

Application No: 12/1223M

Location: MEADOW HEY, BOLLIN HILL, PRESTBURY, MACCLESFIELD, CHESHIRE, SK10 4BS

Proposal: Demolition of Existing Dwelling and Erection of 2no. New Dwellings (Resubmission)

Applicant: Ms S Waugh, The Estate of Mrs Jessie Christie

Expiry Date: 22-May-2012

#### **SUMMARY RECOMMENDATION**

Approve subject to conditions

#### **MAIN ISSUES**

Impact on the character and appearance of the surrounding area, protected species, highway safety, neighbouring amenity and existing trees

**Date Report Prepared:** 22<sup>nd</sup> June 2012

#### **REASON FOR REPORT**

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

- Over -development via two proposed large houses on an existing single house plot with limited useable land.
- The creation of a dangerous precedent which would be prayed in aid subsequently elsewhere.
- An un-neighbourly proposal, with 6 vehicles replacing 2 now on a narrow access road, and but single garages for such large homes.
- The design is out of character with the area contrary to the Village Design Statement, and it impacts deleteriously on the Bollin Valley.

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

The application site comprises a detached two-storey dwellinghouse located within a large plot on the eastern side of Bollin Hill, Prestbury. The existing dwellinghouse is located within the northern part of the site with a large garden positioned to the south and east. The land to the east falls steeply away. The application site is located in the predominantly residential area and is therefore surrounded by residential properties.

#### **DETAILS OF PROPOSAL**

Full planning permission is sought to demolish the existing dwellinghouse and erect 2no. detached dwellinghouses.

#### **RELEVANT HISTORY**

- |          |   |
|----------|---|
| 10/2624M | Proposed demolition of two-storey detached house (including basement) and replace with three-storey house including basement<br>Withdrawn 10-Sep-2010                               |
| 10/3982M | Proposed demolition of two-storey detached house (including basement) and replace with three-storey house including basement (resubmission)<br>Approved with conditions 28-Jan-2011 |
| 11/2350M | Demolition of existing dwelling and erection of 2no. new dwellings<br>Withdrawn 31-Aug-2011   |

## **POLICIES**

### **Regional Spatial Strategy**

DP1 Spatial Principles

DP4 Making the Best Use of Existing Resources and Infrastructure

DP7 Promote Environmental Quality

EM1 Integrated enhancement & protection of the region's environmental assets

### **Local Plan Policy**

BE1 Design Guidance

NE11 Nature Conservation

DC1 New Build

DC3 Amenity

DC6 Circulation and Access

DC8 Landscaping

DC9 Tree Protection

DC38 Space, Light and Privacy

DC41 Infill Housing Development or Redevelopment

### **Other Material Considerations**

National Planning Policy Framework

Prestbury Supplementary Planning Document

Prestbury Village Design Statement

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

**Highways:** No objection subject to a condition and an informative

**Environmental Health:** No objection subject to a condition

**United Utilities:** No objection

## **VIEWS OF THE PARISH / TOWN COUNCIL**

**Prestbury Parish Council** – The Committee object to this application on the grounds that the design is out-of-character with the area as stated in the Village Design Statement also they are concerned about the impact on the Bollin Valley Conservation area. If the application is approved, they request that a condition is attached requiring no pile driving and they would like to see all boundary hedges retained.

## **OTHER REPRESENTATIONS**

Four representations were received from neighbouring residents and one representation was received from the Prestbury Amenity Society. They raised the following concerns:

#### Design/Character of the Area

- Two dwellinghouse on the site would result in an excessive density and would set an undesirable precedent.
- The usable plot sizes are inappropriate to the site and the immediate vicinity.
- The houses are to be marketed as family homes but there is a lack of usable garden space due to the sloping nature of the land to the rear.
- The contemporary, modern design of the houses with Staffordshire pink gravel drives is not in keeping with the other properties on Bollin Hill.
- Out of character with the Village Design Statement settlement pattern.

#### Highways

- A single garage is not sufficient.
- Bollin Hill is already a busy, narrow road with a dangerous turning onto Broadwalk. The addition of three/four cars per household plus those of visitors parking on Bollin Hill will add to the danger of accidents particularly when the road is icy.
- Parking on Bollin Hill during construction is going to be a major problem.

#### Amenity

- Juliet balconies to the front elevation together with roof lights to the master bedroom/en-suite are not necessary and invade the privacy of the houses on Bollin Hill.
- House B would be too close to the boundary shared with 'The Coppice'.

#### Trees/Landscape

- Loss of trees as proposed.
- The new vehicular access would result in the loss of green space which should be preserved.
- Pedestrian access to House A should be by the present access therefore removing the need to cut into the front boundary hedge.
- The boundary hedges should be protected.

Other comments are noted but are not material planning considerations.

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

Three Protected Species Survey, a Land Contamination questionnaire, Arboricultural Statement with Tree Protection Plan, a Design & Access Statement and an assessment of the surrounding plot sizes were submitted to support the planning application.

### **OFFICER APPRAISAL**

#### **NPPF Policy**

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.

## **Principle of Development**

The application is for the demolition of one house and the erection of two houses on a site within the predominantly residential area of Prestbury. The principle of the development is therefore acceptable.

Planning permission has been previously approved (and is currently extant) for a replacement dwellinghouse at the application site. The replacement dwellinghouse granted planning permission is significantly larger than the existing dwellinghouse (approximately three times the size) and comprises four storeys (one within the roofspace), six bedrooms and a leisure suite. It is sited in a similar location as the existing dwellinghouse but extends further to the south and east of the plot and is to be constructed of render with a slate roof.

A recent application for 2no. dwellinghouses at the application site was withdrawn following concerns raised regarding the design of the properties not being in-keeping with the surrounding area, the scale of the proposed garages in relation to the houses, the size of the gardens and the amount of usable private amenity space, and the impact on existing trees. Additional information was also required in respect of visibility splays. This application therefore seeks to overcome these concerns.

## **Design**

The existing dwellinghouse is located towards the northern part of the site and comprises a detached two-storey dwellinghouse with an integral garage that has a wide frontage but is relatively narrow. The dwellinghouse would be demolished and 2no. replacement houses would be erected. House A would be sited on a similar footprint as the existing dwellinghouse whilst House B would be located within the existing garden area within the southern part of the site. Both would have an open outlook onto Bollin Hill and would follow the existing building line on that side of the road.

Both houses would be of the same design but would be handed. They would comprise two-storeys to the front elevation and three-storeys to the rear elevation due to the sloping nature of the land. Each dwellinghouse would have an integral garage. The houses would be constructed of a mix of brick and timber boarding to the walls with a clay tiled roof and timber windows and doors. Due to concerns raised in the withdrawn scheme in respect of the shape of the dwellinghouses the design has been altered so that the dwellinghouses now have a wide frontage and narrow depth. This is more in-keeping with the surrounding area and is emphasised on the street scene drawings where House A would have a similar width as the existing dwellinghouse and a lower eaves and ridge height. The dwellinghouses would also have a significantly lower ridge height when compared to the extant scheme for one large replacement dwellinghouse.

The dwellinghouses in the surrounding area comprise a mix of designs and materials that include Arts and Crafts brick built houses, rendered houses and brick and rendered bungalows. Some of the bungalows have been updated in recent years and now have a contemporary design that use the same materials as those proposed by this application. Most notably is No. 2 Willowmead Drive immediately opposite the application site on the opposite side of Bollin Hill. Whilst objections have been received regarding the design of the dwellinghouses it is considered that the design and materials of the proposed dwellinghouses would not be out-of-character with the surrounding area and would comply with policies BE1 and DC1 of the Local Plan as well as the Prestbury SPD and the NPPF.

Information has been provided in support of the application that compares the plot area of each of the proposed houses to the plots in the immediate surrounding area. The information highlights that the proposed plots are commensurate with the surrounding area. Whilst concern has been raised regarding the density of the plots it is considered that the proposed density would not be out-of-character with the surrounding area and the dwellinghouses would not be cramped.

Concern is raised regarding the application setting a precedent for similar developments being undertaken in the surrounding area if it were to be approved. The surrounding area comprises part of the predominantly residential area therefore the principle of such developments is not contrary to policy. However each application would have to be determined on its own merits and given that the application site is probably the largest plot in the surrounding area, it is unlikely that the other plots would have sufficient space to undertake a similar development without compromising the character of the area.

The Parish Council raises concern that the proposed houses would have a detrimental effect on the Bollin Valley to the east of the application site. The public footpath is located over 100 metres from the application site and even further in respect of the siting of the proposed dwellinghouses. The site is highly screened by a significant level of tree cover between the footpath and the proposed dwellinghouses, both within the application site (a large proportionate of which is to be retained) and on the surrounding land to the east. No objection was raised regarding the impact the extant large replacement dwellinghouse would have on the Bollin Valley and it could be argued that the approved scheme would be more detrimental given its scale and massing in one large block and higher eaves and ridge height rather than two smaller dwellings with spacing between. The two dwellinghouses would be viewed from the Bollin Valley in the context of the existing dwellinghouses along Bollin Hill, forming part of the street scene and existing built development. For these reasons it is not considered that the proposed dwellinghouses would have a detrimental effect on the views from the Bollin Valley.

Subject to a condition requiring the submission of materials it is not considered that the proposed dwellinghouses would have a detrimental effect on the character or appearance of the surrounding area. The application has overcome the previous concerns and is considered to comply with policies BE1, DC1 and DC41 of the Local Plan.

### **Amenity**

No dwellinghouses are located to the rear of the property. Whilst the comments from neighbouring residents are noted in respect of a loss of privacy to those properties on the opposite side of the road, the proposed dwellinghouses would exceed the separation distances outlined in policy DC38. In addition, House A would actually be sited further away from the property on the opposite side of the road ('Juniper Cottage') than the existing dwellinghouse thereby increasing the level of privacy. For these reasons it is not considered that the proposed dwellinghouses would have a detrimental effect on the amenity of these properties.

'Doune Cottage' is located to the north of the application site and would be sited approximately 18.5 metres from House A. Only secondary windows are located in the northern side elevation of House A that would face towards this property. The ground floor

windows would be screened by the existing boundary treatment but it is considered that the first floor windows in the northern elevation are conditioned to be obscure glazed in order to protect the amenity of this property. The proposed dwellinghouse would be sited approximately 1.8m-2.5m from the boundary shared with this property. The siting of House A in relation to 'Doune Cottage' would comply/exceed the separation distances outlined in policy DC38 of the Local Plan and is therefore not considered to have a detrimental effect on its amenity.

'The Coppice' is located to the south of the application site and would be located approximately 23 metres from House B. As with House A, secondary windows would be positioned in the southern side elevation that would face towards this property. A number of TPO protected trees are positioned within the side garden of 'The Coppice' and the existing boundary treatment would screen the view from the proposed ground floor windows. It is considered however that the first floor windows in the southern side elevation are conditioned to be obscure glazed in order to protect the amenity of this property. The siting of House B in relation to 'The Coppice' would comply with the separation distances outlined in policy DC38 of the Local Plan. The neighbour at this property has raised concern that House B is sited too close to the shared boundary however the property would be sited 14-15 metres from the boundary, significantly exceeding the one metre that is required by policy DC38. It is therefore not considered that the proposed dwellinghouse is sited too close to this property. The proposed dwellinghouses are therefore not considered to have a detrimental effect on the amenity of 'The Coppice'.

The terraces proposed at both House A and House B would be located away from the boundaries shared with the neighbouring properties and would be positioned at a lower level than the existing boundary treatment. The middle terrace proposed at House A has been removed during the course of the application due to concerns raised by the Nature Conservation Officer. The proposed terraces would be screened by the existing boundary treatments that are to be retained and are therefore not considered to have a detrimental effect on neighbouring amenity.

The proposed dwellinghouses would be sited a minimum of 9.4 metres from one another, but House B would be sited closer to the road than House A. No windows would be positioned in the elevations of the proposed houses that would face each other and they would comply with the 45-degree guideline. For these reasons it is considered that the proposed dwellinghouses would have a satisfactory relationship to each other so as not to have a detrimental effect on each other's amenity.

The Environmental Health Service has considered the application and raises no objection subject to a condition requiring the hours of demolition, construction and deliveries of the site to be restricted.

The Parish Council has requested that a condition be attached should permission be granted that specifies that no pile driving is undertaken. Whilst this is acknowledged, it is not considered acceptable for pile driving to be prevented given the sloping nature of the site. However it is considered acceptable for a condition to be attached that restricts the hours of pile driving (should it be used) in order to protect the amenity of neighbouring properties.

For the reasons outlined above and subject to the specified conditions it is not considered that the proposed dwellinghouses would have a detrimental effect on the amenity of neighbouring properties or one another and therefore would comply with policies DC3, DC38 and DC41 of the Local Plan.

### **Highways**

The existing driveway onto Bollin Hill would be closed with a hedge to match the existing boundary treatment. A new access would be created centrally within the site frontage that would provide vehicular access for both properties. Separate pedestrian accesses would be created. A central turning area would be created to be used by both properties and separate areas would be provided beside each property for the parking of a minimum of two vehicles. An integral garage would be provided at each dwellinghouse that would be of a size that could accommodate a vehicle. Electronic sliding gates would be positioned approximately 5.5 metres from the back edge of the highway. Whilst the comments raised regarding highway matters have been taken into consideration, the Strategic Highways Engineer has assessed the application and does not raise an objection. He does recommend a condition requiring the existing vehicular access to be permanently closed and the footway reinstated, and an informative requiring the developer to enter into a Section 184 Agreement under the Highways Act 1980 for the provision of a new vehicular access and the closure of the existing access. Subject to these matters being attached to the decision, it is considered that the application would comply with policy DC6 of the Local Plan.

A neighbour has raised concern regarding disruption during the construction phase from contractors' vehicles parking along the road. Whilst this can usually be dealt with by the imposition of a condition requiring the submission and approval of a method statement, given the siting of the proposed dwellings relative to the road and the requirement for the existing boundary hedges to be retained and the TPO trees being protected, it is not considered feasible in this instance. There are no Traffic Regulation Orders in place on the surrounding roads to prevent vehicles from parking and any issue with obstruction is a matter for the police. Whilst it is recognised that some disruption will be caused to residents during construction, this would be for a temporary period.

### **Ecology**

The application is supported by a number of protected species surveys however the submitted surveys are not the most recent undertaken at this site as additional surveys were also undertaken in August 2011. The August 2011 surveys did not however identify any significant protected species or nature conservation issues associated with the proposed development, but some evidence of badgers commuting across the site was found and the report made recommendations for the retention of vegetation on the eastern boundary of the site and the installation of badger proof fencing. The Nature Conservation Officer therefore recommended that the applicant provide a plan detailing how these recommendations will be implemented as part of the proposed development. The additional information has been submitted by the agent and the comments of the Nature Conservation Officer are currently awaited.

The Nature Conservation Officer recommends that a condition in respect of breeding birds is attached should permission be granted.

### **Trees**

An Arboricultural Statement and a Tree Protection Plan were submitted with the planning application however the statement did not correspond with the recommendations made within the submitted Protected Species Surveys. Discussions took place between the agent and the Nature Conservation Officer and the Arboricultural Statement and Tree Protection Plan have been updated and submitted to the Local Planning Authority for consideration. The comments of the Forestry Officer are currently awaited.

### **Landscape**

No detailed landscaping scheme was submitted with the planning application and therefore it is recommended that landscape conditions in respect of the submission of a landscaping scheme and its implementation should be attached should permission be granted.

The Parish Council has requested that the boundary hedges be retained and concern has been raised regarding the loss of part of the front boundary hedge to create the new vehicle and pedestrian access points. Whilst no landscaping scheme was submitted with the application, the 'Site Plan' does indicate that the boundary hedges are to be retained and new boundary hedges are proposed towards the rear of the site. This should be included on any landscaping scheme that is submitted.

Whilst it is regrettable that parts of the front boundary hedge will be lost to form the new pedestrian and vehicle accesses, the majority of the hedge would be retained and some additional hedges would be planted to close up the existing vehicle access. The removal of parts of the front boundary hedge is not considered to have a detrimental effect on the character or appearance of the street scene.

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

The comments of the neighbours, the Parish Council and the Prestbury Amenity Society have been taken into consideration. However the proposed dwellinghouses are considered to have an acceptable design, scale, density and materials that would not be out-of-character with the surrounding area. They would not be highly visible from the Bollin Valley and would have less impact than the previously approved and currently extant permission for one large replacement dwellinghouse. The proposed houses would comply/exceed the separation distances outlined in policy DC38 of the Local Plan and the terraces would be screened by the existing boundary treatments. The application is considered to comply with the relevant policies in the Local Plan, the Prestbury SPD and the NPPF.

The application is therefore recommended for **approval**

### **SUBJECT TO**

The comments of the Nature Conservation Officer and the Tree Officer in respect of the additional information that has been submitted.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. Commencement of development (3 years)



2. Submission of samples of building materials
3. Obscure glazing requirement
4. Protection from noise during construction (hours of construction)
5. Construction of access
6. Closure of access
7. Protection for breeding birds
8. Landscaping - submission of details
9. Submission of additional landscape details
10. Landscaping to include details of boundary treatment
11. Landscaping (implementation)
12. Development in accord with approved plans
13. Restriction on Hours of Pile Driving

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