

Application No: 11/0533M

Location: 2- 4, HOLLY ROAD NORTH, WILMSLOW

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

Applicant: Mr Seddon

Expiry Date: 03-Jun-2011

SUMMARY RECOMMENDATION

Approve subject to conditions

MAIN ISSUES

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

Date Report Prepared: 24th May 2011

REASON FOR REPORT

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

This application was deferred by the Northern Planning Committee on 4th May 2011 to allow receipt of formal comments from the Strategic Highways Officer and to obtain more information from the Applicant on car parking proposals in the light of revised PPG13.

DESCRIPTION OF SITE AND CONTEXT

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

SCOPE OF THIS APPLICATION

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

As a matter of law the Northern Planning Committee decides applications afresh: resolutions which vary from previous decisions may be justified by change of circumstances, or of weight.

For this type of application, the Government's advice is for Local Planning Authorities to take a positive and constructive approach towards applications that improve the prospects of sustainable development being brought forward quickly. The development proposed will, by definition, have been judged acceptable in principle at an earlier date. It is the Government's advice that Local Planning Authorities should only look at issues that may have changed significantly since that planning permission was previously considered to be acceptable in principle.

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

DETAILS OF PROPOSAL

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

RELEVANT HISTORY

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

POLICIES

Regional Spatial Strategy

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

Local Plan Policy

BE1 Design Guidance
DC1 New Build
DC3 Amenity
DC38 Space, Light and Privacy

DC6 Circulation and Access
DC8 Car Parking
DC9 Tree Protection
H1 Phasing Policy
H2 Environmental Quality in Housing Developments

Other Material Considerations

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

CONSULTATIONS (External to Planning)

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

OTHER REPRESENTATIONS

Seven letters of representation have been received, three of which have been submitted by the same resident, the comments received are summarised as follows:

- The proposal would have fewer parking spaces than the previous application for 9 no. apartments;
- Visibility will be restricted by existing trees to the front of the site;
- There is no provision for bin storage;
- The proposal is contrary to policies BE1, DC1, DC3, DC36 and DC39 of the Macclesfield Borough Local Plan;
- Financial justification for the proposed development given the current economic climate;
- The proposal does not comprise any affordable units nor does it relate to a community project;
- Material changes in legislation;
- The proposal would be detrimental to highway safety;
- The proposal would set a dangerous precedent for the demolition of 2 large houses and the construction of a large apartment block; and,
- The proposal would be out of character with the area.

PRINCIPLE OF DEVELOPMENT

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

OFFICER APPRAISAL

The design, siting and scale of the proposed apartment block was considered acceptable during the assessment of planning application 08/0783P. There have been no material changes in the circumstances of the site between the date of approval and the present day. In

addition there have been no changes in Local Plan policy relating to design or amenity and as such, these aspects of the proposal remain acceptable.

POLICY

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

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

Concern has been raised with respect to affordable housing. The threshold required for an affordable homes provision is 15 units. This is therefore not applicable to this scheme.

Members raised concern that highway congestion may have been exacerbated in the last three years with additional traffic that takes access to Wilmslow High School. In addition a number of concerns have also been raised by neighbouring residents with respect to highway safety.

The Strategic Highways Officer carried a site assessment of the current traffic situation looking primarily at the available parking at Wilmslow High School, parking restrictions along Wilmslow Park North and the proposed parking ratios of the application site.

The assessment concluded that the whilst the car park at the High School was well used, at the time of the visit there were some 11 spaces available and turnover parking was frequent.

The application site is situated some 300 metres from the High School and fronts Holly Road North. Along this length of Holly Road North the public highway is protected from displaced parking by a waiting restriction on both sides between 8am & 6.30pm Monday to Saturday. This is a single yellow line restriction.

With respect to the parking ratios of the site, the Design and Access Statement quotes a provision of 17 parking spaces in addition to a bike store all of which would be contained within the basement. However there is also an additional 2 surface level car parking spaces proposed and bicycle storage for 3 bikes on the frontage of the site.

At the previous meeting it was incorrectly reported that there were 17 spaces in total. There are actually 19 spaces which is only just below 200% provision. It is therefore considered that this should overcome Members concerns regarding insufficient car parking at the site.

Currently Planning Policy Statement 3 determines that authorities should negotiate practical and appropriate levels of parking for residential development, whilst the emerging Cheshire East Council Highway Authority parking standards will generally recommend 200% parking

for residential housing units. The Strategic Highways Manager is mindful that these applications are only for an extension of time to the extant permissions and that the parking ratios offered are actually above the ratios that the developer could have claimed at the time of the 2008 applications.

The Strategic Highways Manager has researched the salient issues and has concluded that there is no technical sustainable reason to express concern over the current highway position and as such raises no objection.

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

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

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

Other

Concern has been raised with respect to refuse storage. Bin storage is indicated on the site plan to be positioned on the site frontage. Condition 20 of planning approval 08/0783P requires the details of the design and external appearance of the bin store to be submitted to and approved in writing by the Local Planning Authority. This condition would be applicable should members be minded to approve this proposal.

Concern has also been raised with regards to the potential precedent that this may set with respect to extending an existing permission. If approval is granted for an application for an extension of time limit the result would be a new planning permission with a new time limit. It is not possible to use this procedure where the permission was granted after 1st October 2009.

CONCLUSIONS AND REASON(S) FOR THE DECISION

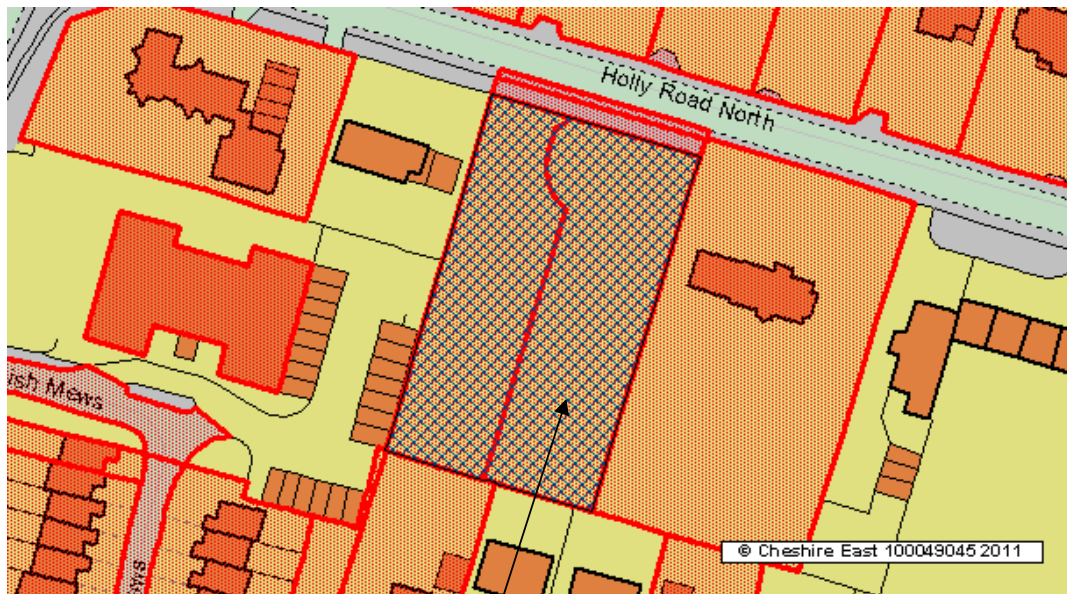
In conclusion, there have been no significant changes in the circumstances of the site or policy that would warrant the refusal of this application. As such, the proposal is considered to comply with Local, Regional and National policies and a recommendation of approval is given subject to conditions.

Application for Extension to Time Limit

RECOMMENDATION: Approve subject to following conditions

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Details of materials to be submitted
4. Closure of access
5. Construction of junction / highways (outline)
6. Provision of car parking
7. Driveway surfacing - single access drive
8. Landscaping - submission of details
9. Landscaping (implementation)
10. Tree retention
11. Tree protection
12. Construction specification / method statement
13. Arboricultural method statement
14. No gates or obstruction shall be erected across the vehicular access
15. Access to be constructed before occupation of the building
16. Drainage of car park surfaces
17. Provision of cycle stands
18. Provision of cycle store
19. Windows in side elevation shall be obscured and non-opening
20. External Appearance
21. non standard
22. Renewable Energy Requirements

Location Plan



The Site