

Application No: 15/4693M

Location: 18, MOOR LANE, WILMSLOW, CHESHIRE, SK9 6AP

Proposal: First floor addition, garage conversion to new dwelling and widening the existing access off the highway

Applicant: Mr Mark Curbishley

Expiry Date: 10-Dec-2015

Date Report Prepared: 22 December 2015

SUMMARY

This application is for the addition of a first floor to the existing ancillary garage and the conversion to a new independent dwelling.

It is considered that the proposed development is acceptable in design terms and has an acceptable impact on the character and appearance of the street-scene; has a limited and acceptable degree of impact on the amenities of neighbouring properties and raises no significant highway safety issues.

RECOMMENDATION: Approve, subject to conditions

REASON FOR REPORT

This application has been called in to committee at the request of Cllr Gary Barton on the 24th November due to the following concerns; *'This is an over development of the site and will have an overbearing impact on number 16 Moor Lane.'*

DESCRIPTION OF SITE AND CONTEXT

The application site consists of a single storey detached garage currently ancillary to 18 Moor Lane and an area of land surrounding the garage. The property is situated in a predominantly residential area of Wilmslow.

The surrounding properties consist of a variety of styles and sizes.

DETAILS OF PROPOSAL

Full planning permission is sought for the addition of a first floor to the existing single storey garage, the dividing of the existing curtilage into two separate curtilages and the conversion of

the existing garage into a separate dwelling. There would be 3no. car parking spaces provided for the existing dwelling with a further 2no. spaces for the new dwelling along with a widened access.

RELEVANT HISTORY

12/0108M Construction of detached garage and attached outbuilding conversion to utility
Approved 02 March 2012

POLICIES

Macclesfield Borough Local Plan – saved policies

BE1 (Design principles for new developments)
DC1 (High quality design for new build)
DC2 (Design quality for extensions and alterations)
DC3 (Protection of the amenities of nearby residential properties)
DC6 (Safe and convenient access for vehicles, special needs groups and pedestrians)
DC8 (Landscaping)
DC9 (Tree Protection)
DC38 (Guidelines for space, light and privacy for housing development)
DC41 (Infill Housing Development or Redevelopment)
H1 (Phasing Policy)
H2 (Environmental Quality in Housing Developments)
H5 (Windfall Housing)
H13 (Protecting residential areas)

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

Other Material Considerations

National Planning Policy Framework (NPPF)
National Planning Practice Framework (NPPG)

National Policy:

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs 1, 4, 5, 6, 7, and 10.

Cheshire East Local Plan Strategy – Submission Version (CELP)

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

MP1 (Presumption in Favour of Sustainable Development)
SD1 (Sustainable Development in Cheshire East)
SD2 (Sustainable Development Principles)
SE1 (Design)

CONSULTATIONS (External to Planning)

Environmental Health: No objections, subject to conditions related to: hours of operation, pile driving, dust control and an informative regarding contaminated land.

VIEWS OF THE PARISH / TOWN COUNCIL

Wilmslow Town Council: recommends refusal on the grounds of the proposals being out of keeping with the streetscene.

OTHER REPRESENTATIONS

Representations from 10no. different properties have been received. A summary of these can be viewed below:

- Out of character in both size and scale, also the front gable is not appropriate to the area.
- Too small.
- The new dwelling will be overshadowed to the rear by the high trees, possibly leading to additional windows to be inserted.
- Highway safety concerns.
- Overdevelopment of the site.
- Sub-standard amenity space for new dwelling.
- Concerns regarding the impact on the amenity of number 16, particularly the rear garden area, the rear conservatory and the first floor bedroom window.

OFFICER APPRAISAL

Key Issues

- Design and impact on the character and appearance of the area, including the street-scene.
- Impact on the amenity of neighbouring properties
- Highway safety implications

Principle of Development

The principle of the proposed is acceptable, subject to adhering to relevant Development Plan policies.

Design/impact on the character of the street scene

The proposed dwelling would increase the roof of the existing garage by approximately 2m to a height of approximately 7.5m. As mentioned above Moor Lane contains several different sizes and styles of properties with many different design features.

Representations have suggested the proposal is out of character with the area. Although the style of the property is not typical of the wider area, contrary to a comment in one of the representations, there are front gables within the vicinity of the application site with the closest being number 27 opposite the site. The dwelling would be set back from the road at a greater

distance than the surrounding properties, meaning that together with the lower height the property would not be prominent within the street scene. Given its siting and materials it is considered that the design is acceptable and that the proposed dwelling would have an acceptable impact on the character and appearance of the area. The presence of the existing, not inconsiderable, garage does mean that the additional height would not have a significantly increased impact on the street scene over the existing situation. The proposal is considered to accord with policies BE1, DC1, DC41, H2 and H13.

Amenity

Amended plans were received during the course of the application increasing the size of the proposed curtilage in order to comply with policy DC41, which states that *'the garden space should reflect the typical ratio of garden space within curtilages in the area and the location, size and shapes should be suitable for the intended purpose'*. It was not considered necessary to re-consult neighbours as the area was either curtilage to number 18 or the new dwelling and no additional impact was created by the amendment. It is considered that with the increase in size the curtilage it now complies with policy DC41 of the Local Plan.

Various representations have been received expressing concern over the impact on neighbouring residential amenity. Policies of relevance are H13, DC3 and DC38 and include elements to protect the residential amenities of the occupiers of neighbouring properties.

Policy DC38 provides guidance on distances that should normally be achieved between buildings in respect of space, light and privacy. For two-storey properties the desired distance between front to front of dwellings is 21m and back to back of dwellings is 25m. To the front the new dwelling would more than meet the spacing guidance in DC38, while to the rear the proposed dwelling would not quite meet the suggested distance of 25m. This is however overcome by the fact that there are no habitable windows to the rear of the proposed dwelling and so the recommended distance of 14m should be achieved. The distance to number 1C Strawberry Lane, directly to the rear is approximately 22m while the distance to 1B is approximately 16m at its closest. To ensure that there is no overlooking a condition stating that the rear bathroom window should be obscurely glazed and non-opening should be included in any approval.

To the east of the proposed dwelling, number 16 contains side windows to the kitchen and conservatory at ground floor and a bathroom at first floor. Photographs with illustrations of the proposed impact of the new dwelling were provided by the occupants of number 16. While some of the illustrations look as though they may have been slightly exaggerated they are useful in helping to make an assessment of the proposed impact. As the kitchen and bathroom are not considered to be habitable windows the impact on these is not considered to be as sensitive as a habitable window. The view from the conservatory shows that, due to the orientation of the two properties, the majority of the new dwelling would be framed by the existing dwelling at number 18 and so the actual loss of direct sunlight is not considered to be significant, particularly when considering the existing tall boundary hedge between the two properties.

The roof would slope away from the boundary with number 16 and the actual amount of gable wall that would be showing above the boundary hedge is minimal which together means that there is not considered to be an overbearing impact on number 16.

While there have been a few comments from neighbours suggesting that the new development would create a loss of privacy to the neighbouring properties the dwelling has been designed so that the habitable windows at first floor all face the front elevation and due to the distances to the property opposite the front it is not considered that the proposal would lead to a loss of privacy.

Subject to conditions it is considered that the impact on the amenity of the neighbouring properties is acceptable and would accord with policies DC3 and DC38 of the Local Plan.

Highways

A number of comments have been received with concerns over the car parking spaces and the impact that this would have on highway safety in the area. The five spaces provided meets the parking standards of the council and providing a condition is issued retaining the spaces for cars the impact on highway safety is considered to be acceptable.

CONCLUSIONS AND REASON(S) FOR THE DECISION

Representations have been taken into consideration. However, in assessing the detail of the application it is considered that the proposed development is acceptable in design terms and has an acceptable impact on the character and appearance of the street-scene; has a limited and acceptable degree of impact on the amenities of neighbouring properties and raises no significant highway safety issues.

Bearing all the above points in mind, it is considered that the proposed accords with all relevant Development Plan policies and as such it is recommended the application be approved, subject to relevant conditions.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his absence the Vice Chair) of Northern Planning Committee to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Application for Full Planning

RECOMMENDATION:

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Submission of samples of building materials
4. Landscaping - submission of details
5. Landscaping (implementation)
6. Removal of permitted development rights

7. Obscure glazing requirement
8. No windows to be inserted
9. Provision of car parking

