

Application No: 13/4530M

Location: Woodend, Homestead Road, Disley, Stockport, Cheshire, SK12 2JN

Proposal: Outline Application for 11 Apartments (application identical to previously approved scheme).

Applicant: Michael Cooksey, Village Heritage Ltd

Expiry Date: 23-Jan-2014

Date Report Prepared: 8th January 2013

SUMMARY RECOMMENDATION: Approve subject to conditions and completion of an S106 agreement.

MAIN ISSUES

- Impact upon the character of the area
- Impact upon residential amenity
- Impact upon Highway safety
- Impact upon Protected Trees
- Impact upon Nature Conservation Issues
- Impact upon Environmental Health Issues
- Public Open Space provision via an s106 agreement

REASON FOR TAKING THE APPLICATION TO COMMITTEE

This application seeks outline consent for 11 apartments and is brought before the Northern Planning Committee in accordance with the Council's Scheme of Delegation.

DESCRIPTION OF SITE AND CONTEXT

The site in question is a large open plot of land which prior to its demolition accommodated a 20 bed care home.

The site is located within a predominantly residential area within the village of Disley and access is via Homestead Road which is an un-adopted highway.

Properties within this particular road occupy similar substantial plots of land which are occupied by a varying style of detached residential properties.

DETAILS OF PROPOSAL

Members will note from the planning history below that the principle of a residential development at this site was established at appeal under planning application 02/0881P for 10No. apartments. Since then a number of applications have been submitted to the Local Planning Authority for consideration.

The last application to come before Committee was application 10/2889M which was identical to the scheme currently submitted. This previous application was approved by Members subject to conditions.

The application which is now before Committee seeks a renewal of the outline planning permission 10/2889M for 11 apartments. Approval is sought for reserved matters relating to access, layout and scale only.

RELEVANT HISTORY

10/2889M	Erection of 11 Apartments Approved 19.11.10
08/2389P	Erection of 9 Apartments Approved 16.01.09
06/1662P	Demolition of existing building and erection of 9no apartments (amended scheme) Approved 23.08.06
05/0209P	Residential development of 11 apartments (amended scheme to include one additional unit at second floor) Refused 23.03.05
03/3358P	Residential development of 10 apartments Approved 28.01.04
03/2146P	Residential development of 10 apartments Withdrawn 30.10.03
02/0881P	Residential development of 10 apartments Refused 12.06.02 Appeal Allowed 30.01.03
01/0803P	Residential development of 10 apartments Refused 30.05.01 Appeal dismissed 07.01.02

POLICIES

Local Plan Policy

BE1- (Design Principles for new Developments)
DC1- (High quality design for new build)
DC3- (Residential Amenity)
DC6- (Circulation and Access)

DC8- (Landscaping)
DC9- (Tree Protection)
DC38- (Guidelines for space, light and privacy for housing development)
DC40- Children's Play Provision and Amenity Space
DC63- (Contaminated Land)
NE11- (Nature Conservation)
H1- (Phasing Policy)
H2- (Environmental Quality in Housing Developments)
H13- (Protecting Residential Areas)

Other Material Considerations

Interim Planning Statement on Affordable Housing 2011

SPG on S106 (Planning) Agreements 2004

National Planning Policy Framework

The National Planning Policy Framework reinforces the system of statutory development plans. When considering the weight to be attached to development plan policies, paragraphs 214 and 215 enable 'full weight' to be given to Development Plan policies adopted under the 2004 Act. The Macclesfield Local Plan policies, although saved in accordance with the 2004 Act are not adopted under it. Consequently, following the guidance in paragraph 215, "*due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the framework, the greater the weight that may be given)*".

The Local Plan policies outlined above are all consistent with the NPPF and should therefore be given full weight.

CONSULTATIONS (External to Planning)

MOD Airfield Safeguarding

No safeguarding Objections.

The Strategic Highways and Transportation Manager

No objections subject to conditions.

VIEWS OF THE PARISH / TOWN COUNCIL

Disley Parish Council- No Objection.

OTHER REPRESENTATIONS

None.

APPLICANT'S SUPPORTING INFORMATION

A comprehensive Planning, Design and Access Statement has been submitted along with supporting information. These documents are available to view online and provide an understanding of the existing and future context of the proposal, planning policy and design issues relating to it.

OFFICER APPRAISAL

Principle of Development / Policy

The scheme proposed is identical to that of the previous approved planning application 10/2889M. Site circumstances have not materially changed since this approval.

This application seeks consent for reserved matters relating to access, layout and scale. However indicative plans relating to appearance and landscaping have also been submitted. The principle of the development is considered acceptable, subject to amenity, highways, forestry/ landscaping, ecology issues. Furthermore it is noted that the policy position in favour of this development has strengthened further since 2010, noting the advice in paragraph 14 of the NPPF.

The proposal provides housing in a sustainable location, and will contribute to the Borough's much needed supply of housing.

Layout

The front elevation of the proposed building is to be sited approx 12m from Homestead Road and will occupy an identical footprint as the building previously approved under application 10/2889M which expired 19/11/13. The site measures approx 0.3 hectares in area. Although large in scale the building is considered to sit comfortably within the site and with ample communal garden space to wards the rear of the property.

Having regard to the scale of the plot, and given that an identical scheme has been approved under application 10/2889M, no concerns are raised with regard to the layout of the proposal.

Scale

The proposed development seeks consent for a two storey building with a third floor within the roof space and will accommodate 11No. 2 bedroom apartments. Indicative plans have been submitted illustrating the internal layout with one apartment at basement level, four apartments at ground floor, four apartments at first floor and two apartments at second floor. The scale, bulk, height and mass of the building is to remain unchanged from what has been approved under application 10/2889M; therefore no issues are raised with regard to the impact upon the character and appearance of the surrounding area.

Amenity

Sufficient space exists to the boundaries of the site. Minimum distances to adjacent and surrounding properties are to be maintained to ensure privacy and rights to light of

neighbouring properties. As with the identical previously approved scheme, overall there would be no adverse impact on the amenities of residential properties as a result of the development and the increase in traffic generation.

Access/ Highway safety

Access to the site is to be served off Homestead Road via the existing site entrance which is located to the north east of the site. The access proposals sought are the same as approved under planning application 10/2889M. As previously approved, parking provision for residents is to be sited within the basement and parking for visitors is within the grounds.

The Council's Strategic Highways and Transportation Manager has been consulted on the application and has the following comments:

The Strategic Highways Manager recognises that Homestead Road is a private cul-de-sac and that the Highway Authority only has specific concern with regard to the junction of Homestead Road with Jacksons Edge Road. There are no accident statistics for this junction in the last 5 years and therefore the Strategic Highways Manager considers that this junction operates safely.

27 off-road car spaces are proposed within the site and this is acceptable against current parking standards. The proposed access onto Homestead Road does not show the provision of any visibility splays and whilst the Strategic Highways Manager acknowledges that the slow speed characteristics of this private road will give some natural visibility to emerging traffic, in order to ensure highway safety it is considered expedient to require visibility splays to be created at the access point, as per the previous permission. This can be conditioned.

Subject to this, given that the junction with Jacksons Edge Road operates safely and the traffic generation from this small development would not have a material impact on the highway network the Strategic Highways Manager raises no objection to this development proposal and the development is deemed to accord with policy DC6.

Forestry and Landscaping

The Forestry Officer has been consulted on the application and advises that the development can be implemented without detracting from both on and off site trees, as per the previous permission. Therefore no objections are raised subject to conditions.

A landscaping scheme should be conditioned to ensure appropriate landscaping of the site is achieved, to improve the character and appearance of the area.

Ecology

The Council Ecologist has been consulted and no objections are raised.

Environmental Health (Contaminated Land)

Environmental Health advise that the proposal is for a sensitive end use and the site may be contaminated; therefore a contaminated land Phase I survey is required to be obtained via

condition and an advice note drawing the applicants attention to regulation regarding contaminated land.

Environmental Health (Public Protection and Health)

Environmental Health do not object, subject to conditions including the requirement for details of the proposed bin store facilities to be submitted.

Affordable Housing

The interim Planning Statement on Affordable Housing states that the threshold for the requirement for the provision of affordable housing within residential development schemes is 15no. dwellings in settlements with a population of over 3,000. Disley has a population of over 3,000 and as such there would be no affordable requirement for the 11no. units proposed at this site.

Open Space

It is noted that a commuted sum for public open space provision has not historically been requested for the development of this site on previous planning permissions.

However, the proposal is above the threshold identified within the Council's SPG on planning obligations for the provision of public open space and recreation / outdoor sport facilities, therefore commuted sums are required. As it would not be appropriate to provide such facilities on site, commuted sums for off site provision would be required on the commencement of development.

An s106 legal agreement will therefore be required to include the following heads of terms, calculated with the SPG on planning obligations.

HEADS OF TERMS

Public Open Space (including children's play and amenity)

Based on 11 two bedded apartments, all open market, a commuted sum of £33,000 will be required and will contribute to the existing Arnold Rhodes open space in Disley which includes children's play, amenity open space and sports facilities.

Recreation and Outdoor Sports

For the off site provision of Recreation and Outdoor Sports, a commuted sum of £5,500 will be required and will contribute to the existing Arnold Rhodes open space in Disley which includes children's play, amenity open space and sports facilities.

Community Infrastructure Levy (CIL) Regulations

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The commuted sum in lieu of Public Open Space is necessary, fair and reasonable, as the proposed development will provide 11no apartments, the occupiers of which will use local facilities as there is no open space on site, as such, there is a need to upgrade / enhance existing facilities. The contribution is in accordance with the Council's Supplementary Planning Guidance.

All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of the development.

United Utilities

United Utilities raise no objections to the proposed development. They note however that an informative should be added to state that if possible this site should be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the soakaway/ watercourse/surface water sewer and may require the consent of the Local Authority.

CONCLUSIONS AND REASON(S) FOR THE DECISION

To conclude, the principle of a residential development for apartments at this site has already been formally accepted under the identical application 10/2889M and the circumstances of the site are not considered to have materially changed since then. It is considered that the creation of 11no. apartments on this site complies with the objectives set out within National and Local Planning policies for new housing and sustainability objectives and will not have a harmful impact upon highway safety.

The proposed development is therefore considered to be acceptable and is recommended for approval, subject to conditions and the completion of an s106 agreement regarding public open space provision, with the following heads of terms.

S106 AGREEMENT- HEADS OF TERMS

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In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Northern Area Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority shall be delegated to the Northern Area Manager in consultation with the Chairman of the Northern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

Application for Outline Planning

RECOMMENDATION: Approve subject to following conditions

1. A01OP - Submission of reserved matters
2. A02AP_1 - Detail on plan overridden by condition
3. A03OP - Time limit for submission of reserved matters
4. A06OP - Commencement of development
5. A30HA - Protection of highway from mud and debris
6. A32HA - Submission of construction method statement
7. AEX21 - Submit samples of building materials
8. AGR51 - No windows to be inserted
9. AHA91 - No gates
10. ALSG1 - Landscaping - submission of details
11. ALS21 - Implementation of landscaping scheme
12. ARM41 - Details of ground levels submission
13. DGLC1 - Hours of working during construction
14. A11EX - Details to be approved- Bin Store
15. Access to CTO specification
16. Access to specified gradient
17. Basement for parking of vehicles only
18. Details of highway verge
19. Vehicular visibility
20. Turning facility
21. Pedestrian visibility

- 22. Existing access to be closed
- 23. Secure cycle store
- 24. Visitor cycle provision
- 25. Parking to be surfaced and marked out
- 26. Contaminated Land
- 27. Pile Driving

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