

Application No: 12/2566M

Location: The Moss, 4 & 6 Congleton Road, Macclesfield, SK11 7UE

Proposal: Alterations and extensions (2 storey side extensions to both side elevations) in connection with the change of use of the premises from Offices to 4 no. dwelling houses and alterations to access.

Applicant: Rachel Hollins, Equity Housing Group

Expiry Date: 28-Aug-2012

Date Report Prepared: 12 September 2012

SUMMARY RECOMMENDATION - Approve subject to conditions

MAIN ISSUES

- Housing policy and supply
- Impact of character and appearance of the area
- Impact on residential amenity
- Impact on trees
- Impact on bats
- Access and parking

REASON FOR REPORT

The application, which concerns a Council owned property, has been the subject of third party objections and on this basis, in accordance with the Scheme of Delegation, the Application must be determined by Committee.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a pair of semi detached dwellings which are located approx 70 m to the south of the Flowerpot Cross-roads, opposite the Flowerpot public house. The premises are currently vacant and were last in use by Adult Services as Council offices (Class B1) It was agreed in January 2008 to close the business, and dispose of the building, as it was surplus to requirements.

The premises were originally built as a pair of semi detached dwellings with accommodation on ground, first and second floors. The appearance remains domestic despite the last lawful use of the site being as offices. The gardens contain a number of mature shrubs and trees to the boundaries. The rear garden is circa 30m in length and backs on to Open Space and a

footpath link to the Moss estate. The small front garden contain 2 access points, one for each pair of the semis and is mostly laid out to hardstanding. The application site is located in the predominantly residential area. A bus stop is located in front of the site. Congleton Road has traffic control orders (double yellow lines) in front of the properties. The Flowerpot crossroads and traffic lights are located circa 50m to the north of the site.

The site is relatively flat, however, there is a slight slope to the garden. No 2 is located a lower land level, being circa 1m lower at the frontage than the application site.

DETAILS OF PROPOSAL

It is proposed to convert the office premises into 4 no single dwellings. 2 no two storey side and rear extensions (part flat roof/part pitched roof) are proposed to provide sufficient floor space to allow for that conversion. It is also proposed to create one central access point form the public highway, with 4 no car parking spaces. The rear gardens will be divided into 4 with landscaping and each house having its own provide rear amenity space.

The design of the 2 storey side extensions has been significantly amended during the course of the applcaition to address concerns expressed by neighbours and Officers.

RELEVANT HISTORY

11/2771m – Extension of time limit of planning permission 08/1806m –Approved 21 .09.2011

08/1806P – Change of use from offices to 2 no dwellings – Approved 19.08.08

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

DC40 – Children's Play Provision and Amenity Space

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

H13 – Protecting Residential Areas

Other Material Considerations

National Planning Policy Framework

CONSULTATIONS (External to Planning)

Highways: No objection subject to a condition concerning provision of car parking before the use commences

Environmental Health: No objection subject to conditions concerning hours of building works

United Utilities: No objection

REPRESENTATIONS

Two representations were received from neighbouring residents. They raised the following concerns in respect of the original scheme:

Design/Character of the Area

The design and scale of the extensions are out of keeping with the area

Highways

The site is close to a busy junction. Access will be a danger to other road users and pedestrians. Four car parking spaces for the dwellings is not sufficient. Increased likelihood of vehicles servicing the properties stopping on Congleton Road and causing an obstruction. Redesign of the entrances for vehicle parking will not allow for manoeuvring of vehicles at the front of the property to allow forward entrance and exit. The pavement in front is narrow and not suitable for prams. The relocation of the bus stop necessary will lead to the bus stop being on a narrow unsuitable part of the pavement. The main road, Congleton Road, is intimidating for cyclists and pedestrians. No redesign is planned. 14 bedrooms will eventually require up to 14 cars, in line with the Cheshire East Council earlier Standards. This is impossible to provide and cannot be offset with provision for cycling as there is none.

Amenity

The creation of 4 dwellings from 2 will lead to greater intensity of use and more noise and disturbance. The extensions will overshadow and over dominate and will result in a loss of privacy for those adjoining. Extensions will result in a material loss of daylight for neighbouring windows. Existing private gardens will be overlooked by more people

Drainage and sewerage

Increased water run off to the garden of No 2. The proposed use will put undue strain on infrastructure.

Other comments are noted concerning the ownership status of the Council and bias within the determination of the application but are not material to the determination of the application by the Local Planning Authority.

These comments are made in respect of the scheme as originally submitted. The neighbours have been re-consulted upon the amended scheme, however, no further comment has been

received about the detail of the application from either neighbour. Further comments will be provided via an update report should they be received.

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

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

OFFICER APPRAISAL

Principle of Development

The application is for the conversion of these two properties that have most recently been occupied as offices within Class B1 and the erection of two side extensions to each property to form 4 self contained dwellings on a site within the predominantly residential area of Macclesfield. The design of the two storey side extensions has been significantly changed during the course of the application.

The principle of residential use and extension is acceptable.

National Planning Policy Framework

Members will be aware that The National Planning Policy Framework published in March 2012 superseded a number of National Planning Policy Statements and consolidates the objectives set within them. The Framework sets out a presumption in favour of sustainable development.

Paragraph 49 advises that;

“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites”

Members will be aware that the Council do not currently have a 5 year supply of housing for the Borough and therefore attention should be had to the requirements of paragraph 14 of the NPPF which advises that when Councils are decision taking, they should:

“Approve development proposal that accord with the development plan without delay, and

Where the development plans is absent, silent, or relevant policies are out of date they should grant planning permission unless;

- ***any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessing against the policies in this framework taken as a whole; or***
- *Specific policies in this framework indicate development should be restricted”*

Notwithstanding this requirement, this scheme which is located within an existing residential area, with a bus stop directly outside and easy access to a range of local amenities, as such the site is considered to be in a highly sustainable location. The proposal also involves the redevelopment of a previously developed site within the existing urban area. As such, the proposal comprises sustainable development in NPPF terms.

The application therefore turns on whether there are any adverse impacts that would so significantly and demonstrably outweigh the benefits of the proposal to the housing land supply.

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.

The existing semi-detached properties are of traditional Edwardian design and appearance and sit centrally within their site, with single storey outbuildings to either side behind the building line. The outbuildings are to be demolished to make way for the extensions.

Within the streetscene, the extensions sit behind the building line and are of subservient design and scale to the existing houses. The major component of the extensions, which are mirror images of each other, are to the back of the properties. To the rear the extensions wrap around the existing buildings to create the additional residential accommodation necessary to form the 2 additional unit on site. The rear elements of the extensions, which are 2 storey in height, are flat roofed to minimise the impact upon the impact upon the neighbouring dwellings. These elements comprise parapets and are not visible from public vantage points. The extensions will comprise brick facings as a contrast to the existing brick and render finishes to the existing buildings. Side access is created for both properties to enable bins to be stored in rear gardens

Subject to a condition requiring the submission of materials it is not considered that the proposed extensions would have a detrimental effect on the character or appearance of the surrounding area. The intensification of the use of the site for 4 dwellings, as opposed to the 2 dwelling previously granted permission is not considered to be detrimental to the predominantly residential character of the area. The amended plans have overcome the issues of scale of raised by Officers and are considered to address the concerns expressed

by neighbours and is considered to comply with policies BE1, DC1 and DC41 of the Local Plan.

Amenity

The proposed extensions have been significantly amended during the application. They are now proposed to be off the side boundaries of the site. No element of the extensions would contravene a 45 degree angle from either neighbouring property's rear facing principle windows by a considerable margin. A side facing window within No 8 looks out upon the extension, however, this window is a secondary window. The amended design of the extensions have reduced their height and been made into flat roofed extensions. The wrap around element of the scheme, which retains a one metre gap to the boundary runs for a depth of circa 4m from the rear building line. Both neighbouring properties have sizeable rear gardens and it is not considered that their amenity or outlook from either within their gardens or within their properties would be dominated by the extensions as now proposed

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 driveways to both existing premises would be closed off. A new access would be created centrally within the site frontage that would provide vehicular access for both properties. This is considered to be an improvement to the visibility over the access points, which are obscured by foliage within the neighbours front gardens. The centralised access point also allows access and egress in a forward gear. Separate pedestrian accesses would be created. The bus stop outside the premises will need to be relocated, this is a separate matter which will need to be addressed by the Applicant with the Bus provider before the access could be created

Paragraph 39 of the NPPF advises that;

In setting local planning standards for residential development and non residential development local planning authorities should take into account:

- The accessibility of the development
- The type, mix and use of the development
- The availability of and opportunities for public transport;
- Local car ownership levels; and
- An overall need to reduce the use of high emission vehicles

Parking is proposed at 100%. For a 3 bedroomed property, the Strategic Highways Manager would normally request 200% parking, however, this could not be accommodated on this site. On this basis, having regard to the highly accessible location of the site, the affordable nature of the proposed dwellings and the likely level of their car ownership and the advice of Paragraph 39 of the NPPF, the Highways Manager raises no objection to the proposals provided that the parking is provided before the use of the site first commences

A central parking and turning area would be created to be used by all properties and separate areas would be provided beside each property for the parking of a minimum of two vehicles.

Whilst the comments raised regarding highway matters in the objections raised by neighbours have been taken into consideration, the Strategic Highways Engineer has assessed the application and considers that the layout accommodates access and egress in a forward gear. Accordingly, it is considered that the application would comply with policy DC6 of the Local Plan.

Ecology

The Ecology report identifies a minor bat roost on site. Bats are a European Protected Species and the results of further internal inspections are necessary before the application can be determined in line with the European Habitats Directive. The results of the surveys will be subject to an update report.

Trees

An Arboricultural Statement was assessed by the Forestry Officer. Whilst none of the trees on the site are protected by a TPO, there are some sizeable trees, particularly to the rear boundary. Low value trees and shrubs are removed to allow for the formation of the individual back gardens. The main trees to the rear boundary are of benefit to the wider amenity of the footpath and open space link to the rear of the site, are unaffected by the proposals.

Landscape

A detailed landscaping scheme was submitted with the planning application. In the main, boundary fencing will be 2m high between the plots and the rear gardens are mostly laid out to lawn. The front garden is mainly hardstanding laid out to car parking, which is not dissimilar to the current site frontage. 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.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The comments of the neighbours have been taken into consideration. The revisions have satisfactorily addressed the concerns expressed about the original design. The proposed extensions and the use of the site as four dwellings is considered to be of an acceptable design, scale, density and materials that would not be out-of-character with the surrounding area. Furthermore, it is considered that the extensions and the creation of the additional residential accommodation will not materially impact upon the outlook/privacy or daylight/sunlight and amenity of the adjoining residential neighbours.

The proposed 4 car parking spaces are considered to be sufficient noting the sustainable location of the site and the nature of the housing proposed.

The application is considered to comply with the relevant policies in the Local Plan and deliver the sustainable housing development required by the NPPF, a very important material consideration.

Subject to the outstanding Bat report being received concerning internal inspections within the building and the views of the Council's ecologist, the results of which will be the subject of an update report, this application is recommended for approval subject to conditions.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A01GR - Removal of permitted development rights
2. A02TR - Tree protection
3. A03AP - Development in accord with revised plans
4. A03FP - Tree protection
5. A04LS - Landscaping (implementation)
6. A05EX - Details of materials to be submitted
7. A06GR - No windows to be inserted
8. A12HA - Closure of access
9. A22GR - Protection from noise during construction (hours of construction)
10. A23GR - Pile Driving
11. parking to be laid , provided and retained

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