

# Northern Planning Committee

## Agenda

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**Date:** Wednesday, 4th May, 2011  
**Time:** 10.00 am  
**Venue:** Meeting Room, Macclesfield Library, Jordangate  
Macclesfield, SK10 1EE

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Members of the public are requested to check the Council's website the week the Northern Planning Committee meeting is due to take place as Officers produce updates for some or all of the applications prior to the commencement of the meeting and after the agenda has been published.

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

### **PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT**

1. **Apologies for Absence**

To receive any apologies for absence.

2. **Declarations of Interest/Pre Determination**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests and for Members to declare if they have pre-determined any item on the agenda.

3. **Minutes of the Meeting** (Pages 1 - 6)

To approve the Minutes of the meeting held on 13 April 2011 as a correct record

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For any apologies or requests for further information, or to arrange to speak at the meeting

**Contact:** Rachel Graves

**Tel:** 01270 686473

**E-Mail:** [rachel.graves@cheshireeast.gov.uk](mailto:rachel.graves@cheshireeast.gov.uk)

#### 4. **Public Speaking**

A total period of 5 minutes is allocated for each of the planning applications for Ward Councillors who are not Members of the Planning Committee.

A period of 3 minutes is allocated for each of the planning applications for the following individuals/groups:

- Members who are not Members of the Planning Committee and are not the Ward Member
- The Relevant Town/Parish Council
- Local Representative Groups/Civic Society
- Objectors
- Supporters
- Applicants

#### 5. **11/0333M - Land at Spinks Lane, Pickmere: Proposed Stables including Retention of Hardstanding for Messrs Felix, Thomas & Mike Doran (Pages 7 - 12)**

To consider the above application

#### 6. **11/0731M - 21 Holmeswood Close, Wilmslow, SK9 2GT: Two Storey Side Extension for Danial Latham (Pages 13 - 18)**

To consider the above application

#### 7. **11/0770M - Peacock Farm, 194 Wilmslow Road, Handforth, SK9 3JX: Residential Development consisting of 13 Dwellings and Ancillary Car Parking for Pensycor Ltd (Pages 19 - 26)**

To consider the above application

#### 8. **11/0533M - 2-4 Holly Road North, Wilmslow: Extension to Time Limit to 08/0783P for Erection of 10 No. Apartments with Basement Parking for Mr Seddon (Pages 27 - 32)**

To consider the above application

**THERE ARE NO PART 2 ITEMS**

**CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Northern Planning Committee**  
held on Wednesday, 13th April, 2011 at The Capesthorne Room - Town Hall,  
Macclesfield SK10 1DX

**PRESENT**

Councillor B Moran (Chairman)  
Councillor R West (Vice-Chairman)

Councillors Miss C M Andrew, J Croackatt, M Hardy, Mrs O Hunter, Mrs T Jackson, R J Narraway, D A Neilson, Mrs L Smetham, D Stockton and D Thompson

**OFFICERS PRESENT**

Mrs N Folan (Planning Solicitor), Mr P Hooley (Northern Area Manager), Mr A Ramshall (Conservation Officer) and Miss L Thompson (Planning Officer)

**129. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mrs H Gaddum and Mrs C Tomlinson.

**130. DECLARATIONS OF INTEREST/PRE DETERMINATION**

In respect of application 11/0144M-Single Storey Extension, St Peters Church, The Village, Prestbury for St Peters Parochial Church Council and application 11/0107M-Demolition of Ford House and construction of replacement building for parish offices, associated apartments and construction of six (6) townhouses and two (2) apartments within the grounds of Ford House for Ford House, The Village, Prestbury, Macclesfield, Cheshire for St Peters Parochial Church and application 11/0108M-Demolition of Ford House (Conservation Area Consent), Ford House, The Village, Prestbury, Macclesfield, Cheshire for St Peters Parochial Church Council, Councillor Mrs T Jackson declared that she was the Chairman of Prestbury Amenity Society who were objecting to the application, however she did not consider that she had either a personal or prejudicial interest as she had not taken part in any of the discussions the Society had on the application, nor had she expressed a view.

In respect of application 11/0271M-Demolition of Existing Garage & Construction of New Garage with Vehicle Hardstanding, 106, Buxton Road, Macclesfield for Mr & Mrs P Findlow and application 11/0274M-Demolition of Existing Garage & Construction of New Garage with Vehicle Hardstanding, 106, Buxton Road, Macclesfield for Mr & Mrs P Findlow, all Members declared that they knew the applicant as he was a Cheshire East Councillor, however the declaration was not considered to be either a personal or prejudicial interest.

In respect of the same applications outlined above, Councillor Mrs T Jackson declared a personal and prejudicial interest as she was a close friend of the applicant and in accordance with the Code of Conduct she left the meeting prior to consideration of the applications and did not return.

It was noted that Members of the Committee had received correspondence relating to applications 11/0144M, 11/0107M and 11/0108M.

**131. MINUTES OF THE MEETING**

**RESOLVED**

That the minutes be approved as a correct record and signed by the Chairman.

**132. PUBLIC SPEAKING**

**RESOLVED**

That the public speaking procedure be noted.

**133. 11/0144M-SINGLE STOREY EXTENSION, ST PETERS CHURCH, THE VILLAGE, PRESTBURY FOR ST PETERS PAROCHIAL CHURCH COUNCIL**

Consideration was given to the above application.

(Mr Geddes, representing Prestbury Amenity Society, Mr Ainsbury, an objector and Mr Gascoigne, the agent for the applicant attended the meeting and spoke in respect of the application).

**RESOLVED**

That the application be delegated to the Head of Planning and Housing in consultation with the Chairman and Vice Chairman to approve subject to the following conditions and subject to the receipt and approval of plans to amend the extension so that it did not encroach in front of the east elevation of the Church:-

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Submission of samples of building materials
4. Details of materials to be submitted
5. Details to be approved
6. Protected Species Mitigation

7. Archaeology
8. Landscaping submission
9. Landscaping implementation
10. Pile driving method
11. Construction method statement (to include hours of working)

**134. 11/0107M-DEMOLITION OF FORD HOUSE AND CONSTRUCTION OF REPLACEMENT BUILDING FOR PARISH OFFICES, ASSOCIATED APARTMENTS AND CONSTRUCTION OF SIX (6) TOWNHOUSES AND TWO (2) APARTMENTS WITHIN THE GROUNDS OF FORD HOUSE FOR FORD HOUSE, THE VILLAGE, PRESTBURY, MACCLESFIELD, CHESHIRE FOR ST PETERS PAROCHIAL CHURCH COUNCIL**

Consideration was given to the above application.

(Mr Geddes, representing Prestbury Amenity Society, Mr Ainsbury, an objector, Mrs Green, an objector, Mr Sealy, a Supporter and Mr Gascoigne, the agent for the applicant attended the meeting and spoke in respect of the application).

**RESOLVED**

That the application be deferred for consideration at the Northern Planning Committee meeting on 8 June 2011 in order for Officers to assess the late submission of information by the applicant and to allow additional negotiations to take place regarding the design and scale of the proposed town houses.

(This was a change in the Officer's original recommendation from one of refusal to one of deferral).

**135. 11/0108M-DEMOLITION OF FORD HOUSE (CONSERVATION AREA CONSENT), FORD HOUSE, THE VILLAGE, PRESTBURY, MACCLESFIELD, CHESHIRE FOR ST PETERS PAROCHIAL CHURCH COUNCIL**

(During consideration of the application Councillor Miss C M Andrew left the meeting and did not return).

Consideration was given to the above application.

**RESOLVED**

That the application be deferred for consideration at the Northern Planning Committee meeting on 8 June 2011 in order to consider the Conservation Area consent alongside the main consent.

(This was a change in the Officer's original recommendation from one of refusal to one of deferral).

(The meeting adjourned at 4.10pm and reconvened at 4.20pm).

**136. 11/0271M-DEMOLITION OF EXISTING GARAGE & CONSTRUCTION OF NEW GARAGE WITH VEHICLE HARDSTANDING, 106, BUXTON ROAD, MACCLESFIELD FOR MR & MRS P FINDLOW**

(Prior to consideration of the application, Councillor Mrs O Hunter left the meeting and did not return).

Consideration was given to the above application.

(Mr Northover, the agent for the applicant attended the meeting and spoke in respect of the application).

**RESOLVED**

That the application be given Delegated Authority to the Head of Planning and Housing in consultation with the Chairman and Vice Chairman to approve subject to the following conditions, subject to receipt of satisfactory Protected Species Survey, to address any issues raised within the consultation period and to agree any further conditions if necessary:-

1. Commencement of development (3 years)
2. Submission of samples of building materials
3. Development in accord with approved plans
4. Protection of features
5. Tree retention
6. Tree protection
7. Specification of bonding of brickwork
8. Method statement
9. Details to be approved
10. Use of garage / carport
11. Rainwater goods
12. Roof lights set flush
13. Specification of window design / style
14. Garage doors
15. No demolition of the building during the Summer months

**137. 11/0274M-DEMOLITION OF EXISTING GARAGE & CONSTRUCTION OF NEW GARAGE WITH VEHICLE HARDSTANDING, 106, BUXTON ROAD, MACCLESFIELD FOR MR & MRS P FINDLOW**

Consideration was given to the above application.

**RESOLVED**

That the application be given Delegated Authority to the Head of Planning and Housing in consultation with the Chairman and Vice Chairman to approve subject to the following conditions, subject to addressing any issues raised within the consultation period and to agree any further conditions if necessary:-:

- 16. Standard Time Limit
- 17. Submission of samples of building materials
- 18. Development in accord with approved plans
- 19. Protection of features
- 20. Specification of bonding of brickwork
- 21. Method statement
- 22. Details to be approved
- 23. Rainwater goods
- 24. Roof lights set flush
- 25. Specification of window design / style
- 26. Garage doors
- 27. Layout plan

**138. APPEAL SUMMARIES**

Consideration was given to the Appeal Summaries.

**RESOLVED**

That the Appeal Summaries be noted.

The meeting commenced at 2.00 pm and concluded at 4.35 pm

Councillor B Moran (Chairman)

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Application No: 11/0333M  
Location: LAND AT, SPINKS LANE, PICKMERE  
Proposal: PROPOSED STABLES INCLUDING RETENTION OF HARDSTANDING  
Applicant: MESSRS FELIX, THOMAS & MIKEY DORAN  
Expiry Date: 12-May-2011  
Ward: Bucklow

**Date Report Prepared:** 19 April 2011

#### **SUMMARY RECOMMENDATION**

Refuse

#### **MAIN ISSUES**

- Whether the proposal is acceptable in the Green Belt
- Impact upon highway safety
- Impact upon nature conservation interests

#### **REASON FOR REPORT**

This application has been brought to the Committee by the Head of Planning & Housing due to the significant local interest in the site.

#### **DESCRIPTION OF SITE AND CONTEXT**

The application site currently comprises 3 mobile homes, 3 touring caravans, and an area of hard surfacing. This development is the subject of an outstanding enforcement notice. The site is located within the Green Belt as identified in the Macclesfield Borough Local Plan.

#### **DETAILS OF PROPOSAL**

This application seeks full planning permission to retain the existing hard standing and erect four blocks of stables, each comprising 4 bays. The accommodation within each block will comprise 2 loose boxes, a foaling box, and either a hay store or tack room.

#### **RELEVANT HISTORY**

08/2196P - CHANGE OF USE OF LAND FOR THE STATIONING OF 3 MOBILE HOMES AND THREE TOURING CARAVANS TO ACCOMMODATE 3 GYPSY FAMILIES - PERSONAL PERMISSION SOUGHT – Refused 30 March 2009 - Appeal dismissed 11 June 2010

## **POLICIES**

### **Regional Spatial Strategy**

DP1 (Spatial Principles)

### **Local Plan Policy**

NE11 (Nature Conservation)

BE1 (Design Guidance)

GC1 (Green Belt - New Buildings)

DC1 (Design – New Build)

DC3 (Design – Amenity)

DC6 (Access)

DC32 (Equestrian Facilities)

### **Other Material Considerations**

Equestrian Facilities SPG (Jan 2005)

## **CONSULTATIONS (External to Planning)**

Highways – Comments not received at time of report preparation

Environmental Health – No objections

Pickmere Parish Council – Comments not received at time of report preparation

## **OTHER REPRESENTATIONS**

To date, 57 letters of representation have been received from local residents objecting to the proposal on the following grounds:

- Loss of openness
- Insufficient land for suggested number of horses
- Visual impact
- Impact upon protected species
- Impact upon trees and hedges
- Impact upon highway safety
- Inaccuracies within the application
- Excessive noise
- Non compliance with enforcement notice

## **APPLICANT'S SUPPORTING INFORMATION**

The applicant has submitted a design and access statement outlining the design principles behind the proposal. A letter from the Horse Trust has also been submitted advising on stabling and environmental requirements for horses.

It should be noted that paragraph 1.2 of the Design and Access statement refers to “the siting of the caravans”. This is assumed to be in error as no caravans are known to form part of the application. A plan has been submitted that shows the 3 mobile homes and 3 caravans, but this is taken to be the existing unauthorised development on the site.

## **OFFICER APPRAISAL**

### **Green Belt**

Paragraph 3.4 of PPG2 identifies essential facilities for outdoor sport and recreation as not being inappropriate in the Green Belt. Paragraph 3.5 expands upon this by citing possible examples of such facilities. These include: “small changing rooms or unobtrusive spectator accommodation for outdoor sport, or small stables for outdoor sport and outdoor recreation”. Policy GC1 of the Local Plan reflects the advice contained within PPG2.

Policy DC32 of the Local Plan refers specifically to equestrian facilities in the countryside. The requirements of this policy include:

- Stables should be small scale and required in the interests of animal welfare. Small scale is defined as a structure comprising up to 3 loose boxes plus a similar sized bay for the storage of tack, feed, bedding etc.
- Sufficient land is available for grazing / exercise.
- Development should not be prominent from local vantage points.
- Access and car parking should be satisfactory to Highways Authority.
- Proposal would not harm residential amenity
- Larger scale facilities utilise redundant buildings or are sited within an existing complex of buildings.
- The scale, design, siting and materials must be appropriate to landscape setting of the site.
- The proposal does not require the provision of residential accommodation.

The Council's SPG on Equestrian Facilities expands upon all the criteria listed under policy DC32.

The site area, including the land edged in blue appears to amount to approximately 1.6 hectares (4 acres). Stabling for a minimum of 8 horses is being provided within the development. The amount of land available for the grazing / exercise of horses is therefore well below the 0.4 hectares (1 acre) per horse recommended in the SPG and policy DC32. The scale of the stable accommodation is also greater than what would normally be considered to be acceptable as a small scale facility in the context of policies GC1 and DC32 of the Local Plan and PPG2. The proposal is therefore considered to be inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt, which should not be approved except in very special circumstances. PPG2 identifies that it is for the applicant to show why permission should be granted. Very special circumstances will not exist unless the harm by reason of inappropriateness and any other harm are clearly outweighed by other considerations. No very special circumstances have been put forward by the applicant.

In terms of other harm arising from the development, even taken as four individual blocks, the dimensions of these individual structures are greater than the recommended dimensions within policy DC32 and the SPG. Taken together, due to their scale and positioning the four blocks that are situated in two groups to the east and west of the site will significantly reduce the openness of the Green Belt in this location. The strong rural character of the area was identified by the Inspector during the previous appeal on this site. Therefore, whilst an equestrian use may be considered to be an acceptable rural activity, the provision of

significant areas of hard standing does represent a form of encroachment into the countryside that serves to urbanise the area to an unacceptable degree. Whilst more lightweight materials are mentioned elsewhere in the application, the proposed elevations refer to brickwork and concrete roof tiles. Such materials would exacerbate this impact upon the visual amenity of the Green Belt, and would be harmful to the character and appearance of the countryside.

The proposed development is considered to be inappropriate in the Green Belt, and harmful to the openness and character and appearance of the countryside. No very special circumstances have been put forward by the applicant to outweigh the identified harm. The proposal is therefore considered to be contrary to policies BE1, GC1, DC1 and DC32 of the Local Plan.

### **Highways**

The previous Inspector stated in her decision that the site does not have a safe means of access. Whilst the number of trips to the site will be different than a residential use, the proposed use, due to the number of stables, will result in an intensification of use of the junction between Spinks Lane and Pickmere Lane. Such intensification will result in an increased risk to highway safety due to the substandard visibility at the junction. The comments from the Strategic Highways Manager are currently awaited, however at this moment having regard to the previous conclusions on the access issue, there is considered to be a risk to highway safety, and the proposal is considered to be contrary to policy DC6 of the Local Plan.

### **Nature Conservation**

Due to the retrospective nature of the previous application and appeal on this site and the part retrospective nature of the current proposal, much of the harmful impact upon biodiversity has already taken place. Whilst there is the potential for some of this harm to be addressed by conditions, as suggested by the Council's Nature Conservation Officer, the Inspector had reservations about this approach.

Within the previous appeal decision the biodiversity harm was identified: *The hedgerow on the site frontage has been damaged by excavation of the bank, damage to root systems and a loss of woodland ground flora. Trees within the hedgerow have been damaged, for example where the new fencing has been erected, which may affect their health in the future. New planting on the frontage is of invasive non-native species and the exposed banks have been turfed. This damage and the use of unsuitable plant species would have an adverse effect on the local habitat and bat foraging routes. The tree planting along the access tracks has been with species atypical of the area. The importation of hardcore, invasive works and loss of pasture as terrestrial habitat may have had a negative effect on great crested newt populations and other wildlife. The disturbance of the ground and the deposit of spoil along Spinks Lane have led to some modification of the hedge banks, a loss of woodland flora and the growth of a less diverse mix of plant species.*

As was the case at the time of the appeal decision, no information has been submitted regarding what landscaping / nature conservation proposals there are to mitigate for this identified harm. The Inspector observed that "the development would adversely affect local biodiversity. The damage to the character and flora of Spinks Lane beyond the site boundary would not fall within the scope of the proposed planning conditions." This is considered to be

the case with the current proposal to the extent that insufficient information has been submitted with the proposal to adequately assess the full impact upon nature conservation interests.

**Amenity**

Due to the distance to and relationship with the nearest residential properties, no significant amenity issues are raised.

**Other considerations**

With regard to the comments received in representation not addressed above, the non compliance with the enforcement notice is a matter that is being pursued separately to this planning application. The current application is being assessed on its individual merits.

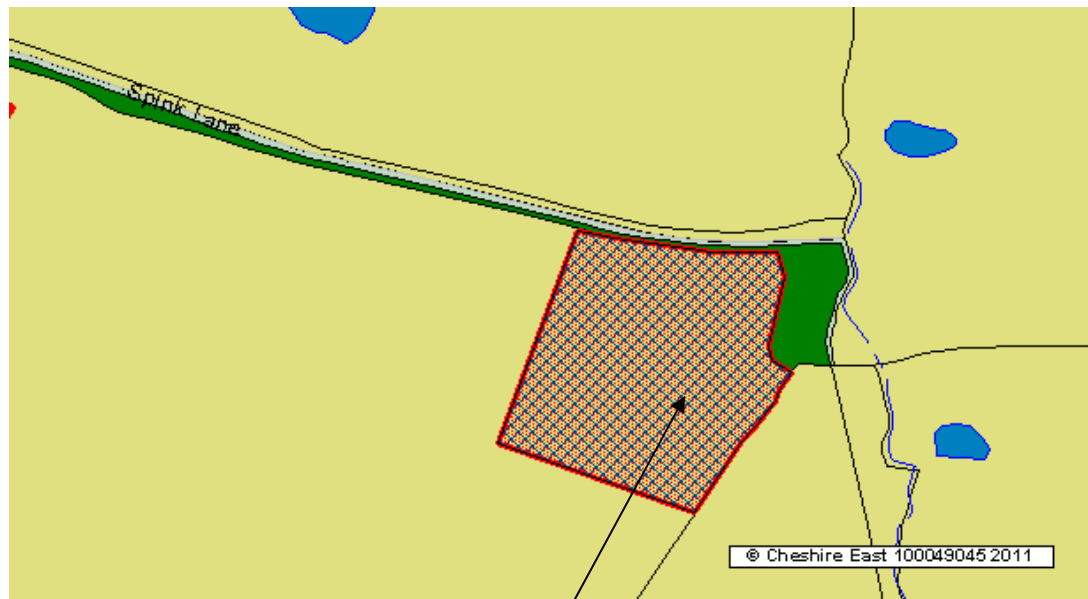
**CONCLUSIONS AND REASON(S) FOR THE DECISION**

The proposed stables are considered to be inappropriate development in the Green Belt. In addition there is considered to be harm to the openness and visual amenity of the Green Belt, highway safety and nature conservation interests, which cannot be overcome by conditions. No very special circumstances have been put forward by the applicant. Accordingly, the proposal is considered to be contrary to policies NE11, BE1, GC1, DC1, DC6 and DC32 of the Macclesfield Borough Local Plan. A recommendation of refusal is therefore made.

Application for Full Planning

RECOMMENDATION: Refuse for the following reasons

1. Use of sub-standard access
2. Contrary to Green Belt / Open Countryside policies
3. Harmful to appearance of the countryside
4. Insufficient information



The site

Application No: 11/0731M  
Location: 21, HOLMESWOOD CLOSE, WILMSLOW, SK9 2GT  
Proposal: Two storey side extension  
Applicant: Danial Latham  
Expiry Date: 08-Apr-2011  
Ward: Wilmslow North

**SUMMARY RECOMMENDATION**  
**APPROVE subject to conditions**

**MAIN ISSUES**

**Impact of the development on:-**

- **Neighbouring Amenity**
- **Highway Safety**
- **Character of the Area**

**REASON FOR REFERRAL**

This application is to be determined by the Northern Area Planning Committee because it has been called in by Councillor Whiteley on the following grounds:

‘This proposed extension is an over development of the site and will unduly impact on neighbouring properties. Planning reasons include policies BE1, DC1, DC2, DC3, DC38 and DC43.’

**DESCRIPTION OF SITE AND CONTEXT**

The application site comprises a modern two storey end terrace situated within a modest rectilinear curtilage, located on Holmeswood Close within the ‘Summerfields’ estate accessed off the A34 in Wilmslow. The site lies within a predominantly residential area.

**DETAILS OF PROPOSAL**

The proposals relate to the erection of a 1.5 storey high side extension measuring 2.54m wide, 8.11m in length and reaching a height of 2.8m to eaves and 5.6m to ridge height. The design would incorporate a pod bay window with hipped roof dormer window above on the

front elevation and ground floor patio doors to the rear. The extension would incorporate an extended dining room with bedroom above.

## **RELEVANT HISTORY**

10/4923M two storey side extension withdrawn

## **POLICIES**

The development plan includes the North West of England Plan Regional Spatial Strategy 2021 (RSS) and the Macclesfield Borough Local Plan 2004.

The relevant development plan policies are:

### **Regional Spatial Strategy**

DP1 (Spatial principles)  
DP7 (Criteria to promote environmental quality)

### **Local Plan Policy**

BE1 Design Guidance  
DC1 Design  
DC2 Design- Extensions  
DC3 Amenity  
DC38 Space Light and Privacy  
H13 Protecting residential areas  
DC43 Side extensions

### **Other Material Considerations**

Planning Policy Statement 1 (Delivering Sustainable Development)  
Planning Policy Statement 1 (Delivering Sustainable Development- Climate Change Supplement)

## **CONSULTATIONS (External to Planning)**

**None consulted**

## **VIEWS OF THE PARISH COUNCIL**

None received at time of writing report

## **OTHER REPRESENTATIONS:**

None received at time of writing report

## **APPLICANT'S SUPPORTING INFORMATION**

**None received**



## **OFFICER APPRAISAL**

### **Principle of Development**

The site lies within the settlement boundary of Wilmslow where there is a presumption in favour of development. In addition, the proposals relate to development ancillary to the enjoyment of a dwellinghouse and the site lies within a predominantly residential area. As a consequence, the use and type of development is also appropriate within this area.

### **Design Standards**

The extension proposed would be of an appropriate scale when compared to the existing property as it would be set back from the front elevation by 0.4m and the overall height would be substantially recessed below the height of the existing dwellinghouse by 2.15m. As the property is sited at the end of the cul de sac where views are terminated by the presence of the timber closeboarded fence, the visual impact of the extension from views from Holmeswood Close would be limited.

Whilst the extension would introduce new features such as the hipped roof and dormer window, the windows would be aligned with the existing windows on the property, the bay window and patio window reflect existing windows on the property and the extension would replicate the barge board eaves detailing.

It should also be noted that no. 6 Daresbury Close has a similar extension of near identical proportions and the host property is similar in terms of appearance and its position as an end terrace unit.

Policy DC43 indicates that side extensions should be sited 1m from the side boundary to prevent a terraced street effect. In this instance, the existing context is already a terraced street. The extension of the end terrace would not result in the creating of a larger terrace as the nearest residential properties at Daresbury Close lie perpendicular to Holmeswood Close.

The policy is designed to ensure that side extensions to properties would not cumulatively alter the character of the wider area. In this instance, it is noted that the addition of a side extension to an existing terrace property would not alter the character of this section of the 'Summerfield' estate either individually or cumulatively.

### **Amenity**

In terms of overlooking, the front and rear elevations would not project beyond the existing front and rear building lines of the property and therefore the impact on neighbours to the front and rear would not be materially worse than that which exists at present. In terms of overlooking to properties along Daresbury Close, no windows are proposed in the side elevations of the extension however as windows could be inserted under permitted development rights, it is considered appropriate to remove permitted development rights for new windows within the extension.

The proposed extension would be sited 0.15m from the side boundary of the property which backs onto the rear curtilages of 6-14 Daresbury Close. The existing property is 14m from the rear elevation of no's 6-14 Daresbury Close and the extension would reduce this to 11m. Whilst this figure would be below the 14m required between habitable and non habitable rooms, as the side elevation of the extension would not contain any windows, it is considered that a reduced distance would not result in overlooking to properties along Daresbury Close. In terms of light, the extension is sited to the west of properties along Daresbury Close and only no's 10 and 12 would be affected by the extension. In terms of loss of light to windows, as the extension measures a maximum height of 5.6m and would be 11m, from the rear elevations, the proposals would not result in a loss of light to principal windows. That said, the impact of overshadowing on the rear gardens areas is also a material consideration. It is not considered that the overshadowing as a result of the extension would have a significant adverse impact upon amenity as the existing property already overshadows the rear gardens to no's 10 and 12 Daresbury Close and as the extension has a reduced height compared to the existing dwelling, the area of garden overshadowed would not be greater as a result of the extension.

The existing property would retain ample amenity space as the extension would not encroach within the rear garden area.

### **Highway Safety**

The extension will eliminate space for vehicular parking at the side of the property. That said, the front yard measures 6.5m wide and 8m deep which is sufficient space to park two vehicles off the street. In any event this is a quiet cul de sac with no on street car parking restrictions. It is considered that as the property would retain space for two off street car parking spaces, the proposals would not have an adverse impact upon highway safety.

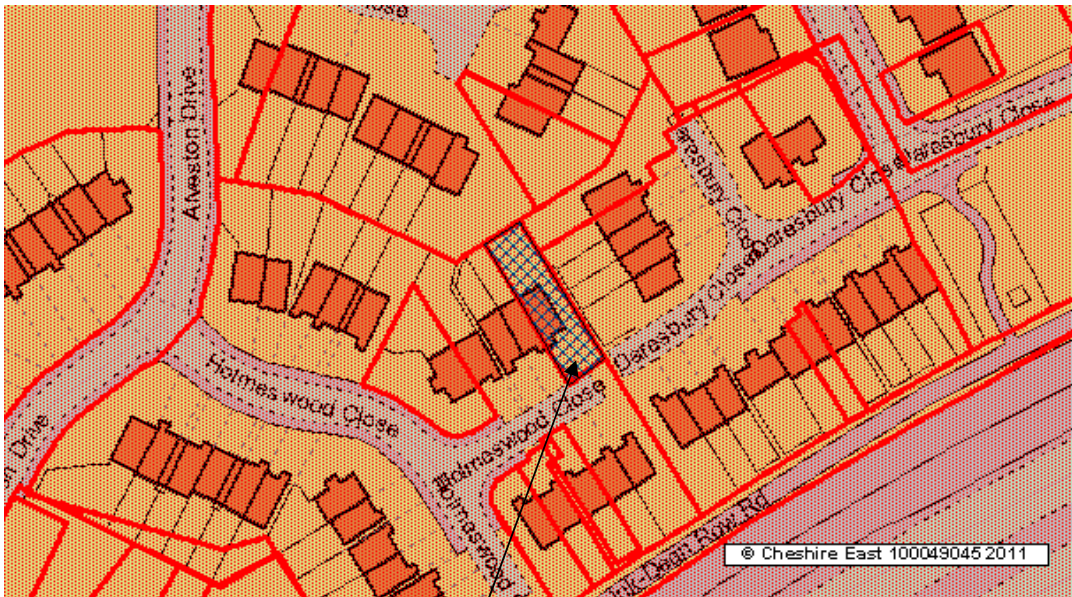
### **CONCLUSIONS**

In conclusion the proposals would preserve the character and appearance of the existing building and the surrounding area. The proposals as conditioned would not raise concerns for neighbouring amenity or highway safety. In so doing the proposals accord with policies BE1 Design Guidance, DC1 Design, DC2 Design – Extensions, DC3 Amenity, DC6 Circulation and Access, DC38 Space Light and Privacy and DC43 Side Extensions within the Macclesfield Borough Local Plan 2004.

### **RECOMMENDATIONS**

**APPROVE** subject to following conditions

- 1. Standard Time Limit**
- 2. Materials to match existing**
- 3. Approved plans**
- 4. No new windows in side elevation**



The Site

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Application No: 11/0770M

Location: PEACOCK FARM, 194, WILMSLOW ROAD, HANDFORTH, SK9 3JX

Proposal: Residential Development Consisting of 13 Dwellings and Ancillary Car Parking

Applicant: Pensycor Ltd

Expiry Date: 23-May-2011

Ward: Wilmslow North

**Date Report Prepared:** 18<sup>th</sup> April 2011

#### **SUMMARY RECOMMENDATION**

Approve subject to conditions, subject to a s106 legal agreement for a financial contribution to public open space and the comments of highways, environmental health, United Utilities, Leisure Services, landscape and forestry.

#### **MAIN ISSUES**

- The design and appearance of the proposal and its impact on the character and appearance of the area
- The impact of the proposal on the amenity/privacy of adjoining residents and future residents of the residential units proposed
- Whether access and parking arrangements are suitable
- The impact of the proposal on existing trees and landscaping

#### **REASON FOR REPORT**

The planning application is for more than 10 dwellinghouses and is therefore a major application that has to be heard at the Northern Planning Committee

#### **DESCRIPTION OF SITE AND CONTEXT**

This site is located in close proximity to the A555 slip road/roundabout and Wilmslow Road in Handforth. The farm buildings that previously occupied the site have been demolished in recent years and the site is now secured via hoardings/fencing. The site forms the boundary between the urban area and the Green Belt. To the east of the site is the Spath Lane estate whereby bungalows and two-storey terraced dwellings adjoin the site. Along Wilmslow Road itself, to the south of the site, are a mix of housing including a recently constructed three-storey apartment block, detached housing of varying styles in relatively spacious plots and some commercial premises. On the opposite side of the road, planning permission has recently been granted under application 10/2393M for the demolition of 3no. bungalows and the erection of a three-storey residential care home.

## **DETAILS OF PROPOSAL**

Full planning permission is sought for the erection of 13 dwellings and ancillary car parking. This is a re-submission following a recently refused application.

## **RELEVANT HISTORY**

10/1841M Residential development consisting of a total of 24 dwellings including 9 Apartments and 15 houses and ancillary car parking and landscaping  
Refused 18/11/2010

## **POLICIES**

### **Regional Spatial Strategy**

DP1 Spatial Principles  
DP2 Promote Sustainable Communities  
DP4 Make the Best Use of Existing Resources and Infrastructure  
DP7 Promote Environmental Quality  
L4 Regional Housing Provision  
L5 Affordable Housing  
EM1 Integrated Enhancement and Protection of the Region's Environmental Assets  
EM2 Remediating Contaminated Land  
EM18 Decentralised Energy Supply

### **Local Plan Policy**

NE11 Nature Conservation  
BE1 Design Guidance  
H1 Phasing Policy  
H2 Environmental Quality in Housing Developments  
H5 Windfall Housing Sites  
H13 Protecting Residential Areas  
DC1 New Build  
DC3 Amenity  
DC6 Circulation and Access  
DC8 Landscaping  
DC9 Tree Protection  
DC35 Materials and Finishes  
DC37 Landscaping  
DC38 Space, Light and Privacy  
DC40 Children's Play Provision and Amenity Space  
DC63 Contaminated Land Including Landfill Gas

### **Other Material Considerations**

PPS1 Delivering Sustainable Development  
PPS3 Housing  
PPS9 Biodiversity and Geological Conservation  
PPG13 Transport  
PPG24 Planning and Noise  
Interim Planning Policy on the Release of Housing Land  
Strategic Housing Land Availability Assessment (SHLAA)

## **CONSIDERATIONS (External to Planning)**

**Highways:** Comments are awaited

**Environmental Health:** Comments are awaited

**United Utilities:** Comments are awaited

**Leisure Services:** Comments are awaited

**Housing:** There is no affordable housing requirement

## **OTHER REPRESENTATIONS**

Three letters/e-mails have been received that outline concern regarding a loss of light and sense of enclosure from the dwellinghouse annotated as P13 on the submitted drawing; questions regarding the proposed boundary treatment; and concern that the development would effect tv signals.

Members should note that the consultation period does not expire until 27<sup>th</sup> April and therefore any additional comments received will be updated to Members.

## **APPLICANT'S SUPPORTING INFORMATION**

A Planning Statement, Design & Access Statement, an Environmental Noise Study, Drainage Statement, Highways/Transportation Note, Arboricultural Tree Survey Report, Arboricultural Method Statement, Arboricultural Implications Study, Ecological Assessment, Initial Assessment Report (in respect of land contamination), a North West Sustainability Checklist and an Affordable Housing Statement were submitted in support of the planning application.

## **OFFICER APPRAISAL**

### **Principle of Development**

The application site is a brownfield site that is located within the predominantly residential area of Handforth and outlined within the Council's SHLAA. The principle of residential development on this site is therefore acceptable providing it complies with other national, regional and local plan policies.

### **Policy**

PPS3 states at paragraph 69 that in determining planning applications for housing, Local Planning Authorities should have regard to a number of criteria that includes achieving a good mix of housing reflecting the accommodation requirements of specific groups, using land effectively and efficiently and ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in the spatial vision for the area and does not undermine wider policy objectives.

The application site is located within a sustainable location in close proximity to public transport links, local shops and services and a short distance from Handforth District Centre. The development would provide a mix of house types (two 2-bed houses, five 3-bed houses, six 3-4 bed houses) and it is considered that the proposal would use the land effectively and efficiently. It is therefore considered that the proposed development would comply with this aspect of PPS3: Housing.

Paragraph 71 of PPS3 states that where the Local Planning Authority cannot demonstrate an up-to-date five year supply of housing they should 'consider favourably' planning applications for housing having regard to the policy in PPS3 (paragraph 69) and the wider planning objectives for the area. It is accepted that at present the Council can not demonstrate a 5 year supply and thus the Council needs to give favourable consideration to this proposal.

### **Design**

This application is a re-submission of a recently refused application. The site area has been reduced from the previous scheme and now excludes the area of Green Belt to the north that also contains a number of TPO protected trees. As a consequence, the number of dwellings has been reduced from 24 to 13.

The development would comprise two blocks of dwellings with a central access that would face towards Wilmslow Road. The block to the northern part of the site would contain six dwellings comprising 1no. two-bed two-storey dwelling, 4no. three-bed 2½-storey dwellings and 1no. three/four bed 2½-storey dwelling. The block would be set back from Wilmslow Road with individual front gardens and parking spaces would be located to the rear of each property. The block to the southern part of the site would contain seven dwellings comprising 1no. 3-4 bed 2½-storey dwelling, 4no. 3-4 bed 2½-storey dwellings and 2no. 3 bed 2½-storey dwellings. The block would be set back from Wilmslow Road by an access road and parking spaces. Two bin storage areas would be contained within the site (one to the rear that would serve the block to the north and one adjacent to Wilmslow Road that would serve the block to the south). The dwellings are proposed to be constructed of red brick with rendered panels and Marley roof tiles.

The layout of the proposed dwellings is considered to be a significant improvement over the previously refused scheme as each dwellinghouse would now front onto Wilmslow Road. The materials are considered acceptable and would complement those within the surrounding area. The two blocks of houses would be broken-up by changes in ridge height, gable features, bay windows, rendered panels and their positioning on the site. Therefore it is not considered that the two blocks would appear over-dominant in the street scene. The Design Officer has assessed the application and considers that the points raised in the pre-application meetings have been addressed and raises no objection. The proposed dwellings would be Code Level 3 for sustainability; whilst Level 4 would be preferable, Level 3 is acceptable in terms of policy.

It is considered that the proposed development would reflect local character and the overall scale, density, height, mass and materials of the dwellings would be sympathetic to the character of the local environment and would comply with policies BE1 and DC1 of the Local Plan.

### **Amenity**

The application site is surrounded to the west, east and south by residential properties that comprise a three-storey apartment block, two-storey dwellings and single storey bungalows. The proposed dwellinghouses would comply with the separation distances in respect of the existing properties on the opposite side of Wilmslow Road as well as the recently approved residential care home.



The dwellinghouses to the rear of the application site comprise two-storey dwellings and due to their orientation, no windows within the rear elevation of the proposed dwellings would directly face those within the existing properties. In addition, the proposed windows would comply with the separation distances outlined in policy DC38.

The previous application was refused on the grounds that (amongst others) one of the proposed dwellinghouses would have a detrimental impact on the adjacent bungalows sited along Peacock Way, in particular No. 4. The proposed development has re-sited the dwellinghouse at plot 13 closer to Wilmslow Road which has resulted in the gable end of the dwellinghouse being positioned out of the direct view of the windows within the adjacent bungalow and therefore would not appear overbearing. Given that the proposed dwellinghouse on plot 13 would be sited to the north/northwest of the adjacent bungalows it is not considered that it would have a detrimental effect on sunlight. For these reasons it is considered that the proposed development would not have a significantly detrimental effect on the amenity of the adjacent bungalows and it is considered that it has overcome the concerns raised by the previously refused application.

The proposed houses would comply with the 45-degree rule and the separation distances outlined in policy DC38. Each dwellinghouse is therefore considered to have an acceptable effect on the amenity of one-another. However given that future extensions/outbuildings could have a significant effect on amenity, it is considered that permitted development rights be removed.

A neighbour has raised concern that the proposed development would prevent them from receiving a TV signal. Whilst the development may result in the neighbour's aerial needing repositioning, the proposed dwellings are of a height and density that is similar to other residential areas in the Borough, therefore it is not considered that it would have a significant effect on TV signal strength. As the proposal complies with the separation standards of the Local Plan, this is not something that could warrant a refusal of planning permission.

For the reasons outlined above it is considered that the proposed development would have an acceptable impact on neighbouring amenity and would comply with policies DC3 and DC38 of the Local Plan.

### **Highways**

The 13 houses would be accessed from Wilmslow Road by one central access and 24 parking spaces would be provided; two for each property. Two bin storage/recycling areas would be provided; one to the front of the site and one to the rear. The applicant has envisaged that part of the access road would be adopted highway. A Highways/Transportation Note was submitted to support the planning application. The comments of the Strategic Highways Manager are currently awaited.

### **Ecology**

The planning application was supported by an Ecological Assessment that has been considered by the Nature Conservation Officer. He states that there does not appear to be any significant protected species issues associated with the proposed development. Some of his comments relate to the northern part of the site however this land no longer forms part of the application site (the site has been reduced from the scheme that was previously refused). No objection is raised to the proposed development subject to conditions to ensure that

breeding birds are protected and to ensure that additional provision is made for breeding birds and roosting bats. The proposed development is therefore considered to comply with policy NE11 of the Local Plan and PPS9.

### **Noise**

PPG24 sets out guidance for noise sensitive development and outlines categories of noise which would be deemed unacceptable for the location of residential property. Due to the development's proximity to the A555 and Wilmslow Road an Environmental Noise Study was submitted with the planning application. The comments of the Environmental Health Division are currently awaited.

### **Trees**

The land to the northwest of the application site contains a number of TPO protected trees and there are two off-site trees that overhang the application site. No trees are located within the application site. An Arboricultural Tree Survey was submitted with the planning application. The comments of the Forestry Officer are currently awaited.

### **Landscape**

The comments of the Landscape Officer are currently awaited.

### **Renewable energy**

RSS policy EM18 requires that all major developments secure at least 10% of their predicted energy requirements from decentralised and renewable or low carbon sources, unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that it is not feasible or viable. The applicant has not demonstrated that this is not feasible and the Design & Access statement has not considered the incorporation of such measures. No information is submitted in support of this application in respect of renewable resources however this could be dealt with by condition.

### **HEADS OF TERMS**

The applicant has submitted a draft heads of terms for a s106 legal agreement in respect of an undertaking to negotiate an appropriate payment in lieu of public open space/play space off-site and additional school places if there is no existing capacity in local schools.

### **CONCLUSIONS AND REASON(S) FOR THE DECISION**

The design and layout of the proposed residential development is considered acceptable and would make a positive contribution to the street scene. The proposed dwellinghouses would not have a detrimental affect on neighbouring amenity. The development is considered to have overcome the design, amenity, Green Belt and affordable housing reasons for refusal that were outlined on the previous application's Decision Notice.

Subject to the comments to be received from Highways, Environmental Health, Landscaping, United Utilities and Leisure Services, the application is recommended for approval subject to conditions.

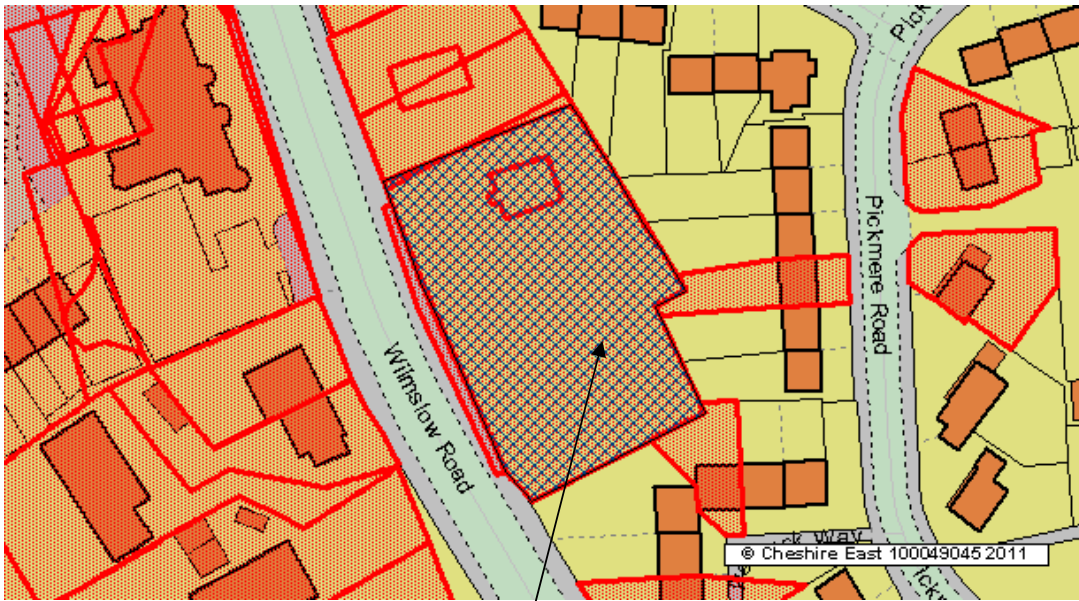
### **SUBJECT TO**

A s106 legal agreement being entered into for a commuted sum towards public open space.

Application for Full Planning

RECOMMENDATION: Approve subject to a Section 106 Agreement and the following conditions

1. Commencement of development (3 years)
2. Submission of samples of building materials
3. Use of garage / carport
4. Removal of permitted development rights
5. Development in accord with approved plans
6. Protection of Breeding Birds
7. Features for Breeding Birds and Roosting Bats
8. Renewable Energy Provision



The Site

Application No: 11/0533M

Location: 2- 4, HOLLY ROAD NORTH, WILMSLOW

Proposal: Extension to Time Limit to 08/0783P For Erection of 10No. Apartments with Basement Parking

Applicant: Mr Seddon

Expiry Date: 03-Jun-2011

Ward Wilmslow South

**Date Report Prepared:** 18<sup>th</sup> April 2011

**SUMMARY RECOMMENDATION**

Delegated to head of Planning and Housing with consultation with the Chairman to approve subject to conditions and addressing any new issues raised during the consultation period.

**MAIN ISSUES**

Whether there has been a significant change in circumstances or policy since the original grant of permission for 08/0783P.

**REASON FOR REPORT**

The proposed development is for an apartment block comprising 10no. apartments with associated basement parking. Therefore in line with the Council's Constitution, it should be determined by Members of the Northern Planning Committee.

**DESCRIPTION OF SITE AND CONTEXT**

This application relates to a vacant plot situated on the southern side of Holly Road North. The site previously comprised 2no. detached dwellings which have been demolished in connection with planning approval 07/0961P. The site is located in a predominantly residential area of Wilmslow as outlined in the Macclesfield Borough Local Plan and there are a number of Tree Preservation Orders on the site.

**SCOPE OF THIS APPLICATION**

Extensions to the time limit for implementing existing planning permissions were brought into force on 1 October 2009. The new system was introduced in order to make it easier for developers to keep planning permissions alive for longer during the economic downturn.

As a matter of law the Northern Planning Committee decides applications afresh: resolutions which vary from previous decisions may be justified by change of circumstances, or of weight. For this type of application, the Government's advice is for Local Planning Authorities to take a positive and constructive approach towards applications that improve the prospects of

sustainable development being brought forward quickly. The development proposed will, by definition, have been judged acceptable in principle at an earlier date. It is the Government's advice that Local Planning Authorities should only look at issues that may have changed significantly since that planning permission was previously considered to be acceptable in principle.

In short, it is not intended that Local Planning Authorities should re-open debates about principles of any particular proposal, except where material circumstances may have significantly changed, either in local plan policy terms or in terms of national policy or other material considerations.

### **DETAILS OF PROPOSAL**

Approval is sought for an extension of time limit to planning approval 08/0783P. Approval was granted 25<sup>th</sup> June 2008 for the construction of a 4 storey apartment block comprising 10 no. apartments with basement parking for the provision of 17no. parking spaces.

### **RELEVANT HISTORY**

08/0783P	Erection of 10No. Apartments with Basement Parking Approved with conditions, 25.06.2008
07/0961P	Amendments to approved application 05/0789P. Erection of a three-storey apartment building comprising 9 apartments, living accommodation in roofspace and basement parking for 20 cars & 2 external car parking spaces. - Refused 17.07.2007 Appeal Allowed 20/06/2008
06/1914P	Erection of 10No. apartments in a 5-storey building, including attic space & basement parking. - Refused 4.10.2006.
05/0789P	Demolition of 2no detached dwellings. Erection of 3 storey apartment building comprising of 9no. apartments, living accommodation in roofspace & basement parking for 17no. cars & 2no. external car parking spaces – approved 23.05.2005

### **POLICIES**

#### **Regional Spatial Strategy**

DP1 Spatial Principles  
DP2 Promote Sustainable Communities  
DP4 Make the Best Use of Existing Resources and Infrastructure  
DP7 Promote Environmental Quality  
L2 Understand Housing Markets  
L4 Regional Housing Provision  
EM18 Decentralised Energy Supply

#### **Local Plan Policy**

BE1 Design Guidance  
DC1 New Build  
DC3 Amenity  
DC38 Space, Light and Privacy  
DC6 Circulation and Access  
DC8 Car Parking

DC9 Tree Protection  
H1 Phasing Policy  
H2 Environmental Quality in Housing Developments

**Other Material Considerations**

PPS1: Delivering Sustainable Development  
PPS3: Housing  
PPS4: Planning for Sustainable Economic Growth  
PPS9: Biodiversity and Geological Conservation  
PPG13: Transport

**CONSULTATIONS (External to Planning)**

No comments have been received from Environmental Health or the Strategic Highways Authority at the time of preparing this report.

**OTHER REPRESENTATIONS**

No representations have been received at the time of preparing this report; the last date for comments expires 4<sup>th</sup> May 2011.

**PRINCIPLE OF DEVELOPMENT**

The application site is located in a predominantly residential area as outlined in the Maccelsfield Borough Local Plan 2004. The site previously comprised 2no. detached dwellings which have been demolished in connection with planning approval 07/0961P. In addition, the site is located within close proximity to a Local Shopping Centre, public transport links and schools. In this respect the principle of residential development in this location is considered acceptable.

**OFFICER APPRAISAL**

The design, siting and scale of the proposed apartment block was considered acceptable during the assessment of planning application 08/0783P. There have been no material changes in the circumstances of the site between the date of approval and the present day. In addition there have been no changes in Local Plan policy relating to design or amenity and as such, these aspects of the proposal remain acceptable.

**POLICY**

There have been no changes in relation to Local Planning Policies and as such, the proposal is still considered to comply with those listed above. However, PPS3 Housing has been amended to exclude minimum density targets and residential curtilages no longer form part of the definition of brownfield land. The application site therefore comprises greenfield land.

Local Plan policy H1 relates to the provision of new housing within the Borough and whilst it clearly states that previously developed sites should be developed before greenfield sites; it does not specifically exclude greenfield sites from being developed. PPS3 advises that where Local Planning Authorities cannot demonstrate an up-to-date five year supply of deliverable sites, for example, where Local Development Documents have not been reviewed to take into account policies in this PPS or there is less than five years supply of deliverable sites, they should consider favourably planning applications for housing.

PPG13 Transport was revised in January 2011 to reflect changes to parking standards and charges. The revisions allow Local Authorities the freedom to decide what level of parking is acceptable based on a site-by-site basis. The application site is in a sustainable location, in close proximity to a Local Shopping Centre, public transport links and schools.

Provision has been made for 17no. parking spaces in addition to a bike store. All parking and bicycle storage is off Holly Road North and confined within the basement of the apartment block. This level of parking is adequate to serve 10no. apartments.

Though comments are yet to be received from the Strategic Highways Manager, taking into account that no highway concerns were raised during the initial application the proposal is considered to comply with DC6 of the Local Plan.

The North West of England Plan, Regional Spatial Strategy to 2021 was published in September 2008 and whilst was not applicable to planning approval 08/0783P it is currently part of the Development Plan.

Policy EM18 of the RSS states that residential developments comprising 10 or more units should secure at least 10% of their predicted energy requirements from decentralised and new renewable or low-carbon sources, unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable. Though no details have been submitted by the applicant to address this policy, this can be dealt with by condition.

RSS policies essentially seek to ensure sustainable development and there is nothing stated within the policies listed above that would warrant the refusal of this scheme. In addition, The North West of England Plan, Regional Spatial Strategy to 2021 is soon to be revoked which forms a material consideration that should be noted.

### **CONCLUSIONS AND REASON(S) FOR THE DECISION**

In conclusion, there have been no significant changes in the circumstances of the site or policy that would warrant the refusal of this application. As such, the proposal is considered to comply with Local, Regional and National policies and a recommendation of approval is given subject to conditions.

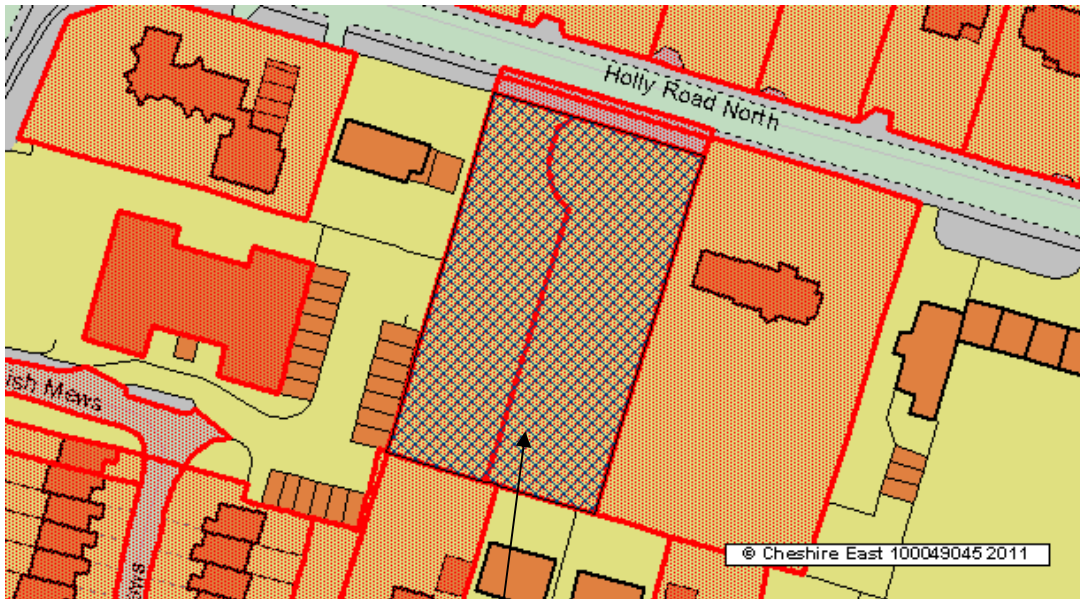
Application for Extension to Time Limit

RECOMMENDATION: Approve subject to following conditions

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Details of materials to be submitted
4. Closure of access
5. Construction of junction / highways (outline)
6. Provision of car parking



7. Driveway surfacing - single access drive
8. Landscaping - submission of details
9. Landscaping (implementation)
10. Tree retention
11. Tree protection
12. Construction specification / method statement
13. Arboricultural method statement
14. No gates or obstruction shall be erected across the vehicular access
15. Access to be constructed before occupation of the building
16. Drainage of car park surfaces
17. Provision of cycle stands
18. Provision of cycle store
19. Windows in side elevation shall be obscured and non-opening
20. External Appearance
21. non standard
22. Renewable Energy Requirements



The Site