

Application No: 15/5800M

Location: Brickyard Farm, 25, ADLINGTON ROAD, WILMSLOW, CHESHIRE, SK9 2BJ

Proposal: Proposed 2 storey extension to existing farm house, erection of 3 number 2 storey detached properties & associated works.

Applicant: Mr Chris Williamson, David Wilson Homes North West / Mrs Marg

Expiry Date: 04-Mar-2016

REASON FOR REPORT

The application has been called to Committee by the local Ward Member, Cllr Fox, due to concerns about the emergency access.

SUMMARY

The site is located on land safeguarded under local plan policy GC7. The wider safeguarded site is currently being developed for 204 dwellings. The Macclesfield Borough Local Plan period ran for 7 years between January 2004 and 2011, and we are now therefore well beyond the plan period. Policy GC7 has also been identified by an Inspector as being out of date, and Council cannot demonstrate a 5 year supply of deliverable housing sites and therefore the presumption in favour of sustainable development at paragraph 14 of the Framework applies where it states that LPAs should grant permission unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits from it, when assessed against the Framework as a whole; or specific policies in the Framework indicate development should be restricted.

The development would provide benefits in terms of additional market housing which would make a small contribution to the Councils delivery of a 5 year housing land supply. It would also provide economic benefits through the provision of employment during the construction phase and benefits for local businesses.

Whilst clarification is still required on the impact upon protected species, the impact upon other matters of public interest such as highway safety, residential amenity, trees, drainage implications, the character of the area is all considered to be broadly neutral subject to the imposition of appropriate conditions as required. The only adverse impact of the proposal arising from the development is the conflict with local plan policy GC7.

The comments received in representation relating to material planning considerations have been considered in the report. However, on the basis of the above, it is considered that the proposal represents sustainable development and paragraph 14 is engaged. Furthermore, applying the tests within paragraph 14 it is considered that the adverse effects of the scheme

are significantly and demonstrably outweighed by the benefits. Accordingly the application is recommended for approval subject to conditions.

RECOMMENDATION

Approve subject to conditions

REASON FOR DEFERRAL

The application was deferred from the Northern Planning Committee on 1 June for the following reasons:

- *Clarification on road safety points raised by objector*
- *Emergency access, including road safety audit (if appropriate) and its location in relation to approved layout on adjacent site*
- *Consultation period to expire*

Consideration of reasons for deferral

Clarification on road safety points raised by objector

Brickyard Farm (a single dwelling) is served by its own access drive from Adlington Road. This access drive is also the route of public footpath FP72, as it has been for many years. The access drive is also an emergency access for the adjacent development of 204 dwellings.

The existing Brickyard Farm access drive will be utilised by one of the proposed dwellings, with the other three utilising the main access through the adjacent development at Bollin Park. Therefore the access drive will still only be used by one dwelling. FP72 is unaffected by the proposed development, and there will not be a material impact upon the already approved emergency access arising from the additional three dwellings.

The road safety points raised by the objector relate to his continued dissatisfaction over how they were dealt with at the time of application 14/0007M, and the associated discharge of condition application. The proposed development does not raise any new highway safety issues.

Emergency access, including road safety audit (if appropriate) and its location in relation to approved layout on adjacent site

The approved emergency access is unaffected by the proposed development. No road safety audit is necessary as no works within the public highway are proposed by the current application.

Consultation period to expire

The publicity period expired on 23 June, and three additional letters of representation have been received objecting to the proposal on the following grounds:

- Dangerous access
- Unacceptable road safety hazard being created on Adlington Road by what is being planned for Brickyard Farm plus the adjacent Bollin Park developments. The two cannot be considered in isolation. They are two parts of a whole.
- Emergency lane is for that purpose alone and not as a public right of way

- Is or will be a public footpath and cycle track, endangering these users if motor vehicles use the lane
- Footpath users have to cross road on dangerous bend

Conclusion on reason for deferral

There is no materially greater impact upon highway safety compared to the previous approval on the adjacent site. Accordingly the application is recommended for approval

PROPOSAL

This application seeks full planning permission for a two-storey extension to the existing farm house, and the erection of 3no. two-storey detached properties & associated works.

SITE DESCRIPTION

The application site comprises the farmhouse and outbuildings of Brickyard Farm with front garden area and access driveway. The site is identified as safeguarded land in the Macclesfield Borough Local Plan.

RELEVANT HISTORY

14/0007M - Erection of 204 dwellings including demolition of outbuildings, public open space, highways works, entry statement signs and associated infrastructure – Approved 09.10.2014

NATIONAL & LOCAL POLICY

National Policy

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

Of particular relevance are paragraphs:

- 14. Presumption in favour of sustainable development.
- 50. Wide choice of quality homes
- 56-68. Requiring good design
- 69-78. Promoting healthy communities

Development Plan

The Development Plan for this area is the 2004 Macclesfield Borough Local Plan. The relevant Saved Policies are:

- Macclesfield Borough Local Plan Policy
- NE11 Nature conservation interests
- NE17 Improvements to Nature conservation in the countryside
- BE1 Design Guidance
- GC7 Safeguarded Land
- RT1 Areas of Open Space
- RT7 Cycleways, Bridleways and Footpaths
- H1 Housing requirement
- H2 Environmental Quality in Housing Developments
- H8 Provision of Affordable Housing

H13 Protecting Residential Areas;
T3 Pedestrians
T4 Access for people with restricted mobility
T5 Provision for Cyclists
T6 Highway improvements and traffic management
DC1 Design criteria for new build
DC3 Amenities of residential property
DC5 Design – natural surveillance
DC6 Circulation and Access
DC8 Landscaping
DC14 Noise mitigation
DC17 and DC18 Water Resources
DC35 Materials and Finishes
DC36 Road layouts and circulation
DC37 Landscaping in housing developments
DC38 Space, light and Privacy
DC40 Childrens Play Provision and Amenity Space
DC63 Contaminated land

Cheshire East Local Plan Strategy – Proposed Changes Version

Relevant policies of this document are:

MP1 Presumption in favour of sustainable development
PG1 Overall Development Strategy
PG2 Settlement hierarchy
PG6 Spatial Distribution of Development
SD1 Sustainable Development in Cheshire East
SD2 Sustainable Development Principles
IN1 Infrastructure
IN2 Developer contributions
SC1 Leisure and Recreation
SC2 Outdoor sports facilities
SC3 Health and Well-being
SC4 Residential Mix
SC5 Affordable Homes
SE1 Design
SE2 Efficient use of land
SE3 Biodiversity and geodiversity
SE4 The Landscape
SE5 Trees, Hedgerows and Woodland
SE6 Green Infrastructure
SE9 Energy Efficient Development
SE12 Pollution, Land contamination and land instability
SE13 Flood risk and water management
CO1 Sustainable Travel and Transport
CO4 Travel plans and transport assessments

CONSULTATIONS

Head of Strategic Infrastructure – No objections

Environmental Health - No objections subject to conditions relating to pile foundations, dust control and contaminated land.

Public Rights of Way – No objections subject to advisory note

Flood Risk Manager – No objections

United Utilities - No objections

Wilmslow Town Council – Raise strong reservations regarding access to and from the site and the highway due to this junction's close proximity to a bend in the road where accidents have occurred.

REPRESENTATIONS

At the time the application went to committee on 1 June, 7 letters of representation had been received objecting to the proposal on the following grounds:

- Concern about use of emergency access by entire development
- Impact on doctors, hospitals and schools
- The development will add to the obvious risks especially for young pedestrians and cyclists on the way to Vardon Bridge.
- The lane should only be used by Brickyard Farm and by Emergency Vehicles.
- The application should certainly not be granted without another independent Road Safety Audit report.
- In the submitted drawings the Emergency Access road is illustrated as a pedestrian and cycle route. This would create unacceptable dangers for young children using this route.

APPRAISAL

The key issues are:

- Impact upon nature conservation interests
- Impact upon character of the area
- Amenity of neighbouring property
- Impact upon trees of amenity value
- Highway safety

Principle of development

The application site is allocated in the Macclesfield Borough Local Plan (2004) as Safeguarded Land. Safeguarded land is land that may be required to serve development needs well beyond the Local Plan period (2011). Policy GC7 of the Local Plan explains that the land is not allocated for development at the present time and policies relating to development in the countryside will apply. The reasoning for policy GC7 explains the land “may only be allocated in the future within the strategic planning context and following the guidance for the assessment of development sites contained in PPG3 Housing (2000)”. Policy GC5 deals with development in the open countryside, which “will not be permitted unless it is essential for agriculture, forestry, outdoor recreation or for other uses appropriate to a rural area”. The development does not fall into one of those categories.

As a result, it constitutes a “departure” from the development plan and there is a presumption against the proposal, under the provisions of sec.38(6) of the Planning and Compulsory Purchase Act 2004 which states that planning applications and appeals must be determined “in accordance with the plan unless material considerations indicate otherwise”.

The issue in question is whether there are other material considerations associated with this proposal, which are sufficient to outweigh the policy concerns.

The extension to the existing farmhouse falls to be considered against policy GC12 of the local plan, which allows for extensions to existing dwellings of up to 30% of the original floorspace of the house. One of the exceptions to this policy is when the property lies in a group of houses or ribbon of development and the extension would not be prominent, as is the case here. The proposed extension is therefore considered to comply with the requirements of policy GC12.

In terms of the new dwellings, the site is now located between the housing development approved under 14/0007M, which was approved on safeguarded land, and is now a committed site in the Proposed Changes Version of the emerging local plan, and the predominantly residential area of Overhill Lane. This small section of safeguarded land therefore serves little strategic purpose. Furthermore, as noted at the time of 14/0007M the Macclesfield Borough Local Plan period ran for 7 years between January 2004 and 2011, and we are now therefore well beyond the plan period. Policy GC7 has also been identified by an Inspector as being out of date, and as such paragraph 14 of the Framework is triggered where it states:

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

- 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
- specific policies in the Framework indicate development should be restricted.”

ENVIRONMENTAL SUSTAINABILITY

Design / Character

Paragraph 56 of the NPPF notes that “the Government attach great importance to the design of the built environment. Good Design is a key aspect of sustainable development, indivisible from good planning”.

Policy BE1 of the local plan requires new development to achieve the following design principles:

- Reflect local character
- Respect form, layout, siting, scale and design of surrounding buildings and their setting
- Contribute to a rich environment and add to the vitality of the area
- Be human in scale and not normally exceed 3 storeys
- Use appropriate facilities

The local area is characterised by a variety of buildings, which are predominantly two or three storeys. The modest extension to the farmhouse is in keeping with the existing building, and it is a positive aspect of the proposal that the attractive farmhouse is being retained. The design of the new houses will be similar to the house types approved in more significant numbers on the adjacent site and will therefore be in keeping with the local area.

Overall, the proposal is not considered to have any significant impact upon the character of the area, and therefore complies with the requirements of policy BE1 of the local plan.

Trees

The Forestry Officer has confirmed that there are no significant arboricultural implications associated with the proposed development, subject to a method statement for any resurfacing of driveway

Ecology

The nature conservation officer has provided the following comments on the application:

Bats

A minor bat roost was previously recorded within the buildings at this site. As we are now at the optimum time for bat surveys, an updated bat survey has been requested, and the findings will be available prior to the committee meeting. Further details will be provided as an update.

Hedgerows

Native species hedgerows are a priority habitat and hence a material consideration. Native species hedgerows are present upon the southern boundary of the application site. It was recommended that these hedgerows be retained as part of the proposed development, and as such the landscaping proposals have been amended to show this.

Nesting Birds

If planning consent is granted a condition requiring a nesting bird survey is recommended.

Residential Amenity

Local Plan policies H13, DC3 and DC38 seek to protect the amenity of residential occupiers. Policy DC3 states that development should not significantly injure the amenities of adjoining or nearby residential property and sensitive uses due to matters such as loss of privacy, overbearing effect, loss of sunlight and daylight and traffic generation and car parking. Policy DC38 sets out guidelines for space between buildings.

Brickyard Farm is located close to the rear boundary of 11 Overhill Lane, but the extension does not bring the building any closer. This relationship is therefore acceptable. Plots B1 and B2 both meet the separation distance guidelines to the adjoining neighbours on Overhill Lane. The garage of plot B1 comes within 8.5 metres of the rear elevation of Blackcomb (shown as Lindfield on the plans), however due to the scale and form of the proposed garage and the substantial boundary treatment along the southern boundary of the site, there is not considered to be any significant loss of space, light or privacy arising from the proposal.

No further amenity issues are raised.

Accessibility

Wilmslow train station and leisure centre are approximately 1.6km from the site, with the town centre a further 400m beyond these facilities. The town centre can be accessed on foot or cycle. The facilities at Dean Row are also an option for residents. No accessibility issues were raised at the time of the approval of the wider site. The site is therefore considered to be in a moderately accessible and sustainable location.

Highways

Three of the four dwellings that are the subject of this application will be accessed from the new Bollin Park development site. Only one property, plot B1 will be accessed along the emergency access route directly from Adlington Road. This is the same as the existing situation where Brickyard Farmhouse utilises this for their access. It is proposed that Brickyard Farmhouse utilises the access through the new Bollin Park development. The emergency access will not be used by other vehicles other than in an emergency. The access will be controlled by demountable bollards and a condition can be imposed to ensure that the emergency access is not used other than by plot B1 and emergency vehicles.

No highway safety issues are therefore raised.

Flood Risk

The Flood Risk Manager has raised no objections to the proposal.

SOCIAL SUSTAINABILITY

Housing land supply

Following the receipt of the Further Interim Views in December 2015, the Council has now prepared proposed changes to the Local Plan Strategy (LPS), alongside new and amended strategic site allocations, with all the necessary supporting evidence. The proposed changes have been approved at a Full Council meeting held on the 26 February 2016 for a period of 6 weeks public consultation which commenced on Friday 4 March 2016.

The information presented to Full Council as part of the LPS proposed changes included the Council's 'Housing Supply and Delivery Topic Paper' of February 2016.

This topic paper sets out various methodologies and the preferred approach with regard to the calculation of the Council's five year housing land supply. From this document the Council's latest position indicates that during the plan period at least 36,000 homes are required. In order to account for the historic under-delivery of housing, the Council have applied a 20% buffer as recommended by the Local Plan Inspector. The topic paper explored

two main methodologies in calculating supply and delivery of housing. These included the Liverpool and Sedgefield approaches.

The paper concludes that going forward the preferred methodology would be the 'Sedgepool' approach. This relies on an 8 year + 20% buffer approach which requires an annualised delivery rate of 2923 dwellings.

The 5 year supply requirement has been calculated at 14617, this total would exceed the total deliverable supply that the Council is currently able to identify. The Council currently has a total shortfall of 5,089 dwellings (as at 30 September 2015). Given the current supply set out in the Housing Topic Paper as being at 11,189 dwellings (based on those commitments as at 30 September 2015) the Council remains unable to demonstrate a 5 year supply of housing land. However, the Council through the Housing Supply and Delivery Topic paper has proposed a mechanism to achieve a five year supply through the Development Plan process.

National Planning Policy Guidance (NPPG) indicates at 3-031 that deliverable sites for housing can include those that are allocated for housing in the development plan (unless there is clear evidence that schemes will not be implemented within five years).

Accordingly the Local Plan provides a means of delivering the 5 year supply with a spread of sites that better reflect the pattern of housing need, however at the current time the Council cannot demonstrate a 5 year supply of housing. This is a matter that weighs in favour of the proposal.

Affordable Housing

The IPS: Affordable Housing states that for settlements with a population of 3,000 or more affordable housing is required on developments which are for 15 dwellings or more, or are over 0.4ha. As such there is no requirement for affordable housing.

Open Space

The proposal does not trigger any requirement for public open space, and the site will be well served by the existing open space at Browns lane and the additional open space approved as part of 14/0007M.

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 as well as bringing direct and indirect economic benefits to Wilmslow town centre including additional trade for local shops and businesses (in closer proximity to the site than the town centre), jobs in construction and economic benefits to the construction industry supply chain.

PLANNING BALANCE

The site is located on land safeguarded under local plan policy GC7. The wider safeguarded site is currently being developed for 204 dwellings. The Macclesfield Borough Local Plan period ran for 7 years between January 2004 and 2011, and we are now therefore well beyond the plan period. Policy GC7 has also been identified by an Inspector as being out of date. The Council cannot demonstrate a 5 year supply of deliverable housing sites and

therefore the presumption in favour of sustainable development at paragraph 14 of the Framework applies where it states that LPAs should grant permission unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits from it, when assessed against the Framework as a whole; or specific policies in the Framework indicate development should be restricted.

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Whilst clarification is still required on the impact upon protected species, the impact upon other matters of public interest such as highway safety, residential amenity, trees, drainage implications, the character of the area is all considered to be broadly neutral subject to the imposition of appropriate conditions as required. The only adverse impact of the proposal arising from the development is the conflict with local plan policy GC7.

The comments received in representation relating to material planning considerations have been considered in the preceding text. However, applying the tests within paragraph 14 it is considered that the adverse effects of the scheme are significantly and demonstrably outweighed by the benefits. Accordingly the application is recommended for approval subject to conditions below.

RECOMMENDATION

Approve 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. Commencement of development (3 years)
2. Development in accord with approved plans
3. Materials as application
4. Pile Driving

5. Submission of construction method statement
6. Scheme to minimise dust emissions to be submitted
7. Nesting birds survey to be submitted
8. Emergency access to be utilised only by plot B1 and emergency services
9. Details of refuse storage facilities to be submitted
10. The submission of a remediation strategy (cont land)
11. Any materials to be brought to site for use in soft landscaping to be tested for contamination
12. In the event contamination not previously identified is found to be present, no further works shall be undertaken until LPA is notified
13. Implementation of submitted landscaping scheme
14. Arboricultural method statement for resurfacing of driveway to be submitted

