

Application No: 15/5620M

Location: 13, SHEARD HALL AVENUE, DISLEY, STOCKPORT, CHESHIRE, SK12 2DE

Proposal: Outline Application for a Residential Property with Primary Access off Sheardhall Avenue with All Other Matters Reserved

Applicant: Mrs Heather Renshaw

Expiry Date: 04-Feb-2016

**Date Report Prepared: 24 February 2016**

### **SUMMARY**

This application seeks outline planning consent for the construction of a new dwelling in the area to the east of 13 Sheard Hall Avenue. All matters are to be reserved for a future application.

It is considered that the principle of a new dwelling in the proposed location, allocated as Predominantly Residential in the Macclesfield Borough Local Plan, is acceptable. The proposed development could be implemented without any significant impacts on the neighbouring amenity and an access onto the main highway could be achieved without any highway safety issues. The site is sustainable and so the application is recommended for approval.

**RECOMMENDATION: Approve, subject to conditions**

### **REASON FOR REPORT**

This application has been called in to committee at the request of Cllr Harold Davenport based on concerns that the site lies within the Green Belt.

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

The application site consists of a vacant plot of land, adjacent to the applicant's property at number 13 Sheard Hall Avenue. The area of land lies between the curtilage of number 13 and an agricultural field allocated as Green Belt in the Macclesfield Borough Local Plan. The area has been mown and, although it has been fenced off from the rest of 13, appears to have been used as an extension of the garden of this property. The site is allocated as Predominantly Residential in the Local Plan.

The surrounding properties consist of a mix of two storey and dormer style bungalows.

## **DETAILS OF PROPOSAL**

Outline planning permission is sought for the construction of a new dwelling adjacent to number 13 Sheard Hall Avenue. All matters are proposed to be reserved for a subsequent Reserved Matters application. Whilst an indicative site plan has been submitted with the application, these matters are to be reserved to be assessed under any future Reserved Matters application.

## **RELEVANT HISTORY**

64667            DEMOLITION OF EXISTING KITCHEN ERECTION OF TWO STOREY  
                    EXTENSION TO DWELLINGHOUSE

Approved 1990

## **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)**

**Forestry:** no objections

**Environmental Protection:** no objections subject to conditions related to: hours of operation, pile driving and an informative regarding contaminated land.

**Highways:** no objections to the amended site plan

**Nature Conservation:** no objections

## **VIEWS OF THE PARISH / TOWN COUNCIL**

**Disley Parish Council:** *Disley Parish Council objects to this application for the following reasons:*

- *The application is in the green belt and would set an unwelcome precedent for Disley.*
- *The application conflicts with the emerging neighbourhood plan for future development in Disley*
- *It is inappropriate development and contrary to green belt policy for the Disley area.*
- *The proposed development is on garden land which has covenants against any building and contains major sewers from the estate.*
- *The green belt boundary on the GIS mapping system is shown in the wrong place and includes land purchased at a later date by the residents and not the original green belt boundary shown when the properties were built.*
- *The original land owner retains the access to the site and adjoining field.*

## **OTHER REPRESENTATIONS**

Representations from 16no. different properties have been received. A summary of these can be viewed below:

- The area is within the Green Belt and the proposal would set a precedent.
- The land is not wholly owned by the applicant.
- The proposal would result in the loss of mature trees.
- No room for vehicular parking as it is at the head of the cul-de-sac.
- The turning circle is already congested with parked cars; a further residence will make turning and parking more problematic.
- Concerns that the dwelling will not be in-keeping with the other dwellings.
- Concerns over the Northern Lapwing population that nest in the field adjacent to the application site. Northern Lapwings are a 'near threatened' species
- The proposed driveway appears to encroach over the land owned by number 11 Sheard Hall Avenue.
- The proposal would affect the outlook from several properties.
- Builder's lorries will cause a hazard to children who play on the road.
- The development would put pressure on the already congested road network.
- The site is in a prominent location and would be visible from miles around.
- Conflicts with Disley PC Neighbourhood Plan.

- The site is at a higher level than 50 Heysbank to the rear and will result in a loss of light and loss of privacy.

Other issues have been raised which are not relevant to the planning application such as covenants and sewer positions.

## **OFFICER APPRAISAL**

### **Key Issues**

- Principle of development,
- Impact on the character of the area,
- Impact on the amenity of neighbouring properties,
- Impact upon Nature Conservation interests,
- Highway safety implications

### **Principle of Development**

The application site lies within a predominantly residential area and the principle of a new dwelling is therefore acceptable, subject to design, impact on neighbour amenity, nature conservation and highways issues which are examined broadly below, however the details of these would be considered under a subsequent Reserved Matters application.

There have been several comments from neighbours and the Parish Council stating that the application site is located within the Green Belt. The Green Belt boundary is defined by the Development Plan and the Proposals Map. As mentioned above the site is not located within the Green Belt but is adjacent to the boundary separating the area designated as Green Belt and the area designated as predominantly residential; it actually lies within the area designated as Predominantly Residential. This has been confirmed by our Spatial Planning team and is the same historic boundary that was included in the 1985 and 1997 Local Plans. For the purposes of this application therefore, the assessment will be made for a predominantly residential site, not Green Belt.

## **ENVIRONMENTAL SUSTAINABILITY**

### **Visual Impact**

The surrounding properties are predominantly two storey with some dormer bungalow style properties. Sheard Hall Road is a cul-de-sac with number 13 at the head. Unlike most cul-de-sacs the properties form a linear development on either side of the road with no properties positioned at the head facing back down the road. The ground level drops from the south to the north with the application site at a lower level than the properties on the opposite side of the road to the north and at a higher level than the properties to the rear to the south.

The design and access statement states that either a single or two storey property could be built and due to the surrounding development it is not considered that either type would be out of keeping. The proposed site is a plot of very similar size to neighbouring residential plots. The width and depth of the proposed plot is clearly comparable with others in the immediate

vicinity of the site and is clearly capable of accommodating a single dwelling comparable to those in the immediate vicinity of the site.

The details regarding the design of the development including its scale and siting would be considered at the Reserved Matters stage and so cannot be assessed as part of this Outline application.

## **Amenity**

The objections have been carefully considered. The site layout plan submitted is indicative only but it is considered that due to the size of the plot, any future Reserved Matters application would be able to ensure that sufficient distances to neighbouring property would be able to be achieved to ensure that the development would accord with local plan policies DC3, DC13, DC38, DC41 and that a commensurate degree of space, light and privacy would be able to be achieved between all neighbouring property. The distance between the rear of the proposed dwelling and the rear of number 50 Hayesbank is approximately 19m, however this is commensurate with the other development in the area and if required a greater distance could be achieved during the Reserved Matters application.

## **Sustainability**

The development is considered to lie within a sustainable location in accordance with the NPPF. The site lies some 800m away from the centre of the village of Disley, which provides a variety of shops, a church, a school, railway station, and public houses.

## **Highways**

A number of comments have been received with concerns over the impact a new dwelling would have on highway safety in the area. The amended plan indicates a shared driveway access to serve the existing and new property off the turning head in Sheard Hall Avenue.

There is adequate width for a shared access to be provided for two properties, therefore there are no objections raised. One additional dwelling would not cause a significant impact to highway safety in the area.

## **Ecology**

A number of comments were received regarding the impact of the development on the Lapwing population on the adjacent field to the site. Lapwings as a priority species are a material consideration for planning. Whilst there is no reason to doubt that lapwings are breeding in the large open field to the east of the application site, the application site itself is too small and enclosed to offer suitable habitat for this species. Whilst there may potentially be some disturbance associated with the construction phase of the development this is likely to be minor and relatively short lived and must be viewed in the context of the existing level of disturbance associated with the existing residential properties.

## **Other Matters**

Following concerns from neighbours regarding the land ownership of the site an amended certificate of ownership has been submitted which states that all of the land is not owned by the applicant, and a 'notice to owner' form was submitted to the owner of Disley Hall Farm. An amended site plan was also submitted.

It has been mentioned that the development would not be in accordance with the neighbourhood plan for Disley. It must be noted that the neighbourhood plan is at a very early stage and so no weight is given to it.

## **SOCIAL SUSTAINABILITY**

The development would make a small contribution to delivering housing supply. The size of the plot is considered to be sufficient to ensure that the siting and scale of the development would not adversely impact on neighbouring amenity. This would be considered under any future Reserved Matters application. However, it is only for a single dwelling and therefore the impact is limited.

## **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 a small extent as well as to some extent bringing direct and indirect economic benefits to the town including additional trade for local shops and businesses. However, It is only for a single dwelling and therefore the impact is limited.

## **PLANNING BALANCE**

Whilst the objections are noted, the principle of the development is considered to be acceptable. The Strategic Infrastructure Manager raises no objections on highway safety grounds. All other matters regarding the siting, scale, appearance and landscaping of the site would be considered at the Reserved Matters stage.

The issue of the Green Belt boundary has been fully reviewed and it is concluded that the decision must be based on the boundary as defined by the Proposals Map of the Macclesfield Borough Local Plan. As such the principle of a new house in a residential area is acceptable, subject to conditions.

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 Outline Planning

RECOMMENDATION: Approve subject to following conditions

1. A01OP - Submission of reserved matters
2. A02OP - Implementation of reserved matters
3. A01AP - Development in accord with approved plans
4. A03OP - Time limit for submission of reserved matters
5. A06OP - Commencement of development
6. A23GR - Pile Driving details to be submitted
7. A19MC - Refuse storage facilities to be approved
8. A32HA - Submission of construction method statement

