

Applicant: Mr & Mrs Bridge

Expiry Date: 18-May-2020

SUMMARY

The application site comprises a vacant two-storey detached dwelling fronting onto Macclesfield Road on the outskirts of Prestbury. The application proposes a replacement two-storey dwelling.

The proposal is considered to represent an appropriate form of development in an existing residential area of Prestbury. The scheme would be acceptable in design terms, being appropriate to the area in terms of overall form and architectural character, would not be detrimental to the amenity of neighbouring residents, and would be acceptable in terms of air quality and ground contamination, subject to conditions. The proposal would also be acceptable in terms of highways safety, flood risk, and impacts on nature conservation, tree protection, and the landscape, and would not give rise to any other significant impacts. The application is therefore in accordance with adopted planning policy and is recommended for approval.

RECOMMENDATION

Approve with conditions

REASON FOR REFERRAL

The application has been called to Committee by the local Ward Member, Cllr Findlow for the following reasons:

“Concerns expressed by neighbours, and the Parish Council relating to:

- 1. De minimis differences compared with previous rejected/withdrawn proposals.*
- 2. Deleterious impact on the amenity and privacy of neighbours.*
- 3. Adverse overbearing impact on the local character and environment of the Dale Brow area.*
- 4. Incongruous, unsympathetic impact on the immediate area, where there are no georgian style properties.*

5.The excessive mass, height, scale and general proportions of the proposal, which is out of keeping with the area, and excessive given the limited plot size.”

SITE DESCRIPTION AND CONTEXT

The application site is a residential property comprising a large two-storey house with rear gardens, fronting onto Macclesfield Road to the south of the centre of Prestbury. The building is partly derelict, with outdoor spaces heavily overgrown. The site is placed on the corner of Macclesfield Road and Squirrels Chase, an access lane serving the site and a group of houses to the side and rear.

The site is surrounded on all sides by residential properties, mainly comprising large detached houses. The site is in an area designated by the Macclesfield Borough Local Plan as being predominantly residential and a Low Density Housing Area.

DETAILS OF PROPOSAL

The application seeks full planning permission for a replacement dwelling.

The proposed building is similar in terms of form, layout and architectural character to two recent previous applications (19/0622M and 18/3093M) which were withdrawn by the applicant following concerns relating to the impact upon the character of the area. It was considered that the scale and character of the previous proposals and the prominent location of the site would have combined to result in an unacceptable impact on the character of the area..

There is also a pending application (19/5535M) with the Council which is a resubmission of an earlier, expired permission 08/2276P, which was also for a replacement dwelling.

RELEVANT PLANNING HISTORY

19/5535M - Construction of new single dwelling house with attached garage (identical scheme to planning approvals 09/1514M and 12/2504M). *Pending determination.*

19/0622M - Construction of a new single dwelling house with attached garage. Withdrawn, 20-May-2019

18/3093M - Construction of a new single dwellinghouse with attached garage. Withdrawn, 15-Aug-2018

13/0074M - Demolition of existing dwelling and erection of 4 semi-detached dwellings. Refused, 14-Mar-2013. Appeal dismissed, 14/01/2014

12/2504M - Extension To Time on Application 09/1514M. Approved with conditions, 10-Oct-2012

09/1514M - MINOR WORKING AMENDMENTS TO PREVIOUS APPROVAL REF 08/2276P. Approved with conditions, 24-Jul-2009

08/2276P - REPLACEMENT DWELLING. Approved with conditions, 12-Dec-2008

08/1675P - DEMOLITION OF EXISTING DWELLING AND ERECTION OF A TERRACE OF 5 THREE BED DWELLINGS. Refused, 17-Sep-2008

08/0859P - REPLACEMENT DWELLING- RESUBMISSION OF 07/3085P. Withdrawn, 30-May-2008

08/0812P - DEMOLITION OF EXISTING DWELLINGS AND ERECTION OF A TERRACE OF 4 DWELLINGS. Withdrawn, 30-May-2008

08/0804P - DEMOLITION OF EXISTING DWELLINGS AND ERECTION OF 2 DETACHED COTTAGES. Withdrawn, 30-May-2008

07/3085P - REPLACEMENT DWELLING. Withdrawn, 12-Feb-2008

POLICIES

Cheshire East Local Plan Strategy (CELPS)

MP 1 Presumption in Favour of Sustainable Development

SD 1 Sustainable Development in Cheshire East

SD 2 Sustainable Development Principles

SC 3 Health and Well-Being

SE 1 Design

SE 2 Efficient Use of Land

SE 3 Biodiversity and Geodiversity

SE 4 The Landscape

SE 5 Trees, Hedgerows and Woodland

SE 12 Pollution, Ground Contamination and Land Instability

SE 13 Flood Risk and Water Management

Macclesfield Borough Local Plan (Saved Policies) (MBLP)

NE3 Landscape Conservation

NE11 Nature Conservation

H12 Low Density Housing Areas

DC3 Design – Amenity

DC6 Design – Circulation and Access

DC9 Design – Tree Protection

DC10 Landscaping and Tree Protection

DC35 Residential - Materials & Finishes

DC37 Residential - Landscaping

DC38 Residential - Space, Light and Privacy

There is no neighbourhood plan for Prestbury

Supplementary Planning Guidance

Cheshire East Design Guide
Prestbury Village Design Statement SPD (2007)
Prestbury SPD (2011)

Other Material Considerations

National Planning Policy Framework (2019)
National Planning Practice Guidance

CONSULTATIONS (External to Planning)

Head of Strategic Infrastructure – No objections

Environmental Health – No objections subject to conditions / informatives relating to working hours, working arrangements for piling work, approval of a dust management plan, provision of electric vehicle charging point, use of ultra low emission boilers, and ground contamination risk assessment and mitigation.

United Utilities – Advice on sustainable drainage hierarchy, wastewater service and fresh water supply.

Lead Local Flood Authority – No objections, the applicant should select a drainage strategy that follows the drainage hierarchy set out in Part H of the building regulations.

Prestbury Parish Council – Object on the grounds that the application does not comply with policy SD 1, SD 2, Prestbury Design Statement, policy BE 1. The Parish Council do not object to the redevelopment of the site but there is concern about this proposed design. It does not contribute to the area's character in terms of its relationship to neighbouring properties, the street scene and the wider neighbourhood in terms of height, scale and form.

REPRESENTATIONS

Neighbours/interested parties – Seven letters of representation have been received from six addresses, comprising four letters of objection and three letters supporting the application.

Objections have focussed on the design of the proposal, raising concerns including the scale and massing of the building, the overall design character and its suitability to the character of the area. Objections were also made in terms of the amenity impact on the adjacent property at Dale Brow Farm to the north-east side and 3 Squirrels Chase to the rear, in terms of light and sight and overlooking.

Supporting comments noted that the proposal will redevelop the derelict site and so will improve the neighbourhood, and will be in keeping with the character of Prestbury, noting that the village has a mix of building styles.

OFFICER APPRAISAL

Principle of Development

The application site is an existing residential property within an area designated as being predominantly residential, wherein new residential development and redevelopment is appropriate in principle, subject to all other relevant planning considerations.

Design

Policies SE 1 and SD 2 of the CELPS seek to ensure that development is of a high standard of design which reflects local character and respects the form, layout, siting, scale, design, height and massing of the site, surrounding buildings and the street scene. CELP policy SD 2(1) (ii) states development should contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of height, scale, form and grouping, materials, external design and massing.

The current proposal is considered to be acceptable in design terms. Previous submissions were considered to be somewhat at odds with the character of the local area, in terms of overall mass and volume and design character. Amendments made to the current proposal are considered to have overcome these concerns. In particular, the height of the proposal has been further reduced, and landscaping proposals are also less formal than previously proposed.

The design officer has reviewed the proposals and provided the following comments:

"The scale is appropriate to the street scene with the building now sitting well, in between the adjacent buildings. The L shaped form serves to provide the focal point at the corner and the reduction and breakdown of the massing to the rear works well with the surrounding forms.

Although the width appears to be similar, the execution of the architectural detailing and more classic placing of the openings make the front façade more refined and less overbearing than before. The style of the roof, using a mansard with sprocket eaves works well to reduce the bulk of the roof and give the appearance of a lower overall height is very effective.

The more rural styling of the front boundary and layered landscaping response, particularly the less formal tree planting works well with the existing street scene.

Overall I would be happy to support this revised application as a more refined and considered design that reflects the core character of Prestbury and the adjacent context in terms of the scale and massing of the proposal."

It is considered that the proposed replacement dwelling will contribute positively to the character and identity of the local area. The immediate surroundings and Prestbury more widely includes a variety of architectural forms and styles. Development in the immediate area along and to the rear of Macclesfield Road largely comprises larger houses, and the proposal will reflect this. The current condition of the site significantly detracts from the character and appearance of the area, particularly due to its prominent position in the street scene along one of the main roads into Prestbury. Following the revisions to the proposal compared to previously applications, it is considered that the scale and architectural style of the building would be acceptable with regards to the established character of the area. The redevelopment of the existing derelict site would therefore contribute positively to the character and identity of the local area, and would therefore support the objectives of policy SD 2,

subject to further details on facing materials, landscaping and boundary treatments, which can be dealt with by condition.

The Prestbury Village Design Statement SPD (2007) also provides guidance on the particular design elements of the built environment in different areas of the village. The site lies within the Macclesfield Road Mid and South and its Environs area, and the proposed development appears to accord with the recommendations set out for development in the area, including through the avoidance of high walls and imposing gates. It is also considered that the proposal would comply with the more general guidance set out in the Statement, including that the proposal will conform to the density of the immediate area, and that materials, landscaping and boundary treatments should be appropriate to the properties around them and harmonise with the semi-rural character of the area.

Objective 3 of the Prestbury SPD is that the overall scale, density, height mass and materials of new development must normally be sympathetic to the character of the local environment, street scene, adjoining buildings and the site itself. Objective 5 is that new and replacement dwellings in certain areas, including along Macclesfield Road should, where appropriate, seek to retain existing boundary hedges and stone walling along road frontages. The proposal would include a stone boundary wall at the frontage and it is considered that this would support Objective 5 of the SPD.

The site is located in an area designated as being a Low Density Housing Area, by saved policy H12 of the Macclesfield Borough Local Plan. H12 notes that new housing development within such areas should meet certain criteria relating to the character of the existing area, plot widths and spacing, an overall density. It is considered that the proposed redevelopment of the site to replace one existing dwelling with a new detached dwelling would accord with these requirements and would comply with policy H12.

Living conditions

Saved policy DC3 of the MBLP requires that new development should not significantly injure the amenities of adjoining or nearby residential property or sensitive land uses due to loss of privacy, overbearing effect, loss of sunlight or daylight, or other forms of disturbance and nuisance.

Saved policy DC38 of the MBLP sets out guideline separation distances for new residential development, including minimum distances between windows, to ensure adequate space, light and privacy.

The site is surrounded by four detached houses, Dale Brow Farm to the north, 3 Squirrels Chase to the east, 2 Squirrels Chase to the south, and Fairfield Cottage to the west, on the far side of Macclesfield Road.

Dale Brow Farm (61 Macclesfield Rd)

The proposal will not feature any first floor windows facing towards Dale Brow Farm. Furthermore, the closest elevation of Dale Brow Farm comprises of a blank elevation and will therefore not result in any overlooking or loss of privacy. The two-storey element of the proposal would be located around 6.6m from the shared boundary, with the single-storey element around 3.8m from the boundary. Owing to the separation distance the two-storey

element of the proposal would not result in harmful overshadowing or loss of light to the neighbouring property.

2 Squirrels Chase

The proposal will include one first-floor side-facing window oriented towards windows at 2 Squirrels Chase facing towards the site, but this will be set around 21m from the boundary of the application site (and around 30m from the windows in question). As such it is not considered that it will cause a harmful loss of privacy. The proposed house will be positioned to the north and will be set sufficiently distant from 2 Squirrels Chase to avoid a harmful loss of light or overbearing effect.

3 Squirrels Chase

3 Squirrels Chase is set to the rear of and at a lower level than the application site.

For two-storey houses, the guidelines in DC38 require a separation distance of 25m between windows serving habitable rooms in a rear-to-rear elevation arrangement. Where there is a difference in ground level between adjacent houses, the separation distance is required to be increased by an additional 2 metres per 2.5m difference in level.

As indicated on the submitted site plan, the ground level between 3 Squirrels Chase and the proposed dwelling would differ by up to around 5m (both houses would have varying ground levels), resulting in increased recommended separation distance of 29m. All of the ground and first-floor windows serving habitable rooms at the rear of the proposed house would be at least 33m away from the windows at the front elevation of 3 Squirrels Chase, thereby exceeding the recommended separation distance. The single-storey element of the proposal (the garage) will be placed closer to the facing elevation of 3 Squirrels Chase (20m wall-to-wall) but with a maximum height of 4.5m and with no windows facing towards the neighbouring property, would not create any particular amenity concerns. A condition relating to existing and proposed land levels is recommended to ensure that any change in levels does not result in any significantly adverse impacts upon the living conditions of neighbours or the character of the area.

Accordingly, it is considered that the proposal would not result in significant harm arising from loss of light, overshadowing or visual intrusion, or loss of privacy or overlooking, to 3 Squirrels Chase.

Fairfield Cottage

Owing to the scale and layout of the proposal and the distance to Fairfield Cottage, it is not considered that the proposal would result in harm to its occupants, including in terms of loss of light, visual intrusion or loss of privacy.

For these reasons, it is considered that the proposed development would be acceptable in terms of the amenity requirements of saved policies DC3 and DC38 of the MBLP.

Highways

The proposed attached garage will provide three parking spaces, with an external parking area at the north-east corner of the site sufficient to accommodate a further three cars. Parking provision will therefore satisfy the CELPS parking standards requirement for three off-road parking spaces for a four bed house as proposed. As with the existing property, the site

will accessed off Squirrel's Chase, from a slightly repositioned gateway. The highways officer has raised no objection to the proposal, noting that sufficient off-street parking would be provided within the site and that access arrangements would be similar to the existing situation.

Flood Risk

The application site does not fall within an area at significant risk of flooding. As such no flood risk concerns are raised and the Lead Local Flood Authority (LLFA) has raised no objections, recommending that development should be drained in accordance with the hierarchy of drainage set out in Building Regulations. The application is deemed to comply with policy SE 13 of the CELPS, which broadly requires that new development should reduce flood risk.

Nature Conservation

Policy SE 3 of the CELPS notes that all development must aim to positively contribute to the conservation and enhancement of biodiversity and geodiversity and should not negatively affect these interests. The nature conservation officer has advised that the proposal is acceptable in terms of impacts on nature conservation, subject to conditions requiring a nesting bird survey prior to the removal of the existing building or vegetation during the breeding season, and for the incorporation of nesting bird features into the development, which would provide the necessary biodiversity enhancement as required by policy SE 3 of the CELPS. A daytime inspection for bats and a bat activity survey were carried out in the early part of the 2019 survey season. These surveys were updated in 2020 and the conclusion was that there is no evidence that the site currently contains a legally protected bat roost. Bats therefore do not present a constraint to the development. Subject to the conditions above, it is considered that the proposal would support the objectives of policy SE 3.

Air Quality and Ground Contamination

Policy SE 12 of the CELPS notes that development should support improvements to air quality and seek to promote sustainable transport policies. The Environmental Protection Officer for Air Quality has recommended that the development should be served by electrical vehicle charging infrastructure comprising a single charging point to support the objectives of SE 12. It is considered that this would be an appropriate means of supporting the policy and that the charging point would be required to ensure that the development is acceptable in terms of SE 12.

SE 12 also notes that development for new housing will not normally be permitted where existing soil contamination or other pollution levels are unacceptable and there is no reasonable prospect that these can be mitigated against. The Environmental Protection Officer has noted that the site appears to have been recently used for storage of unknown materials, and that these may result in potential for localised contamination. Accordingly, they have recommended conditions requiring a ground contamination risk assessment, ground investigation, and if necessary submission and implementation of a contamination remediation strategy. The Environmental Protection Officer also recommended conditions for contamination checking of any soil or soil-forming materials brought onto site for landscaping purposes, and for dealing with unexpected contamination found during development. It is

considered that these requirements are appropriate and proportionate to ensure that the proposal complies with SE 12.

Other matters

There would not be any significant arboricultural implications owing to the limited value of trees within and outside the application site, and the limited impacts on the health of those trees, as identified by an arboricultural impact assessment submitted with the previous application and assessed by the Forestry Officer. The Forestry Officer has reiterated their advice with regard the revised proposal now under consideration, and has advised that no arboricultural conditions are required.

The site does not lie within a Local Landscape Designation Area and the landscape officer has advised that the proposal would not result in any significant landscape or visual impacts and raised no objections. For these reasons, and particularly given the current condition of the site, it is considered that the proposal would be acceptable in terms of impacts on the landscape.

CONCLUSIONS

The proposed development is considered to represent an appropriate form of development within an existing residential area, which would be acceptable in design terms and in terms of impacts on residential amenity, highways safety, the landscape, nature conservation, trees and flood risk. Public objections in terms of design and amenity are acknowledged, and have been considered in the preceding text, however, for the reasons set out above it is considered that the proposal would accord with the relevant policies of the development plan, and is therefore recommended for approval, subject to the following conditions.

- 1) 3-year commencement**
- 2) Development in accordance with approved plans**
- 3) Details of facing materials to be submitted**
- 4) Landscaping and boundary details to be submitted**
- 5) Landscape implementation**
- 6) Existing and proposed levels details to be submitted**
- 7) Electric Vehicle charging point to be provided**
- 8) Ground contamination risk assessment and mitigation**
- 9) Checking soil and soil-forming materials**
- 10) Discovery of unexpected contamination**

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 Chairman) 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.

