

Application No: 15/1278M

Location: 5, HAREFIELD DRIVE, WILMSLOW, CHESHIRE, SK9 1NJ

Proposal: Demolition of existing bungalow and the construction of two two-storey detached dwellings with accesses

Applicant: Herring Properties Ltd

Expiry Date: 14-May-2015

SUMMARY

The proposed revised scheme is considered to constitute an appropriate development that would be of a design and scale that would have an acceptable impact on the character and appearance of the locality. The development would not have an adverse impact on neighbouring amenity, the highway network or protected species, subject to conditions. The proposed development plan complies with the relevant development plan policies and is considered to be sustainable in the social, environmental and economic sense. The application is therefore recommended for approval.

MAIN ISSUES

- Principle of Development
- Design/ Scale/ Impact on the character and appearance of the locality
- Highway Issues
- Sustainability
- Ecology
- Trees/ Landscaping

SUMMARY RECOMMENDATION:

Approve subject to conditions

REASON FOR REPORT

The application has been called in to Committee by the Ward Councillor due to concerns of overdevelopment of the site, and the proposals being out of keeping with the established character of the area with an adverse impact on the streetscene, which could also lead to a

precedent for other such developments to the further detriment of the established character of the area.

PROPOSAL

Revised plans have been received following concerns regarding the bulk and massing of the proposed dwellings and this has been reduced with alterations and reductions and an overall change in design.

The proposed development is for the demolition of the existing 7.2m high bungalow and the erection of 2no two storey dwellings at 8m high, with the formation of an additional access, hardstanding, landscaping and a 1.8m boundary fence in between the 2no properties.

Also as requested by Highways, in order to improve visibility the front boundary hedge is now to be removed with the erection of a 1m high brick boundary fence to the front of the site.

SITE DESCRIPTION

The application site relates to a large corner plot located within a predominantly residential area of Wilmslow. The locality is characterized by dwellings of a variety of architectural styles and scale, with bungalows on the opposite side of the street, and two storey dwellings adjacent and on nearby roads.

RELEVANT HISTORY

None relevant.

NATIONAL & LOCAL POLICY

By virtue of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. This is repeated in the NPPF (para 2).

The Development Plan for Cheshire East currently comprises the saved policies from the Congleton Borough (January 2005), Crewe and Nantwich (February 2005) and Macclesfield Local Plans (January 2004).

National Policy/Guidance

National Planning Policy Framework (NPPF)

The NPPF states that

The purpose of the planning system is to contribute to the achievement of sustainable development. (para 6)

And, at the heart of the NPPF

...is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. (para 14)

For decision-taking this means

...approving development proposals that accord with the development plan without delay...and

where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- a) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or*
- b) specific policies in the Framework indicate development should be restricted.*

Sustainable development includes economic, social and environmental roles (para 7)

The sections of the NPPF of particular relevance to the appraisal and determination of the application are:-

- Part 1: Building a strong, competitive economy
- Part 6: Delivering a wide choice of high quality homes
- Part 7: Requiring Good Design

National Planning Practice Guidance (NPPG)

The NPPG came into force on 6th March 2014, replacing a range of National Planning Policy Guidance Notes and complimenting the NPPF.

Local Policy - Development Plan

Macclesfield Borough Local Plan – saved policies (MBLP)

Since publication of the NPPF 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 saved Local Plan policies considered to be most relevant are outlined below:

- BE1 - Design Guidance
- H1 - Phasing Policy (Housing)
- H2 - Environmental Quality in Housing Developments
- H5 – Windfall Housing Sites
- H13 - Protecting Residential Areas
- DC1 - Design (New Build)
- DC3 - Amenity
- DC6 - Circulation & Access
- DC8 - Landscaping
- DC9 - Tree Protection
- DC35 - Materials and Finishes

DC37 - Landscaping
DC38 - Space, Light & Privacy
DC41 - Infill Housing Development or Redevelopment
DC63 - Contaminated Land including Landfill Gas
NE11 – Nature Conservation

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following policies are considered relevant material considerations as indications of the emerging strategy: -

MP1 – Presumption in Favour of Sustainable Development
PG2 – Settlement Hierarchy
SD1 – Sustainable Development in Cheshire East
SD2 – Sustainable Development Principles
SC4 – Residential Mix
SE1 – Design
SE2 – Efficient Use of Land
SE3 – Biodiversity and Geodiversity
SE4 – The Landscape
SE5 – Trees, Hedgerow and Woodland

Other Material Considerations

Ministerial Statement – Planning for Growth
National Planning Policy Framework
National Planning Practice Guidance

CONSULTATIONS

Strategic Infrastructure Manager- No Objection- following receipt of the amended plans, the loss of the hedge and erection of a 1m boundary wall and additional access would be acceptable in highway safety terms. Sufficient visibility would now be achieved to ensure there would be no highway safety issues as a result of the development.

Environmental Health- No Objection.

Nature Conservation- No Objection subject to conditions regarding mitigation for bats and nesting birds.

Tree Officer- No Objection subject to tree protection condition.

VIEW OF THE TOWN COUNCIL

Wilmslow Town Council- Object to the revised plans on the following grounds:

Wilmslow Town Council recommends refusal of application 15/1278M on the grounds of the overdevelopment of the site and that the application would adversely change the character of the street scene. It is considered that the removal of the hedge exacerbates the street scene

issue. Wilmslow Town Council does not consider that the amendments made to the earlier application are sufficient to overcome its previous recommendation for refusal.

REPRESENTATIONS

11no objections have been received regarding the revised plans. The planning related objections are on the following grounds:

- Overbearing development out of keeping with the character and appearance of the locality including higher density
- Exacerbated by narrow road frontage
- Loss of boundary hedge and replacement with boundary wall out of keeping with the character and appearance of the street scene
- Loss of a bungalow which is more in keeping with the immediate street scene
- Increase in traffic close to a dangerous junction on a corner plot
- Adverse impact on highway safety particularly for pedestrians

Wilmslow Trust object on the following grounds:

- Overdevelopment of the site
- Out of keeping
- Unsustainable development
- Impact on bats

It is also noted that there is a restrictive covenant on the site preventing the development of more than 1no dwelling on the plot. This however is a legal matter and cannot be considered as part of the planning decision making process.

APPRAISAL

Principle of Development

The principle of development is accepted, subject to design, amenity, trees, landscaping, highways, and nature conservation issues as examined below.

ENVIRONMENTAL SUSTAINABILITY

Design / Character

The objections from neighbours and the Town Council and Wilmslow Trust have all been carefully considered. However, the revised development is considered to accord with all national and local planning policy objectives regarding the requirements for good design.

It is noted that the proposed dwellings would be set deeper within the site than surrounding properties and that they would be closer together on the site with narrower frontages than surrounding properties. The design of the proposed dwellings would not directly relate to dwellings in the vicinity, but whilst it is noted that there is some uniformity to the bungalows on the opposite side of the street the locality is characterised by dwellings of a variety of

architectural styles, including the two storey of almost identical height at no 3 (and similar to the maximum ridge height of the existing dwelling) and properties to the south and southeast of the site.

The dwellings would be some 15m away from the frontage onto Harefield Drive, with number 5a stepped back some 6.4m from the side boundary at two storey level. The revised plans have resulted in the roofs being hipped which has significantly reduced their bulk and massing, coupled with the introduction of single storey elements to the side and rear. Whilst it is noted that this is a prominent corner plot in the street scene, overall these factors coupled with the requirement for sufficient landscape mitigation and retention of existing trees and hedges as shown on the revised site plan are considered to result in an acceptable impact on the character and appearance of the street scene.

Furthermore, whilst the loss of the hedge is noted, which is a relatively uniform characteristic of the boundary treatment in the locality, it is noted that boundary trees would remain and that in any case a 1m high wall could be built along the site frontage without the need for planning permission.

All things considered, on balance the development would accord with all design objectives in this predominantly residential area as designated in the local plan.

Trees / landscape

The Tree Officer raises no objections, stating:

They do not anticipate that there are any major arboricultural implications associated with this proposal.

As a minimum requirement the submission of a Tree Protection Plan relating to retained trees would be required.

Ecology

The Nature Conservation Officer raises no objections, subject to conditions regarding the implementation of bat mitigation methods as detailed in the submitted survey and regarding nesting birds.

Evidence of bat activity in the form of a minor roost of a relatively common bat species has been recorded within the cottage. The usage of the building by bats is likely to be limited to small-medium numbers of animals using the buildings for relatively short periods of time during the year and there is no evidence to suggest a significant maternity roost is present. The loss of the buildings on this site in the absence of mitigation is likely to have only a medium impact upon on bats at the local level and a low impact upon the conservation status of the species as a whole.

It is noted that since a European Protected Species has been recorded on site and is likely to be adversely affected the proposed development the planning authority must have regard to whether Natural England would be likely to subsequently grant the applicant a European

Protected species license under the Habitat Regulations. A license under the Habitats Regulations can only be granted when:

- the development is of overriding public interest,
- there are no suitable alternatives and
- the favourable conservation status of the species will be maintained.

The demolition of the existing dwelling and erection of a pair of dwellings would make some contribution to the Borough's housing supply. There are no suitable alternatives.

The submitted report recommends the installation of bat boxes on the nearby trees and a replacement 'bat loft' as a means of compensating for the loss of the roost and also recommends the timing and supervision of the works to reduce the risk posed to any bats that may be present when the works are completed.

The Nature Conservation Officer advises that if planning consent is granted the proposed mitigation/compensation is acceptable and is likely to maintain the favourable conservation status of the species of bat concerned.

As such, the development accords with policy NE11 subject to these conditions.

Residential Amenity

The objections have been considered. The two storey element of proposed dwelling 5a would be circa 18.7m away from the front elevation bedroom window to 10 Harefield Drive, which would be the only window affected on this property. This, coupled with the orientation of the respective properties in relation to the sun's path, would mean that there would not be an adverse impact in terms of overshadowing to this bedroom that would be substantial enough to warrant refusal of the development.

Secondary side windows to a lounge exist to the side of neighbouring no 3, however bearing in mind that dwelling 5b Harefield Drive would be only very marginally higher than the existing property and the fact that these windows are secondary would mean that the development would comply with policy DC38. The revised dwellings have also been reduced in terms of bulk and massing with single storey side and rear elevation elements which would now mean that the proposed dwelling nearest to no 3 Harefield Drive would not be unduly dominant when viewed from their property or rear garden.

The nearest property opposite the development which is a bungalow would be 26m away from the nearest proposed property no 5 Harefield Drive. Taking into account the difference in height between the buildings in accordance with policy DC38, this would still allow a commensurate degree of space, light and privacy to remain between the properties.

Overall the development would not have an adverse impact in terms of loss of light, overbearing impact or overlooking and the scheme accords with policies DC3, DC38.

Sufficient amenity space for the occupiers of the proposed dwellings would exist and the development would not result in an adverse impact in terms of overlooking of neighbouring gardens in accordance with policy DC41.

Highways

The objections regarding highway safety are noted; however the revised plans are considered to achieve sufficient visibility for vehicles accessing/ egressing the site and the development would accord with local plan policy DC6. Sufficient parking would result for at least 3no vehicles per dwelling.

Housing land supply

In brief, the Council cannot currently demonstrate a 5 year supply of housing. The proposed dwellings would make a small contribution to the housing needs of the Borough. The site lies in close proximity to a plethora of facilities and services including Wilmslow High School (circa 360m away), a large supermarket (circa 500m away) and Wilmslow Town Centre (circa 800m away), with a distance of circa 250m from a regular bus service into town. Therefore, the development lies within a sustainable location.

SOCIAL SUSTAINABILITY

The development will not have a detrimental impact upon residential amenity subject to relevant conditions and would help deliver housing supply.

ECONOMIC SUSTAINABILITY

With regard to the economic role of sustainable development, the proposed development will help to maintain a flexible and responsive supply of land for housing to some extent as well as to some extent bringing direct and indirect economic benefits to the town including additional trade for local shops and businesses.

PLANNING BALANCE

On balance, whilst the objections are noted the proposed scheme provides an acceptable design and layout, the dwellings are appropriate to the mixed residential character of the area, would not harm neighbouring amenity and appropriate landscaping, protected species mitigation is provided. The highway safety concerns are also noted however the revised scheme would have an acceptable impact in term of highway safety.

Overall, the scheme is considered to represent a sustainable form of development in environmental, social and economic terms.

The application is therefore recommended for approval, subject to conditions.

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 Planning and Enforcement 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.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A01GR - Removal of permitted development rights
2. A01TR - Tree retention
3. A02TR - Tree protection
4. A03AP - Development in accord with revised plans (unnumbered)
5. A03FP - Commencement of development (3 years)
6. A04LS - Landscaping (implementation)
7. A05EX - Details of materials to be submitted
8. A05LS - Landscaping – implementation
9. A07GR - No windows to be inserted
10. A12LS - Landscaping to include details of boundary treatment
11. A32HA - Submission of construction method statement
12. Piling
13. Dust
14. Contaminated Land
15. Bats
16. Birds
17. Birds 2
18. Drainage
19. Gates
20. Levels
21. Obscure glazing

