

Application No: 13/3160M

Location: The Coach House, SPARROW LANE, KNUTSFORD, WA16 8ED

Proposal: Variation of condition 17 on planning permission 13/2105M to retain the existing squash court in a modified form to provide a 'palm house' or garden room for the dwelling that is currently under construction

Applicant: John Ross

Expiry Date: 19-Sep-2013

Date Report Prepared: 12th September 2013

SUMMARY RECOMMENDATION Approve subject to conditions

MAIN ISSUES

- Scale, design and layout and impact upon the character and appearance of the locality
- Impact upon the residential amenity of neighbouring properties
- Impact on trees/ landscaping

REASON FOR REPORT

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

The original application had condition 17 attached, which stated that the squash club be demolished within 12 months from the commencement of the development. The plot is too small for more than one building. The hedges and trees on site have already been damaged and water drainage is an ongoing problem with neighbouring properties.

DESCRIPTION OF SITE AND CONTEXT

The application site relates to a substantial, elongated plot on a relatively flat gradient, which accommodates a detached two storey building adjacent to the eastern and southern boundary. A dwelling is also currently being built on the plot, which was approved under application 13/2105M. This application was a material minor amendment to approved application 12/3673M.

The building to which this application relates is currently vacant and was formerly used as a squash club; this remains the lawful use. A number of trees, some protected, exist within the site. There is an existing vehicular access onto Sparrow Lane directly to the South. This lane is designated as a public footpath 'Knutsford No. 15'. An allotment exists opposite the site which has its own vehicular access off Sparrow Lane. The site is located within a Predominantly Residential Area of Knutsford, as defined by the Macclesfield Borough Local Plan.

DETAILS OF PROPOSAL

The concerns regarding the damage to the hedges and drainage issues are noted and being investigated, however have no relevance to the determination of this application. It is also noted that condition 17 did not require the entire squash club building to be demolished, with the single storey element to be retained as a domestic outbuilding.

This application is solely to vary condition 17, to allow the retention of the main part of the existing squash court in a modified form to provide a 'palm house' or garden room, to be ancillary to the dwelling that is currently under construction. The building would be used as incidental accommodation by the applicant and his family, privately for a gym facility and for private social occasions.

The wording of condition 17 states:

The part of the squash building shown to be demolished on submitted plan labelled LANDSCAPE 10 received by the Borough Council 19th November 2012, shall be completely demolished within 12 months of the date of the commencement of development.

Reason: In the interests of neighbouring amenity and with due regard to the siting of the proposed development, in accordance with Macclesfield Local Plan policy DC3.

The existing roof is proposed to be removed and the walls reduced by 365mm. The roof would be flat with 2no glazed lanterns. Windows would be inserted in the west and east elevation. There would be an overall reduction in the height of the building by 2.4m to a height of 3.3m in total.

The existing single storey building is also to be retained to provide a toilet and storage. This element was also permitted to be retained under the previous permissions 12/3673M and 13/2105M.

There have been concerns raised that if granted permission for the variation of this condition, the applicants could choose not to implement the permission and then the squash club building could remain in its entirety. It is therefore recommended that the condition is varied to ensure the squash building/outbuilding is modified and completed in accordance with the detailed plans submitted prior to the occupation of the dwellinghouse on the site.

RELEVANT HISTORY

13/2105M

Variation of condition relating to proposed new dwelling house (12/3673M)

APPROVED

16/07/13

12/3673M

Proposed new dwelling house

APPROVED

22/11/12

11/0131M

DEMOLITION OF REDUNDANT SQUASH CLUB BUILDING AND CONSTRUCTION OF TWO-STOREY 5 BEDROOM HOUSE

APPROVED

08/07/11

03/3136P

Conversion of squash court and ancillary building to 1no. dwelling house Refused

21/01/2004

Appeal Dismissed 19/01/05

00/1719P

Detached dwelling (outline)

Refused

06/09/00

POLICIES

Local Plan Policy

H13 – Protecting Residential Areas

BE1- Design Guidance

DC1- New Build

DC2- Alterations and Extensions

DC3- Amenity

DC6- Circulation and Access

DC8- Landscape

DC9- Tree Protection

DC38- Space, Light and Privacy

Other Material Considerations

National Planning Policy Framework.

CONSULTATIONS (External to Planning)

None.

VIEWS OF THE TOWN COUNCIL

Knutsford Town Council object on the following grounds:

The Council objects on the grounds that this constitutes an application for additional development, which would result in a built form substantially greater in mass on the site, than that which has already been approved.

OTHER REPRESENTATIONS

There have been objections from residents of 4no nearby properties; the planning-related points of objection relevant to this application are summarised below:

- Condition 17 was imposed on the previous permission to make the erection of a dwelling on the site acceptable; this should be maintained.
- If this building remains in place, there could be a future application to change the use of this building to one involving some form of commercial enterprise.
- Proposed building would be out of keeping with the character and appearance of the locality

APPLICANT'S SUPPORTING INFORMATION

A design and access statement has been submitted in support of the application.

OFFICER APPRAISAL

Principle of Development

The principle to vary condition 17 on application 12/3673M, to allow the retention of this building and its conversion to an ancillary building with associated external alterations in this Predominantly Residential Area is considered to be acceptable, subject to design, amenity, tree, landscape issues as examined below.

Design / Character

Policies BE1, DC1, DC2 seek to promote high standards of design, with the overall vernacular, scale, density, height, mass, spacing and materials of new development being sympathetic to the character of the locality, surrounding buildings and site itself.

All of the objections have been carefully considered. It is noted that condition 17 on application 13/2105M was attached to ensure that the majority of the squash club building was demolished, to ensure that the approved dwelling and this two storey building could not both exist on the plot, as this would have resulted in the overdevelopment of the plot and also a potential adverse impact on residential amenity.

In assessing this application, speculation as to future planning applications submitted on the site cannot be considered and this application has to be assessed on its own merits.

The proposed ancillary outbuilding would be of a modern design. However it is considered that it would be in keeping with the character and appearance of the dwelling currently under construction. Crucially, it would remain subservient in scale to the main dwelling once built

and would not result in overdevelopment of the plot. It is considered that the building, whilst being along the front site boundary, would not be unduly prominent in the street scene and would not be out of keeping with the character and appearance of the locality, which consists of dwellings and outbuildings of a variety of different architectural styles. Furthermore, it is noted that the development would to some extent be screened from Sparrow Lane by virtue of the existing and proposed trees and hedging on or near to the front boundary.

It should also be noted that once built, the owners of the dwelling could still demolish the existing building and erect a domestic outbuilding in a similar location (albeit of lower height and further back into the plot) under permitted development legislation. This has to be given some weight.

Overall the revised scheme is considered to comply with all relevant design policies.

Amenity

The nearest property to the development proposed would be some 36m at no 23 Aylesbury Close. Overall the proposed development, by virtue of its size and siting in relation to surrounding properties, would not have an adverse impact on the residential amenities of neighbouring property and a commensurate degree of space, light and privacy would remain to all neighbouring properties.

A condition should be attached to ensure that the proposal remains ancillary to the main dwelling currently being built, in the interests of amenity.

The development would therefore accord with policies DC3, DC38.

Trees/Landscaping

The Tree Officer raises no objections. There would be no increase in the footprint of the building and no impact on protected trees; however to ensure this is the case during development a tree protection scheme should be conditioned in accordance with policy DC9. No alterations to the landscaping are proposed from the scheme that has been approved under 13/2105M, in accordance with policy DC8.

CONCLUSIONS AND REASON(S) FOR THE DECISION

To conclude, whilst the objections have been carefully considered, the proposed development is deemed to be in accordance with all relevant policies in the development plan and there are not considered to be any other material considerations that would carry sufficient weight to refuse the application.

Overall therefore a recommendation of approval is made to vary condition 17 on application 12/3673M to allow the modification of the squash building to form an outbuilding for the dwellinghouse prior to the occupation of the dwellinghouse which currently under construction, subject to other conditions as required on the original planning permission.

RECOMMENDATION: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A01TR - Tree retention
4. A04LS - Landscape
5. A04NC - Details of drainage in accordance with previously approved plan
6. A08HA - Gates set back from footway/carriageway
7. A23GR - Pile Driving
8. A25GR - Obscure glazing requirement
9. A32HA - Construction method statement in accordance with approved details
10. Birds
11. Tree Protection Scheme as approved
12. Bat Mitigation as approved
13. Bats
14. Landscape Plan as approved
15. PROW Obligations
16. Materials-In accordance with approved and to be submitted for outbuilding
17. Hours
18. Remodelling of Squash Club Building- Prior to occupation of the dwellinghouse on the site
19. Doors to Bedroom None Opening

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