

Application No: 12/4169M

Location: 2, HOLT GARDENS, BLAKELEY LANE, MOBBERLEY, KNUTSFORD, CHESHIRE, WA16 7LH

Proposal: Demolition of existing garage, erection of side and rear extensions to form new integral and detached garaging, extended living accommodation including remodelling of elevations, together with associated landscape works.

Applicant: Mr Gareth Russell

Expiry Date: 31-Dec-2012

**Date Report Prepared: 10<sup>th</sup> January 2013**

## **SUMMARY RECOMMENDATION Refuse**

### **MAIN ISSUES**

- Scale, design and layout and impact upon the character and appearance of the locality and Green Belt
- Impact upon the residential amenity of neighbouring properties
- Highway Issues
- Impact on Protected Trees
- Impact on Nature Conservation

### **REASON FOR REPORT**

The application has been requested to go to Northern Committee by Cllr Macrae (Mobberley Ward) for the following reasons:

- Concern that the development is un-neighbourly by nature of the size, siting and design of the dwellinghouse
- Concern that the development would adversely impact on the character and appearance of the Green Belt

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

The application site relates to a detached two storey dwelling located within a group of six dwellings in the Green Belt. Three of the properties including the application property are visually separated from the other three properties by a 3m conifer hedge that runs the entire length of the shared driveway.

The properties in this group were all built in the 1970s, although they are all of a variety of sizes and architectural styles. The application site has a number of protected trees within and adjacent to its curtilage. The application property has not been extended previously. Protected trees lie to the north-eastern corner of the site.

## **DETAILS OF PROPOSAL**

The proposals are for the remodelling of the dwelling, which would incorporate the demolition of the existing attached forward projecting garage and front porch, the demolition of some internal and external walls and the erection of a two storey side extension incorporating replacement attached garage, single storey rear orangery extension and single and two storey front extensions. A detailed method statement has been submitted to show how the demolition works will take place, to ensure that the existing dwelling is not demolished during the process. This is considered to be acceptable.

## **RELEVANT HISTORY**

None.

## **POLICIES**

### **Local Plan Policy**

Paragraph 215 of the National Planning Policy Framework indicates that relevant policies in existing plans will be given weight according to their degree of consistency with the National Planning Policy Framework.

H13 – Protecting Residential Areas  
BE1- Design Guidance  
DC1- New Build  
DC2- Extensions and Alterations  
DC3- Amenity  
DC6- Circulation and Access  
DC8- Landscape  
DC9- Tree Protection  
DC38- Space, Light and Privacy  
DC43- Side Extensions  
GC1- Green Belt New Build  
GC12- Green belt Alterations and Extensions  
NE11- Nature Conservation

### **Regional Spatial Strategy**

DP1- Spatial Principles  
DP7- Promote Environmental Quality

### **Other Material Considerations**

National Planning Policy Framework

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

Strategic Highways Manager – Comments not received at time of report preparation

## **VIEWS OF THE PARISH COUNCIL**

Mobberley Parish Council object to the development on the following grounds:

They see no justification for this excessive development in the Green Belt. There are also concerns with the close proximity of the second garage to the neighbouring property.

## **OTHER REPRESENTATIONS**

Occupier of 1 Holt Gardens does not object but requests that if the application is approved, a condition is attached requiring the shared driveway to be kept clear at all times and that any unavoidable obstruction is not permitted before 08.15 on weekdays.

## **APPLICANT'S SUPPORTING INFORMATION**

A supporting design and access statement has been submitted with the application and can be viewed on the planning file, as well as a protected species survey and tree protection survey.

## **OFFICER APPRAISAL**

### **Design / Green Belt**

Paragraph 89 of the National Planning Policy Framework states that whilst the construction of new buildings in the Green Belt is inappropriate, exceptions to this can include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the original building.

Furthermore, policy GC12 of the Macclesfield Borough Local Plan states that alterations and extensions to existing houses in the countryside may be granted for up to 30% of the original floor space providing the scale and appearance of the house is not significantly altered. However exceptions to this policy may be permitted where the proposal lies within a group of houses and the extension would not be prominent.

Policy GC12 also states that an extension to provide a domestic outbuilding in the curtilage of the dwelling can also be considered an exception.

In both cases, the development would also still have to not adversely affect the character and appearance of the countryside.

### **Dwelling**

In this case, the proposed extensions and alterations would result in a 48% increase in floor space over the original dwelling. In volume terms, the increase would be 21%. The width of the property would extend from up to 15.4m to up to 21.6m.

It is noted that the property lies within a very large plot, and as a result the proposed extensions and alterations are not considered to constitute overdevelopment of the plot, as there would be some 8.5m remaining to either side boundary of the curtilage.

It is also noted that the visually prominent single storey front garage would be removed, together with the relatively incongruous vernacular of the front porch.

The objection from the Parish Council has been carefully considered. However, on balance, the proposals are not considered to constitute disproportionate additions over the original dwelling, given the particular site circumstances. In addition to the partial demolition of the existing dwelling, the ridge height of the dwelling would remain the same at 7.6m. It is noted that the proposed gables to the front would add some bulk and massing to the dwelling, the larger gable to bedroom 4 would project 2.4m forward of the existing front elevation and the smaller gable 1.4m. The removal of the existing forward projecting garage will help to offset this increase. The dwelling would also still be 11.2m from the highway, and so again, after careful consideration, on balance the development is not considered to be unduly overbearing on the street scene or overly dominating and prominent in relation to the other two dwellings in this row.

Whilst it is noted that other properties in this group of dwellings have not been extended to such an extent as the proposed development, they are of varying scale and design, with neighbouring 1 Holt Gardens in particular being of a large scale and massing. The scheme is overall considered to comply with the exception criteria in policy GC12 and the development is not considered to adversely impact on the character and appearance of the countryside nor be unduly prominent in the countryside or street scene to a sufficient enough degree to warrant refusal of the application on these grounds.

In design terms, whilst the design would change considerably, the resultant dwelling is considered to be appropriate in this location and as stated previously all of the dwellings are of differing size and design and so the proposed scheme would not be unduly out of keeping with the surrounding properties.

Furthermore the main two storey side extension would remain subservient to the main bulk and mass of the existing dwelling, with a ridge height 0.5m lower than the main ridge.

Policy DC43 states that side extensions to properties should not normally encroach within one metre of the side boundary, in order to prevent a terraced street effect. In this case the distances to the side boundaries are some 8m, and so the development would accord with Macclesfield Local Plan policy DC43.

## **Garage**

The proposed detached garage to the side of the dwelling would measure 5.9m wide x 8.3m deep, with a ridge height rising to 4.7m high. The garage would be set back some 7m from the front of the dwelling and 1.4m from the side boundary, which currently has a 1.6m high

fence along it. Trees would need to be removed and trimmed as a result of the proposed garage development, however these are not protected and are not considered to be of merit.

The detached garage would not be unduly prominent in the street scene and is not considered to adversely impact on the character, appearance and openness of the Green Belt.

Overall the development of the dwelling and the detached garage is deemed to accord with Macclesfield Borough Local Plan policies H13, BE1, DC1, DC2, DC43 and the relevant paragraphs of the National Planning Policy Framework relating to design.

The proposed development is also considered not to constitute disproportionate additions to the original dwelling, nor would it adversely impact on the character and appearance of the countryside and therefore is deemed to accord with Macclesfield Borough Local Plan policies GC1, GC12 and paragraph 89 of the National Planning Policy Framework.

## **Amenity**

### **Dwelling**

The only side facing window on the neighbouring property 3 Holt Gardens to the West is a first floor window to a bedroom. Whilst this is the principal window to this room, the side extensions on this side of the house would be 15m away, which would accord with Macclesfield Local Plan policy DC38 in terms of distance. Overall the extensions on this side are not considered to adversely impact on this window in terms of loss of light, overbearing impact or overlooking. No side windows are proposed at first floor level except one to a bathroom, which can be conditioned to remain obscurely glazed in order to retain privacy levels.

The side extensions to the East would be 22m from the side of neighbouring 1 Holt Gardens and this distance would also comply with Macclesfield Borough Local Plan DC38. Overall a commensurate degree of space, light and privacy would remain to this property.

To summarise the proposed extensions to the dwelling would have an acceptable impact on all neighbouring properties and as such the development would comply with Macclesfield Borough Local Plan policies DC3, DC38.

### **Garage**

The proposed garage would be 13m away from the side elevation of 3 Holt Gardens. Whilst this would be a distance below the 14m stipulated in policy DC38, it is noted that the only side window to this property, the first floor window to a bedroom, would be higher than the ridge of the proposed garage and overall a commensurate degree of space, light and privacy would remain to this neighbouring property and the development would accord with Macclesfield Borough Local Plan policies DC3, DC38.

### **Highways**

Comments from the Strategic Highways Manager are awaited. However, no significant highway safety issues are anticipated. A replacement garage is proposed and adequate space for parking to the front of the property would remain for at least 2no vehicles. Should the application be approved a condition could be attached restricting the hours of construction, to minimise possible access issues with the neighbouring properties and the shared driveway. Overall the development would comply with Macclesfield Borough Local Plan policy DC6.

## **Trees**

Two protected Horse Chestnut trees lie to the north-eastern corner of the site.

Local Plan policy DC9 states that development which would result in a threat to the continued wellbeing of, or unsatisfactory relationship with trees which are the subject of a tree preservation order will not normally be allowed.

The Arboricultural Officer has raised concerns regarding the proposal, which are outlined below.

The design and position of the tree protection as shown does not sufficiently take into account the requirements for access for construction activity/ scaffolding etc and would likely require additional pruning of the tree in order to accommodate both the footprint and requirement for construction space.

BS5837:2012 Trees in Relation to Design, Demolition and Construction is quite clear on these points that development should take into account constraints posed by trees (Section 5.2) and that factors such as working space (Section 5.2.3 (c)) and the effect of construction requirements on the amenity value of trees d) and requirement to protect canopies of tree e) and the potential end use of space adjacent to trees g) should be taken into account. Section 5.3.4 of the British Standard also requires design to take account of the impact of proposed development on trees and their characteristics, with due allowance for future growth and maintenance requirements.

It is the Arboricultural Officer's view that the juxtaposition of the proposed development in relation to the two protected Horse Chestnut will increase the requirement for frequent remedial pruning to contain the trees growth and address seasonal inconvenience of shedding leaves and fruits (conkers). The submitted method statement is advocating facilitation of the pruning of the trees to accommodate the development which suggests that there is a recognition that the design has not adequately addressed those issues highlighted above and that the development exceeds the constraints on the site.

Both Horse Chestnut trees have not yet reached full maturity and have significant future growth potential. It is the Arboricultural Officer's view therefore that it is highly likely that if this development was allowed, the Council would receive increasing requests to regularly prune the two Horse chestnut trees in order to allow adequate space between canopy and the development footprint and possibly future requests to fell due to the increased social proximity.'

For these reasons the proposed development is not considered to comply with Macclesfield Borough Local Plan DC9.

### **Nature Conservation**

The Nature Conservation Officer raises no objection, subject to conditions. The submitted protected species scheme concluded that there was no presence of a major bat roost in the roof of the property, however the occasional transitory bat cannot be discounted. It is therefore recommended that before the proposed structural demolition of the roof occurs, the roofing tiles at the gables and eaves would need to be carefully removed by hand and under the supervision of a suitably qualified bat worker. Subject to this the development would comply with Macclesfield Borough Local Plan policy NE11.

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

The proposed development would result in an unsatisfactory relationship with trees which are the subject of the Tree Preservation Order, in terms of the impact on the trees on private amenity and social proximity interests. The long term protection of these trees would therefore be prejudiced and would therefore be contrary to Macclesfield Borough Local Plan policy DC9 and the National Planning Policy Framework.

For this reason, a recommendation of refusal is made.

Application for Householder

RECOMMENDATION: Refuse for the following reasons

1. R04TR - Relationship to protected trees

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