

Application No: 10/2821M
Location: HENBURY HIGH SCHOOL, WHIRLEY ROAD, MACCLESFIELD, SK10 3JP
Proposal: ERECTION OF 31 DWELLINGS (PROPOSED REVISIONS TO PART OF PLANNING PERMISSION 05/1184P)

For GEORGE WIMPEY MANCHESTER LTD

Registered 27-Jul-2010
Policy Item No
Grid Reference 389052 373848

Date Report Prepared:
8th October 2010

SUMMARY RECOMMENDATION	Approve with conditions
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MAIN ISSUES

- Impact of the proposed development on the character and appearance of the area
- Design
- Impact on residential amenity
- Impact on trees
- Landscape and nature conservation issues
- Highway safety
- Housing policy
- Revisions to the Legal Agreement attached to application 05/1184P

REASON FOR REPORT

The proposal is for the erection of 31 dwellings. The Council's scheme of delegation requires the application to be determined by the Northern Planning Committee.

DESCRIPTION OF SITE AND CONTEXT

In February 2006, Macclesfield Borough Council granted planning permission for the redevelopment of Henbury High School for the erection of 123 dwellings. In addition, the permission included an area of Public Open Space comprising a pavilion, a children play area, 2 multi use games areas (MUGA's) and associated car parking for the playing pitches in addition to two access points off Whirley Road.

The committee report for application 05/1184P is attached (as Appendix 1), which highlights the requirements of the Section 106 Agreement. The majority of the issues have been resolved and the capital raised from the development has been used by the former Cheshire County Council to help fund the Macclesfield Learning Zone development and relocation of the synthetic turf

football pitch to Fallibroome High School (now The Fallibroome Academy). The pitches were installed 3 to four years ago.

It should be noted that an application which seeks to revise the design of the pavilion has been submitted by the developer and is being considered by the Northern Committee under application no. 10/3085M, elsewhere on this agenda.

The majority of the first phase of the development (approx. 100 dwellings) has been completed. The estate is known as Jasmine Park.

DETAILS OF PROPOSAL

This proposal seeks the erection of 31 dwellings on an area of the overall site which benefits from planning permission under application 05/1184P for 22 dwellings. The previously approved scheme included 16 no. four bedroom houses and 6 no. five bedroom houses, whereas the proposed dwellings would constitute 15 no. mews properties (2 no. 2 bedroom and 13 no. 3 bedroom) and 12 no. 4 bedroom and 4 no. 5 bedroom detached houses.

RELEVANT HISTORY

05/1184P Erection of 123no. dwellings & area of public open space comprising single storey pavilion, childrens play area, 2no. multi-use games areas, associated car parking & 2no. separate vehicular accesses off Whirley Road – Approved (Subject to a S106 Legal Agreement) 27.02.06

The phasing and delivery of the various requirements of the Section 106 Agreement attached to application 05/1184P have been delegated to the Head of Planning and Policy. It is understood that the Agreement will be completed following the completion of this application.

POLICIES

Local Plan Policy

RT1- Open Space

H1 – Housing Policy

H2 – Environmental Quality in Housing Developments

H5 – Windfall Housing Sites

H8 and H9 – Provision of Affordable Housing

DC1 – New Build

DC3 - Amenity

DC6 – Circulation and Access

DC8 – Landscape

DC9 – Tree Protection

DC37 - Landscape

DC38 – Space, Light and Privacy

Other Material Considerations

Planning permission 05/1184P is a partially implemented planning consent which is a material consideration in determining this application.

CONSULTATIONS (External to Planning)

Highways:

The Strategic Highways Manager makes no objections to the internal changes to the road layout proposed as part of this application and the level of parking provision proposed. The highway conditions included on planning permission 05/1184P should be re-attached to this application.

Environmental Health:

The Contaminated Land Officer has no objection to the application subject to conditions. It is noted that the application is for new residential properties which are a sensitive end use and could be affected by any contamination present. The existing development is subject to a remediation strategy to address the contamination at the site.

Environment Agency:

The EA makes no objections to the application. Informatives should be included on the decision notice which relate to the foul drainage system (to be sited so as not to cause the pollution of any watercourse, well, borehole, spring or groundwater) and only clean surface water from roofs and paved areas should be discharged to any surface water soakaway.

Community Fire Protection Office:

The Community Fire Protection Officer has commented in relation to Access for the Fire Service - the access and facilities for the fire service should be in accordance with the guidance given in Approved Document B supporting the Building Regulations 2000. In relation to Water Supplies – the applicant is advised to submit details of the water main installations in order that the fire hydrant requirements can be assessed. In relation to the Means of Escape – the applicant should be advised that the means of escape should be provided in accordance with the current Building Regulations. The applicant is also advised that they should consider the inclusion of an automatic water suppression subsystem to enhance any proposed design. The above comments should be forwarded to the applicant.

Public Rights of Way:

The property is adjacent to public footpath no 19, Macclesfield, as recorded on the Definitive Map. It appears unlikely, however, that the proposal would affect the public right of way. The PROW Unit would expect an advice note to be added to any planning consent to ensure that developers are aware of their obligations.

VIEWS OF THE PARISH / TOWN COUNCIL

N/A

OTHER REPRESENTATIONS

A letter has been received from the occupier of no. 39 Whirley Road with regard to the proposed double garage which would be sited close to the end of their garden. The writer has queried the height of the garage and raised concern that an old Lime tree within the application site has been omitted off the plans, and this tree could be at risk.

APPLICANT'S SUPPORTING INFORMATION

A Design and Access Statement has been submitted which is on the application file.

OFFICER APPRAISAL

Principle of Development

Following the grant of planning permission under application 05/1184P, the principle of the proposed is considered acceptable, subject to being in accordance with relevant Development Plan policies.

Policy

The relevant Local Plan policies which were considered when accepting the principle of the development when permission was granted for 123 dwellings were considered at length in the report attached as Appendix 1. It is considered that the policies of principle importance when assessing this application relate to the site planning factors. These are the Development Control policies which relate to design (DC1), amenity (DC3), circulation and access (DC6), landscaping (DC8 and DC37), trees (DC9), and amenity (DC38).

Impact on residential amenity and design

The proposed layout has been considered in relation to the distance standards contained within Local Plan policy DC38. It is noted that although the proposed plans illustrate the locations of the adjoining dwellings on Whirley Road and Scholars Close, the plans do not accurately show extensions to these properties. However, following a site visit officers consider that the proposals do satisfy the distance standards. The differences to the scheme when viewed from residents on Scholar Close (over the previously approved scheme) would be that the houses are smaller and an additional 3 dwellings have been worked into the scheme along this boundary of the site. The main differences to residents on Whirley Road would be the addition of a double detached garage to the rear of no. 39 Whirley Road. A revised plan has been received which moves the detached garage by approximately 4m to the north west (so that it straddles the boundary with no. 39 and no. 41 Whirley Road) in order to ensure that an adjacent tree is protected. The relationship between the proposed double garage and the adjoining properties is considered acceptable.

Within the development itself, in general, the proposed layout satisfies the distance standards recommended in the policy and an acceptable impact on residential amenity would be achieved.

The design of the houses are considered to be sympathetic to the houses already built on the site and are of a suitable character to be considered acceptable. The plots to the northern side of the site face onto the open space as they did in the previously approved scheme. The heights of the dwellings vary between the 2 and 2.5 storey dwellings and are considered to be appropriate when related to the previously approved development.

It is considered that the proposed design and layout is acceptable in terms of its impact on the character and appearance of the area and the street-scene of Jasmine Park and a satisfactory layout is achieved in respect of distance standards, outdoor amenity space and outlook.

Highways

The proposed changes do not change the access onto Whirley Road, the proposal alters the road layout and parking provision by virtue of an increase in the number of properties. Many of the units will incorporate a garage and those which don't include a garage would have an appropriate level of dedicated off-street parking. The Strategic Highways Manager has raised no objections and the highway conditions included on application 05/1184P should be re-attached to this application.

Landscape and nature conservation issues

The Nature Conservation Officer does not consider there to be any significant ecological issues associated with the proposed development.

The Landscape Officer raises no objections to the proposed changes to the housing layout. The landscape proposals approved for application 05/1184P will need to be revised accordingly. If the application is approved, appropriate landscape conditions will need to be imposed.

The Council's Arboricultural Officer noted that the development proposals required the removal of an early mature Lime located within the footprint of a detached garage associated with plot R1 (to the rear of no. 39 Whirley Road) ; this contradicted the previously approved scheme on the site which retained the tree. The layout has been amended to reflect the need to retain the Lime with adequate space to accommodate its predicted dimensions. A suitable method statement will be required to be submitted for the garage foundations where they fall within the trees Root Protection Area as identified within BS5837:2005. This can be attached as a condition should the development be approved. There are no other arboricultural implications in relation to the remaining aspect of the proposed site.

Housing policy and supply

Formal comments are awaited from the Housing Strategy and Needs Manager. 31 affordable dwellings were agreed under application 05/1184P, however, it is understood that the additional 9 dwellings would result in an additional requirement for an additional 2 affordable dwellings. The developer is willing to provide these additional dwellings; however, the type of tenure has yet to be agreed. The S106 Agreement will have to reflect this change. More information shall be provided in relation to this matter in an update report.

It is considered that the proposal would contribute to the housing needs of the area and provide a mix of properties. The site is located within a sustainable location, close to local amenities and facilities (there are bus stops and shops at Broken Cross). The density is at least 30 dwellings per hectare, thereby

making efficient use of land. The proposals accord with current housing policies.

OTHER RELEVANT INFORMATION

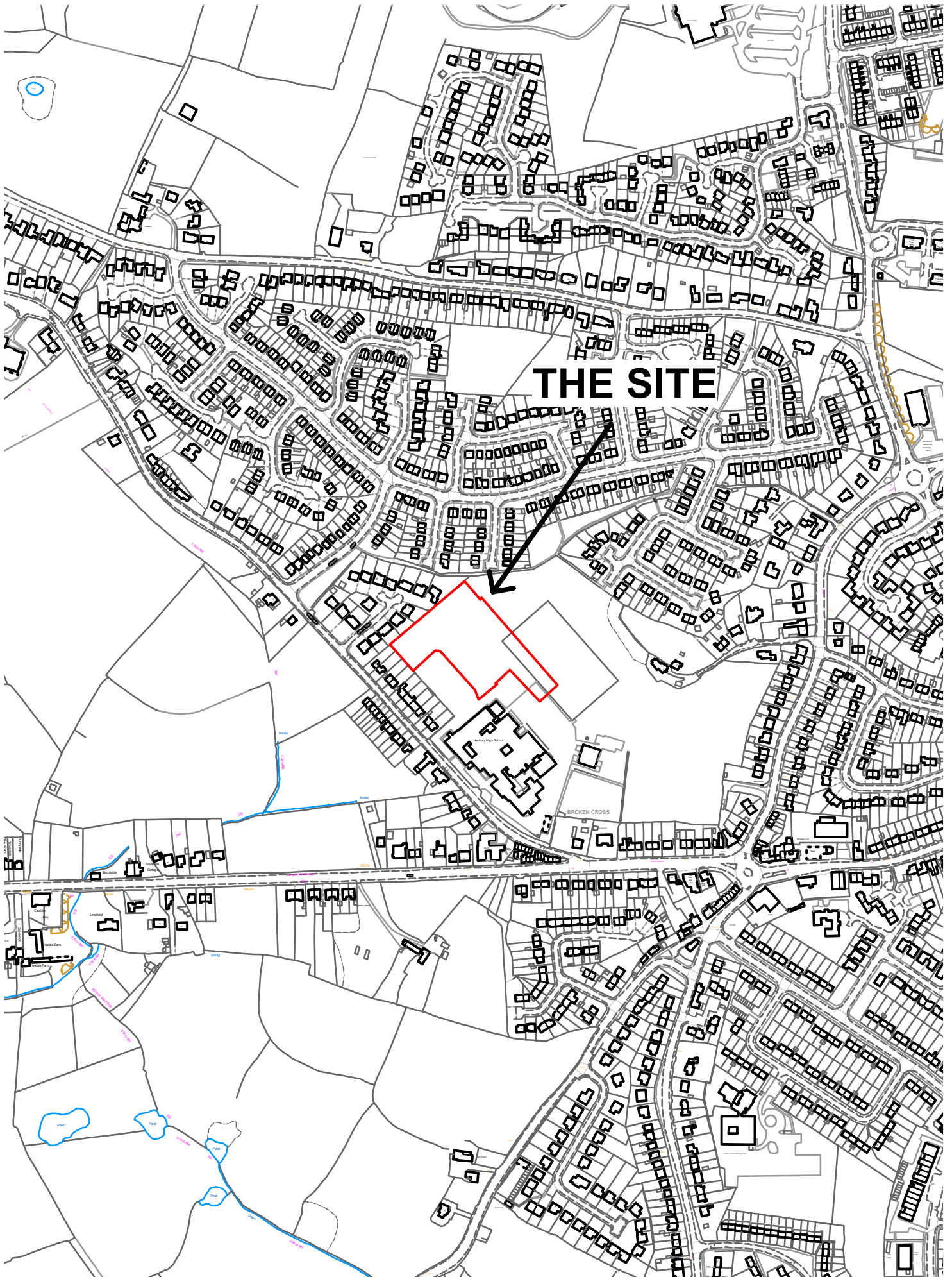
The comments of the Community Fire Protection Officer, Environment Agency and Environmental Health Contaminated Land Officer are noted and appropriate conditions/informatives should be attached as required. The comments of the neighbour are noted and a revised plan has been received which shows the tree to be retained. The proposed garage is considered to have an acceptable impact on nos. 39 and 41 Whirley Road.

SUBJECT TO

Comments are awaited from Leisure Services in relation to the potential requirement for an additional open space contribution in relation to this scheme. If an additional commuted sum is required, then this would need to be included within the revised S106 Agreement, in addition to the additional affordable housing provision.

CONCLUSIONS AND REASON(S) FOR THE DECISION

In summary, it is considered that the revised scheme for the 31 dwellings (in place of 22 previously approved in this area of the site) is acceptable with regards to Local Plan Policies. The site is in a sustainable location and the proposals are considered acceptable with regard to the character and appearance of the area, neighbouring residential amenity, highway safety and the impact on trees. A recommendation of approval is therefore made, subject to the comments of the Housing officer and Leisure Services Officer and subject to a revised S106 Legal Agreement.



10/2821M HENBURY HIGH SCHOOL, WHIRLEY ROAD, MACCLESFIELD, SK10 3JP
NGR- 389,050:373,850

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Application for **Full Planning**

RECOMMENDATION : Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A04RM - Ground levels as approved
4. A32HA - Submission of details re: construction
5. A30HA - Protection of highway from mud and debris
6. A22GR - Protection from noise during construction
7. A02EX - Submission of samples of building materials
8. A12LS - Landscaping to include details of boundary treatment
9. A01LS - Landscaping - submission of details
10. A04LS - Landscaping (implementation)
11. A08MC - Lighting details to be approved
12. A01GR - Removal of permitted development rights (plots to be specified)
13. A01TR - Tree retention
14. A02TR - Tree protection
15. A03TR - Construction specification / method statement
16. A09HP - Pedestrian visibility within car parks etc
17. A11HA - Access available for use before occupation
18. A14HA - Construction of highways
19. A15HA - Construction of highways - submission of details
20. A12HP - Retain parking space forward of all garages within development
21. Decontamination of land and remediation
22. Surface water regulation system to be approved.
23. Surface water to be passed through trapped gullies.