

Northern Planning Committee

Agenda

Date:	Wednesday 14th March 2012
Time:	2.00 pm
Venue:	Meeting Room, Macclesfield Library, Jordangate, Macclesfield, SK10 1EE

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 a pre-determination in respect of any item on the agenda

3. Minutes of the Previous Meeting (Pages 1 - 4)

To approve the Minutes of the meeting held on 22 February 2012 as a correct record

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

Contact: Gaynor Hawthornthwaite

Tel: 01270 686467

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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. **12/0027M - Oaklands Community Infant School, Tudor Road, Wilmslow, SK9 2HB: Demolition of Existing Building, Remodelling and Remediation of the Site and Development of Mixed Use Scheme Comprising 21 Dwellings and Car Parking including Access and Amenity Space for Mr Paul Coggins, Russell Homes Ltd (Pages 5 – 18)**

To consider the above planning application

6. **12/0309M – Withinlee Hollow, Withinlee Road, Prestbury, SK10 4AT: Demolition of Existing House, Construction of Replacement Dwelling House. Resubmission of 11/2386M for Ms Victoria Calderbank (Pages 19 – 28)**

To consider the above planning application

7. **11/4341M – Former Beech Lawn and Woodridge, Brook Lane, Alderley Edge, SK9 7QG: Amended Scheme for Erection of 20 Apartments in Two, Three Storey Buildings for P E Jones (Contractors) Limited (Pages 29 – 40)**

To consider the above planning application

8. **11/3397M – The Bandstand at Alderley Edge Park, Ryleys Lane, Alderley Edge: Change of Use. Conversion of Existing Bandstand into Café for Friends of the Park (Pages 41 – 46)**

To consider the above planning application

9. **12/0313M – Bexton Primary School, Blackhill Lane, Knutsford, WA16 9DB: Extension to Bexton Primary School to Provide a Link Corridor, Two Classrooms and a Flexible Resource Space. Facilities Replace Three Temporary Classroom Units, which are to be Demolished for Phil Yeomans, Cheshire East Council (Pages 47 – 52)**

To consider the above planning application

10. **11/0366M - Land South of Junction of Mill Lane and London Road, Adlington: Change of Use of Land from Agricultural to a Natural Burial Ground at Adlington Hall for Adlington Hall Estate (Pages 53 - 76)**

To consider the above planning application

THERE ARE NO PART 2 ITEMS

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Northern Planning Committee**
held on Wednesday, 22nd February, 2012 at Meeting Room, Macclesfield
Library, Jordangate, Macclesfield

PRESENT

Councillor B Moran (Chairman)
Councillor W Livesley (Vice-Chairman)

Councillors L Brown, B Burkhill, K Edwards, A Harewood, P Hoyland,
O Hunter, L Jeuda, P Raynes, D Stockton and L Roberts

Apologies

Councillors C Andrew and H Gaddum

OFFICERS IN ATTENDANCE

Mrs N Folan (Planning Solicitor)
Mr P Hooley (Northern Area Manager - Development Management)
Mr N Jones (Principal Development Officer)
Ms S Orrell (Principal Planning Officer)
Mrs G Hawthornthwaite (Democratic Services Officer)

83 DECLARATIONS OF INTEREST/PRE DETERMINATION

Councillor Hunter declared a personal and prejudicial interest in respect of application number 11/4161M on the grounds that she is a personal friend of the applicant. In accordance with the code of conduct, she withdrew from the meeting during consideration of this item

Councillor Raynes declared a personal interest in application number 11/4161M on the grounds that he is a member of Knutsford Town Council. In accordance with the code of conduct, he remained in the meeting during consideration of this item.

84 MINUTES OF THE MEETING

That the minutes of the meeting held on 1st February 2012 be approved as a correct record and signed by the Chairman, subject to the following amendment:

Minute: 78 – 11/0107M – Ford House, The Village, Prestbury, Macclesfield, Cheshire SK10 4DG: Demolition of Ford House and Construction of Replacement Building for Parish Offices, Three Associated Apartments and Construction of Seven Townhouses within the Grounds of Ford House for St Peters Parochial Church Council.

Add to the minutes: *"During consideration of this item, the meeting was adjourned from 2.55 pm to 3.02 pm.*

Note - Councillors Brown and Roberts voted against the minutes for the previous meeting.

85 PUBLIC SPEAKING

That the public speaking procedure be noted.

Prior to consideration of the following item, Councillor Hunter left the meeting.

86 11/4161M - 11 BRANDEN DRIVE, KNUTSFORD, CHESHIRE WA16 8EJ - DEMOLITION OF FORMER WOMEN'S INSTITUTE BUILDING AND DEVELOPMENT OF FOUR TWO STOREY HOUSES AND PARKING

The Committee considered a report regarding the above planning application, a revised plan, an oral update by the Planning Officer and an oral report of the site inspection.

RESOLVED

That the application be REFUSED for the following reasons:

- The proposed development by virtue of its size, design and position relative to adjoining property, would be unduly dominant when viewed from adjoining property, causing an unacceptable loss of light, privacy, overshadowing and overbearing impact to the detriment of the residential amenities of the occupiers of those properties.

Prior to consideration of the following items, Councillor Hunter returned to the meeting.

87 11/4188M - 43B HAWTHORN LANE, WILMSLOW SK9 5DG - EXTENSION TO HOUSE

(Councillor G Barton (Ward Councillor), Mr Reilly (objector) and Mr J Adams (On behalf of the applicant) attended the meeting and addressed the committee on this matter).

The Committee considered a report regarding the above planning application, an oral update by the Planning Officer and an oral report of the site inspection.

That the application be APPROVED subject to the following conditions:

1. Development in accord with approved plans

2. Commencement of development (3 years)
3. No windows to be inserted
4. Use of garage/carport
5. Specification of window design/style
6. Obscure glazing requirement
7. Obscure glazing requirement (obscure and non opening windows)
8. Boundary treatment
9. Hours of construction
10. Construction method statement to include parking of contractors' vehicles

88 11/4495M - WILMSLOW GOLF CLUB, WARFORD LANE, GREAT WARFORD, CHESHIRE WA16 7AY - PROPOSED SWING STUDIO, OUTDOOR PRACTICE AREA, CAR PARKING AND ASSOCIATED DEVELOPMENT

(Mr N Howard (Agent) attended the meeting and addressed the committee on this matter).

The Committee considered a report regarding the above planning application, an update report by the Planning Officer and an oral report of the site inspection.

That the application be APPROVED subject to the following conditions:

1. Development in accord with approved plans
2. Provision of car parking
3. Tree retention
4. Tree protection
5. Commencement of development (3 years)
6. Construction specification/method statement for access
7. Details of materials to be submitted (to include colour of swing studio building)
8. Protection for breeding birds
9. Lighting details to be approved
10. Implementation of landscaping scheme submitted with application
11. Hours of use – building
12. Hours of use – practice ground
13. No additional lighting or floodlighting shall be installed
14. Details of surfacing materials
15. No grading/mounding other than shown on the approved plans
16. Details of security barrier to be submitted and approved
17. No fencing or netting
18. Use by members and guests and pre-booked lessons only

89 11/4367M - WILMSLOW GARDEN CENTRE, MANCHESTER ROAD, WILMSLOW SK9 2JN - REDEVELOPMENT OF GARDEN CENTRE FOLLOWING FIRE TO INCLUDE MAIN GARDEN CENTRE RETAIL

BUILDING, RESTAURANT, OPEN SIDED CANOPY, STORE AND ASSOCIATED EXTERNAL WORKS AND LANDSCAPING

Mr B Hewitt (Chief Executive of the Klondyke Group - on behalf of the applicant) attended the meeting and addressed the committee on this matter).

The Committee considered a report regarding the above planning application, an update report by the Planning Officer and an oral report of the site inspection.

That the application be APPROVED subject to the following conditions:

1. Commencement of development (3 years).
2. Development in accord with revised plans (numbered).
3. Provision of cycle parking.
4. Landscaping and woodland management implementation plan.
5. Provision of shower, changing, locker and drying facilities.
6. Materials as application.
7. Protection for breeding birds.
8. Protection from noise during construction (hours of construction).
9. Development to be undertaken in full accordance with construction method statement received 15.2.2012.
10. Product restriction.
11. Boundary fencing to Sefton Drive as application.
12. Development to be undertaken in accordance with renewable energy statement 1/12/11.
13. Development to be undertaken in full accordance with waste audit received 14.2.2012.
14. Draft Travel plan.
15. Prior to the first use of the development hereby approved a fully detailed lighting scheme shall be submitted to and approved by the Local Planning Authority. Thereafter the lighting shall be erected in full accordance with the details as approved.
16. The restaurant facility shall remain at all times ancillary to the overall use of the site as a garden centre and shall be operated by the garden centre operator and not as an independent restaurant. The restaurant shall not be independently accessed via Manchester Road. The restaurant shall only be open to the public during the hours of 09:00 hours to 17:30 hours Monday to Saturday and 10:30 hours to 16:30 hours on Sundays.

The meeting commenced at 2.00 pm and concluded at 4.10 pm

Councillor B Moran (Chairman)

Application No: 12/0027M

Location: OAKLANDS COMMUNITY INFANT SCHOOL, TUDOR ROAD,
WILMSLOW, CHESHIRE, SK9 2HB

Proposal: Demolition of Existing Buildings, Remodelling and Remediation of the Site
and Development of Mixed Use Scheme Comprising 21 Dwellings and
Car Parking Including Access and Amenity Space

Applicant: Mr Paul Coggins, Russell Homes Ltd

Expiry Date: 16-Mar-2012

**SUMMARY RECOMMENDATION - Approve subject to conditions and
the satisfactory completion of a S106 Agreement**

MAIN ISSUES

- Impact on protected open space
- Housing policy and supply
- Affordable Housing Provision
- impact of character and appearance of the area
- Impact on residential amenity
- Impact on trees
- The Heads of Terms for the S106 Agreement

REASON FOR REPORT

This application is brought before Members in line with the Council's Constitution, any development in excess of 10 dwellings should be determined by Committee. The application seeks permission for 21 dwellings.

DESCRIPTION OF SITE AND CONTEXT

Oaklands Community Infant School is a 0.85ha site located to the north east of Wilmslow town centre / south east of Handforth town centre. The School has closed following the merger with Dean Row Primary School, the combined school is known as Dean Oaks Community Primary School.

The School has been declared surplus to Education requirements by full Cabinet on 10 November 2009.

Dean Row Road forms the southern boundary of the site. The eastern boundary is formed by a landscaping belt adjoining a Public Footpath that has been recently updated and forms an access point to Dean Row Community School.

The site lies within a predominantly residential area, the Green Belt lies on the other side of Dean Row Road. The general character of the wider residential area varies in nature from imposing detached houses set within large plots to the east of the Public Footpath on Dean Row Road to a more densely developed area of smaller detached houses of 1970's vernacular along the main road frontage to the west of the site, to a greater mix of terraced and semi detached properties within the Tudor Green area to the rear of the site. Dean Row Community Primary school is located to the northeast and a private Children's Day Nursery is located directly to the rear of the site, which is un – connected to this proposal. The rear access presently serves the Nursery.

DETAILS OF PROPOSAL

The scheme proposes a housing development of the site comprising of 21 residential units.

The main access will be via Dean Row Road and will be a cul-de-sac serving 15 units. The existing access which previously served the vacant school and currently serves the Children's Day Nursery to the rear will also form the access for six dwellings.

The housing is a mix of 6 x 2 bed units (Two storey terraced), 2 x 3 bed units (two storey semi detached) and 13 x 5 bed units (two storey dwellings with bedroom accommodation within the roof space).

The scheme has been amended in the form of changes to house type to Plot 1 and create space to the frontage to create more gradual transition within the streetscene from 'The Hawthorns' on the main road frontage to the east of the site to no 87 Dean Row Road.

A landscape buffer is maintained to the Dean Row Road with development set back between 9m and 15m from the back of the pavement. A footpath link is created through the site linking Dean Row Road and Tudor Road which will be landscaped.

The layout of the scheme, most extensively to the Dean Row frontage, has been amended during the application stage, however, the mix and overall numbers of units remains as originally submitted.

RELEVANT HISTORY

The school has been the subject of numerous historic planning applications, none of which are relevant to this proposal.

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
- L5 Affordable Housing
- EM1 Integrated Enhancement and Protection of the Region's Environmental Assets
- 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
H8 Affordable Housing
H13 Protecting Residential Areas
RT1 Protected Open Space
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

Of the remaining saved Cheshire Structure Plan policies, only policy T7: Parking is of relevance.

Cheshire Replacement Waste Local Plan (Adopted 2007)

Policy 10 (Minimising Waste during construction and development)
Policy 11 (Development and waste recycling)

Other Material Considerations

PPS1 Delivering Sustainable Development
PPS3 Housing
PPS9 Biodiversity and Geological Conservation
PPG13 Transport
PPG17 Recreation and Open Space

Interim Planning Policy Statement – Affordable Housing
Interim Planning Policy Statement on the Release of Housing Land
Strategic Housing Land Availability Assessment (SHLAA)

By Design – better places to live; Safer Places – the Planning System and Crime Prevention – A Companion Guide to PPS1

Government Statement ‘Plan for Growth’ March 2011 – including the presumption in favour of sustainable development.

Draft National Planning Policy Statement

CONSULTATIONS (External to Planning)

Highways: No objection subject to conditions. Considers there is no technical highways reason why the use of the existing road network via Tudor Road to the rear of the site can not be utilised to service six no 2 bed units as proposed in addition to the existing Children’s Day Nursery (accessed via the same access but not forming part of this scheme)

Environmental Health (Contaminated Land) - No objection is raised, subject to a condition requiring a Phase II investigation, and a remediation scheme if necessary.

Environmental Health (Noise and Amenity) – No objection subject to conditions regarding hours of work/deliveries and the submission of a Noise Impact Assessment for the proposed dwellings fronting Dean Row Road and the incorporation of measures to minimise dust during construction.

Housing Strategy Manager - : no objections subject to a S106 legal agreement being entered into to secure the affordable housing tenure. In accordance with current planning policy 6 units are which are made up of 4 units for social rent and 2 units for intermediate tenure and meets the highest affordable need identified within Wilmslow which is for 2 bed units. In line with current policy the affordable homes should be provided by no later than occupation of 50% of the open market units so it expected that the affordable units will be provided no later than occupation of the 7th open market unit.

Leisure Services - No objection in principle to the loss of the designated open space. The open space within has never been utilised as a public asset and is not of a size that would meet any current standards for pitch or play provision. Considers that financial contributions are required in lieu of on site provision of Public Open Space and Recreation/Sporting provision. The contributions made will assist in improving the quality of provision in the locality (Browns Lane)

United Utilities – No objection subject to the site being drained on a separate system

VIEWS OF THE PARISH / TOWN COUNCIL

Wilmslow Parish Council - Raise concerns about the density of the development

OTHER REPRESENTATIONS

13 individual representations raising objections and concerns to the original scheme on grounds of -

- lack of parking associated with the 2 bedroomed units, the impact upon highway and parking congestion on surrounding streets to the rear of the site as a result of the use of the rear access for 6 of the proposed dwellings. Tudor Green residents consider that they suffer sufficient congestion by virtue of the existing school adjacent and that this development will add to that congestion.
- loss of the Protected Open Space,
- loss of a variety of trees throughout the site mainly to the western boundary and around the rear access.
- Over-development of the site, the layout is too dense
- Loss of privacy/ loss of sunlight to adjoining dwellings by virtue of the siting of various plots within the development
- Over-bearing siting of Plot 1 vis-a-vis its relationship with No 87 Dean Row Road and the impact upon that occupiers amenity/daylight to landing windows/outside space

- Drainage issues –the ability of local infrastructure to cope with additional inputs to sewers and drains/ flooding potential.

No further representations received in respect of the amended layout at the time of writing this report. Any further comments will be presented in an update report.

APPLICANT'S SUPPORTING INFORMATION

The following documents have been submitted in support of the application:

- Supporting Planning Statement
- Design and Access Statement
- Ecological Assessment (Bat Report)
- Arboricultural Impact assessment
- Phase 1 Geo-Environmental Site Assessment
- Technical Note – Site Access Arrangements
- Affordable Housing Statement
- Draft Heads of Terms

All of these documents are available in full on the planning file, and on the Council's website.

In précis, the Applicant considers –

In land use terms having specific regard to the designation of the site as Protected Open Space and policy to protect that use, it is important to consider the characteristics of the subject site and the current usage of the site. The site is not a publicly accessible recreational site. The site is a redundant infant school that contains both open land and previously developed land in the form of buildings and hard surfaced areas. Furthermore, part of the open area is spoil from the excavation material generated from the construction of the school that was stockpiled and allowed to revert to seed. This area specifically serves very little purpose being neither amenity space or play space. It is of note that only a small part of the site was actively used as recreational open land by the former infant school when it was operating. This area of the site was 0.22ha being approximately one quarter of the total site area.

It is equally relevant that the soft land landscape area of the site was used exclusively by the former school. This area was not a recreational facility that was available to the wider community. Outside of the operational hours of the school there was no public access to the site. Now that the Infant School has moved the site is not used at all. The sale of the site will not facilitate a public use of the site.

With regard to other planning policy, the site will deliver housing in a sustainable location and 30% affordable housing is offered. In the light of PPS3, favourable consideration should be given to sustainable development where the Local Planning Authority can not demonstrate a five year supply of housing.

OFFICER APPRAISAL

Section 38 of the Planning and Compensation Act 2004 requires a plan led approach to decision making in that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

In this case the development plan consists of the Regional Spatial Strategy for the North West, the Cheshire Replacement Waste Local Plan and the Macclesfield Borough Local Plan.

Principal of Development

The principle issues surrounding the determination of this application are the acceptability of the loss of the Existing Open Space to a residential land use, the impact of the proposed development on residential amenity, the character and appearance of the surrounding area, the existing trees, and any highway issues regarding access and parking.

Loss of the Existing Open Space

The Site is a former infants school is identified as being Existing Open Space as defined in the Macclesfield Borough Local Plan 2004 .

Policy RT1 seeks to protect areas of existing open space from redevelopment and states that redevelopment of a building footprint that does not harm the integrity of the open space will be permitted. The Policy allows for development of any hard surfaced area which would not harm the integrity of the open space. Policy RT3 seeks the retention of existing recreational facilities associated with redundant educational facilities.

Central Government Planning Policy Guidance Note (PPG) 17 Open Space and Recreation provides guidance on Open Space which aims to deliver sustainable development, social inclusion and community cohesion and health and well being. This was adopted in 2006 after the adoption of the Local Plan and is considered an important material consideration in this case as it represents most up to date planning policy.

Paragraph 10 of PPG17 requires Local Authorities to maintain an adequate supply of open space and recreational facilities and notes that existing open spaces should not be built on unless an assessment has been undertaken which has clearly shown the open space or the buildings or land are to surplus to requirements. It adds that not all open space, sport and recreation land and buildings are of equal merit and some may be available for alternative uses.

PPG 17 also advises that proposed development should take account of and be sensitive to the local context and in considering development within Open Space, authorities are advised to weigh the benefits being offered to the community against the loss of open space that will occur.

The site is a vacant infant school that contains both open land and previously developed land in the form of buildings and hard surfaced areas, the landscape area of the site was used exclusively by the former school. This area was not a recreational facility that was ever available to the wider community. Outside of the operational hours of the school there was no public access to the site. Now that the Infant School has closed down, the open space is not

used. With the exception of the access through the site for the Children's Day Nursery to the north of the site, the site is entirely unused, however, the landscaped belt incorporating trees and hedgerow to the Dean Row Road frontage contributes to the visually amenity of the public realm.

The Council has recently completed a PPG17 compliant Audit and Open Space Assessment. The site is located in the Dean Row, South of A34 Neighbourhood. The Neighbourhood is shown within that assessment as having sufficient amenity open space provision and children's play space provision. The Assessment, however, shows that the whole of Wilmslow is deficient in playing pitch provision.

Within the context of the PPG17 Assessment, this site is located in a Neighbourhood which has sufficient amenity open space and children's play space and has never had a playing pitch within it. PPG17 concludes that if the land is surplus to requirements, there is no deficiency in open space which is established through a PPG17 compliant open space assessment, as has been demonstrated in this case, then permission for redevelopment should be granted subject to the condition that the land does not have bio-diversity benefits and it is acceptable in terms of other relevant planning policies.

The function of the existing open space as a breathing space within the surrounding urban form should be considered. Noting the edge of Green Belt location and other areas of open space in the area it is not considered that there is any intrinsic harm to the urban grain by the loss of this area of open space.

Ecology

The site is located within a predominantly residential area, however, is directly opposite the Designated Green Belt. The site itself contains no features of ecological significance and is in an isolated position, not linking into or forming any part of a Green Corridor.

The proposed development site has no statutory or non-statutory designations for nature conservation. No significant examples of Biodiversity Action plan priority habitats or populations of Biodiversity Action plan priority species are considered to be reasonably likely to be present and additionally the school grounds are not considered reasonably likely to support protected species.

The vegetation and hedgerows bordering the site may contribute to ecological connectivity, however this function is likely to be limited to the very local context of the site and is not considered a constraint on the future redevelopment of the site.

In addition, the site frontage, which contains an extensive tree belt and hedgerow, is maintained as part of the proposals, with replacement landscaping and Hedgerow planting as mitigation for the loss of such features by virtue of the access creation.

The Council's Ecologist has considered the Protected Species Report submitted in respect of the scheme and raises no objections to the proposals.

Overall, the site is not considered to perform a biodiversity function to an extent that would justify refusal of permission in this instance

Planning Policy and Supply of New 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 having regard to the criteria listed in Paragraph 69 of PPS3.

The listed criteria 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 Summerfields District Centre. The development would provide a mix of house types (six no. 2-bed houses, two no 3-bed houses, thirteen no 5 bed houses). The overall density of development is 24 units per hectare. Whilst there is no minimum requirement within PPS3 for minimum density, the proposed density of development is considered to be an efficient use of the site that is in keeping with its environment, whilst at the same time the proposal also ensures that there is landscaping and greenery to the main road frontage. It is therefore considered that the proposed development would comply with the sustainability principles that underpin PPS1 and PPS3.

Additionally, the site is identified within the Strategic Housing Land Availability Assessment SHLAA as a housing site with potential for 40 dwellings (combined with the adjoining Primary School) , likely to come forward in the next 5 years.

Affordable Housing

As the scheme provides more than 15 units the Interim Planning Policy Statement (IPS) on Affordable Housing there is a requirement for on site provision of affordable housing.

The SHMA 2010 shows that for Wilmslow there is a requirement for 255 units between 2009/10 – 2013/14, this equates to a requirement for 51 new affordable units per year, this is made up of need for 2 x 1bed, 17 x 2bed, 17 x 3bed, 9 x 4bed and 6 x 1/2 bed older persons units.

The affordable housing requirement will be 30% of the total units with a tenure split of 65% social rent, 35% intermediate tenure. This equates to a total requirement of 6 affordable units in total on this site.

The applicant is offering 6 x 2 bed units as affordable units, which are made up of 4 units for social rent and 2 units for intermediate tenure and this is welcome as it meets the highest affordable need locally which is for 2 bed units.

The Affordable Housing IPS also requires that the affordable units should be tenure blind and pepper potted within the development, the external design, comprising elevation, detail and

materials should be compatible with the open market homes on the development thus achieving full visual integration. The layout plan with the application shows the affordable units in the North West corner of the site and the units do not appear pepper-potted however it is accepted that it may not be practical to pepper-pot the units due to the small scale size of the site. The affordable housing is , in addition, linked via footpath link to the other part of the site and the wider area. Accordingly, it is considered that the scheme is visually and socially inclusive and will assist in meeting a significant housing need in the area.

Impact of character and appearance of the area

Local Plan policies BE1, H2, H13, DC1 and DC35 address matters of design and appearance. Policy BE1 states that the Council will promote high standards of design and new development should reflect local character, use appropriate materials and respect form, layout, siting, scale and design of surrounding buildings and their setting. Policy H2 requires new residential development to create an attractive, high quality living environment. Policy DC1 states 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.

Para 16 of PPS3 concerns assessing design quality include the extent to which the proposed development (inter alia):

- *Is well integrated with, and complements, the neighbouring buildings and the local area more generally in terms of scale, density, layout and access.*
- *Facilitates the efficient use of resources, during construction and in use, and seeks to adapt to and reduce the impact of, and on, climate change.*
- *Takes a design-led approach to the provision of car-parking space that is well integrated with a high quality public realm and streets that are pedestrian, cycle and vehicle friendly.*
- *Creates, or enhances, a distinctive character that relates well to the surroundings and supports a sense of local pride and civic identity.*

This proposal comprises a small development of mainly detached dwellings that are in keeping with the area, which itself has a mixed residential character, with sizeable large detached dwellings in large plots mainly located to the Dean Row frontage to east of the site, and smaller two storey detached dwellings located top the west of the main road frontage.

The materials are considered acceptable and would complement those within the surrounding area. The cul-de-sac layout of houses would be broken-up by changes in ridge height of dwellings , ranging from 8.5m to ridge for the 2 bedroomed units to generally 8.7m to ridge on the larger units, six different house types are interspersed through the site, with a footpath link through to the nursery, the houses incorporate different design features with gable features including tudor boarding, bay windows, rear dormers, rendered panels and some houses have integral garages whilst others are interspersed with single and double detached garages.

The creation of the footpath link through the site adds to social inclusion by virtue facilitating direct foot access through the site. .

Whilst this development incorporates greater coverage of the site than the existing building and areas of hardstanding, a landscaped frontage will be maintained. Whilst some trees are removed and parts of the hedge to the main road frontage is removed to form the access, mitigation planting is proposed which will safeguard the amenity of the area.

The height, scale, massing and coverage of the proposed dwellings is considered appropriate having regard to the height and scale and variety of surrounding properties.

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.

Trees

An Arboricultural Tree Survey was submitted with the planning application. A number of trees are to be removed from the site to facilitate this development.. None of the trees to be removed are protected and a significant belt of trees and hedgerow will be retained to the site frontage. The Council's Arborist has considered the proposals and raises no objection

Landscape

The Landscape Architect raises no detailed issues. The Applicant has provided landscaped buffers to the boundary of the site with the Public Right of Way to east of the site and to the footpath link adjoining plots 8 and 21.

Highways

The proposal incorporates two access points. The existing access; which previously served the school and still serves the Childrens Day Nursery via Tudor Road to the north of the site; will serve six no 2 bed units and a new access via Dean Row Road will service the remainder of the site.

The Strategic Highways Manager has assessed the proposal not only in capacity terms but also with regard to the safety of the two accesses. A technical note has been submitted in support of the application.

The Strategic Highways Manager advises that the Tudor Green access is acceptable . as the existing highway infrastructure is satisfactory for these small number of units. It should also be remembered that the rear access previously formed the sole access to the Infants School and the reduction in likely traffic coming to and from this part of the site is likely to be significant. There is a new footpath link through the site which will link Dean Row Road with Tudor Green and the Children's Day Nursery and Dean Row Community School to the north of the site.

Two car parking spaces are provided for each dwelling type, including the 2 bedroomed units.

Paragraph 75 of PPG13 Transport states that walking is the most important mode of travel at the local level and the greatest potential to replace short car trips, particularly under 2km.

The site is directly adjacent to the public transport network, it is a sustainable location being located close to the bus stops on Dean Row Road and Summerfield District Centre which is within easy walking distance. This is considered to be in accordance with the objectives of policies DC6 and DC57 of the local plan.

There are no highway objections raised to the application subject to conditions. The toucan crossing on Dean Row Road can be relocated at the developers expense without compromising site safety.

Impact on residential amenity

The housing layout sits appropriately within the site. The proposal contains a variety of house styles with principal room windows being positioned within each individual dwelling to comply with the interface distance standards within the development plan with respect to both the relationship with neighbouring properties adjoining the site and those which will be sited within the development.

The majority of the housing types contain habitable bedroom space within the roof, served by velux roof lights and windows positioned within the roof area serve bathrooms and are thus to be obscurely glazed.

Interface distance standards as expressed in Local Plan Policy are adhered to by careful siting and positioning of windows within each individual plot. The scheme complies with Local Plan Policy DC38 with respect to privacy distances for neighbours

Renewable energy

Policy EM18 of the Regional Spatial Strategy deals with decentralised and renewable energy supply. In advance of local targets being set through the Cheshire East Local Development Framework, 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 planning condition.

Planning for Growth Agenda

This is a sustainable form of development, recent Governmental announcements to which Local Planning Authorities are expected to give significant weight as material planning considerations sway in favour of sustainable development.

OTHER MATTERS

Other issues raised include flooding and drainage. The site is within Flood Zone 1 and a Flood Risk assessment was not required as part of the scheme. Neighbours have raised concern regarding the potential for the lower end of Tudor Road to flood during heavy downpours. This is due to the drainage system not being able to cope with the sudden downpour. The proposal will not add to the risk of flooding and matters pertaining to drainage

are controlled via the Building Regulations. In addition United Utilities have raised no issues concerning their infrastructure. It should be remembered that the removal of the school premises is likely, if anything, to ease the burden on the local infrastructure.

CONCLUSIONS AND REASON(S) FOR THE DECISION

An up to date assessment of the open space and recreation space available in this locality has demonstrated that this area does not have a shortfall of such provision and the site does not perform a strategically important function for biodiversity. The site has been identified in the Macclesfield Strategic Housing Land Availability Assessment as a potential housing site, likely to come forward in the next 5 years, and would assist in meeting the shortfall in the five years supply in housing that the Council is obliged to plan for within PPS3.

The site comprises previously developed land in a sustainable location, with access to a range of local services and facilities nearby and has good public transport links.

The proposal therefore sits well within the spatial vision for the area and the 'Planning for Growth' Agenda. The scheme is considered to be a sustainable development where there is a presumption in favour of the development. For the reasons outlined above the scheme complies with relevant Development Plan policy. The design of the scheme is acceptable and sympathetic to the existing urban environment. The impact of the development on adjoining land uses and the living conditions of neighbours is within acceptable standards and can be controlled by condition. The proposal will have no adverse impact in terms of highway safety, trees, landscape or ecology.

RECOMMENDATION

Grant Conditional Planning Permission:

SUBJECT TO

The satisfactory completion of a S106 Legal Agreement comprising:

HEADS OF TERMS

- Provision affordable housing provision on site in the form of 6 x 2 bed units, which are made up of 4 units for social rent and 2 units for intermediate tenure
- Provision of commuted sum in lieu of on site provision of Play and amenity - £63,000
- Provision of commuted sum in lieu of on site provision of Recreation / Sport - £15,000

Community Infrastructure Levy (CIL) Regulations

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The provision of affordable housing is necessary, fair and reasonably related to this development to provide sufficient affordable housing in the area, and to comply with National Planning Policy.

The commuted sum in lieu of childrens play space, public open space and recreation provision is necessary, fair and reasonable, as the proposed development will provide 21 family sized dwellings of different sizes, the occupiers of which will use local facilities as there is no recreational or public open space on site, as such, there is a need to upgrade/enhance existing facilities. The contribution is in accordance with the Council's Supplementary Planning Guidance.

All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development.

1. A01LS - Landscaping - submission of details
2. A01TR - Tree retention
3. A02TR - Tree protection
4. A03FP - Commencement of development (3 years)
5. A03HA - Vehicular visibility at access (dimensions)
6. A03TR - Construction specification/method statement
7. A04AP - Development in accord with revised plans (numbered)
8. A04LS - Landscaping (implementation)
9. A05EX - Details of materials to be submitted
10. A06NC - Protection for breeding birds
11. A12LS - Landscaping to include details of boundary treatment
12. A16LS - Submission of landscape/woodland management plan
13. A22GR - Protection from noise during construction (hours of construction)
14. A23GR - Pile Driving
15. A23MC - Details of ground levels to be submitted
16. A30HA - Protection of highway from mud and debris
17. A32HA - Submission of construction method statement including access via Dean Row Rd only
18. no dormers other than authorised
19. levels details to be submitted
20. birds
21. open plan estate layout only
22. 10% renewable energy provision
23. Contaminated land assessment
24. Toucan Crossing relocated



Application No: 12/0309M

Location: WITHINLEE HOLLOW, WITHINLEE ROAD, PRESTBURY, SK10 4AT

Proposal: Demolition of Existing house. Construction of Replacement Dwelling House. Resubmission of 11/2386M

Applicant: MS VICTORIA CALDERBANK

Expiry Date: 27-Mar-2012

SUMMARY RECOMMENDATION

Approve subject to conditions

MAIN ISSUES

- The design and appearance of the proposal and its impact on the character and appearance of the area/the Low Density Housing Area
- The impact of the proposal on the amenity/privacy of adjoining residents
- Whether access and parking arrangements are suitable
- The impact of the proposal on existing trees, landscaping and nature conservation

Date Report Prepared: 5th March 2012

REASON FOR REPORT

The application was called-in to Committee by the Ward Councillor, Paul Findlow for the following reasons:

- Inappropriate size, mass, design incongruity, height and style, being situated on the edge of the Green Belt and adjacent to an ASCV.
- Contrary to policy BE1 - does not respect form, layout, scale and design of the surroundings and their setting.
- Contrary to policy H12 - is not sympathetic to the character of the low density housing area, taking into account vehicular access. See also 3.1 of the SPD.
- The deleterious visual impact both generally and from Chelford Road.
- The impact on existing trees/tree root systems.
- Significant road/driveway safety issues at/on the entrance to the access drive.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a detached bungalow constructed of white rendered walls, some stone feature walls and a grey concrete tile roof with a link-attached double garage. It is accessed via a long driveway from Withinlee Road and is positioned, as its name suggests, within a hollow. The dwellinghouse is sited within the predominantly residential area of Prestbury and within a Low Density Housing Area. The application site bounds the Green Belt and an Area of Special County Value to the south and southwest.

DETAILS OF PROPOSAL

Full planning permission is sought for a replacement dwellinghouse.

RELEVANT HISTORY

11/2386M Replacement of existing dwelling
Withdrawn 9th September 2011

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

Local Plan Policy

NE11 Nature Conservation
BE1 Design Guidance
H12 Low Density Housing Areas
H13 Protecting Residential Areas
DC1 New Build
DC3 Amenity
DC6 Circulation and Access
DC8 Landscaping
DC9 Tree Protection
DC38 Space, Light and Privacy
DC63 Contaminated Land Including Landfill Gas

Other Material Considerations

PPS1 Delivering Sustainable Development
PPG2 Green Belts
PPS3 Housing
PPS9 Biodiversity and Geological Conservation
Prestbury Supplementary Planning Document
Prestbury Village Design Statement

CONSIDERATIONS (External to Planning)

Highways: No objections subject to conditions. As this is an application for a replacement dwelling there can be no objection to the development on highway safety grounds. However, he notes that the construction of the new house will be difficult due to the poor access which is long and narrow. To deal with this issue the applicant should submit for approval a construction method statement giving details of parking and delivery arrangements.

United Utilities: No objection

VIEWS OF THE PARISH / TOWN COUNCIL

Prestbury Parish Council – Comments are awaited and will be updated to Members accordingly.

OTHER REPRESENTATIONS

Representations have been received from two separate neighbouring properties that raised the following concerns/comments:

- Highway safety issues regarding the narrowness of the existing drive and the access onto Withinlee Road, particularly during construction when large vehicles will be accessing the site; there does not seem to be enough room for larger delivery vehicles to turn within the site, especially if vehicles are parked on the hardstanding.
- The proposed dwellinghouse would be a lot bigger than the existing house in both height and ground space; it would be higher than most houses; it would not be in keeping with the surrounding area; it would have a very modern design that is not like the surrounding properties; it comprises a 3-4 storey house from some angles; excessive mass; it would be higher than the previous proposal whose height was considered unacceptable; slate is not used in the immediate surroundings; the use of materials would make it incongruous next to the neo-Georgian houses; the use of brick and terracotta like Withinlee and the neo-Georgian houses would be much less intrusive than the proposed render, glass and slate and would reflect the surrounding dwellinghouses; the re-siting of the building to the north will not make much difference to the view from Chelford Road which is to the south.
- It would be intrusive to the local landscape and to neighbours; it would be clearly seen from Chelford Road and more prominent than the existing bungalow; it is inappropriate given its setting on the edge of the Green Belt and Area of Special County Value; they consider that developments bordering onto an area designated as ASCV should be of a higher design standard; the proposed design would be particularly conspicuous from long distance views from within the Green Belt and ASCV.
- The existing trees and their roots should be protected during the construction period.
- The building will be visible from neighbouring properties due to the number of trees that have been lost and some which are currently decaying and will have to be removed in the future.
- Comments made in respect of the submitted Design & Access Statement.

Prestbury Amenity Society has also commented on the application and considered that the variety of materials should be reduced.

APPLICANT'S SUPPORTING INFORMATION

A Design & Access Statement, 3-D images, photographs of the site and surroundings have been submitted with the planning application.

OFFICER APPRAISAL

Principal of Development

The application is for a replacement dwellinghouse within the predominantly residential area of Prestbury therefore the principle of the development is acceptable.

Design & Landscape

The existing dwellinghouse comprises a detached H-shaped bungalow with a link-attached double garage. The bungalow is rendered white with some feature stone walls and has a grey concrete tiled roof. The bungalow is of no architectural merit and does not reflect the large detached 2/2.5 storey dwellinghouses in the surrounding area. The land slopes steeply from the rear of the dwellinghouse to the fields beyond which results in the property having a private garden to the southwest of the existing dwellinghouse.

It is proposed to demolish the existing bungalow and double garage and construct a detached dwellinghouse with an integral double garage. The replacement dwellinghouse would be T-shaped and would comprise two-storeys with additional living accommodation in the roofspace and a basement that would be partially visible from the south. The property would have a contemporary design that would use a mix of render, wooden cladding and brick to the walls and a slate pitched roof. The dwellinghouse would occupy a similar footprint as the existing bungalow but would be sited marginally further away from the south/southwestern boundaries.

Policies BE1 and DC1 of the Local Plan (which are expanded by paragraph 3.1 of the Prestbury Supplementary Planning Document) state that new development should be sympathetic to the character of the local environment, street scene, adjoining buildings and the site itself. The explanatory text to policy DC1 suggests that designs should normally be in keeping '*and where necessary improve*' positive aspects of local character. PPS1 also makes it clear that designs should improve the character and qualities of an area not necessarily just replicate it. It seeks to promote local distinctiveness and sustainable, durable and adaptable developments which are visually attractive as a result of good architecture and appropriate landscaping. This area of Prestbury has a character that stems from a large plot size and generous vegetation, rather than from a consistent architectural style. Whilst the design of the proposed dwellinghouse is contemporary and may not reflect the immediate neighbouring properties, the wider surrounding area comprises a mix of designs and ages with some comprising contemporary designs, in particular 'Highfield' which comprises a very modern, highly glazed contemporary design.

The dwellinghouse would be sited approximately 170 metres from Withinlee Road, at a lower land level and would be screened by the dwellinghouses that are located between the application site and Withinlee Road and the existing tree cover. The proposed dwellinghouse would therefore not be highly visible from Withinlee Road; would not be read as part of the street scene; and would not be read alongside the adjacent properties due to the spacing between the properties and the existing tree cover.

Concern has been raised by neighbour's regarding the use of render and slate rather than brick and terracotta tiles however the existing bungalow is rendered and does not have a terracotta tiled roof and the surrounding area comprises a mix of both slate and terracotta tiles. The use of slate is therefore not considered to be out-of-character with the surrounding area. Concern has also been raised regarding the plethora of materials to be used on the proposed dwellinghouse however the existing bungalow is constructed of a mix of materials and the proposed materials are central to the contemporary design of the replacement dwellinghouse. The mix of materials is therefore considered acceptable.

The Design Officer has considered the application and notes that unlike many others in the surrounding area the development has not taken the pastiche route but has instead taken a step towards contemporary, albeit at a reduced burst of modernism than the previously withdrawn scheme. Nonetheless she states that it is a welcome design, but considers that it is rather unfortunate that it will not be visible from many public vantage points. The Design Officer considers that the replacement dwelling is seen to have regard to policy BE1 in that it reflects local character and respects the form, layout, siting, scale and design of surrounding buildings and their setting.

The site is outside the Green Belt, however, paragraph 3.15 of PPG2 advises that the visual amenities of the Green Belt should not be injured by development conspicuous from the Green Belt.

Concern has been raised in representations regarding the prominence of the proposed building from the Green Belt/Area of Special County Value and Chelford Road to the south/southwest of the application site. The fields surrounding the application site are in private ownership and therefore no public view of the site would be gained from this aspect. A public footpath links Chelford Road with Withinlee Road however it is located nearly 500 metres from the application site and given the topography of the land and existing tree cover, the site cannot be viewed from the public footpath. Chelford Road is located to the south of the application site. Concern has been raised and photographs submitted to demonstrate that the proposed dwellinghouse would be prominent when viewed from Chelford Road.

It should be noted that Chelford Road is sited nearly 500 metres from the application site; has no footpath; has no lay-bys; and has a hedge along either side. The existing dwellinghouse is not noticeable when travelling along Chelford Road and is only visible through gaps in the hedge when actually trying to 'spot' the site. Whilst it is acknowledged that the proposed dwellinghouse would be higher than the existing dwellinghouse, it is not considered that it would be noticeably prominent when travelling along Chelford Road for the same reasons. The proposed dwellinghouse would also be viewed against a backdrop of residential properties that are of a similar scale to the proposed dwellinghouse and have a similar relationship to the Green Belt/Area of Special County Value boundary. In addition other dwellinghouses are located closer to Chelford Road and are therefore would be arguably more prominent than the proposed dwellinghouse. The Landscape Officer has considered the application and looked at the site from Chelford Road. In her opinion the proposed development would not have an adverse visual impact and would not be harmful to the character of the Green Belt and ASCV. It is therefore considered that the landscape impact of the dwellinghouse is acceptable and would not be conspicuous from the Green Belt.

The application site falls within a Low Density Housing Area whereby policy H12 of the Local Plan is applicable. This policy seeks to ensure that new developments are sympathetic to the character of the established residential area, particularly in respect of the physical scale and form of new houses; the plot width and space between the sides of housing should be commensurate with the surrounding area; the existing low density should not be exceeded; existing high standards of space, light and privacy should be maintained; and existing tree and ground cover of public amenity value should be retained. Concern has been raised in objections that the proposed dwellinghouse would not comply with policy H12 of the Local Plan.

The proposed development would comprise a replacement dwellinghouse. The dwellinghouse would have a similar footprint as the existing bungalow and would have a similar spacing to the sides; the density of the plot would therefore be retained. As outlined above it is not considered that the proposed dwellinghouse would be out-of-character with the surrounding area and would have a similar scale and form to the surrounding dwellinghouses. The existing trees would be retained and existing high standards of space, light and privacy would be maintained. The proposed is considered to comply with the criteria in policy H12.

For these reasons it is considered that the proposed dwellinghouse would not have a detrimental effect on the character or appearance of the surrounding area and it would comply with policies BE1, DC1 and H12 of the Local Plan as well as the Prestbury Supplementary Planning Document.

Amenity

Residential properties surround the application site to the north, northwest and east, whilst fields owned by the applicant immediately bound the application site to the south/southwest.

The proposed dwellinghouse would be sited approximately 2.8 metres closer to the boundary shared with Withinlee Court to the northwest of the application site. However the dwellinghouse would still be sited approximately 16 metres from the shared boundary and approximately 65 metres from the neighbour's dwellinghouse. The proposed dwellinghouse would therefore significantly exceed the separation distances outlined in policy DC38 of the Local Plan. The proposed dwellinghouse is therefore not considered to have a detrimental effect on the amenity of this property. It should also be noted that this neighbour has raised concern regarding a dormer window overlooking their property. However the dormer window would be positioned in the elevation facing in a southwesterly direction across the adjacent fields rather than towards the neighbour's property.

The properties to the north and northeast of the dwellinghouse (e.g. Clover Heights, Withinlee, Withinlee Cottages) are separated from the proposed dwellinghouse by a paddock that is owned by the applicant. These properties are located a significant distance from the application site. The separation distances in policy DC38 would be significantly exceeded and therefore it is not considered that the proposed dwellinghouse would have a detrimental effect on the amenity of these properties.

The property to the east of the application site (Hanover House) forms part of the recently constructed gated development known as St James' Hill. The property is a substantial detached dwellinghouse and is located on a lower ground level than the application site. Concern was raised regarding the bulk of the building closest to this property in respect of the previously withdrawn scheme. Since the withdrawn scheme the design of the dwellinghouse has been revised so that the dwellinghouse now comprises two-storeys with a pitched roof that slopes away from Hanover House rather than three storeys with a flat roof; the dwellinghouse has been sited 1.5 metres away from this property when compared to the existing bungalow; and the first floor has been stepped a further 1.5 metres away.

Due to the orientation of the two properties, Hanover House would have an oblique view of the built area of the proposed dwellinghouse closest to their property and a direct view where the proposed dwellinghouse would be sited approximately 40 metres from the application site. It is considered that the amendments to the proposed dwellinghouse have overcome the previous concerns in respect of its impact on the amenity of Hanover House, especially as the proposed dwellinghouse would comply with the separation distances outlined in policy DC38, even when taking into account the changes in land levels.

In order to protect neighbouring amenity during the demolition of the existing dwellinghouse and the construction of the proposed dwellinghouse it is recommended that a condition be attached restricting works to specific days/times.

For the reasons outlined above and subject to the recommended condition, it is considered that the proposed development would comply with policies DC3 and DC38 of the Local Plan.

Highways

The proposed development is for a replacement dwellinghouse. An existing double garage would be replaced with a garage of a similar size and an area for the parking and turning of vehicles would be maintained within the existing area of hardstanding. The existing access onto Withinlee Road and the existing driveway would be utilised with no alterations proposed. Concern has been raised from neighbouring properties regarding the existing access being substandard and the use of the access and driveway by large vehicles during the construction process. The Strategic Highways Engineer has assessed the application and states that as this is an application for a replacement dwelling there can be no objection to the development on highway safety grounds. However, he notes that the construction of the new house will be difficult due to the poor access which is long and narrow. To deal with this issue the applicant should submit for approval a construction method statement giving details of parking and delivery arrangements etc. Subject to this condition, it is considered that the proposed development would comply with policy DC6 of the Local Plan.

Ecology

The proposed development has been assessed by the Nature Conservation Officer and he does not anticipate there being any significant ecological issues associated with the proposed development.

Trees

TPO protected trees are located at the entrance onto Withinlee Road and along the boundary shared with Hanover House to the southeast of the application site. Other non-protected trees are located within the application site. A Tree Survey has been requested from the applicant and this is currently awaited. It should be noted however that, in respect of the previously withdrawn application, the Tree Officer considered that the proposed development could be adequately mitigated against so as not to cause harm to the existing trees, subject to conditions.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The objections raised have been considered however conditions can be applied that adequately address these concerns in respect of trees and construction. The development complies with Local Plan policies in respect of design, character, Low Density Housing Area, highway safety and nature conservation. The landscape impact is acceptable and the development would not be conspicuous from the Green Belt.

The application is therefore recommended for approval.

SUBJECT TO

The comments of the Officer for Arboriculture

1. A03FP - Commencement of development (3 years)
2. A02EX - Submission of samples of building materials
3. A01LS - Landscaping - submission of details
4. A04LS - Landscaping (implementation)

- 5. A22GR - Protection from noise during construction (hours of construction)
- 6. A30HA - Protection of highway from mud and debris
- 7. A23MC - Details of ground levels to be submitted
- 8. A32HA - Submission of construction method statement
- 9. A01AP - Development in accord with approved plan



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Application No: 11/4341M

Location: FORMER BEECH LAWN AND WOODRIDGE, BROOK LANE,
ALDERLEY EDGE, CHESHIRE, SK9 7QG

Proposal: Amended Scheme for Erection of 20 Apartments in Two, Three Storey
Buildings.

Applicant: P.E.Jones (Contractors) Limited

Expiry Date: 01-Mar-2012

Date Report Prepared: 5 March 2012

SUMMARY RECOMMENDATION

Refuse

MAIN ISSUES

- The design and appearance of the proposal and its impact on the character and appearance of the area
- The materiality of the previously approved development
- 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
- Whether affordable housing is required as part of the scheme

REASON FOR REPORT

The proposal requires determination by the Northern Planning Committee under the terms of the Council's constitution.

DESCRIPTION OF SITE AND CONTEXT

The site lies on the northern side of Brook Lane, at the edge of the Predominantly Residential Area, beyond which lies the Green Belt. Brook Lane is generally characterised by large Victorian/Edwardian semi and detached mansions, set in large, well landscaped plots with generally extensive tree cover. More modern development plots in the vicinity are equally well landscaped, however, the scale, height and massing of the more recent dwellings is less imposing than the older mansion blocks.

The site adjoins the Alderley Edge By-Pass and has the benefit of an implemented planning permission for a total of 18 residential units within 2 blocks dating from the late 1990's. The development was commenced by virtue of the creation of the access from Brook Lane following the demolition of the 2 dwellings that formerly existed at the site, but progressed no further.

The site is a cleared site which is secured by a timber hoarding to the Brook lane frontage. The eastern boundary of the site is shared with three dwellings. A large area of demolition spoil occupies a central plateau within the site, which slopes away steeply towards the rear. The western boundary now forms the boundary with the Alderley Edge by-pass, which runs past the site in a cutting. The By-pass has been extensively landscaped and mounded. The site itself, however, cuts into the landscaping mound, particularly to the rear, where the mound falls away towards the By-pass cycle –path and footpath.

DETAILS OF PROPOSAL

It is proposed to erect 2 no apartment blocks comprising basement car parking and 3 further floors of residential accommodation including roof level penthouses and associated outdoor amenity space, accessed off a shared drive via Brook Lane. Each block will contain 10 flats, with 3 per floor and one penthouse. Overall, 17 car parking spaces are proposed with the basements and 23 surface level car parking spaces are contained within the grounds, along the rear and eastern boundary. Overall there is 200% car parking proposed.

RELEVANT HISTORY

98/2054P - Demolition Of Existing Buildings And Construction Of 18 Flats In 2(No) Three Storey Blocks With Associated Car Parking – Allowed On Appeal 2.07.1999

This scheme has been implemented by virtue of the implementation of the access being formed and the 2 former dwellings that occupied the site being demolished.

POLICY

The Development Plan consists of the North West of England Plan Regional Spatial Strategy to 2021 (RSS), the saved policies of the Structure Plan Alteration: Cheshire 2016, and the saved policies of the Macclesfield Borough Local Plan.

Regional Spatial Strategy for the North West to 2021

DP1- Spatial Principles, promoting sustainable development
DP2- Promote Sustainable Communities
DP5- Manage Travel Demand
EM2- Remediating Contaminated Land
EM18 – Decentralised Energy Supply
MCR3 (Southern Part of the Manchester City Region)
L2 – Understand Housing Markets
L4 – Regional Housing Provision

Macclesfield Borough Local Plan (2004)

Built Environment

BE1- Design Guidance

Development Control

DC1 – New Build
DC3 –Amenity
DC5- Natural Surveillance

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
DC41 – Infill Housing Development

Environment

NE17- Nature Conservation in Major Developments

Housing

H1- Phasing policy
H2- Environmental Quality in Housing Developments
H5- Windfall Housing
H8 – Provision of Affordable Housing
H9 - Occupation of Affordable Housing
H13- Protecting Residential Areas

Implementation

IMP1- Development Sites

Of the remaining saved Structure Plan policies, only policy T7: Parking is of relevance.

Cheshire Replacement Waste Local Plan (Adopted 2007)

Policy 11 (Development and waste recycling)

Other Material Considerations

Planning Policy Statement 1: Delivering Sustainable Development
Planning Policy Statement 3: Housing
Planning Policy Statement 13: Transport

By Design – better places to live; Safer Places – the Planning System and Crime Prevention
– A Companion Guide to PPS1

Interim Planning Policy on the Release of Housing Land
Interim Planning Policy Statement – Affordable Housing

Ministerial Statement March 2011 – Planning for Growth

Draft National Planning Policy Framework

Circulars of most relevance include: ODPM 06/2005 Biodiversity and Geological Conservation; ODPM 05/2005 Planning Obligations; 11/2005 Green Belt Direction and 11/95 The use of Conditions in Planning Permissions.

Relevant legislation also includes the EC Habitats Directive, the Conservation of Habitats Regulations and Species Regulations 2010, Wildlife and Countryside Act 1981

CONSULTATIONS (External to Planning)

United Utilities: No objection subject to drainage being on a separate system

Strategic Highways Manager: No highway objections subject to conditions. Considers 200% car parking provided on site within the grounds and within the basements of the blocks to be adequate.

Housing Strategy and Needs Manager: no objections subject to a S106. In this case a financial contribution in lieu of on site provision is acceptable

Environmental Health (Air Quality) : No objection subject to further ground contamination given that the residential use is a sensitive end use.

Environmental Health (Amenity) :The impact of noise from the bypass and air quality adjacent has been considered, in terms of any potential impact on future residents of the dwellings proposed. No objections are raised subject to conditions in terms of either air quality or noise for future residents and construction conditions for existing neighbours.

Tree Officer: Accepts the principle of a number of tree removals from the site. Most are in terminal decline.

Ecologist: No objection subject to conditions. The ecological report submitted is accepted.

Leisure Services : The development falls within the threshold for a commuted sum for the provision of open space(POS) and recreation/outdoor sports facilities. For POS the commuted sum would be £54,000. This would be used to make additions, improvements and enhancements to public open space and play and amenity facilities in Alderley Park. The Sport and outdoor recreation commuted sum would be £9,000 and would be used to make additions, improvements and enhancements to the facilities within Alderley Park and at Chorley Hall Playing Fields

OTHER REPRESENTATIONS

Alderley Edge Parish Council consider the application should be refused. They acknowledge the lawful fall back of the 1998 scheme but consider the proposal to be overly dominant, out of character, unneighbourly and obtrusive. They also consider it likely to lead to greater traffic generation.

One letter of objection from an adjoining residents raising concern re loss of privacy/overlooking

APPLICANT'S SUPPORTING INFORMATION

The information that has been submitted alongside the plans and drawings include:

- i) Planning Statement;
- ii) Statement of Community Involvement
- iii) Arboricultural Survey;
- iv) Design and Access Statement
- v) Air Quality Report
- iv) Noise report
- v) PPG3 Housing Checklist
- vi) Draft Heads of terms

OFFICER APPRAISAL

Section 38 of the Planning and Compensation Act 2004 requires a plan led approach to decision making in that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

In this case the development plan consists the saved policies of the North West of England Plan (Regional Spatial Strategy), the Cheshire structure Plan, the Cheshire Replacement Waste Local Plan and the Macclesfield Borough Local Plan.

Principle of Development and Policy

The Site is located in the Predominantly Residential area as defined in the Macclesfield Borough Local Plan 2004 therefore there is no objection in land use terms to the redevelopment of this site for housing purposes.

The 1998 scheme was implemented within the relevant time period and is therefore a material commencement of that development to which considerable weight must attached given that the Applicant could continue with that 18 unit development at any time.

Accordingly, the increase in units equates to the difference between the 1998 implemented scheme and the scheme as now proposed. This equates to 2 units. The 1998 scheme, itself, made no contribution to affordable housing or any other form of planning gain.

Affordable Housing

Local Plan policies H8 and H9 require 25% of dwellings as affordable housing having regard to the individual circumstances including the criterion 4 of H8. The Interim Planning Policy Statement (IPS) however requires a 30% provision of affordable housing

The presumption in PPS3 and the Interim Planning Policy Statement is that affordable housing will be provided on the application site so that it contributes towards creating a mix of housing. However, where it can be robustly justified, off-site provision or a financial contribution in lieu of on site-site provision (of broadly equivalent value) may be accepted as

long as the agreed approach contributes to the creation of mixed communities in the local authority area.

The SHMA 2010 shows that for the Wilmslow & Alderley Edge sub-area this site is located in there is a need for 51 new affordable units per year between 2009/10 – 2013/14, these are made up of a requirement for 2 x 1 bed, 17 x 2 bed, 17 x 3 bed, 9 x 4/5 bed and 6 x 1/2 bed older persons accommodation.

In addition to this information taken from the SHMA 2010, Cheshire Homechoice is used as the choice based lettings method of allocating social rented accommodation across Cheshire East, there are currently 828 applicants who have selected either Alderley Edge or Wilmslow as their first choices, these applicants require 306 x 1 bed, 326 x 2 bed, 139 x 3 bed, 23 x 4 bed. 34 applicants haven't specified how many bedrooms they require.

The Affordable Housing Interim Planning Statement states that normally the Council would prefer to see affordable housing provided on-site. This is in line with Government guidance to encourage the development of sustainable and balanced communities. However, there may be physical or other circumstances where an on-site provision would not be practical or desirable.

The units proposed in this scheme range in size from 127m² for a 2 bed apartment to 165m² for a 3 bed apartment and have 3 bed penthouse apartments at 180m².

These units are significantly bigger than the minimum sizes that the HCA require 2 and 3 bed units to be. The Housing Quality Indicators which form part of the current Design and Quality Standards are 45m² – 50m² for a 2 bed units and 57m² – 67m² and it has been accepted that due to the size of proposed units an affordable housing financial contribution would be appropriate rather than on site provision of affordable housing.

As there were already 2 units on the site which were demolished the net gain of units is 18, the affordable housing contribution has been calculated based on 30% of 18 units, this equates to 5 units and the commuted sum required based of 3 units as social rent and 2 as intermediate tenure is £280,047.

The Strategic Housing Manager has accepted the financial contribution and the Applicant has provided Heads Of Terms to satisfy this policy objective.

Highways

The Strategic Highways Manager has advised that the internal road layout is not one which will be adopted as public highway and will remain private, especially as the road will be gated as it enters the site. There is sufficient space within the site for a refuse vehicle to turn and exit the site in forward gear.

A total of 2 car parking spaces are proposed for each unit and equates to 200% parking, this level of provision accords with the Highways Department's parking standards. The access points provide adequate visibility given that it has been implemented in accordance with the 1998 scheme.

Design and site layout

Local Plan policies BE1, H2, H13 and DC1 address matters of design and appearance. Policy BE1 states that the Council will promote high standards of design and new development should reflect local character, use appropriate materials and respect form, layout, siting, scale and design of surrounding buildings and their setting.

It is accepted that the 1998 apartment scheme which was approved in 1999 on Appeal has been the subject of a material start. This comprised of 2 three story blocks with surface level car parking and garages. Building 1 was on the front of the site and building 2 was located to the rear. These buildings are sizeable buildings in their own right, with simple gable roof forms, brick facings and are of a simple design treatment comprising casement windows with brick cills and headers and soldier courses. Decorative dormers are used to break up the roof form. The scale and site coverage of the blocks take a design cue from the large Victorian/Edwardian semi-detached dwellings set in fairly substantial plots back from the main road frontage in the immediate vicinity. The minimum distance between the blocks was 24 m whilst the maximum was 30m. The front block was set back from the frontage and at the closest point came to approx 8m from the boundary. The orientation of the front block and its limited expanse of roof adjoining the boundary to Highfield House was deemed acceptable in design terms. The rear block was sited circa 8m from the rear boundary from, at that point which is closest to the By-pass, whilst although not built was known to be likely to run in close proximity.

A comparison between the implemented scheme and the current proposal are shown in the following table –

1998	Block 1 (front)	Block2 (rear)	current (front)	current (rear)
Height to ridge	12.5m	12.5m	16.2 (inc basemen t) 13.1m from ground level	16.2 (inc basement) Ranges between 13.1 and 15m from ground level
Height to eaves	7.8m	7.8m	10.3 (inc basemen t) 7m from ground	10.3 (inc basement) Ranges from 13m to 16m from ground level
Depth m	16.1m	19.5m	28.2m inc balconies	23.5m
Width m	16.1m	18.9m	24.5m inc balconies	29 m (inc balconies)
Internal area	771 sq m approx	705 sq m approx	1527 sq m	1649 sq m

As the above comparison shows, the scale, mass, depth and width of the 1998 scheme is much smaller than the scheme as now proposed. It is also important to remember that the site context has changed considerably by virtue of the now built by-pass running within approx 5 metres of the bottom corner of the site. Accordingly, the rear of the site, which was previously adjoining agricultural land to which there was no public access is now a well used route which is used by pedestrians and cyclists as well as motorists.

The key design issue relates to the appropriateness of the proposed development having regard to the context within which the development sits. The context has changed considerably since the previous scheme was considered as a design

In this regard the scale, height, mass and site coverage of the proposed development is important and whilst due regard needs to be paid to the fall-back position, guidance in PPS1 seeks to ensure that new developments take opportunities to enhance the character and the distinctiveness of places.

Para 16 of PPS3 Housing also concerns design quality and includes the extent to which the proposed development (inter alia):

- *Is well integrated with, and complements, the neighbouring buildings and the local area more generally in terms of scale, density, layout and access.*
- *Facilitates the efficient use of resources, during construction and in use, and seeks to adapt to and reduce the impact of, and on, climate change.*
- *Takes a design-led approach to the provision of car-parking space that is well integrated with a high quality public realm and streets that are pedestrian, cycle and vehicle friendly.*
- *Creates, or enhances, a distinctive character that relates well to the surroundings and supports a sense of local pride and civic identity.*

This proposal comprises two significant blocks of apartments and surface level car parking accessed via Brook Lane.

Whilst the Applicant has amended this scheme during the course of its determination to reduce the maximum height of the blocks to be no higher than the maximum height of the previously allowed scheme, the detailed design and bulk of the buildings, when added to the cumulative effect of the significantly larger width and depth of building mass of both buildings, particularly at roof level and continuance and sheer volume and mass of built form of each block, and particularly the scale, height, mass and juxtaposition of the built form of the rear apartment block adjoining the by pass to the rear is out of character with this area, is excessively over-dominant in the street scene.

The rear block, in particular, will be very dominant within the by-pass streetscene. Notwithstanding landscaping to the bypass which will screen the rear, the scale of the building, its height and position further back into the site will be a hard edge of some considerable height, extending significantly further to the rear than previously approved. The scale, mass and height of which would be further elaborated by the run of the buildings roof to the side and rear elevation.

Overall, it is considered the scheme fails to deliver design to a sufficient standard to comply with the design policy in the Plan or the policy as expressed in other material considerations.

The proposed development is considered to comprise an overdevelopment of the plot and would result in a cramped development, which is dominated by the two blocks of apartments, hardsurfacing and surface level car parking that is obtrusive and out-of-character with the surrounding area.

The sheer mass and scale of the apartment blocks, particularly at roof level, together with the drops in levels erodes the character of the site and this, combined with the alteration of grounds levels and the incongruous and excessive site coverage and mass design results in a building which is not considered to be sympathetic to the site, or the surroundings, including the new public realm created with the By-pass and which is contrary to policies BE1, DC1 and national guidance in PPS1.

Impact on residential amenity

Local Plan policies H13, DC3 and DC38 seek to protect the amenity of residential occupiers. Policy DC3 states that development should not significantly injure the amenities of adjoining or nearby residential property and sensitive uses due to matters such as loss of privacy, overbearing effect, loss of sunlight and daylight and traffic generation and car parking. Policy DC38 sets out guidelines for space between buildings.

Comparison between the 1998 scheme and the current proposal confirms that the proposal is a significantly larger development and manifests a materially different on site relationship between the 2 proposed blocks. Balconies are now proposed as private amenity space for each flat. Balconies to the rear of Block 1 are directly overlooked by a number of the proposed apartments in Block 2 and are located 20m from each other. The balconies in question serve living rooms and their patio doors are some 23m from the bedroom windows in block 2. The interface distance with policy DC38 would normally seek some 28m in this kind of relationship.

It is considered that the proposed development would fail to achieve an adequate level of amenity to the prospective occupants of the apartments and therefore would be contrary to policy DC3 of the Local Plan.

With respect to neighbouring houses, particularly the proximity of Highway House and Block 1 some weight has been given to the overlooking relationship as previously approved, - a bedroom window on each floor of the east facing elevation of block 1 previously had a poor (oblique) relationship with the rear facing windows in Highfield House (this equated to 3 separate flats on 3 floors in the 1998 scheme) however now the overlooking between the proposal and those windows in Highfield House is greater.

Whilst on a similar footprint, proposed Block 1 is considerably bigger, wider and has lesser variety in the roofscape is circa 33m wide. The monotonous run of the roofscape together with its lack of variety of pitches (as were more prevalent in the approved scheme) and greater bulk of this current block results in an overbearing mass of built form that will be overbearing and excessively imposing and would create an unacceptable amount of enclosure for the neighbouring resident which is contrary to DC3.

The following matters would also need to be incorporated if permission is to be granted

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 and access statement has not considered the incorporation of such measures.

Whilst the RSS is soon to be abolished and will no longer form part of the Development Plan, the wider planning agenda in the former of PPS1 and the evidence base to inform the Core Strategy are all important material considerations.

No information is submitted in support of this application in respect of renewable energy. This could be dealt with by condition.

HEADS OF TERMS

The applicant has submitted a draft head of terms for a s106 legal agreement. This covers the following of relevance

- The payment of £280,047 in lieu of on site provision of affordable housing
- £54000 for off-site provision of Public Open Space for improvements, additions and enhancement of existing Public Open Space facilities (amenity and children's play) at open space facilities at Alderley Park; and
- £9000 for the off-site provision of recreation/outdoor sport (outdoor sports facilities and pitches, courts, greens and supporting facilities/infrastructure) within Alderley Park and Chorley hall Playing Fields.

Payment of the commuted sum would be requested prior to first occupation of the proposed development and the legal agreement would need to be signed prior to determination

Community Infrastructure Levy (CIL) Regulations

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The provision of a commuted sum payment in lieu of affordable housing is necessary, fair and reasonable to provide sufficient affordable housing in the area, and to comply with National Planning Policy.

The commuted sum in lieu of Public Open Space is necessary, fair and reasonable, as the proposed development will provide 20 flats, the occupiers of which will use local facilities as there is no open space on site, as such, there is a need to upgrade/enhance existing facilities. The contribution is in accordance with the Council's Supplementary Planning Guidance.

All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development.

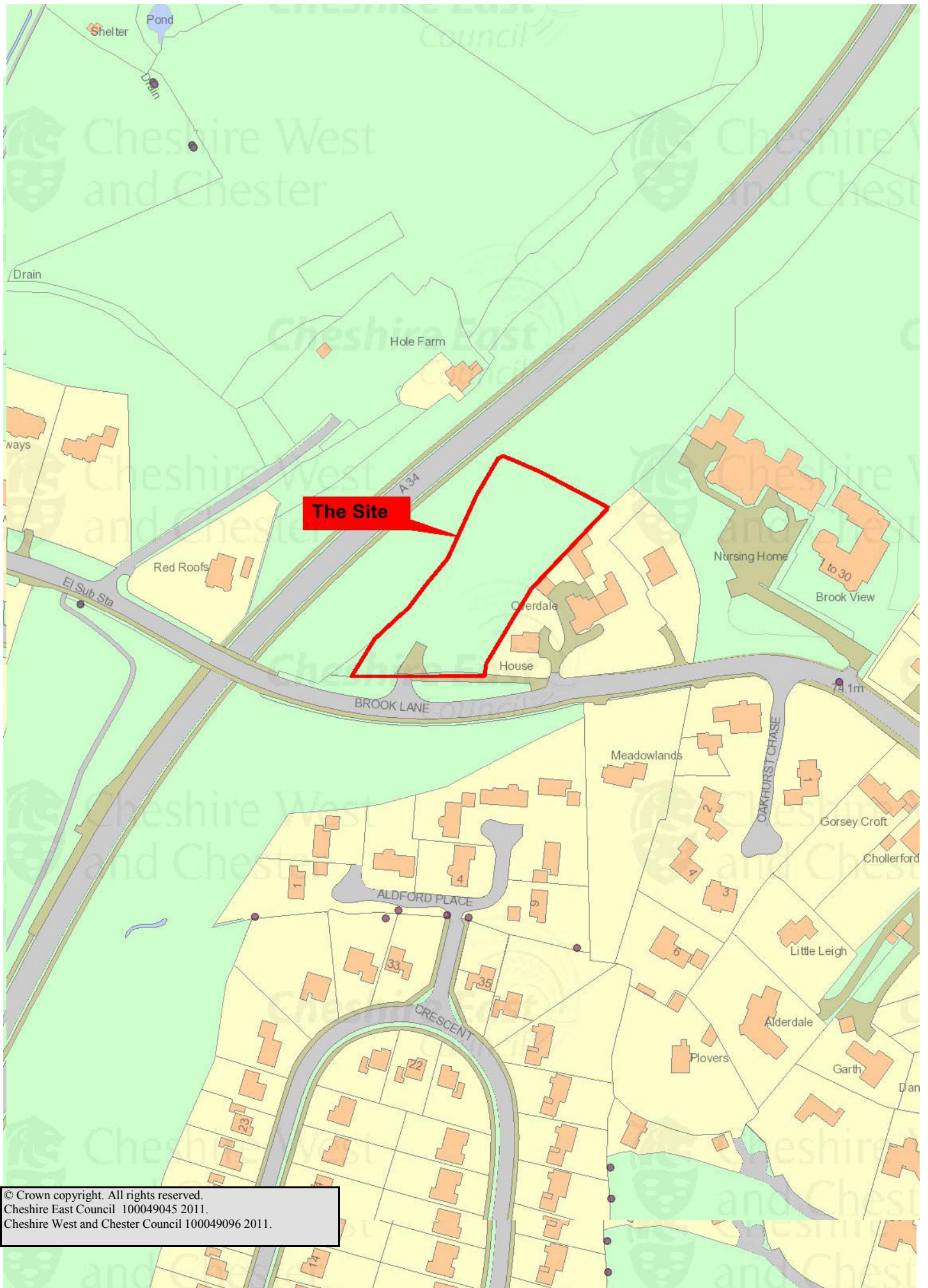
CONCLUSIONS AND REASON(S) FOR THE DECISION

There is an approved scheme for 18 No. apartments which could be built on this site; this is a material consideration that carries weight in the determination of this proposal. However, it is considered that the proposal put forward would be an overly dominant development which would have a harmful impact on the character and appearance of the area, would result in a poor and cramped form of development which would be detrimental to the amenities of neighbours and future residents alike.

Whilst the LPA does not currently have a five year supply of housing, and this scheme would deliver 2 additional dwellings (above the approved scheme), it is considered that the proposed housing development would be out of character and have a detrimental effect on the amenity of prospective occupiers and neighbours and not fit with the spatial vision for the area.

The proposed development would be contrary to policies BE1 H13, DC3, DC38 of the Macclesfield Borough Local Plan. Whilst, the approved scheme could still be built out, as a fall back it does not justify this proposal which is not in accordance with adopted planning policy and would result in a poor development which would be detrimental to the amenity of future residents and neighbours alike. As such the application is recommended for refusal.

1. R03RD - Cramped development
2. R07RD - Development unneighbourly
3. R10MS - Design of substandard quality



Application No: 11/3397M

Location: THE BANDSTAND AT ALDERLEY EDGE PARK, RYLEYS LANE,
ALDERLEY EDGE, CHESHIRE

Proposal: Change of Use. Conversion of Existing Bandstand into Cafe.

Applicant: Friends of the Park

Expiry Date: 20-Dec-2011

Date Report Prepared: 5 March 2012

SUMMARY RECOMMENDATION

Approve subject to conditions.

MAIN ISSUES

- Impact on the character and appearance of Alderley Edge Park;
- Whether the proposal will affect the Existing Open Space;
- Impact on residential amenity.

REASON FOR REPORT

The application site is on Council owned land. In accordance with the Council's constitution as we have received objections to the proposal, the application needs to be considered by Committee.

DESCRIPTION OF SITE AND CONTEXT

This application relates to an existing bandstand located centrally within Alderley Edge Park. The site is located in a prominent position adjacent to two main access routes through the park, and is in close proximity to a children's park, bowling green and tennis courts.

The site is in close proximity to Alderley Edge Village Centre and is designated in the Local Plan as Existing Open Space.

DETAILS OF PROPOSAL

Planning approval is sought to convert the existing bandstand into a café with associated decked area, with external seating.

RELEVANT HISTORY

There is no site history relevant to the determination of this proposal.

POLICIES

Regional Spatial Strategy

Local Plan Policy

RT1 Open Space
BE1 Design Guidance
DC1 New Build
DC2 Extensions and Alterations
DC3 Amenity
DC5 Natural Surveillance
DC6 Circulation and Access
DC9 Tree Protection
DC54 Restaurants, Cafes and Hot Food Takeaways

Other Material Considerations

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation

CONSULTATIONS (External to Planning)

Leisure Services: No objection.

Environmental Health: No objection subject to conditions relating to hours of construction; hours of opening; and, kitchen extraction and odour abatement.

VIEWS OF THE PARISH / TOWN COUNCIL

Alderley Edge Parish Council – The Parish Council recommends refusal of this application due to their being no mains service to the bandstand, and due to the potential impact on the park during the construction process.

OTHER REPRESENTATIONS

Six representations have been received. The comments received are summarised as follows:

- There is no need for a café in this location due to close proximity to the village centre;
- no details have been submitted in respect of how the building will be serviced, or in respect of funding;
- the venture would not be financially viable and there is no provision for toilets;
- the proposal would lead to increased abuse and damage already experienced to other areas of the park which would be further exacerbated during the winter months due to a lack of custom; and
- the café would spoil the appearance of the park.

APPLICANT'S SUPPORTING INFORMATION

A Design and Access Statement has been submitted with the application. A full copy of this document can be seen on the application file. Following request further details have been submitted in respect of service management. The details submitted are summarised as follows:

- Power, drainage and foul drainage services would be taken from the bowling pavilion where all services are already connected;
- The waste would be managed by the person running the café and would be an obligation under the terms of a lease;
- Large deliveries would be made once a week in the morning by using a small vehicle; small deliveries will be made by foot on a daily basis;

- All kitchen ventilation and extraction will be confirmed with environmental health, and will comply with health and safety legislation;

OFFICER APPRAISAL

Policy

Local Plan policy RT1 advises that the redevelopment of a building footprint which does not harm the integrity of the open space will normally be permitted. The proposal is therefore considered acceptable in principle.

Integrity of open space

This application seeks to enclose the existing bandstand and provide an external seating area. The bandstand in its current form is not fundamental to the 'openness' of the park. It is considered that its conversion would not harm the integrity of the open space in any way.

Sustainability and use

Positioned within the Village centre, the application site is positioned close to main bus and rail links.

The site is easily accessible from various points within the park. It is flat and provision has been made for disabled uses in the form of an access ramp and disabled toilets.

Design

The proposed café enclosure will utilise the existing structure of the bandstand. The timber columns, roof structure and concrete base are to be retained. Full height aluminium framed glass and sliding doors would for the most part enclose the existing structure, with vertical timber boarding proposed to the north east corner.

The main entrance to the café would be orientated to the south which faces the bowling green and has the most open aspect to the park. The scale and mass of the existing bandstand would remain unchanged. The proposed decked area would extend above existing hardstanding and is not considered excessive in scale. Careful consideration has been given the use of materials and the level of glazing proposed, which retains a degree of openness to the site.

The design and scale of the proposed development is considered to respect the form, layout and siting of the existing structure and surrounding area and is considered to accord with the objectives of Local Plan policies BE1, DC1 and DC2.

Impact on the character of the park

The provision of a small café within the park is considered to create a positive addition to the park that would encourage additional visitors, and may increase in the number of visitors to the Village, which would have a positive effect on the local economy.

As the bandstand has limited use, it is considered that its conversion would bring about a more beneficial use for the structure.

The development is not considered to harm the character or appearance of the park, and would bring a complimentary use to the park.

Amenity

The closest residential dwelling is positioned in excess of 80m away from the application site. Nearby properties are substantially screened by mature trees to the perimeter of the park. It has been stipulated that the hours of opening for the café will be 10am – 6pm. In order to prevent the café being used during unsociable hours it is recommended that a condition to restrict the opening hours should be applied.

No objection has been raised by Environmental Heath, however, it is advised that a scheme for the acoustic enclosure of any fans, air conditioning, compressors or other equipment with the potential to create noise should be submitted and agreed in writing prior to the commencement of development. Similarly, details of any filtration and extraction systems to control the discharge of odours should also be submitted and agreed prior to commencement of development.

Subject to the conditions outlined above, the proposed change of use would not be considered to lead to significant injury to the residential amenity of nearby properties by virtue of loss of privacy or increased noise and disturbance.

Trees

There is a mature Cypress located to the west of the existing structure. Though this tree presents an additional mature tree aspect to the park, its overall amenity value is considered limited and would be classified as a Category C tree within BS5837:2005 Trees in Relation to Construction.

The development proposals are contained within the existing hard standing area, under which a small percentage of the adjacent Cypress tree root system would have developed. In order to ensure this tree is not compromised during the development process protective fencing will be required; and should be erected in accordance with current best practice. An Arboricultural Implication Study has not been submitted, nevertheless given the low value of this tree matters of tree protection can be dealt with through condition.

Other considerations

Concerns have been raised in respect of servicing and management of the facility. Poor servicing and waste management could have a negative impact on the visual amenity and overall enjoyment of the park.

The Council is not apposed to the principle of a café facility in the park, however it is essential that these outstanding matters are dealt with prior to the commencement of development and conditions should be applied accordingly.

Prior to commencement details in respect of how services such as power, water and foul drainage will be supplied to the building should be submitted; A waste management plan should be submitted and details of how stock will be delivered to the café should also be submitted.

Matters of viability are not planning concerns that can be taken into consideration during our assessment.

CONCLUSIONS AND REASON(S) FOR THE DECISION

This application relates to an existing bandstand located centrally within Alderely Edge Park. The site is designated as Existing Open Space and as such the impact on the integrity of the open space is a key consideration.

The proposed development would comprise enclosing an existing bandstand and constructing a decked area for outdoor seating. Taking account of the fact that the proposal would utilise an existing structure within the park and the café would provide an ancillary and complimentary service to existing facilities, it is not considered to cause harm to the integrity of the park.

The proposed development is considered to be of an acceptable design and furthermore, the proposal is not considered to lead to significant injury to the amenity nearby residential properties.

The proposed development is considered to adequately accord with the relevant policies of the Local Plan and a recommendation of approval subject to conditions is made.

Application for Full Planning

RECOMMENDATION:

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A22GR - Protection from noise during construction (hours of construction)
4. A13GR - Business hours (including Sundays) 10am - 6pm daily
5. A32HA - Submission of construction method statement
6. A19MC - Refuse storage facilities to be approved
7. A06EX - Materials as application
8. A02TR - Tree protection
9. Kitchen Extract and Odour Abatement
10. Filtration and Extraction Equipment
11. Submission of details in respect of services
12. Submission of details in respect of stock delivery



Application No: 12/0313M

Location: BEXTON PRIMARY SCHOOL, BLACKHILL LANE, KNUTSFORD, CHESHIRE, WA16 9DB

Proposal: Extension to Bexton Primary School, to provide a link corridor, two classrooms and a flexible resource space. Facilities replace three temporary classroom units, which are to be demolished.

Applicant: Phil Yeomans, Cheshire East Council

Expiry Date: 15-Mar-2012

SUMMARY RECOMMENDATION: Approve subject to conditions

MAIN ISSUES

- Impact of the development on the Green Belt
- Design considerations
- Impact on residential amenity
- Highway safety

Date Report Prepared: 29 February 2012

REASON FOR REPORT

The application has been referred to the Northern Planning Committee in line with the Cheshire East Borough Council Scheme of Delegation as the landowners and the applicants are Cheshire East Borough Council.

DESCRIPTION OF SITE AND CONTEXT

The application site relates to a Primary School which currently consists of two main buildings, five temporary classroom units, four of which are clustered together on the southern boundary. The main entrance and car park is accessed from Blackhill Lane, with a segregated pedestrian entrance on the north-east corner of the site. An additional pedestrian access is sited on Bexton Lane, which via a suburban housing estate connects to the A50 main road on the southern edge of Knutsford.

The site is bordered by residential development, but with open fields to the west. The site lies within the Green Belt as defined by the Macclesfield Borough Local Plan.

DETAILS OF PROPOSAL

The School is currently split into two distinct blocks, one containing the Junior School along with administration, main entrance, the hall and the kitchens, and the other containing the Infant & Reception age classrooms.

The application relates to a proposed infill extension to the school. This will provide 2 new classrooms and associated facilities, and will also form a link block between the currently unconnected halves of the school. The development will result in 275m² of additional floorspace, however 3no. existing temporary classroom units to the rear totalling approximately 309m² will also be removed as part of the development, as well as 2no. sheds, garaging and bin store/ fencing will also be removed.

POLICIES

The North West Regional Spatial Strategy

DP1- Spatial Principles
DP2 Promote Sustainable Communities
DP7- Promote Environmental Quality
RDF4 Green Belts
L1 Health, Sport, Recreation, Cultural and Educational Services Provision

Macclesfield Borough Local Plan Policy

GC1 Green Belt (New Build)
BE1 Design Guidance
DC1 Design - New Build
DC2 Alterations and Extensions
DC3 Amenity
DC6 Circulation and Access
DC9 Tree Protection

Other Material Considerations

PPS1 Delivering Sustainable Development
PPG2 Green Belt
PPG13 Transport

CONSULTATIONS (External to Planning)

Highways:

No Objection.

Environmental Health:

No objection subject to conditions regarding the timing of construction and related activities.

OTHER REPRESENTATIONS

None received.

APPLICANT'S SUPPORTING INFORMATION

The following documents were submitted in support of the application and are available on the application file: -

Design and Access Statement

OFFICER APPRAISAL

Principle of Development

The principle of development in this location is acceptable, subject to Green Belt, design, amenity, highways issues as examined below.

Green Belt

The extension would not fall under any of the criteria listed under policy GC1 or paragraph 3.4 of Planning Policy Guidance Note 2 as appropriate development; and so this development is considered to constitute inappropriate development in the Green Belt. In line with Planning Policy Guidance Note 2, very special circumstances are therefore required which would have to outweigh the harm to the Green Belt by virtue of inappropriateness and any other harm. In this case the submitted very special circumstances are as follows:

- The new building replaces temporary classroom units which will be demolished on completion.
- The gross area of construction is less than the gross area of the buildings to be replaced.
- The new build footprint is located partially on one of the temporary units to be demolished, and also sits on the footprint of storage and ancillary structures, which are also to be removed.
- Where not on the footprint of existing structures, the new build is largely sited on an area of tarmac hard standing.
- The site being developed is Brownfield as opposed to Greenfield.
- The visual amenity of the area will be improved by the removal of temporary units at the end of their lives, unsightly ancillary structures, and with the replacement of these with purpose built permanent structures.
- No area of playing field will be lost, and grassed open space will be gained by the removal of the temporary units.

Furthermore it is noted that the construction of the new extension in this location provides the opportunity to create a fully enclosed link corridor along the most direct route between the buildings, facilitating circulation and access in line with the long term strategy of the functions of the school for improving the teaching and learning environments whilst improving pupil safety and comfort.

The parking on site would also be reconfigured as part of the proposal, with the same overall number of spaces but with the improvement of 1no. disabled car parking space.

The above material considerations are considered to constitute the very special circumstances required to outweigh the harm to the Green Belt by virtue of inappropriateness.

Furthermore it is considered that there would be no other resultant harm to the visual amenities and character, appearance and openness of the Green Belt as a result of this development. The net amount of built form on site would reduce due to the demolition of the existing temporary buildings, whilst the extension would be an infill extension hence would not significantly reduce openness within the site.

Overall therefore the development would accord with PPG2.

Design

The infill extension would be of similar scale and appearance to the existing building, with materials which would be conditioned to respect the existing building.

It is considered that overall the development is of a good quality design which would make a positive contribution to the character and appearance of the locality, having regard to policies BE1 and DC1 of the Macclesfield Borough Local Plan.

Amenity

No objections have been received. The extension would be no closer to the properties directly facing than the existing school buildings facing other properties along Blackhill Road.

Overall the development is considered to comply with the distance criteria in policies DC3, DC38 and there is not considered to be a sufficiently adverse impact on the amenities of neighbouring property in terms of overlooking, overshadowing or overbearing impact to warrant refusal.

Highways

The Strategic Highways and Transportation Manager raises no objection. He states;

I consider that this is a replacement facility and that it does not alter the traffic generation to and from the site and no highway objections are raised to the proposal.

Overall the scheme would comply with policy DC6.

Trees

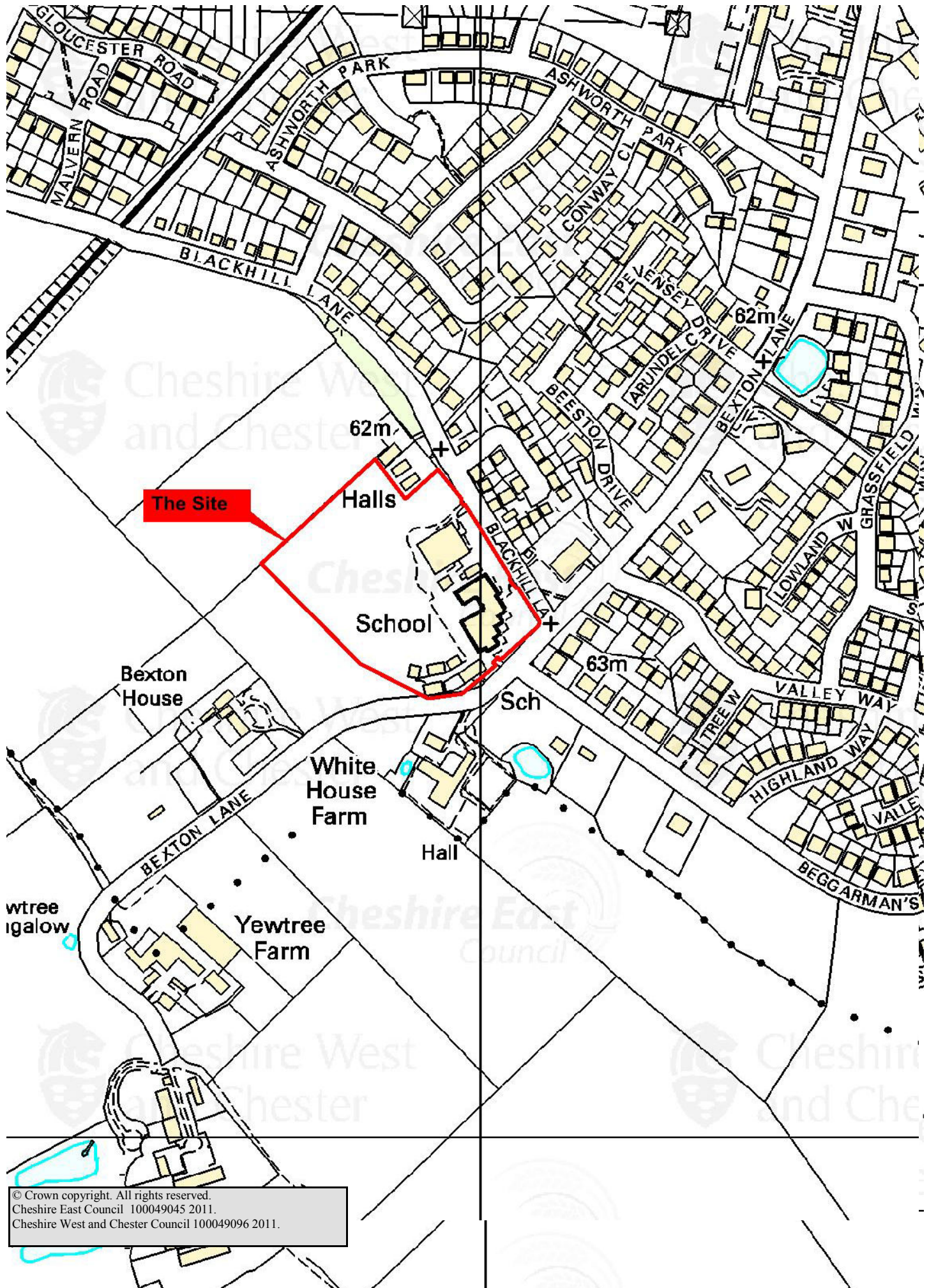
1no. tree is to be removed as part of the development. This tree is not protected nor deemed worthy of protection by the Tree Officer, therefore the development would accord with policy DC9.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposed development would constitute inappropriate development in the Green Belt. However the very special circumstances submitted are considered in this case to outweigh the harm by virtue of inappropriateness and it is considered that there is no other harm associated with the development. The proposal would therefore comply with national and local Green Belt policy.

The development would be of appropriate design and have an acceptable impact on neighbouring amenity and highway safety and is considered to be in compliance with the relevant policies of the Development Plan. Accordingly, the application is recommended for approval subject to conditions.

1. AD01 - Complies with development plan
2. AD14 - Acceptable relationship adjacent and wider
3. AD15 - Acceptable impact on amenity
4. AD20 - visual impact
5. POL01 - Policies
6. A03FP - Commencement of development (3 years)
7. A03AP - Development in accord with revised plans (unnumbered)
8. A05EX - Details of materials to be submitted
9. A22GR - Protection from noise during construction (hours of construction)
10. Pile Driving
11. Float Floor Finishing



Application No: 11/0366M

Location: LAND SOUTH OF THE JUNCTION OF MILL LANE AND,
LONDON ROAD, ADLINGTON

Proposal: CHANGE OF USE OF LAND FROM AGRICULTURAL TO
A NATURAL BURIAL GROUND AT ADLINGTON HALL

Applicant: ADLINGTON HALL ESTATE

Date Report Prepared: 2 March 2012

SUMMARY RECOMMENDATION

Delegate back to Development Management & Building Control Manager in consultation with the Chairman and Vice Chairman to approve subject to conditions, and the completion of a s106 legal agreement

REASON FOR REPORT

This application was considered by the Northern Planning committee on 8 June 2011, where it was resolved to delegate the application back to the Head of Planning & Housing in conjunction with the Chairman and Vice Chairman for approval in order to address any further representations that the planning department may receive in relation to the application, subject to conditions and the completion of a Section 106 agreement.

It has subsequently come to light that the incorrect certificate of ownership was submitted with the original application; the correct certificate has now been submitted. The planning issues remain unchanged since it was previously determined by the Committee, however, due to this technicality we are required to seek a fresh resolution to delegate the application back to officers for final determination.

DETAILS OF PROPOSAL

This application seeks full planning permission to change the use of the land to a natural burial ground. The development involves alterations to the existing vehicular access from Mill Lane, the provision of 32 parking spaces, access road and turning circle, and a footpath through the site.

Relevant planning policies, summaries of consultation responses, and summaries of representations are included within the original report and update report, together with the minutes of the meeting of 8 June 2011, which are all attached as appendices.

KEY ISSUES

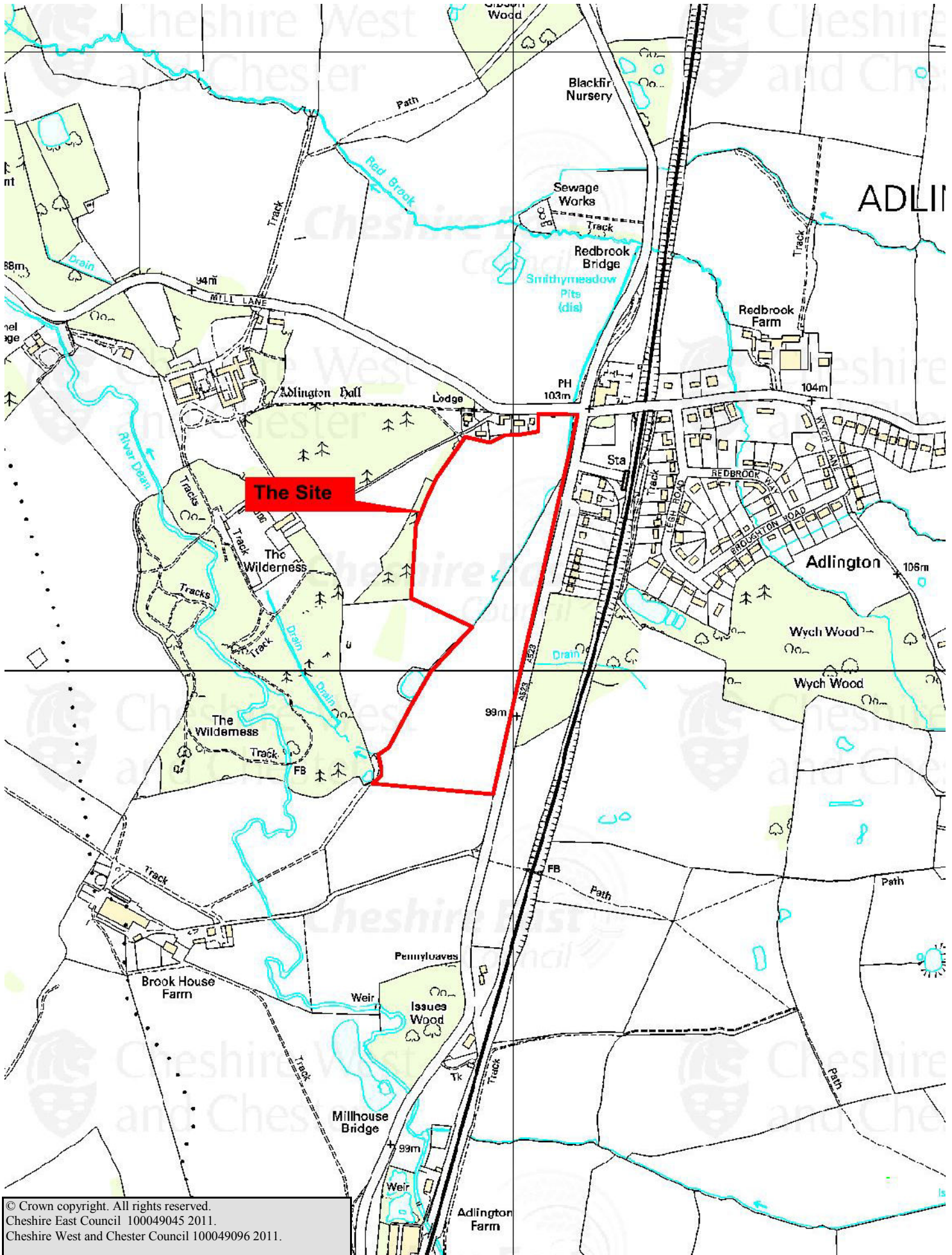
The section 106 agreement for this application is still to be completed, and therefore the decision has not been issued. A “certificate B”, as opposed to certificate A, should have been served with the application. Certificate B is confirmation to the Local Planning Authority that the requisite notice has been served on any person who is an owner or tenant of the land.

The tenant farmer was served with notice to terminate the tenancy he has with Adlington Hall Estate on 28 January 2011, and the application was received on 31 January 2011. Therefore 21 days before the date of the application, the tenant farmer still had an interest in the land and certificate B should have been submitted and notice should have been served upon him under Article 11 of the Town & Country Planning (Development Management Procedure) (England) Order 2010, which was not done.

Certificate B has now been received from the applicants and notice was served on the farmer on 19 January 2012. No representations have been received as a result of this notice being served..

CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposal remains as previously considered, and the planning merits do not need to be revisited given the procedural nature of the change outlined above. It is therefore recommended that the application is delegated to the Development Management and Building Control Manager to formally approve the application subject to the s106 legal agreement and the 13 conditions listed within the printed minutes of the meeting from 8 June 2011, attached to this report.



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Application No: 11/0366M

Location: LAND SOUTH OF THE JUNCTION OF MILL LANE AND, LONDON ROAD, ADLINGTON

Proposal: CHANGE OF USE OF LAND FROM AGRICULTURAL TO A NATURAL BURIAL GROUND AT ADLINGTON HALL

Applicant: ADLINGTON HALL ESTATE

Expiry Date: 02-May-2011

Date Report Prepared: 24 May 2011

SUMMARY RECOMMENDATION

Approve subject to conditions, the completion of a s106 legal agreement and subject to further comments from English Heritage and the Environment Agency.

MAIN ISSUES

- Whether the proposal is acceptable in the Green Belt
- Impact upon character of Historic Parkland / wider area
- Impact upon amenity of neighbouring properties
- Impact upon highway safety
- Pollution risk to groundwater

REASON FOR REPORT

This application is before the Committee as it represents a change of use of land on a site in excess of 1 hectare.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a 7.96 hectare area of open agricultural land to the south west of Adlington crossroads within the grounds of Adlington Hall. A watercourse runs through the site, the land to the west of the watercourse is designated grade II* in the English Heritage Register of Historic Parks & Gardens and the trees to the eastern boundary are protected by TPO. 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 change the use of the land to a natural burial ground. The development involves alterations to the existing vehicular access from Mill Lane, the provision of 32 parking spaces, access road and turning circle, and a footpath through the site.

RELEVANT HISTORY

None

POLICIES

Regional Spatial Strategy

DP1 (Spatial Principles)

Local Plan Policy

NE5 – Parkland landscapes

NE11 – Nature conservation

BE1 – Design Guidance

DC1 – Design New Build

DC3 – Residential amenity

DC6 – Circulation and access

DC8 - Landscaping

DC9 – Tree Protections

DC19 – Groundwater resources

CONSULTATIONS (External to Planning)

Highways – No objection subject to condition

Environmental Health – No objections

Archaeology – No objections subject to condition

Environment Agency – Object due to the absence of information relating to the impact upon groundwater

Natural England – No objections

English Heritage – Further information is required

Adlington Parish Council – Object on the grounds that the burial ground should be located where it is not visible from highway or neighbouring properties. A location elsewhere on the Adlington Hall Estate would avoid inevitable traffic congestion. Resultant views of the burial ground from the nearby houses will restrict owners' ability to sell their properties.

OTHER REPRESENTATIONS

9 letters of representation have been received from local residents and interested parties. 5 of these letters object to the proposal / raise concern on the following grounds:

- Visual impact when viewed from properties on London Road, which are elevated above the site
- Burial process will be fully visible
- Landscaping would take years to establish
- Burial ground should be located on land that is not visible from highway or local housing
- Additional traffic and impact upon highway safety
- Impact upon protected trees
- Negative impact upon residential amenity
- Is there a need for such a facility?

4 of the letters support the proposal noting that:

- It will not have any detrimental impact upon the Green Belt
- Having attended a funeral at a similar site in Merseyside, it is a wonderful and natural concept
- There is clearly a need as local cemeteries are full
- Ideally located for the local community

APPLICANT'S SUPPORTING INFORMATION

A design & access statement and a habitat survey were originally submitted with the application. However, additional information has since been received including; a Landscape Character Impact Statement, a Landscape and Habitat Management Plan, a Heritage Statement, a landscape plan and a schedule of proposed plant species and sizes.

Given the receipt of this additional information neighbours and the Parish Council have been re-notified, and the last date for the receipt of comments on the additional information is now Friday 3 June 2011.

OFFICER APPRAISAL

Green Belt

Paragraph 3.12 of PPG2 states that "the making of any material changes in the use of land are inappropriate development unless they maintain openness and do not conflict with the purposes of including land in the Green Belt." It is also notable that paragraph 3.4 of PPG2 (relating to new buildings in the Green Belt) makes specific reference to essential facilities for cemeteries, which are identified as being not inappropriate. The current proposal does not include any new buildings, but this paragraph is useful to the extent that it implies cemeteries can be an appropriate use of land in the Green Belt.

No structures are proposed on the site other than a timber pedestrian footbridge crossing the stream. There will be no memorials or grave stones on the site, individual burial plots will be marked with a small plaque which will be laid flush with the ground which will not be visible from any distance away from the plot. Therefore, the most significant impact upon the

openness of the Green Belt is likely to arise from the parking of vehicles associated with the use of the land as a burial ground.

The proposed 32 parking spaces themselves will occupy an area which will be a maximum of 30 metres wide and 35 metres long. In the event that all parking spaces are used at one time, there is some potential for a reduction in the openness of the Green Belt. However, given that it is the ancillary car parking that is the only aspect that has the potential to reduce openness rather than the burial ground itself, the limited scale of the car parking and temporary nature of the presence of vehicles, the openness of the site is considered to be adequately maintained.

In addition the proposal does not conflict with any of the five purposes of including land in Green Belts, which are:

- To check the unrestricted sprawl of large built up areas
- To prevent neighbouring towns from merging into one another
- To assist in safeguarding the countryside from encroachment
- To preserve the setting and special character of historic towns
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land

It is therefore considered that the proposed burial ground complies with the requirements of PPG2 and is not inappropriate development in the Green Belt.

Landscape Character

The development site is part of the Adlington Hall Estate and consists of two gently undulating fields which are divided by a tree-lined brook. There is a mature hedgerow with trees along the eastern site boundary with the A523 London Road. There is a woodland plantation along the western boundary which screens the site from Adlington Hall and the more formal gardens. The main site access is off Mill Lane located between a row of residential properties and a small copse of semi mature trees at the north-eastern corner. There is also a field access gate off London Road opposite Smithy Garage.

The field to the west of the brook is part of the medieval deer park and is designated as grade II* on the National Register of Historic Parks and Gardens. This designation means that the site is nationally "particularly important, of more than special interest".

Views into the site from the A523 London Road are generally well screened or filtered by the mature roadside hedge and trees. Views from the properties on the eastern side of London Road are screened by the site boundary vegetation and also by trees and hedges in front gardens (though the three southernmost properties have more open frontages). These properties do benefit from some open views across the site from first floor bedroom windows. The properties on Mill Lane that back on to the site are owned by the Adlington Estate. Views from the living rooms and gardens are partially screened by trees and hedges but there are probably good views across the site from rear bedroom windows.

The natural burial site proposals include the following features:

- The boundary hedgerow, trees and low stone wall on either side of the entrance on Mill Lane would be removed and replaced with a new native hedgerow located to the rear of the visibility splays improve sight lines.
- A new tarmac access road off Mill Lane leading to a gravel car park.
- A new timber field gate and separate pedestrian access gate.
- A new bound gravel footpath with timber edges running down the centre of the site
- A small timber footbridge across the brook.
- Blocks of woodland around the car park and along the eastern site boundary.
- A native hedgerow along the southern site boundary and also along the rear garden boundaries of the Mill Lane properties.
- Wildflower meadows would be formed over the remainder of the site with mown footpaths to facilitate access to burial plots.

A Landscape and Habitat Management Plan has been submitted which describes how the area would be managed to establish and retain the appearance of a wildflower meadow rather than a formal cemetery, which is considered to be necessary in the interests of the character and appearance of the area. There would be no memorials or grave stones; individual burial plots would be marked with small plaques laid flush with the ground which would not be visible from any distance away from the plots. Floral tributes would be removed on a daily basis. Plots would be chosen by families and would be located randomly rather than in uniform rows.

Low soil fertility is required to successfully establish wildflower meadows. The land has up until recently been used for grazing and would most likely have received applications of fertiliser to improve the pastureland. The recent clearance of grassland and seeding with maize will have further increased soil fertility. Measures will be taken to actively encourage nutrient depletion. The exact methodology of this will be detailed at a later date when the tenant farmer's lease has expired and the opportunity to study the soil conditions is available. Topsoil removal or soil inversion (very deep ploughing) are possible options. The management plan must be updated prior to approval once the methodology has been determined.

In terms of the visual impact of the proposal, the removal of the hedges and trees along the Mill Lane frontage would have an adverse visual impact but this would be mitigated by the replacement native hedge along this boundary.

The new car park and vehicle movements would be noticeable from the properties on Mill Lane, particularly Mill Lane Cottage. However, the proposed woodland planting around the car park and the new hedgerow around the rear garden boundaries would eventually mature and screen these views.

There could also be some oblique views of the car park from the bedroom windows of the properties on the eastern side of London Road. The proposed woodland planting around the car park and along the eastern site boundary would eventually screen views of the car park

and vehicles. The proposed woodland planting along the eastern site boundary has been designed in blocks rather than a continuous belt in order to retain some open views from these properties of the wildflower meadows. Overall, the proposed visual impact of the proposal is considered to be acceptable, subject to the agreement and implementation of a landscape management plan. Given that the land is of historical importance and will be managed as a burial site for the foreseeable future it is considered that this would be necessary to secure the management plan via a s106 rather than by condition. Periodic monitoring and review of the Management Plan by the LPA and possibly English Heritage could also be necessary to ensure that the aims and objectives of the plan are being achieved and the landscape appearance is acceptable.

With regard to the heritage designation of the site, English Heritage initially raised concerns with regard to the level of information submitted with the application. They were subsequently involved in further on site discussions with the agent, and Council officers, and have received further details. Comments on these revised details are awaited, but it is anticipated that the further information will overcome their concerns. Once received, Members will be advised of the English Heritage comments in an update.

Trees

The majority of the trees along the London Road boundary are protected by a 2006 Tree Preservation Order, there are also a significant number of trees associated with the water course which extends through the centre of the site. Also directly to the east of the proposed access stand a number of semi-mature trees, as well as those located within the private garden of Mill Lane Cottage. The submitted management plan confirms that there will be no burial plots within the Root Protection Areas (RPA) identified within BS5837:2005 of mature trees, unless a method statement is first agreed with the Council. The Arboricultural Officer has commented that he is satisfied that this inclusion within the management plan, together with the impact of previous farming practices upon the RPAs, will ensure a satisfactory impact upon trees of amenity value.

Archaeology

The majority of the site does not contain any sites currently included in the Cheshire Historic Environment Record. In addition, an archaeological watching brief during the construction of a new water main across the site did not reveal any archaeological deposits. In view of these facts and the nature of the proposed works, the Council's Archaeologist advises that it would not be reasonable to require any further archaeological mitigation across most of the area. The exception to this lies immediately to the south of Mill Lane where the new access and parking is proposed. Evaluation work was carried out at this location in connection with the proposed Adlington bypass some years ago. This revealed evidence of post-medieval buildings and features and, whilst much of the evidence was adequately recorded, it is likely that further deposits would be exposed by the construction of the visibility splay, tarmac entrance, and any other significant ground disturbance. It is therefore recommended that works in this area should be subject to a controlled top soil strip followed by the excavation and recording of any archaeological deposits that may be present, which may be secured by condition.

Highways

The access to the proposed burial ground is to be taken from an existing field access that is to be upgraded as part of the application. The frequency of burials has been indicated to be

1-2 per day and to serve the visitors 32 car parking spaces are provided as well as a turning area for hearses. The Strategic Highways Manager has commented on the proposal and considers that that this number of spaces is sufficient to cater for the use proposed.

The access is to be widened to allow two-way flow and also the visibility at the access point is being improved in both directions. The access point is in excess of 30m away from the junction of London Road and is a sufficient distance away not to cause problems at the junction through traffic generation from the development, especially as the access is to be widened. No significant highway safety issues are therefore raised.

It should also be noted that the site is relatively well served by public transport, with Adlington railway station and local bus stops located a short walking distance from the site.

Ecology

The Council's Nature Conservation Officer has had detailed pre-application discussions with the applicant and their ecologist. The application is supported by an acceptable phase one habitat survey and Great Crested Newt Habitat Suitability Assessment. The Great Crested Newt assessment recommends the completion of a full Great Crested Newt survey. The report was prepared prior to the proposals for the scheme being finalised.

As a result of refinements to the proposed development following pre-application discussions the Nature Conservation Officer is satisfied that great crested newts are unlikely to be affected by the proposed development. A further newt survey is therefore not required. Trees on site were identified as offering potential roosting opportunities for bats, which should be retained as part of the proposed development. Overall the proposal is not considered to have a significant impact upon nature conservation interests.

Amenity

The residential dwellings along Mill Lane, which are under the applicant's control, back onto the application site, and the properties on the opposite side of London Road are located approximately 40 metres from the site boundary. It is acknowledged that from these properties the burial process would be visible, and neighbours could potentially witness mourners in some emotional distress, which could impact upon the living conditions of local residents. However, having regard the distances involved the existing vegetation and additional hedge planting, there is not considered to be any significant loss of amenity arising from the proposal.

Groundwater

At the time of writing the Environment Agency were objecting to the proposal on the grounds that the proposed development may pose an unacceptable risk of causing a detrimental impact to groundwater quality because:

- Published geological mapping indicates that the site is situated above the principal aquifer of the Sherwood Sandstone at rockhead. This is shown to be overlain by superficial deposits, with glaciofluvial sands and gravels, and glacial till shown to occur at the surface.
- The site also lies within a groundwater source protection zone 2 for a nearby public water supply abstraction.

- Nearby groundwater level information indicates that the water table may be relatively close to the surface in this area.

The applicant has not submitted any ground or groundwater level information with the application. A risk assessment should be carried out, accompanied by appropriate ground investigation information to demonstrate that the land is suitable for use as a burial ground and will not pose an unacceptable risk to groundwater.

The Environment Agency will maintain their objection until they receive a satisfactory risk assessment that demonstrates that the risks to groundwater posed by this development can be satisfactorily managed.

It is understood that the applicant also had pre-application discussions with the Environment Agency, and that additional information has now been forwarded to them for consideration. It is anticipated that the additional information may overcome their concerns but Members will be advised on this matter in an update.

Other considerations

With regard to the comments received in representation not addressed above, the application must be assessed on its own merits, therefore, whilst the comments relating to alternative, less visible sites are acknowledged, they cannot be afforded any weight in the determination of the application. Similarly, there is no requirement for the need of the facility to be demonstrated.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposed burial ground is not considered to be inappropriate in the Green Belt. The impact upon the visual amenity of the area is considered to be acceptable having regard to the submitted management plan, which can be secured over the longer term by legal agreement. Subject to the resolution of the concerns of English Heritage and the Environment Agency, for the reasons outlined above a recommendation of approval is made, subject to conditions and the completion of a s106 legal agreement.

Heads of Terms

Should the Committee be minded to approve the application, then a s106 legal agreement would be required to include the following:

- Provision and implementation of a Landscape & Habitat Management Plan

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Tree retention

4. Construction of access
5. Details to be approved
6. Submission of samples of building materials
7. Submission of additional landscape details
8. Archaeological investigation

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NORTHERN PLANNING COMMITTEE – 8 June 2011

UPDATE TO AGENDA

APPLICATION NO.

11/0366M

LOCATION

Land South of the Junction of Mill Lane and London Road, Adlington

UPDATE PREPARED

6 June 2011

CONSULTATIONS

Environment Agency – No objections subject to conditions

English Heritage – No objections

REPRESENTATIONS

To date, one further letter of representation has been received from a local resident objecting to the proposal on the grounds that the proposal will ruin the visual amenity of the area and significantly devalue their property.

KEY ISSUES

Following the receipt of the additional information, specifically a revised landscape masterplan (plan number 641.1D), the Environment Agency are now able to remove their objection to the application subject to the following conditions:

- 1 Green burials shall only take place in the part of the site that is to the North and West of the watercourse running through the site, as indicated on the submitted revised Landscape Masterplan (plan number 641.1D). The part of the site to the south and east of the watercourse may only be used for the interment of cremated remains or for scattering of ashes in accordance with revised masterplan (plan number 641.1D).
- 2 Burials must not take place within 250 metres of any well, spring or borehole from which a drinking water supply is drawn.
- 3 The place of interment should be at least 30 metres away from any other spring or watercourse, and at least 10 metres away from any field drain.

- 4 Prior to the commencement of green burials in the North West area of the site (as outlined in the revised landscape masterplan reference 641.1.D), groundwater levels shall be monitored on a monthly basis for a period of 12 months. After this 12 month period, monitoring of groundwater in the five window sample boreholes, shall continue to take place on a monthly basis for a 3 year period. The results shall be submitted to the LPA on an annual basis, in consultation with the Environment Agency, for approval.
- 5 The base of all burial pits on the site must maintain a minimum 1 metre clearance above the highest natural water table as identified in the groundwater monitoring on the site.

English Heritage has also confirmed that the proposals are now acceptable to them.

The additional comments received in representation are noted, but the impact upon the visual amenity of the area was addressed in the original report, and the loss of property value is not a material planning consideration, and therefore cannot be afforded any weight in the determination of this application.

CONCLUSION

As in the original report, a recommendation of approval is made.

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Northern Planning Committee**
held on Wednesday, 8th June, 2011 at Council Chamber - Town Hall,
Macclesfield, SK10 1DX

PRESENT

Councillor B Moran (Chairman)
Councillor W Livesley (Vice-Chairman)

Councillors C Andrew, L Brown, B Burkhill, A Harewood, P Hoyland, O Hunter,
L Jeuda, P Raynes, L Roberts and D Stockton

OFFICERS IN ATTENDANCE

Mrs N Folan (Planning Solicitor), Mr P Hooley (Northern Area Manager), Mr I
Fray (Planning Officer), Mr N Jones (Principal Development Officer), Mr A
Ramshall (Conservation Officer), Mrs E Tutton (Principal Planning Officer) and
Mr P Wakefield (Principal Planning Officer)

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors G Boston, D Druce
and Mrs H M Gaddum.

2 DECLARATIONS OF INTEREST/PRE DETERMINATION

None, however it was noted that Members received correspondence in
relation to 10/3175M-Refurbishment, Conversion and Extension of Butley
Hall to Provide Seven Apartments: This work includes partial demolition of
later parts of the listed building. Construction of Three new Three Storey
Townhouses to the rear of Butley Hall. External works to create new
ramped access drive to new car parking area between Butley Hall and the
new Townhouses together with construction of Ten Garage Spaces and a
bin storage room, Butley Hall, Scott Road, Prestbury for Mr and Mrs Lock
and PH P and 11/0131M-Demolition of Redundant Squash Club Building
and Construction of Two Storey Five Bedroom House, Land to the rear of
Cherry Wood, Sparrow Lane, Knutsford for Mr Charlie Williams.

(Prior to consideration of the following item, Councillor B Livesley arrived
to the meeting).

3 MINUTES OF THE MEETING

RESOLVED

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

4 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

5 11/0533M-EXTENSION TO TIME LIMIT TO 08/0783P FOR ERECTION OF 10NO. APARTMENTS WITH BASEMENT PARKING, 2- 4, HOLLY ROAD NORTH, WILMSLOW FOR MR SEDDON

Consideration was given to the above application.

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

RESOLVED

That the application be approved subject to the 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 and design of bin store

21. non standard-Details of soundproofing

22. Renewable Energy Requirements

- 6 **10/3175M-REFURBISHMENT, CONVERSION AND EXTENSION OF BUTLEY HALL TO PROVIDE SEVEN APARTMENTS: THIS WORK INCLUDES PARTIAL DEMOLITION OF LATER PARTS OF THE LISTED BUILDING. CONSTRUCTION OF THREE NEW THREE STOREY TOWNHOUSES TO THE REAR OF BUTLEY HALL. EXTERNAL WORKS TO CREATE NEW RAMPED ACCESS DRIVE TO NEW CAR PARKING AREA BETWEEN BUTLEY HALL AND THE NEW TOWNHOUSES TOGETHER WITH CONSTRUCTION OF TEN GARAGE SPACES AND A BIN STORAGE ROOM, BUTLEY HALL, SCOTT ROAD, PRESTBURY FOR MR AND MRS LOCK AND PH PROPERTY HOLDINGS**

Consideration was given to the application.

(Councillor P Findlow, the Ward Councillor, Mrs T Jackson, a representative of Prestbury Amenity Society, Susan Ehlinger, a representative of the objector and Adele Lock, the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be approved subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A04AP - Development in accord with revised plans (numbered)
3. A05EX - Details of materials to be submitted
4. A10EX - Rainwater goods
5. A22EX - Roofing material
6. A16EX - Specification of window design / style
7. A20EX - Submission of details of windows
8. A19EX - Garage doors - timber
9. A03LB - Protection of features - Jacobean staircase
10. A05LB_1 - Protection of features - No additional fixtures
11. A22GR - Protection from noise during construction
(hours of construction)
12. A01MC - Submission of soundproofing measures to protect
residential amenity of future occupiers
13. A25GR - Obscure glazing requirement – side windows
14. A06GR - No windows to be inserted
15. A01GR - Removal of permitted development rights - dwellings

- 16.A23MC - Details of ground levels to be submitted
- 17.A17MC - Decontamination of land
- 18.A02LS - Submission of amended landscaping scheme
- 19.A04LS - Landscaping (implementation)
- 20.A12LS - Landscaping to include details of boundary treatment
- 21.A17LS - Submission of landscape management plan
- 22.A01TR - Tree retention
- 23.A02TR - Tree protection
- 24.A14TR - Protection of existing hedges shown on the plan
- 25.A19MC - Refuse storage facilities to be approved
- 26.A04HP - Provision of cycle parking
- 27.A01HP_1 - Provision of car parking - 10 garages and 9 spaces
- 28.A06HP_1 - Use of garage - for parking of cars
- 29.A08MC - Lighting details to be approved
- 30.A03TR - Construction specification/method statement
- 31.A32HA - Submission of construction method statement
- 32. Submission of archaeological methodology
- 33. No pile driving permitted
- 34. Details of privacy screens to balconies/terraces be submitted

(Councillor B Livesley left the meeting and did not return).

7 10/3214M-REFURBISHMENT, CONVERSION AND EXTENSION OF BUTLEY HALL TO PROVIDE SEVEN APARTMENTS: THIS WORK INCLUDES PARTIAL DEMOLITION OF LATER PARTS OF THE LISTED BUILDING. CONSTRUCTION OF THREE NEW THREE STOREY TOWNHOUSES TO THE REAR OF BUTLEY HALL. EXTERNAL WORKS TO CREATE NEW RAMPED ACCESS DRIVE TO NEW CAR PARKING AREA BETWEEN BUTLEY HALL AND THE NEW TOWNHOUSES TOGETHER WITH CONSTRUCTION OF TEN GARAGE SPACES AND A BIN STORAGE ROOM, BUTLEY HALL, SCOTT ROAD, PRESTBURY FOR MR AND MRS LOCK AND PH PROPERTY HOLDINGS

Consideration was given to the application.

(Councillor P Findlow, the Ward Councillor, Mrs T Jackson, a representative of Prestbury Amenity Society, Susan Ehlinger, a representative of the objector and Adele Lock, the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be approved subject to the following conditions:-

1. A07LB - Standard Time Limit
2. A04AP_1 - Development in accord with revised plans (numbered)
3. A05EX - Details of materials to be submitted
4. A10EX - Rainwater goods
5. A22EX - Roofing material
6. A16EX - Specification of window design / style
7. A20EX - Submission of details of windows
8. A19EX - Garage doors
9. A03LB - Protection of features - Jacobean staircase
10. A05LB - Protection of features - no additional fixtures
11. A02LB - Method statement
12. Submission of archaeological methodology

(The meeting adjourned at 4.05pm and reconvened at 4.10pm).

(Prior to consideration of the following application, Councillor Mrs L Brown left the meeting and returned during its consideration. In accordance with the Code of Conduct she did not take part in the debate nor vote on the application).

8 11/0131M-DEMOLITION OF REDUNDANT SQUASH CLUB BUILDING AND CONSTRUCTION OF TWO STOREY FIVE BEDROOM HOUSE, LAND TO THE REAR OF CHERRY WOOD, SPARROW LANE, KNUTSFORD FOR MR CHARLIE WILLIAMS

Consideration was given to the above application.

(Mr Marshall, an objector, Mr Anderton, an objector, Mr Vaughan, a Supporter and Mr Williams, the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be approved subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A03AP - Development in accord with revised plans (unnumbered)
3. A05EX - Materials
4. A01TR - Tree retention

5. A02TR - Tree protection
6. A05LS - Landscaping - implementation
7. A04LS - Landscaping (implementation)
8. A25GR - Obscure glazing requirement
9. IF02 - Noise
10. A32HA - Submission of construction method statement
11. A23GR - Pile Driving
12. A08HA - Gates set back from footway/carriageway
13. The hedge should be retained as part of the landscape scheme
14. Drainage scheme to be submitted and approved prior to commencement and then implemented

9 **11/0366M-CHANGE OF USE OF LAND FROM AGRICULTURAL TO A NATURAL BURIAL GROUND AT ADLINGTON HALL, LAND SOUTH OF THE JUNCTION OF MILL LANE AND LONDON ROAD, ADLINGTON FOR ADLINGTON HALL ESTATE**

Consideration was given to the above application.

(Mr Knight, 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 conjunction with the Chairman and Vice Chairman of the Committee for approval in order to address any further representations that the Planning Department may receive in relation to the application, subject to the completion of a Section 106 Agreement comprising of the following Heads of Terms:-

Provision and implementation of a Landscape and Habitat and Management Plan;

And subject to the following conditions:-

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Tree retention
4. Construction of access
5. Details to be approved in relation to the footbridge and memorial plaques
6. Submission of samples of building materials

7. Submission of additional landscape details
8. Archaeological investigation
9. Green burials shall only take place in the part of the site that is to the North and West of the watercourse running through the site, as indicated on the submitted revised Landscape Masterplan (plan number 641.1D). The part of the site to the south and east of the watercourse may only be used for the interment of cremated remains or for scattering of ashes in accordance with revised masterplan (plan number 641.1D).
10. Burials must not take place within 250 metres of any well, spring or borehole from which a drinking water supply is drawn.
11. The place of interment should be at least 30 metres away from any other spring or watercourse, and at least 10 metres away from any field drain.
12. Prior to the commencement of green burials in the North West area of the site (as outlined in the revised landscape masterplan reference 641.1.D), groundwater levels shall be monitored on a monthly basis for a period of 12 months. After this 12 month period, monitoring of groundwater in the five window sample boreholes, shall continue to take place on a monthly basis for a 3 year period. The results shall be submitted to the LPA on an annual basis, in consultation with the Environment Agency, for approval.
13. The base of all burial pits on the site must maintain a minimum 1 metre clearance above the highest natural water table as identified in the groundwater monitoring on the site.

(Prior to consideration of the following application, Councillor Miss C M Andrew and B Burkhill left the meeting and did not return).

10 11/1115M-PROPOSED ERECTION OF A DWELLING AND TWO OUTBUILDINGS IN ASSOCIATION WITH THE MANAGEMENT OF WINDMILL WOOD INCLUDING THE DEMOLITION OF A BRICK BUILT WAREHOUSE, ONE SHED AND TWO OPEN STORES, WINDMILL WOOD, CHELFORD ROAD, OLLERTON, KNUTSFORD FOR MR & MRS PANAYI

Consideration was given to the above application.

RESOLVED

That the application be deferred to a later meeting of the Northern Planning Committee in order to allow Officers further time to consider the merits of the applicant's proposal and whether very special circumstances may exist to justify inappropriate development in the Green Belt.

(This was a change in the original Officers recommendation from one of approval to one of deferral).

(Prior to consideration of the following application, Councillor P Raynes left the meeting and did not return).

- 11 **11/0648M-AS PART OF A WIDER HIGHWAY IMPROVEMENT SCHEME
IT IS PROPOSED TO RELOCATE THE JUBILEE FOUNTAIN
MONUMENT IN FOUNTAIN PLACE, POYNTON FROM IT'S CURRENT
POSITION ON A TRAFFICE ISLAND TO AN AREA OF FOOTWAY TO
THE SOUTHEAST CORNER OF THE JUNCTION, JUBILEE FOUNTAIN,
OUTSIDE 11-13, FOUNTAIN PLACE, CHESTER ROAD, POYNTON FOR
MR P SHERRATT, CHESHIRE EAST COUNCIL**

(During consideration of the application, Councillor P Hoyland declared a personal interest in the application due to the fact that he was a Member of Poynton Town Council Planning Committee who had considered the application, however he had not taken part in the debate nor voted on the application at this meeting and in accordance with the Code of Conduct he remained in the meeting during consideration of the application).

Consideration was given to the above application.

RESOLVED

That the application be approved subject to the following conditions:-

1. Standard Time Limit
2. Development in accord with approved plans
3. Works in Accordance with Method Statement

The meeting commenced at 2.00 pm and concluded at 6.03 pm

Councillor B Moran (Chairman)