

Application No: 17/1359M

Location: 24, LOSTOCK HALL ROAD, POYNTON, STOCKPORT, CHESHIRE, SK12 1DP

Proposal: Demolition of existing dwelling and replacement with four detached units and associated access and landscape works.

Applicant: CJR, CJR Ltd

Expiry Date: 21-Aug-2017

## **SUMMARY**

The development would provide benefits in terms of 3 additional market houses which would make a small contribution to the Council's delivery of a 5 year housing land supply. It would provide economic benefits through the provision of employment during the construction phase and benefits for local businesses. It will provide Electric Vehicle Infrastructure promoting green infrastructure benefits.

The development would have a neutral impact upon the following subject to mitigation. The impact upon protected species/ecology is considered to be neutral. There is not considered to be any drainage implications raised by this development. The development would not raise any significant highways issues. The Head of Strategic Infrastructure considers the access to each dwelling is acceptable and there is sufficient space within each plot for off street parking provision to be in accordance with CEC standards. The proposals from an arboricultural and landscape perspective are considered acceptable. The impact upon residential amenity by virtue of overlooking/overshadowing / loss of outlook of adjacent residential occupiers is deemed acceptable with acceptable interface distances. The design of the dwellings is in keeping with the surrounding properties and the density is also considered in keeping.

Bearing the above points in mind, the proposal is deemed acceptable, in accordance with local and national policy and therefore recommended for approval subject to conditions.

## **RECOMMENDATION**

Approve subject to conditions.

## **REASON FOR REPORT**

The application has been 'called in' to Committee by the local Ward Member, Cllr Michael Beanland, for the following reasons:

- The proposed development is not in accordance with neighbouring properties on Lostock Hall Road and is contrary to their design, scale and proportion.
- This area is currently subject to multiple planning applications which will increase Road and traffic access disproportionately.
- The proposed exit on to Lostock Ave will affect access and traffic, inappropriately, in a small cul de sac.

## **PROPOSAL**

This application seeks planning permission for the demolition of existing dwelling and replacement with four detached units and associated access and landscape works.

Each plot is to contain an integral garage with additional parking spaces provided on the driveway.

## **SITE DESCRIPTION**

24 Lostock Hall Road is a detached dwellinghouse built circa 1950s located within a predominantly residential area as detailed in the Macclesfield Borough Local Plan. The site is accessed from Lostock Hall Road. The site is just over 1km to Poynton centre. Towards the south west of the site is a detached garage measuring approx. 5m wide and 5.6m deep which is accessed via a private shared drive to the south of the site which is accessed via Lostock Hall Road.

The site is relatively large at approx. 77m by 32m (0.28 hectares) and is sited between Lostock Hall Road to the east, and Lostock Avenue to the west. To the south lies a private drive which is used to access four dwellings plus a detached garage within the application site. The site contains a number of shrubs and trees some of which are protected.

The existing dwelling which is to be demolished measures approx. 7.2m to the ridge, 12.9m wide and 18.8m deep (max).

Lostock Avenue (and the two dwellinghouses cited directly to the south west of the plot) is comprised of a broad mix of bungalows or dormer bungalows with varied architectural styles, materials and designs. Lostock Hall Road is characterised predominantly with large dwellings and a select few bungalows and dormer bungalows, again all varying in architectural styles, materials and designs located on reasonably large plots.

## **RELEVANT HISTORY**

71699P PROPOSED GARDEN WALL. Approved 21/09/92

## **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

## **Cheshire East Local Plan Strategy**

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27<sup>th</sup> July 2017. There are policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.

MP1 Presumption in Favour of Sustainable Development  
 SC4 Residential Mix  
 SD1 Sustainable Development in Cheshire East  
 SD2 Sustainable Development Principles  
 PG2 Settlement hierarchy  
 SE1 Design  
 SE2 Efficient use of land  
 SE3 Biodiversity and Geo Diversity  
 SE4 The Landscape  
 SE5 Trees hedgerow and woodland  
 SE9 Energy Efficient Development  
 SE12 Pollution, Land contamination and land instability  
 SE13 Flood risk and water management  
 SD2 Sustainable Development Principals

## **Macclesfield Borough Local Plan – saved policies**

BE2 (Historic Fabric)  
 DC2 (Design quality for extensions and alterations)  
 DC3 (Protection of the amenities of nearby residential properties)  
 DC6 (Circulation and access)  
 DC8 and DC37 (Landscaping)  
 DC9 (Tree Protection)  
 DC35 (Residential Materials and Finishes)  
 DC38 (Space light and privacy)  
 DC41(Infill housing development or redevelopment)  
 DC43 (Side extensions to houses)  
 DC46 (Demolition)  
 DC47 (Demolition and redevelopment)  
 NE11 (Nature Conservation)

## **Other Material Considerations**

Cheshire East Borough Design Guide SPD  
 National Planning Practice Guidance  
 Poynton Neighbourhood plan – regulation 14 stage Pre-Submission Version Policies: HOU 1B, HOU 1C, HOU 2, HOU 3, HOU 5, HOU 6A, HOU 6D, HOU 3B, HOU 6B, HOU 6C

## **CONSULTATIONS**

Two consultations have taken place due to revised plans being submitted. The first consultee letters were sent on the 27/03/17, the second consultee letters were sent 27/07/17. The responses to both consultations are summarised below.

### Consultation 27/03/17

Forestry – No objection subject to conditions

Landscape – No objection however detailed landscape plan required as condition

Flood Risk – No objection subject to conditions

Environmental Health – No objection subject to conditions

Public Rights of Way – No objection however informative requested

Highways – No objection

United Utilities - a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary.

Poynton Town Council – The Town Council recommends rejection on the basis of cramped development. The proposal would by reason of scale, form and design result in a cramped and intrusive form of development out of keeping with the character of the existing properties in the immediate vicinity of the site.

## **REPRESENTATIONS**

40 objections have been received. The objections in full can be located on file. A summary of the objections can be located below:

- High density over development of the site
- Loss of the open aspect of the neighbourhood
- Dwellings too close to the road, building line not in keeping
- Noise disturbance
- Illumination concerns
- Overlooking and loss of privacy
- Overshadowing / overbearing
- Out of character
- Highway issues
- Tree and landscape issues
- State of the farm track
- Character and design issues and not in keeping
- Size of the proposed dwelling are not in keeping
- Amenity concerns
- Concerns over garden space

- Drainage concerns
- No need for dwelling of this size
- Density concerns
- Concerns over the overall accumulation of deliveries and contractors vehicles
- Architectural style are not in keeping with the surrounding area
- Significant loss of trees and hedgerow, which provides visual amenity and habitat for wildlife
- Concerns over the 'Party Wall Fence' removal
- Concerns over site/location plan not taking into account recent erected extensions and new dwellings
- Ownership concerns

Concerns have been raised with regards to the consultation process. Officers can confirm that letters have been sent to the relevant neighbours for the statutory 3 week period.

Consultation 20/07/17 (consultation expiry date 10/08/17)

Forestry – No objection subject to conditions

Landscape – No objection subject to conditions

Flood Risk – No objection subject to conditions

Environmental Health – No objection subject to conditions

Public Rights of Way – No objection however informative and boundary treatment condition requested

Highways – No objection however informative requested

Ecology - No objection subject to conditions

United Utilities - Comments not yet received, however former comments still applicable

Poynton Town Council – Further comments not yet received

## **REPRESENTATIONS**

5 objections have been received. The objections in full can be located on file. A summary of the objections can be located below:

- Over development of the site
- Plot sizes not in keeping
- Proposed dwelling located too close to the road
- Amenity issues : loss of privacy, loss of light, overbearing, too close to existing adjoining property
- Highways concerns
- Loss of trees and natural habitat

- Concerns over nearby development as well as proposed development
- Belief the houses are not needed
- Concerns over public right of way
- Concerns over deliveries
- Loss of trees and vegetation
- Drainage issues
- Concerns over legal issues and covenants

Concerns have been raised with regards to the consultation process. Officers can confirm that letters have been sent to the relevant neighbours for the statutory 3 week period.

## **APPRAISAL**

The key issues for Members to consider are:

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

## **ENVIRONMENTAL SUSTAINABILITY**

### **Design / Character**

Neighbour comments regarding the character and design of the proposed dwellings have been taken into consideration. Lostock Avenue (and the two dwellings cited directly to the south west of the plot) comprises of a broad mix of bungalows or dormer bungalows with varied architectural styles, materials and designs. The proposed dwellings reflect this local character which would result in a further mix of dormer bungalows with similar ridge heights to the surrounding dwellings.

Lostock Hall Road is characterised predominantly with large dwellings and a select few bungalows and dormer bungalows, again all varying in architectural styles, materials and designs located on reasonably large plots. Again, the proposed dwellings reflect the height of nearby dwellings and have a variance in design, both of which are deemed acceptable and in keeping. A condition is recommended to ensure that materials are submitted to and approved by the Local Planning Authority to ensure all materials used are satisfactory.

Objections have been raised with regards to the proposed dwellings being sited too close to the road and the building line not being in keeping with Lostock Hall Road. The building line along Lostock Hall Road does vary and due to the Location of number 28 to the south and the location of the surrounding road and tracks, it is considered the siting of the dwellings on plots 1 and 2 (which still retain an approximately 10.7m (minimum) deep front garden) will not appear out of place within the streetscene.

Due to the large plot size measuring approx. 77m by 32m with a 2540 sqm site boundary, subdivision is deemed acceptable and in keeping with the area. The agent has undertaken a study of the surrounding properties to provide a context by which to measure the appropriateness of the densities proposed. The agent advised that the dwellings surveyed have been chosen to include some of the largest plots in the immediate area as well as some of the smallest. Properties to the east of Lostock Hall Road have not been included in the study as they are, in part, within the Green Belt and therefore their development form is constrained and controlled by policy intervention and not directly comparable.

The Poynton Neighbourhood Plan Steering Group has prepared a Neighbourhood Plan for Poynton 2016-2030 (Pre submission version). As this is the pre-submission version, limited weight is given to the proposed policies, however, the draft Neighbourhood Plan pinpoints Poynton's vision moving forward. Poynton Neighbourhood Plan contains Policy HOU 6d 'Backland and Tandem Development' which states:

*'Proposals for tandem or back land development within an existing residential curtilage should satisfy the following criteria;*

- a) A satisfactory and separate means of access to the new dwelling can be obtained to an existing public highway*
- b) The amenities of residents of existing and proposed dwelling would be safeguarded as a consequence of the proposed development.*
- c) The proposed dwelling would not result in the creation of an over intensive development to the area and detract from the openness of the Green Belt at this point.*
- d) The plot size of the proposed dwelling should be appropriate to the size of the dwelling and the character of the immediate local area'.*

The site is not in the Green Belt. However, to cover any density concerns HOU 3B of Poynton Neighbourhood Plan (submission version) confirms the *'development within the town boundary shall be at a density of no greater than 30 dwellings per hectare'*.

The agent has confirmed that the proposed development would be just under 16 dwellings per hectare which is based on four dwellings and an overall plot size of 2502sqm (just over 0.25 hectares). A study of the area to the immediate north of the site, bounded by Lostock Hall Road and Lostock Hall Avenue has been undertaken. Within this area there are 15 dwellings and an overall area of 0.94 hectares. This presents a density of 15.9 dwellings per hectare.

Bearing the above points in mind it is therefore considered the proposed development is deemed acceptable in density terms and well within the proposed Poynton Neighbourhood Plan (submission version) of 30 dwellings per hectare.

12 dwellings in the surrounding area have been assessed by the agent as detailed below. There is a noticeable variation in the plot sizes with 3 dwellings containing a plot size under 500sqm and 2 in excess of 800sqm. The average plot size is 640sqm. The proposed plot sizes are deemed reflective of the average plot sizes all being within 10% of the average. The plot ratio of the 12 dwellings assessed has a significant variation with 31% being the highest on some of the dormer bungalows and 16% being the lowest. The average plot ratio along Lostock Hall Road are marginally lower than Lostock Hall Avenue.

<b>Address (dormer bungalows)</b>	<b>Plot size</b>	<b>Dwelling Footprint</b>	<b>Plot Ratio</b>
42 Lostock Avenue	844sqm	154sqm	18%
46 Lostock Avenue	610sqm	120sqm	20%
7 Lostock Avenue	348sqm	87.5sqm	25%
13 Lostock Avenue	650sqm	191sqm	29%
11 Lostock Avenue	420sqm	132sqm	31%
1 Squirrels Chase	477sqm	115sqm	24%
2 Squirrels Chase	625sqm	116sqm	19%
Plot 3 Proposed	648sqm	176sqm	22.5%
Plot 4 Proposed	668sqm	171sqm	23%

<b>Address (two storey house)</b>	<b>Plot size</b>	<b>Dwelling Footprint</b>	<b>Plot Ratio</b>
22a Lostock Hall Road	1215sqm	198sqm	16%
22b Lostock Hall Road	675sqm	110sqm	16%
18 Lostock Hall Road	720	180sqm	15%
16 Lostock Hall Road	765sqm	158sqm	21%
Plot 1 Proposed	592sqm	140sqm	19.5%
Plot 2 Proposed	594sqm	140sqm	19%

Policy DC43 suggests each dwelling should be set back by at least 1m from the site boundary to prevent the creation of a terraced street effect. This distance suggestion has been adhered to with 2.5m between dwellings (at the closest point) and 1.3m to the site boundary (at the closest point). Policy DC43 is primarily for side extensions to houses, however, is still useful to prevent the terraced street effect with new dwellings.

Bearing the above points in mind the proposals are in accordance with policies BE2, DC2, DC35, DC43, SE1 and paragraphs 60 of the Framework with an acceptable design and density for the plot.

## **Trees and Landscape**

The application is supported by a detailed Arboricultural Statement, tree protection scheme, and a tree work plan/schedule. The report identifies the removal of four individual trees and two groups, all category B moderate value specimens, and twelve individual trees and five groups all category C moderate value specimens. A single hedge (H3) and the southern section of (H2) have also been identified for removal. In terms of the 1997 hedgerow regulations these cannot be considered as being important with the hedges forming part of the domestic garden curtilage.

Standing on the Lostock Hall Road frontage is a group of Pines identified within the Arboricultural report. Two of these trees are protected as part of a 2001 Tree Preservation Order (G2) and are shown for retention within the front garden aspect of plot 1 and 2. Both Pines present an acceptable social and spatial proximity to the respective front elevations of both dwellings with their respective front gardens utilised for hard standing parking, with primary external living space to the rear of the dwellings. The front elevation of Plot 1 is influenced by both protected trees in terms of reduced light attenuation and shading but the



primary rooms and usage is associated with the rear of the dwelling. Passing through and over the canopies of the Pines is a bunched low voltage electricity cable. The presence of this cable does impact on the long term retention of these trees with the utilities company able to progress works to the trees under their statutory undertaker status without the requirement to submit an application under the TPO legislation.

The loss of the identified trees from within the site is not considered to be significant with any impact on the amenity of the immediate area and the wider landscape reflected as being 'moderate'. None of the trees identified for removal either individually or collectively are considered worthy of formal protection.

The additional detail included with the amended plans includes an acceptable tree protection scheme, and a tree work plan/schedule. The cellweb information submitted to address the no dig driveway construction relates to generic product information rather than a specific engineer designed site specific construction detail. The spatial relationship between the off site group of trees identified as G9 and plot 3 is not ideal but the pruning of over hanging branches and roots can be undertaken under the applicant's common law rights. As noted previously this group of trees are not considered worthy of formal protection.

The Council's Landscape Officer has assessed the submitted plans and does not consider that the proposals will result in any significant landscape or visual impacts. A condition will be attached to the decision notice if approved to restrict the height of the formal hedge (*Buxus Sempervirens*) along the northern driveway boundary of Plot 2, to a height of no more than 1m, to allow an acceptable sightline from the drive way onto Lostock Hall Road.

From an Arboricultural and landscape perspective, the proposals are considered acceptable and in accordance with Policies DC8, DC37 and DC9 of the Macclesfield Borough Council Local Plan and SE5 of the Cheshire East Local Plan Strategy.

## **Ecology**

The submitted bat survey has been assessed by Cheshire East Councils Nature Conservation Officer who has confirmed the survey was acceptable and no further ecological information was required on this site. The decision notice will include a condition to ensure prior to the removal of any vegetation or the demolition or conversion of buildings between 1st March and 31st August in any year, a detailed survey shall be carried out to check for nesting birds. Subject to this, the proposal is therefore in accordance with policies NE11 of the Macclesfield Borough Council Local Plan and SE3 of the Cheshire East Local Plan.

## **Residential Amenity**

Representations have been received expressing concern over impact on residential amenity. Policies DC3, DC38 and DC41 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, back to back of dwellings is 25m and blank

elevations or elevations with no habitable room windows that face a habitable room a gap of 14m is recommended.

The distance between the dwellings back to back on plots 1 and 3 measures approximately 24.6m and between plots 2 and 4 approximately 25 metres. These distances are deemed acceptable and the very small shortfall between plots 1 and 3 is not anticipated to cause any substantial amenity issues, and is therefore in accordance with Policy DC38.

The dwellinghouse at 44 Lostock Hall Avenue which is opposite the proposed front elevation on plot 3 is approximately 43.5m away (front to front). This therefore adheres to the 21m guideline in DC38.

The dwellinghouse at 40 Lostock Hall Avenue which is opposite the front elevation of the dwelling on plot 4 is approximately 15m away (side to front). The agent has confirmed the side elevation of number 40 contains two windows which are both obscurely glazed and appear to be non habitable rooms, which Officers do not dispute. This therefore adheres to the 14m guideline in DC38.

The front elevation of the dwelling on plot 1 to the front elevation of 27 Lostock Hall Road is approximately 26m away. This adheres to the 21m distance suggested in policy DC38. Number 27's concerns with regards to the proposed properties being sited around 1.5m above the level of 27 Lostock Hall Road have been considered. However, the additional 5m distance above the recommended distance in DC38 and the retained trees and landscaping all help reduce any amenity issues resulting in an acceptable relationship between the two properties.

It is noted number 29 Lostock Hall Avenue does not appear on the submitted location plan, however, the location of this dwelling as shown on the details for planning ref; 16/1515m and on site has been considered. Due to the front elevation of this dwelling being sited further back (east) than 27 Lostock Hall Avenue and as the proposed dwelling in plot 2 is to be sited further back than the front elevation of plot 1 it is deemed there will be no substantial amenity issues between these dwellings.

Policy DC38 suggests each dwelling should be set back by at least 1m from the site boundary. This distance suggestion has been adhered to with 2.5m between dwellings (at the closest point) and 1.3m to the site boundary (at the closest point). As detailed above the site is in a predominantly residential area and not within a low density area and so these distances are deemed acceptable.

House Type A which is to be sited on plot 2 and House Type D which is to be sited on plot 1 both contain one first floor side window which serve a bathroom and two ground floor side windows and a door which are to serve a garage, utility and WC. As these windows/doors all serve non habitable rooms the proposed distances to the adjoining dwellings are therefore deemed acceptable. House type F which is to be sited on plot 3 contains one side window which is to serve a garage and one door which serve a utility (both serving non habitable rooms). The proposed distances to the adjoining dwellings are therefore deemed acceptable. House type E which is to be located on plot 4 contains one side window and one door which are to serve a garage and utility both of which are non habitable. The proposed distances to the adjoining dwellings are therefore deemed acceptable.

Loss of view is not a material planning consideration and the development would not be significantly overbearing or dominant so as to unacceptably compromise the outlook of neighbouring properties.

The line of site has been assessed from 22a Lostock Hall Road to the proposed dwellings and due to the orientation and distance between the dwellings, it's not anticipated any substantial amenity issues will be caused.

Bearing all the above points in mind, as regards distance standards related to space, light and privacy, issues of overlooking, overbearing and other amenity aspects (which have been raised as objections) it is considered that the proposed dwellings would not result in any significant loss of amenity to the occupants of neighbouring residential properties. Therefore it is considered that the proposal accords with policies DC3, DC38 and DC41 in respect of neighbouring residential amenity.

## **Highways**

Neighbour comments regarding highway safety and usage have been taken into consideration. The proposal has been assessed by Cheshire East Council's Highway Department (Head of Strategic Infrastructure) who have confirmed there are no material highway implications. The proposed access to each dwelling is acceptable and there is sufficient space within each plot for off-street parking provision to be in accordance with CEC standards.

It is noted there is objection with regards to land ownership and therefore access onto Lostock Hall Avenue. The Council has records indicating that the land in question is adopted highway. Cheshire East Council's Legal Department have confirmed the dispute can only be resolved in two ways, either the owner of 40 Lostock Hall Avenue accept the Council's position that it is highway or the matter would need resolution through the courts. This dispute is therefore ongoing and will need to be resolved outside of the planning process. If approved the decision notice will include an informative requesting a section 184 licence is applied for and granted to cross the highway to allow access.

The concerns with regards to contractor's vehicles and deliveries can be dealt with via a construction method statement condition to ensure minimal impact on the surrounding area.

Highways have confirmed it is important that any boundary treatment is setback behind the visibility splays on Lostock Hall Road. This will be addressed by the landscaping plans.

There are no other material highway considerations associated with this proposal. Accordingly, the application is in accordance with DC6 of The Macclesfield Borough Council Local Plan and deemed acceptable in highways terms.

## **Flood Risk and Drainage**

A public sewer crosses the site and United Utilities have confirmed that they may not permit building over it. An access strip width of six metres, three metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption" is required, for maintenance or replacement. Therefore a modification

of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary.

The agent however has since obtained a drainage and water report which evidences the drain on the site runs close to the east boundary line. This is where protected trees are located which are to be retained and if approved a landscape plan will be conditioned to be submitted which will take into consideration and prevent any deep rooted shrubs and trees from being planted in the vicinity of the public sewer and overflow systems. The agent has confirmed that the proposed scheme takes this into account and complies with the buffer.

Flood Risk have confirmed they have no objection, however conditions has been requested if approved. The proposal is therefore in accordance with policy SE13 Flood risk and water management.

## **SUSTAINABILITY**

The Framework outlines an approach to sustainable development which seeks to foster positive growth leading to economic, environmental and social progress whilst finding the means to accommodate new ways by which we will earn our living in a competitive world.

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 Poynton town centre including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain, thus in accordance with policy SD 1 and SD 2 of the Cheshire East Local Plan.

The site is just over 1km to Poynton centre, 1km to the nearest school and less than 1km to the train station in a predominantly residential area. Bearing in mind the points mentioned it is considered that the proposal is located in a sustainable location and thus in accordance with policy SD 1 and SD 2 of the Cheshire East Local Plan.

In order to ensure that sustainable vehicle technology is a real option for future occupants at the site the decision notice will include a condition to ensure the developer provides Electric Vehicle Infrastructure. Thus, in accordance with paragraph 35 of the NPPF and SD 2 of the Cheshire East Local Plan, this will contribute positively to the area's local distinctiveness in terms of green infrastructure.

## **Housing land Supply**

Cheshire East Local Plan (adopted 27/07/17) confirmed the housing trajectory for Cheshire East illustrates the expected delivery rate of new dwellings. The overall growth proposition is to deliver at least 36,000 new homes by 2030. These figures represent a pro-growth policy position that is forecast to see the borough's population grow by around 58,100 people.

The NPPF reiterates the requirement to maintain a 5 year rolling supply of housing in order to significantly boost the supply of housing. This proposal would help to deliver an additional 3 no. dwellings within the plan period in a sustainable location within the settlement boundary of one of the Key Town Centres for the Borough.

## **OTHER MATTERS**

The concerns over the party wall and fence removal are noted. However, Officers can confirm this is not a matter for planning. This will need to be dealt with as a civil matter under the Party Wall Act.

Any concerns over covenants are also not a matter for the planning department and will need to be dealt with as a separate civil matter.

It is noted there are concerns over illumination and noise disturbance. Environmental Protection deal with light pollution and noise issues and have assessed the application. They have not objected to the proposal. If in the future the situation changes with regards to illumination, any complaints should be made to Environmental Protection. In addition any noise complaints can also be submitted to Environmental Protection. If approved, an informative will be inserted into the decision notice suggesting hours of operation.

## **PLANNING BALANCE**

The development would provide benefits in terms of 3 additional market houses which would make a small contribution to the Council's delivery of a 5 year housing land supply. It would provide economic benefits through the provision of employment during the construction phase and benefits for local businesses. It will provide Electric Vehicle Infrastructure promoting green infrastructure benefits.

The development would have a neutral impact upon the following subject to mitigation. The impact upon protected species/ecology is considered to be neutral. There is not considered to be any drainage implications raised by this development. The development would not raise any significant highways issues. The Head of Strategic Infrastructure considers the access to each dwelling is acceptable and there is sufficient space within each plot for off street parking provision to be in accordance with CEC standards. The proposals from an arboricultural and landscape perspective are considered acceptable. The impact upon residential amenity by virtue of overlooking/overshadowing / loss of outlook of adjacent residential occupiers is deemed acceptable with acceptable interface distances. The design of the dwellings is in keeping with the surrounding properties and the density is also considered in keeping.

Bearing the above points in mind, the proposal is deemed acceptable, in accordance with local and national policy and therefore recommended for approval subject to conditions.

## **RECOMMENDATION**

### **Approve subject to 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. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A05EX - Details of materials to be submitted
4. Vehicle
5. Birds
6. surface water drainage
7. manage the risk of flooding
8. Cheshire Woodlands Tree Work Plan
9. Engineer designed no dig hard surface construction
10. Broadband
11. Submission of construction method statement
12. Dust
13. Landscape
14. Piling
15. NPPF
16. Hours of Work Informative
17. Contaminated Land Informative
18. Land Drainage Act Informative
19. Section 184 Agreement Informative
20. Piling Informative

