

Application No: 17/2061M

Location: ROSEGARTH, 51, ADLINGTON ROAD, WILMSLOW, CHESHIRE, SK9 2BJ

Proposal: Demolition of existing buildings and erection of 7 new dwellings.

Applicant: Mr & Mrs Wilman

Expiry Date: 13-Jun-2017

### **SUMMARY**

This application seeks full planning permission for the replacement of the existing dwelling with 7no. replacement dwellings.

The site is positioned within a sustainable location designated as safeguarded land in the Local Plan.

It is considered that the principle of the new dwellings in the proposed location is acceptable and therefore satisfies the three threads of 'sustainability' as stipulated within the NPPF (2012).

The proposal is commensurately scaled within the plot and appropriately designed to sympathetically integrate with the wider character and appearance.

The proposed development could be implemented without any significant detrimental impacts on neighbouring amenity.

**RECOMMENDATION: Approve, subject to conditions and Highways and Nature Conservation comments**

### **REASON FOR REPORT**

The application is to be presented at Northern Planning Committee because it has been 'called-in' to committee at the request of Cllr Toni Fox on the 28<sup>th</sup> April due to the following concerns:

*"Overdevelopment of the site. Inconsistent with the current street scene and approved street scene of planning application 14/0007M. Insufficient parking and car turning space within dwelling curtilages, particularly plots 2, 3 and 4. Insufficient information on TPO tree removal and site access visibility splays. Bat survey to be submitted that has been undertaken in mid bat survey season. Inaccurate information submitted in relation to the history of the site."*

## **DESCRIPTION OF SITE AND CONTEXT**

The site is in an area of 0.428ha which lies on the north side of Adlington Road (A5102) to the west of Wilmslow Town Centre, located on Safeguarded Land. It is currently occupied by a single detached dwellinghouse, Rosegarth, and its residential curtilage. There is mature landscaping to the boundaries and trees subject to a blanket TPO across the whole site.

The site lies in an Area of Special County Value for Landscape (ASCVL) in the MBLP.

## **DETAILS OF PROPOSAL**

Full planning permission is sought for the demolition of the existing dwelling and outbuilding and the erection of 7no. new dwellings.

## **RELEVANT HISTORY**

16/5382M Demolition of the existing property and the erection of 9 new residential dwellings.

Withdrawn 22 December 2016

11/0419M New Garden Store/Plant Room and Amendments to Design of Entrance Gate Walls

Approved with conditions 15 June 2011

10/4938M Non-Material Amendment - Change in the design of the rear bay window to from curved to rectangular

Approved, 13 January 2011

10/4717M Application for a Non-Material Amendment – 08/2190P

29 December 2010

10/3767M Non-Material Amendment to Applications 10/0324M – Amendment to existing consent 08/2190P – Additional dormer window to south elevation

Approved 01 November 2010

10/3105M Non-Material Amendment Ref: 10/0324M – New conservatory – change in external appearance

Approved 07 September 2010

08/0750P Two storey side extension and erection of front wall and gates, Approved with conditions, 21 May 2008

08/2190P Two storey side & single storey rear extensions, front porch & balcony, Approved with conditions, 19 January 2009

## **POLICIES**

### **Cheshire East Local Plan Strategy (CELP)**

MP1 Presumption in favour of sustainable development  
PG1 Overall Development Strategy  
PG2 Settlement hierarchy  
PG7 Spatial Distribution of Development  
SD1 Sustainable Development in Cheshire East  
SD2 Sustainable Development Principles  
SE1 Design  
SE2 Efficient use of land  
SE3 Biodiversity and geodiversity  
SE4 The Landscape  
SE5 Trees, Hedgerows and Woodland  
SE12 Pollution, Land contamination and land instability  
SE13 Flood risk and water management  
CO1 Sustainable Travel and Transport

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

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

NE1 (Areas of Special County Value)  
NE11 (Nature conservation interests)  
NE17 (Improvements to Nature conservation in the countryside)  
DC3 (Amenities of residential property)  
DC6 (Circulation and Access)  
DC8 (Landscaping)  
DC9 (Tree protection)  
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)  
DC41 (Infill Housing Development)  
DC63 (Contaminated land)

#### **Other Material Considerations**

National Planning Policy Framework (NPPF)  
National Planning Practice Framework (NPPG)  
Wilmslow Neighbourhood Plan (currently under consultation at Regulation 5)

#### **National Policy:**

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

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

## **CONSULTATIONS (External to Planning)**

**Highways:** no objections

**Environmental Health:** no objections subject to conditions

**United Utilities:** no objections

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

### **Wilmslow Town Council:**

*“Recommend refusal on the grounds of this being overdevelopment of the site and out-of-character with the area and streetscene. The Planning Committee also expressed concerns regarding traffic movements to and from the site on this dangerous corner...”*

## **OTHER REPRESENTATIONS**

Representations from 13no. different properties and Jones Homes have been received. A summary of the relevant points can be viewed below:

- Out of character with the road – overdevelopment.
- Highway safety issues due to location on a bend. Also increase in traffic.
- Design of houses not in keeping with the area
- Additional pressure on schools, medical and other local services from the development.
- Too dense.
- Impact on the residential amenity of the surrounding properties.
- Not a sustainable location

## **OFFICER APPRAISAL**

### **Key Issues**

- Impact on the character of the area,
- Impact on trees,
- Impact on the amenity of neighbouring properties,
- Highway safety implications

### **Principle of Development**

The Cheshire East Local Plan has now been adopted and so forms the Development Plan for the Borough. In the new Local Plan the site has been removed from the safeguarded land and Green Belt allocations and so the proposed use is acceptable in principle.

## **ENVIRONMENTAL SUSTAINABILITY**

## **Design and Impact on Character of the Area**

The comments from the previous application and pre-application have been taken on board by the applicant.

As viewed within the streetscene it is considered that the pre-existing area is characterised by individual dwellings of varying sizes set amongst mature plots where it is evident that there is no prevailing architectural style. This will be diluted somehow by the recently approved development currently under construction adjacent to the site. While this development is fairly dense it was agreed that the houses that were to front onto Adlington Road would be less dense and individually designed in order to complement the pre-existing character along Adlington Road.

The development would consist of a small cul-de-sac accessed from Adlington Road with the proposed properties facing onto Adlington Road contain a dual frontage so that a frontage is provided onto Adlington Road.

The street scene provided shows the large amount of space between the two dwellings facing onto Adlington Road with the mature retained trees further reducing the prominence of the houses. These properties are individually designed and help to complement the character of the surrounding area.

While there would be dwellings visible from Adlington Road to the rear of the site within the proposed cul-de-sac they would be significantly set back and would not be prominent. When considering this alongside the adjacent development under construction the density of this rear section would be similar to the density of the whole of the adjacent site. Whilst it is noted that the density of the dwellings fronting onto Adlington Road are less in the adjacent development it would be impossible to disguise the fact that there is a dense development to the rear of these dwellings and it is considered that the proposed development would not detract from the character of the area.

The proposed building line facing onto Adlington Road is in line with the approved development and the overall design is in keeping with the design of the new development under construction.

Overall, the proposal is considered to comply with policy SE1 of the CELPS and the requirements of chapter 7 of the NPPF.

## **Highways**

The proposal does include sufficient parking on site. Concerns have been raised relating to the 'unsafe' access on the bend of Adlington Road. This is an existing access and sufficient visibility splays have been shown in order to satisfy the Head of Strategic Infrastructure.

It has also been shown that a large refuse vehicle is able to enter and exit the site in a forward gear.

With the above in mind the proposal is considered to accord with policy DC6 of the MBLP and no objections are raised by the Head of Strategic Infrastructure.

## **Arboriculture and Forestry**

Following a review of the Arboricultural Impact Assessment (Murray Tree Consultancy Ref: 02/03/17/BS/FULLDated 2nd May 2017 concerns were raised by the Council's Arboricultural Officer regarding the assessment of the protected Oak tree (identified as T42 in the Assessment).

The Assessment suggests that the Oak adjacent to the entrance is a low ( C1) category specimen showing die back in the outer crown (Arboricultural data sheet) and recommends reduction to a pollard and subsequently suggests at para 6.1.3 that the tree is in a significant state of decline and suggests the tree should be removed for development.

Following concerns during the application the site layout Plan, Landscape Plan, submitted Arboricultural Impact Assessment, Tree Constraints Plan and Tree Protection Scheme have been amended to include the retention of the protected Oak (T42).

Some concerns were raised regarding the design (Plot 7) as regards utilisable garden space and retained protected trees, however it is considered that this is acceptable and any future pressures from the dwelling would be defensible. The proposal is therefore considered to comply with the requirements of policy SE5 of the CELPS and DC9 of the MBLP.

## **Nature Conservation**

No objections are raised regarding the impact of the proposed development on the nature conservation of the site.

## **SOCIAL SUSTAINABILITY**

### **Amenity**

Policy DC3 of the MBLP seeks to ensure development does not significantly injure the amenities of adjoining or nearly residential properties through a loss of light, overbearing effect or loss of sunlight/daylight. In respect to the spacing standards, these are set out in the guidance contained within policy DC38.

The objections have been carefully considered. Although a lot of the adjacent properties have yet to be built the impact on them must be fully considered. To the west plots 1 and 2 have been designed so that the amount of habitable windows facing onto plot 188 is minimised. Between the rear elevation of plot 2 and the side elevation of plot 188 on the adjacent land there is a distance of approx. 22m. When considering the surrounding development this distance is considered to be acceptable.

Plot 3 would be offset from the rear elevation of plot 182 on the adjoining site. The distance between the two properties would be approx. 19m, which is considered to be sufficient with the off-set relationship of the two properties.

There is a distance of approx. 23m between the rear elevations of plots 4 and 5 with the rear elevation of plot 181 on the adjacent site. When considering that the rear elevation of plot 181

is not parallel to the rear elevations of plots 4 and 5 this distance is considered to be acceptable.

The distance between the rear elevations of plots 6 and 7 to the side elevation of plot 189 on the adjacent site is approx. 27m which is sufficient.

It has been noted that due to the proposed buildings consisting of two and a half storeys a higher distance should be maintained between dwellings. While there is a further storey within the loft space the properties have been designed so that none of the windows to the loft storeys overlook adjacent properties.

In addition to the above, the site has existing mature trees and vegetation which would help retain privacy between the proposed dwelling and neighbouring properties and help filter visibility of the development as viewed from these occupiers.

The proposal is therefore considered to meet the stipulations of policies DC3, DC38 and DC41 of the MBLP and guidance contained within the NPPF.

## **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 seven dwellings and therefore the impact is limited.

## **PLANNING BALANCE**

Whilst the objections are noted, the principle of the development can be accepted subject to there being no significant adverse impacts arising from it.

It would add to the stock of housing and its construction and occupation would result in social and economic benefits.

The proposal preserves the key characteristics of the surrounding area whilst ensuring an appropriate level of development which is located within a sustainable urban location. The proposal would also not significantly or detrimentally impact the amenities of neighbouring occupiers.

The proposal is therefore considered to be a sustainable form of development and accordingly the application is recommended for approval 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 Head of Planning (Regulation), 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: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A02EX - Submission of samples of building materials
4. A01LS - Landscaping - submission of details
5. A02LS - Submission of landscaping scheme
6. A04LS - Landscaping (implementation)
7. A01TR - Tree retention
8. A02TR - Tree protection
9. A03TR - Construction specification/method statement
10. Hours of operation
11. Contaminated Land
12. Electric Vehicle Infrastructure
13. Dust management Plan
14. Nesting birds
15. Broadband



