

# Northern Planning Committee

## Agenda

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<b>Date:</b>	<b>Wednesday, 19th February, 2014</b>
<b>Time:</b>	<b>2.00 pm</b>
<b>Venue:</b>	<b>The Capesthorne Room - Town Hall, Macclesfield SK10 1EA</b>

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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.

**Please note that members of the public are requested to check the Council's website the week the Planning/Board 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.**

### **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 disclosable pecuniary and non-pecuniary interests and for Members to declare if they have a pre-determination in respect of any item on the agenda.

**3. Minutes of the Meeting (Pages 1 - 10)**

To approve the Minutes of the meeting held on 22 January 2014 as a correct record.

**4. Public Speaking**

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**Please Contact:** Sarah Baxter 01270 686462  
**E-Mail:** [sarah.baxter@cheshireeast.gov.uk](mailto:sarah.baxter@cheshireeast.gov.uk) with any apologies or request for further information  
[Speakingatplanning@cheshireeast.gov.uk](mailto:Speakingatplanning@cheshireeast.gov.uk) to arrange to speak at the meeting

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. **13/4424M-Change of use to childrens' entertainment centre and community resource. Ancillary covered parking, Unit 1-2, First Avenue, Poynton, Adlington, Cheshire for Mr Robert Slater, HS Leisure (Cheshire) Ltd (Pages 11 - 18)**

To consider the above application.

6. **13/5208M-Erection of single storey extensions to sides of existing bungalow, 34, Strawberry Lane, Wilmslow, Cheshire for Mr Laurence Kennard (Pages 19 - 24)**

To consider the above application.

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Northern Planning Committee**  
held on Wednesday, 22nd January, 2014 at The Capesthorne Room - Town  
Hall, Macclesfield SK10 1EA

### **PRESENT**

Councillor R West (Chairman)

Councillors C Andrew, B Burkhill, K Edwards, H Gaddum, A Harewood,  
O Hunter, L Jeuda, J Macrae, D Mahon, D Neilson and P Raynes

### **OFFICERS IN ATTENDANCE**

Mrs E Fairhurst (Design and Conservation Officer), Mrs N Folan (Planning  
Solicitor), Mr P Hooley (Northern Area Manager), Mr N Jones (Principal  
Development Officer) and Mr A Ramshall (Senior Conservation Officer)

### **84 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors B Livesley and L  
Brown.

### **85 DECLARATIONS OF INTEREST/PRE DETERMINATION**

In respect of application 13/2839M, Councillor D Neilson declared that he  
had pre determined the application as a former Governor of Kings School,  
Macclesfield. He stated that he would exercise his right to speak as the  
Ward Councillor and then would leave the room prior to the discussions  
taking place.

In respect of the same application, Councillor Mrs H Gaddum declared a  
non pecuniary interest as she was a Governor of Kings School,  
Macclesfield. She stated that she would leave the room prior to  
consideration of the application.

In the interest of openness in respect of application 13/3520M, Councillor  
P Raynes declared that he was a member of the Knutsford Conservation  
and Heritage Group as well as a Member of Knutsford Town Council,  
however he had not made any comments on the application.

In the interest of openness in respect of application 13/3883M, Councillor  
D Mahon declared that he knew the developer concerned with the  
application as he was a well known landowner and farmer in the area.

### **86 MINUTES OF THE MEETING**

RESOLVED

That the minutes be approved as a correct record and signed by the Chairman subject to the substitution of the letter 'W' with the letter 'J' in relation to Councillor J Macrae's initial on page 5 of the minutes.

**87 PUBLIC SPEAKING**

RESOLVED

That the public speaking procedure be noted.

**88 13/3520M-REGLAZING WINDOWS INCLUDING RELOCATION OF EXISTING STAINED GLASS INTO THE EXISTING STAINED FRAMES; PROTECTIVE GUARDS TO STAINED GLASS AS EXISTING, ST JOHNS PARISH CHURCH, CHURCH HILL, KNUTSFORD CHESHIRE FOR THE PAROCHIAL CHURCH COUNCIL**

Consideration was given to the above application.

(Councillor S Gardiner, the Ward Councillor, Town Councillor Mrs V Davies, representing Knutsford Town Council, Paul Webster, representing Knutsford Conservation and Heritage Group (KCHG) and John Lee, representing the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be delegated to the Northern Area Manager in consultation with the Chairman of the Northern Planning Committee and relevant Ward Councillors for approval subject to conditions.

(This decision was contrary to the Officer's recommendation of refusal).

**89 13/3883M-RESIDENTIAL DEVELOPMENT OF 20 DWELLINGS AND ASSOCIATED WORKS, SITE OF KNOWLE HOUSE, SAGARS ROAD, HANDFORTH FOR NICHOLA BURNS, MORRIS HOMES NORTH LTD**

Consideration was given to the above application.

(Brian Tolver, an objector, Nigel Davies, an objector and Lewis Evans, representing the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be refused for the following reason:-

1. Inappropriate development in the Green Belt, which reduces openness. No very special circumstances exist to clearly outweigh the identified harm to the Green Belt.

(The meeting was adjourned for a short break).

- 90 **WITHDRAWN-13/2867M-A RURAL EDUCATION& INTERPRETATION CENTRE INCLUDING AGRICULTURAL STORE, BIODOME, VISITOR BUILDING, CAR PARKING, PATHWAYS AND LANDSCAPING, LAND WEST OF MAG LANE, HIGH LEGH FOR MR DAVID FRYER, DAVID FRYER MANAGEMENT**

This item was withdrawn prior to the meeting.

- 91 **13/3082M-INTERNAL AND EXTERNAL ALTERATIONS TO THE ORIGINAL FORMER CHESHIRE BUILDING SOCIETY (NO. 36 CASTLE STREET) TOGETHER WITH THE DEMOLITION OF THE MAJORITY OF THE SUBSEQUENT EXTENSIONS TO THE BUILDING AND THE CHANGE OF USE OF THE GROUND FLOOR FROM OFFICES (CLASS B1(A)) TO 2 NO. FLEXIBLE USE UNITS (CLASSES B1(A), A1, A2, A3 AND/OR A4). DEMOLITION OF RETAIL UNITS AT NO.'S 22, 24 & 26 CASTLE STREET AND NO.'S 25, 25B & 25C CASTLE STREET MALL (FORMING PART OF THE GROSVENOR SHOPPING CENTRE) TO FACILITATE THE REDEVELOPMENT OF A TWO STOREY BUILDING (PLUS ROOF TOP PLANT AREA) TO ADJOIN THE REDEVELOPED FORMER CHESHIRE BUILDING SOCIETY AND PROVIDE 4 NO. RETAIL (CLASS A1) UNITS, ERECTION OF REPLACEMENT CANOPY ABOVE CASTLE STREET MALL, FORMATION OF 5 NO. CAR PARKING SPACES, EXTERNAL ALTERATIONS AND ASSOCIATED WORKS, 22, 24, 26 & 36 CASTLE STREET, 25, 25B & 25C CASTLE STREET MALL, MACCLESFIELD, CHESHIRE FOR MR JOHN SULLIVAN, ESKMUIR SECURITIES LIMITED**

Consideration was given to the above application.

(Councillor Mrs J Jackson, the Ward Councillor and John Sullivan, the applicant attended the meeting and spoke in respect of the application).

**RESOLVED**

That for the reasons set out in the report and in the oral update to Committee the application be delegated to the Northern Area Manager in consultation with the Chairman of the Planning Committee for approval subject to any further representations being received by 24 January 2014, and subject to the materials and detailed finish of the Churchill Way elevation being agreed in consultation with the Ward Councillors and subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A02EX - Submission of samples of building materials
3. A01AP - Development in accord with approved plans
4. Submission of detailed elevational and cross sectional drawings of windows

5. shop front not obscured
6. Details of finish and construction materials for rainwater goods to be submitted to and approved in writing by the Local Planning Authority
7. Prior to the commencement of any internal alterations details of a photographic record of the internal subdivisions of the building shall be submitted to the Local Planning Authority
8. Drainage details to be submitted to and approved in writing by the Local Planning Authority
9. Submission of a Construction Method statement (highways and environmental health protection during construction)
10. Development details to be submitted and agreed prior to commencement

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Northern Area Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority shall be delegated to the Northern Area Manager in consultation with the Chairman of the Northern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

(Prior to consideration of the following item, Councillor H Gaddum left the room and returned once a decision on the application had been made).

- 92 **13/2839M-EXTENSION OF THE SCHOOL NETBALL COURT, STRENGTHEN EXISTING VEHICULAR RAMP ACCESS TO THE PLAYING FIELD AND INFILLING OF SMALL AREA OF FIELD WITH TOP SOIL FROM THE NETBALL COURT EXTENSION, PLAY AREA AND EXTERNAL DISABLED ACCESS RAMP (RETROSPECTIVE), THE KINGS SCHOOL, GIRLS DIVISION, FENCE AVENUE, MACCLESFIELD, CHESHIRE FOR MR J SPENCER-PICKUP, KINGS SCHOOL MACCLESFIELD**

Consideration was given to the above application.

(Councillor D Neilson, the Ward Councillor spoke in respect of the application. He then left the room and returned once the decision had been made).

RESOLVED

That for the reasons set out in the report the application be approved subject to the following condition:-

1. A01AP - Development in accord with approved plans

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Northern Area Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority shall be delegated to the Northern Area Manager in consultation with the Chairman of the Northern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

**93 13/4091M-DEMOLITION OF EXISTING TWO-STOREY RESTAURANT AND OUTBUILDINGS. DEVELOPMENT OF 16 NEW HOUSES AND BUNGALOWS WITH ASSOCIATED INFRASTRUCTURE, HIGHWAYS WORKS AND AMENITY SPACE, BOARSLEIGH RESTAURANT, LEEK ROAD, BOSLEY FOR KATHY POOLE, THE REGENDA GROUP**

Consideration was given to the above application.

(A statement was read out by the Northern Area Manager on behalf of Councillor Mrs L Smetham, the Ward Councillor).

**RESOLVED**

That for the reasons set out in the report and in the update to Committee the application be approved subject to the completion of a Section 106 Agreement securing the following:-

(i) dwellings will be retained as affordable housing in perpetuity and that occupation is restricted to those in genuine need who are employed locally or have local connection to the parish of Bosley and then cascaded initially to adjoining parishes before being offered to residents of other areas of the Borough.

(ii) commuted sum of £48,000 to be paid to the Council to make additions, enhancements and improvements to the Local Parish play facility in Bosley.

And subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans

3. A02EX - Submission of samples of building materials
4. A01LS - Landscaping - submission of details
5. A04LS - Landscaping (implementation)
6. A12LS - Landscaping to include details of boundary treatment
7. A01GR - Removal of permitted development rights
8. A07HA - No gates - new access
9. A13HA - Construction of junction/highways
10. A26HA - Prevention of surface water flowing onto highways
11. A30HA - Protection of highway from mud and debris
12. A32HA - Submission of construction method statement
13. A08MC - Lighting details to be approved
14. A04NC - Details of drainage
15. A19MC - Refuse storage facilities to be approved
16. Detail of garden sheds to be submitted
17. Acoustic Fence/ Boundary Treatment
18. Acoustic Double Glazing
19. Acoustic trickle vents / wall ventilators
20. Demolition and construction phase of development
21. Pile Foundations
22. Construction Hours of operation
23. Contaminated land
24. Details of Road widening, footpath and road surfacing

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Northern Area Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority shall be delegated to the Northern Area Manager in consultation with the Chairman of the Northern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

- 94 **13/4746M-CONVERSION OF EXISTING B1 OFFICE USE TO TWELVE RESIDENTIAL DWELLINGS WITH PARKING. RE-SUBMISSION 13/0599M, PEAK HOUSE, SOUTH PARK ROAD, MACCLESFIELD, CHESHIRE FOR JOHN WOMBY 3DM**



Consideration was given to the above application.

(Councillor Mrs J Jackson, the Ward Councillor and Mr Womby, the applicant attended the meeting and spoke in respect of the application).

## RESOLVED

That for the reasons set out in the report and in the update to Committee the application be approved subject to the completion of a Section 106 Agreement securing the following:-

A total contribution of £30,000.00 will be required and will be used to make additions, enhancements and improvements to the existing facility of South Park.

And subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A04EX - Materials to match existing
3. A09EX - Rainwater goods
4. A17EX - Specification of window design / style
5. A20EX - Submission of details of windows
6. A21EX - Roof lights set flush
7. A25GR - Obscure glazing requirement
8. A22GR - Protection from noise during construction (hours of construction)
9. A23GR - Pile Driving
10. A17MC - Decontamination of land
11. Noise Mitigation
12. Dust Control
13. Revised car parking layout
14. Allocated car parking spaces
15. No gates
16. Plaque in relation to Ian Curtis & Joy Division

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Northern Area Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority shall be delegated to the Northern Area Manager in consultation with the Chairman of the Northern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

**95 13/4530M-OUTLINE APPLICATION FOR 11 APARTMENTS (APPLICATION IDENTICAL TO PREVIOUSLY APPROVED SCHEME), WOODEND, HOMESTEAD ROAD, DISLEY, STOCKPORT, CHESHIRE FOR MICHAEL COOKSEY, VILLAGE HERITAGE LTD**

Consideration was given to the above application.

**RESOLVED**

That for the reasons set out in the report the application be approved subject to the completion of a Section 106 Agreement securing the following:-

Public Open Space (including children's play and amenity)

Based on 11 two bedded apartments, all open market, a commuted sum of £33,000 will be required and will contribute to the existing Arnold Rhodes open space in Disley which includes children's play, amenity open space and sports facilities.

And subject to the following conditions:-

1. A01OP - Submission of reserved matters
2. A02AP\_1 - Detail on plan overridden by condition
3. A03OP - Time limit for submission of reserved matters
4. A06OP - Commencement of development
5. A30HA - Protection of highway from mud and debris
6. A32HA - Submission of construction method statement
7. AEX21 - Submit samples of building materials
8. AGR51 - No windows to be inserted
9. AHA91 - No gates
10. ALSG1 - Landscaping - submission of details
11. ALS21 - Implementation of landscaping scheme
12. ARM41 - Details of ground levels submission
13. DGLC1 - Hours of working during construction
14. A11EX - Details to be approved- Bin Store
15. Access to CTO specification
16. Access to specified gradient

17. Basement for parking of vehicles only
18. Details of highway verge
19. Vehicular visibility
20. Turning facility
21. Pedestrian visibility
22. Existing access to be closed
23. Secure cycle store
24. Visitor cycle provision
25. Parking to be surfaced and marked out
26. Contaminated Land
27. Pile Driving

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Northern Area Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority shall be delegated to the Northern Area Manager in consultation with the Chairman of the Northern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

The meeting commenced at 2.00 pm and concluded at 5.40 pm

Councillor R West (Chairman)

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Application No: 13/4424M

Location: UNIT 1-2, FIRST AVENUE, POYNTON, ADLINGTON, CHESHIRE, SK12 1YJ

Proposal: Change of use to childrens' entertainment centre and community resource. Ancillary covered parking.

Applicant: Mr Robert Slater, HS Leisure (Cheshire) Ltd

Expiry Date: 12-Dec-2013

**SUMMARY RECOMMENDATION:**

Approve subject to conditions

**MAIN ISSUES:**

- Loss of Employment Land
- Amenity
- Highway Safety

**REASON FOR REFFERAL**

The combined floor area of the units the subject of this change of use application is 1000 sq. m and therefore under the terms of the Scheme of Delegation, this item should be determined by Northern Planning Committee.

**1. DESCRIPTION OF SITE AND CONTEXT**

The application site comprises two existing industrial units located along First Avenue in Poynton Industrial Estate which consists of a variety of B2, B8 and B1 uses. The existing building is a single storey industrial unit close to the site entrance.

The site is designated employment land.

**2. DETAILS OF PROPOSAL**

This application seeks permission for the change of use of the premises to a Childrens entertainment centre and community resource (D2 use class). Unit 1 will be utilised as the play centre with unit 2 used for additional car parking. 22 spaces are provided within the unit and at the front of the site.

### **3. RELEVANT HISTORY**

99/1851P Renewal of Planning Consent 79896P for warehouse extension Approved 20-Oct-1999

96/0252P Change of use from warehouse to engineers workshop Approved 20-Mar-1996

79896P Warehouse extension Approved 04-Jan-1995

### **4. POLICIES**

#### **Macclesfield Borough Local Plan – saved policies**

Para 215 of The Framework indicates that relevant policies in existing plans will be given weight according to their degree of consistency with The Framework.

Relevant policies within the Macclesfield Borough Local Plan (MBLP) are as follows:

BE1 (Design principles for new developments)

E1 (Retention of employment land)

E4 (General industrial development)

DC3 (Amenity)

DC6 (Circulation and Access)

#### **Other Material Considerations**

National Planning Policy Framework

Employment Land Review

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

#### **Highways:**

A change of use application is proposed from an industrial units to a children's entertainment centre located off First Avenue, Poynton.

There are a total of 20 car parking spaces proposed, some parking on the frontage of the site and parking also provided within unit 2. It is considered that the amount of on-site parking is sufficient for the proposal, there are daytime parking restrictions fronting the site but a limited number of on-street parking is available on the opposite side of the road.

There are no highway objections to the application.

**Environmental Health:** No objections

**6. VIEWS OF THE PARISH COUNCIL:**

No objections

**7. OTHER REPRESENTATIONS:**

None received

**8. APPLICANT'S SUPPORTING INFORMATION:**

Letter of support from local councillor and local primary school  
Sequential Assessment  
Design & Access Statement

**9. OFFICER APPRAISAL**

**Principle of Development**

At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. For decision-taking this means:

-Approving development proposals that accord with the development plan without delay; and  
- Where the development plan is absent, silent or relevant policies are out- of- date, granting permission unless:

— any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or  
— specific policies in this Framework indicate development should be restricted.'

The site is in an existing employment area - policy E4 generally seeks to ensure this area is retained for B1(b), B1(c), B2 and B8 purposes. The children's entertainment centre and community resource is a D2 use and would, therefore be contrary to this policy.

However, the NPPF takes a slightly more flexible approach on the subject – it states that:

'Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.'

CEC has an oversupply of employment land. However there is an identified shortfall of employment land for the Poynton area of between 1.12 -1.27ha to 2030 and this estate is considered to be quite attractive to the market. This is identified in the Council's Employment Land Review 2012.

The Employment Land Review does not disaggregate the overall employment land requirement below the Borough level. Appendix G looks at the econometric forecasting and an assessment of potential losses by settlement to give an indication of where there might be shortfalls. However, this uses a different methodology which is not comparable to the methodology used to calculate the overall requirement and the Review is clear that this appendix is only to add some context to the overall findings – it does not set out the requirement by settlement.

Moreover, further employment allocations which are better suited to market requirements are being considered as part of the emerging Local Plan.

As the unit has been vacant since 2010, last utilized as temporary storage and has been unsuccessfully but actively marketed ever since, this suggests that there is no serious market interest in the unit. The submission intimates that this may be because more modern industrial units are available at Adlington Business Park.

All of the above considerations would indicate that the application should be judged on its merits, taking into consideration the social, economic and environmental benefits.

Para 24 of the NPPF states that:

‘Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.’

The applicant has submitted a sequential test which indicates that the building specifications required is a determining factor, as are viability and accessibility. The Sequential Assessment has considered a number of sites which are neither suitable nor available.

Given the uniqueness of the use proposed, the localised catchment area and the economic benefits versus the viability of the proposals indicates that this is a sequentially preferable location as it is an accessible out of centre site.

In terms of supporting sustainable communities, this is an accessible site within the settlement boundary accessible by a range of means of transport in a site which is in close proximity to a range of mix of uses.

Therefore, the principle of development is accepted.

### **Character and Appearance**

The unit is designed for industrial purposes and not typical of the type of building one would expect for a children’s play centre and car storage. Whilst the amount of car parking at the



front of the site is set to increase, it is not considered there are any significant impacts on the character and appearance of the locality.

### **Highway Safety**

The key issue in the consideration of this application is whether it has any significant highway safety implications.

The car parking proposed is set to increase above the existing available spaces, and would accord with the CEC car parking standards for D2 uses. Moreover the car parking proposed would meet the applicant's operational requirements.

It should also be noted that the existing available car parking does not meet the CEC car parking standards for the existing potential B8 uses.

The level of parking being provided on site means parents can park on the site and not have to mix with traffic on the nearby Industrial Estate. Also peak use will be at weekends so there some be minimal commercial use happening at that time.

On that basis the proposals would not result in a highway safety issue.

### **Amenity**

This use would not give rise to any odours and only low levels of noise. Whilst it is to be located in an industrial area where noisy activities take place, the nature of the proposed use dictates that this is not particularly noise sensitive and therefore, the change of use of the industrial units would not have a significant adverse impact upon either the future occupiers of these units or existing neighbouring uses.

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

The proposed use is appropriate given the location of the site. It is not considered the use proposed would result in significant and detrimental parking and highway safety issues over and above an industrial use. The use proposed would also not raise any concerns in respect of the character of the area or neighbouring amenity. Whilst the loss of the unit for employment purposes would be contrary to policies E1 and E4 this is acceptable in the context of the advice contained in the NPPF. On that basis, the proposals are in accordance with policies BE1 (Design principles for new developments), DC3 (Amenity) and DC6 (Circulation and Access) of the Macclesfield Borough Local Plan 2004 and guidance within the National Planning Policy Framework. The application is recommended for approval subject to conditions.

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Northern Area Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning

Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

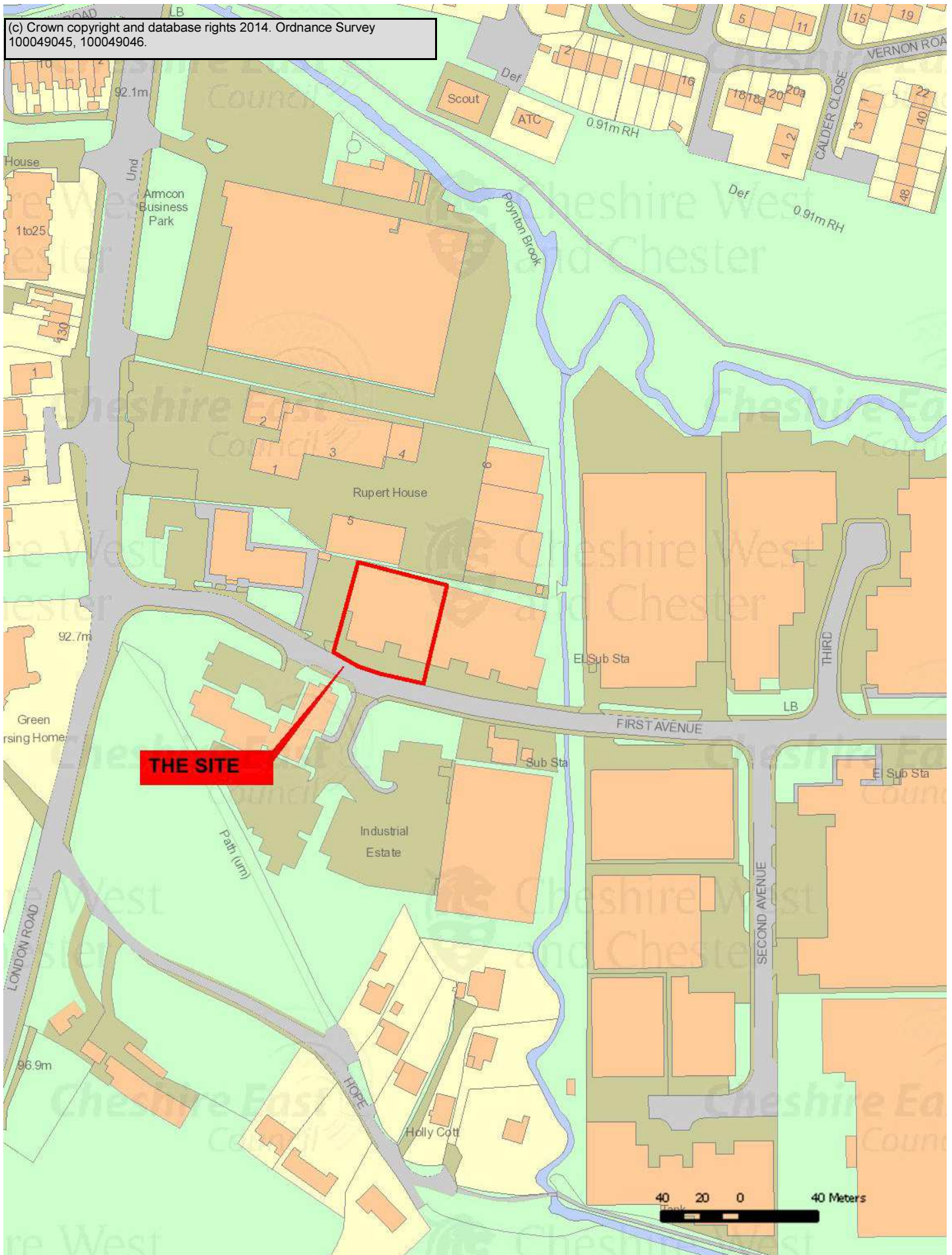
Should this application be the subject of an appeal, authority shall be delegated to the Northern Area Manager in consultation with the Chairman of the Northern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. Car Parking to be Retained
4. Change of Use to Childrens entertainment centre and community resource and for no other purpose

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Application No: 13/5208M

Location: 34, STRAWBERRY LANE, WILMSLOW, CHESHIRE, SK9 6AH

Proposal: Erection of single storey extensions to sides of existing bungalow

Applicant: Mr Laurence Kennard

Expiry Date: 04-Feb-2014

**Date Report Prepared: 6<sup>th</sup> February 2014**

#### **SUMMARY RECOMMENDATION**

Approve, subject to conditions

#### **MAIN ISSUES**

Impact of the development on:-

- Neighbouring Amenity; and
- Character of the Area.

#### **REASON FOR REFERRAL**

This application is to be determined by the Northern Area Planning Committee because the applicants are the parents of a member of the Development Management department.

Subject to the recommended conditions, the proposal is considered to be acceptable for the reasons set out in the appraisal section of this report.

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

The application site comprises a detached bungalow situated on a corner plot within a modest curtilage, located at the corner where Wingfield Avenue meets Strawberry Lane in Wilmslow. The site lies within a predominantly residential area with good natural screening to the front, eastern elevation.

Access to the property is taken from Strawberry Lane and the property is positioned at an angle to the two roads that bound it. The surrounding properties are a mix of two storey and bungalow style properties with mainly bungalows along Wingfield and two-storey properties across the road along Strawberry Lane.

The adjacent property to the north, 94 Wingfield Avenue, is a bungalow and the adjacent property to the west is a large property set back significantly from the application property.

## **DETAILS OF PROPOSAL**

The proposals seek approval for the erection of single storey extensions to both the north-east side elevation and the south-west side elevations. The south-west side elevation comprises an extension of the existing pitched roof with a flat roof over the proposed garage section and the proposed extension on the north-east elevation comprises a flat roof.

## **RELEVANT HISTORY**

None

## **POLICIES**

### **Macclesfield Borough Local Plan – saved policies**

BE1 (Design principles for new developments)  
DC1 (High quality design for new build)  
DC2 (Design quality for extensions and alterations)  
DC3 (Protection of the amenities of nearby residential properties)  
DC38 (Guidelines for space, light and privacy for housing development)  
H13 (Protecting residential areas)

Between them these policies aim to protect the living conditions of adjoining residential properties from harmful loss of amenity such as loss of privacy, overshadowing, loss of light or overbearing impact. They aim to ensure that the design of any extension or new building is sympathetic to the existing building on the site, surrounding properties and the wider street scene by virtue of being appropriate in form and scale and utilising sympathetic building materials.

### **Other Material Considerations**

National Planning Policy Framework

Since the NPPF was published on 27<sup>th</sup> March, the saved policies within the Macclesfield Borough Council Local Plan are still applicable but should be weighted according to their degree of consistency with the NPPF. The Local Plan policies outlined above are consistent with the NPPF and therefore should be given full weight.

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

**Highways:** no objections

## **VIEWS OF THE PARISH COUNCIL**

**Wilmslow Town Council:** no objections

## **OTHER REPRESENTATIONS:**

The neighbour at 94 Wingfield Avenue has made comments in relation to this application. The neighbour considers the side extension would lead to a loss of light to the windows on the side elevation of number 94 Wingfield facing onto the proposed extension.

The elevation facing the application property contains two small windows to the lounge and a large window to the kitchen. It was confirmed that these windows are not the only windows to these rooms, there are further windows on the front and rear elevations.

### **APPLICANT'S SUPPORTING INFORMATION**

A design and access statement has been included with the application. This can be viewed on the file.

Discussions have been held about design of the extension, in particular the roof form. The applicant stated that a flat roof would have less of an impact because it is set back from the front elevation and so cannot be seen from Strawberry Lane, it is well screened by mature plants along the elevation adjacent to Wingfield Avenue and the lower roof of the flat roof would have less of an impact on the adjacent property at 94 Wingfield Avenue. It was also stated that if the application was approved more evergreen plants would be planted along this boundary in order to hide any gaps in the planting with a plan supplied to show this.

### **OFFICER APPRAISAL**

#### **Design**

The proposal includes flat roofs on the extensions to both sides of the property. To the south-west the proposal includes the removal of an existing garage with gently sloping roof and the replacement with a pitched roof extension and flat roof garage. This would be visible from Strawberry Lane, however when compared with the existing garage that has the appearance of a flat roof and other properties within the area the flat roof garage would be in keeping with the character of the existing property and the surrounding area. The pitched roof would contain a lower ridge height than existing and along with the flat roof garage the extensions appear subservient to the main dwelling.

The extension to the north-east of the property also contains a flat roof extension. This is set back from the front elevation by approximately 2.3m, with a projection of 3m from the existing side elevation.

There is good screening to the eastern boundary of the property that would largely screen the extension from public views. The few gaps that exist currently would be filled in by evergreens by the applicant if an approval is granted. The lower height of the flat roof would mean that the extension would not be visible above the screening and so the impact on the street scene is less than if the extension contained a pitched roof.

The extensions are not prominent within the street scene and are considered to be acceptable.

It should also be noted that the approval of the flat roof extensions would not create a precedent in the area because on almost all of the remaining bungalow properties in the area the works would be permitted development and it is only the orientation of the application property within the plot that means that the works fall outside of permitted development.

### **Amenity**

An objection has been received from the occupier of the property to the side at no. 94 Wingfield Avenue relating to the loss of light and privacy that the extension would create. The side elevation of this property lies approximately 6.5m away from the application property at its nearest point. This would reduce to approximately 4.5m with the addition of the proposed extension.

The side elevation of number 94 contains two small secondary windows to the lounge and a larger secondary window to the kitchen. There is also a car port between the side elevation of number 94 and the application property which along with the fence means that there would be little light gained from this elevation of the property currently.

The side extension closest to number 94 would have a height of 2750mm and there would be a gap of approximately 1.8m to the boundary. The low height of the flat roof extension lessens the impact of the extension on the light at number 94. The fact that the windows on the side elevation of number 94 are also secondary means that the impact of the development on the light levels at number 94 is acceptable.

The side elevation of the application property contains windows that overlook the side elevation of number 94. The front window is obscurely glazed but the rear window serving the kitchen is not and views from this window to the side elevation of number 94 are unobstructed. With the existing relationship in mind it is considered that a condition obscurely glazing the side windows of the extension is not required.

### **Highway Safety**

The extension will not result in a necessity to provide any additional car parking spaces as there are no additional bedrooms to be created. It is considered that as the property would retain the existing complement of off street car parking spaces, the proposals would not have an adverse impact upon highway safety.

### **CONCLUSION AND REASONS FOR DECISION**

Despite the objection received the proposals comply with the standards set out in the Macclesfield Borough Local Plan and would not lead to any significant injury to residential amenity. The proposals would preserve the character and appearance of the existing building and the surrounding area. The proposals would not raise concerns for neighbouring amenity or highway safety. The design of the extension is acceptable and the proposal is compliant with all of the relevant policies of the Development Plan listed above.



In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Northern Area Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority be delegated to the Northern Area Manager in consultation with the Chairman of the Northern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

1. A01AP - Development in accord with approved plans
2. A03FP - Commencement of development (3 years)
3. A04EX - Materials to match existing

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