

Application No: 17/1531M

Location: BOWLING GREEN, INGERSLEY VALE, BOLLINGTON, CHESHIRE

Proposal: Variation of condition 3 (approved plans) of 15/2354M - Outline application for proposed 11 no. 2.5 storey and 2 no. 2 storey residential housing.

Applicant: Mr Chris Bowman, Ingersley Crescent Ltd

Expiry Date: 28-Jun-2017

SUMMARY

The application is to vary the previously approved layout to allow for a change to the approved layout.

The scale of the development reflects the character and appearance of the area with matters relating to appearance and landscaping being reserved for future consideration. The development raises no issues in respect of residential amenity, noise, ecology or trees.

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

SUMMARY RECOMMENDATION

Approve subject to conditions and signing of the s106 agreement.

REASON FOR REPORT

Councillor Gaddum has requested the application be determined by Planning Committee.

PROPOSAL

The application is to vary condition 3 (approved plans) of 15/2354M to allow for an amendment to the previously approved properties.

The proposed change centres on a change to the approved siting of the houses on the site and are detailed later in the report.

SITE DESCRIPTION

The application site is located on the eastern side of Ingersley Vale and consists of a bowling green, a clubhouse and a small parking area. The site has some mature vegetation along the western and northern boundaries.

To the south of the site is a row of cottages of a traditional appearance, open land is located to the west and some large three storey properties are located to the north of the site. On the opposite side of Ingersley Vale is a reservoir and a garden serving a residential property. Beyond these land uses is the River Dean.

RELEVANT HISTORY

15/2354M - Outline application for proposed 11 no. 2.5 storey and 1 no. 2 storey residential housing. Approved 2 December 2016.

38350P – Extension to existing clubhouse to form lounge. Approved 23.08.1984

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

Development Plan

BE1 (Design principles for new developments)

DC1 (High quality design for new build)

DC3 (Protection of the amenities of nearby residential properties)

DC6 (Safe and convenient access for vehicles, special needs groups and pedestrians)

DC9 (Tree Protection)

DC38 (Guidelines for space, light and privacy for housing development)

DC40 (Children's Play Provision and Amenity Space)

DC41 (Infill Housing Development or Redevelopment)

H2 (Environmental Quality in Housing Developments)

H5 (Windfall Housing)

RT1 (Protection of Open Spaces)

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

PG1 Overall Development Strategy

SD1 Sustainable Development in Cheshire East

SD2 Sustainable Development Principles

IN1 Infrastructure

IN2 Developer contributions

SC4 Residential Mix
SE1 Design
SE2 Efficient use of land

Other Material Considerations:

National Planning Practice Guidance (NPPG)

CONSULTATIONS (External to Planning)

Environmental Health – No objection. Conditions have been requested relating to bin storage, contamination and submission of a construction environmental management plan.

Highway Engineer – No objection. This issue is addressed later in this report.

Public Rights of Way - *The proposed development is adjacent to **Public Footpath No. 39 Rainow** as recorded on the Definitive Map held at this office (working copy extract enclosed). It appears unlikely, however, that the proposal would affect the public right of way, although the access into the development would be along part of the public footpath it is noted that the developer intends to improve this section. The developer would need to consult the Rights of Way Network Management Officer regarding any alteration to the surface of the right of way.*

VIEWS OF THE PARISH / TOWN COUNCIL

Bollington Town Council – Object on the following grounds;

- Overbearing and Overshadowing caused to neighbouring properties
- Relationship to the Conservation Area
- Insufficient Parking Provision
- Lack of Accurately Defined Boundaries
- Safe Traffic Access
- Trees and Screening

Rainow Parish Council – Object on the following grounds;

- Lack of car parking
- Inappropriate materials proposed
- Impact on residential amenity

OTHER REPRESENTATIONS

A total of 29 objections have been received in respect of the application and the points of objection relate to;

- Increase in on-street parking and traffic along Church Street and Ingersley Vale
- Brownfield sites should be built on first
- Impact on wildlife in the area
- The design of the properties is inappropriate
- Impact on the character of the conservation area
- Lack of car parking on the site.

- The site location plan does not reflect the applicants land ownership
- Impact on amenity caused by overshadowing and overlooking
- No details of the number of bedrooms.
- Over development of the site

APPRAISAL

The application is for a variation to the previously approved plans to allow for an increased footprint of the proposed properties. Therefore the principle of 12 properties on the site has been previously established and the report will deal with the increase in footprint only.

The changes to the layout are summarised as follows;

- The block of townhouses have been split into two separate blocks.
- Plots 1-6 have been moved forward from their approved position.
- Plots 7-11 are moved back slightly and further away from existing properties.
- Amendment to shape of plot 12.

Layout & Design

The layout of the site now forms a block of 6 terraced properties, a block of 5 terraced properties and a detached property at the southern end of the side. The layout of these properties follows the character of the built form along Ingersley Vale both in building line and scale of the properties.

Whilst concerns have been raised in respect of the impact of the development on the Conservation Area it is considered that views into and from the Conservation Area to the site are limited to the west. Any relationship will be the identical to the three-storey properties to the north of the site as they are similar in character. To the south the views are more prominent, however the design of the dwellings reflects the scale of the buildings within the Conservation Area. Details of the materials and fenestration of the properties will be considered as part of any subsequent reserved matters application.

Detail of the landscaping for the site is a matter that has been reserved for future consideration.

Residential Amenity

Local Plan policies DC3, DC38 and H13 seek to ensure that new development does not significantly injure the amenities of adjoining or nearby residential property due to amongst other things, loss of privacy, overbearing effect, loss of sunlight and daylight, noise, traffic generation, access and car parking.

New residential developments should generally achieve a distance of between 21m and 25m between principal windows and 13m to 14m between a principal window and a blank elevation. This is required to maintain an adequate standard of privacy and amenity between residential properties and these are set out in Policy DC38.

The application is in outline and appearance is a matter that has been reserved for approval at a future date. The amended layout is orientated in a way that any overlooking or impact on privacy can be avoided with suitably designed elevations.

The layout does not afford any opportunity for any overshadowing to neighbouring properties. Plot 1 is sited next to 52 Ingersley Vale and the rear elevations are almost on a level with each other. The front elevation now projects further forward than previously but given the distance between the properties no overshadowing will occur, nor will the property have an overbearing impact.

Plot 12 is set at a lower height than the rest of the proposed properties to reflect the height of the properties to the south, Rainow Mill Cottages. The changes to the layout mean that the 2.5 storey properties have been moved a further 1 metre away from Rainow Mill Cottages. Details of appearance will be considered as part of any future reserved matters application and it will be ensured at this stage that no overlooking of neighbouring properties will occur.

The scale of the properties has been approved as part of application 15/2354M and this application does not propose any changes to the height of the buildings.

The proposals are for residential use in a residential area and therefore this will raise no impacts in terms of noise or other environmental impacts. The construction process may raise some issues and as a result a condition will be imposed on the decision notice.

Highways

Following the submission of additional information in the form of swept path analysis for the revised parking layout the highway Engineer has no objection to the revised layout.

The traffic generation will not increase as a result of the proposals and the highway improvements along Ingersley Vale must be carried out in accordance with the details previously agreed.

The applicant has confirmed that any subsequent reserved matters application will not have any more than three bedrooms and therefore the two spaces per property provided and some additional visitor parking is considered an acceptable level of off-street parking.

Trees / Ecology

Application 15/2354M was supported by an Arboricultural Implications Assessment and Arboricultural Method Statement by Mulberry. The tree survey identified the trees on site as being of low to moderate (Category C – B) amenity value, with no significant specimens (Category A) present and the Council's arboriculturist has agreed with this assessment.

The proposal to amend the layout of the site does not result in the removal of any additional trees to those specified in the outline application.

A further Arboricultural Implications Assessment will be required taking into account the landscape proposals at that time and this will be included as a condition on the decision notice.

A condition will be included on the decision requiring that if trees are removed between March and August that the site is surveyed for nesting birds.

COMMENT ON OBJECTIONS

A number of the points of objection have been addressed in the main body of the report with the remaining points addressed below.

- The design of the properties is inappropriate.

The design and appearance of the dwellings will be considered as part of any subsequent reserved matters application.

- The site location plan does not reflect the applicants land ownership

The applicant has submitted title details with the application and the land registry records have been checked by the case officer. These details are fully consistent with the red edge plan submitted by the applicant.

- No details of the number of bedrooms.

This is not required to be submitted as part of this application as it relates only to the changes on the approved layout. The parking provision is not reduced as a result of these changes and is in fact improved. Nevertheless the applicant has confirmed that the properties will be three bedroom properties.

- Over development of the site

The level of development has been approved previously and the number of dwellings is not increased as a result of this amendment to the layout.

CONCLUSIONS

The application is for amendments to the layout only. The level of accommodation, highway impact and the principle of development have all been previously established and are not for consideration at this point. The increase in footprint of the properties is not a significant and will not have any greater impact on the amenity of neighbouring properties or on the character or appearance of the area.

RECOMMENDATION

The application is recommended for approval subject to the completion of a s106 agreement and the conditions listed below:

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 Head of Planning (Regulation) delegated authority to do so in consultation with

the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Committee's decision.

Application for Variation of Condition

RECOMMENDATION:

1. Commencement of development
2. Submission of reserved matters
3. Development in accord with approved plans
4. Materials to be submitted with reserved matters
5. Ground levels to be submitted with reserved matters application
6. Submission of construction method statement
7. Foul drainage / surface water drainage
8. Contaminated land, requirement for surveys
9. Submission of habitat survey if tree clearance in bird nesting season
10. site to drain on separate systems
11. Submit Arboricultural Impact Assessment
12. Electrical Vehicle Charging Points
13. details of bin store
14. Re-use of the stone on the front boundary wall in the new boundary treatment
15. Retention of the stone retaining wall
16. 2 spaces
17. Numbers

