

Application No: 17/4862M
Location: 1, ORME CLOSE, PRESTBURY, CHESHIRE, SK10 4JE
Proposal: Demolition of the Existing House to be replaced with 2 pairs of New Build Semi-Detached Dwellings
Applicant: G Bryant
Expiry Date: 22-Dec-2017

Summary

The proposals largely replicate the existing approved design (16/4527m). The key issue is the provision of 2 further units on the site by effectively subdividing the residential development that already has the benefit planning permission.

Parking has been provided in accordance with Cheshire East standards, and detailed soft landscaping is to be provided and conditioned to the front of the site. The layout and appearance of the development has been appropriately designed to accommodate 4 dwellings whilst largely portraying the appearance of 2 detached units. The scheme would reflect visually the character of the street scene and architectural styles of the area.

The letters of objection have been considered, but the concerns raised do not reflect any significant level of harm which could justify a reason for refusal. The scale of the built form has been considered acceptable by the Planning Inspectorate under (16/4527m). Through the level of on-site parking provided (3 spaces per dwelling), there should be no significant additional pressure for on-street parking. The street scene impact remains relatively unchanged when compared to the approved scheme as it makes use of only 2 access points. Adequate hard and soft landscaping to the front of the site will ensure that the character of the street scene is not unduly affected.

The impact on the occupiers adjoining properties in terms of their living conditions and standard of amenity will not be significantly altered when compared to the approved scheme.

Consultations from Arboriculture (Forestry), Highways, Environmental Health and Nature Conservation have been received raising no objection to this development.

The proposal is considered to be in accordance with both the Development Plan and the guidance of the National Planning Policy Framework. Paragraph 14 of the above Framework stipulates that proposals that accord with the Development Plan should be approved without delay. As such, a recommendation is made for approval subject to conditions.

RECOMMENDATION

APPROVE subject to conditions

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REASON FOR REPORT

This application is referred to Northern Planning Committee as it has been called-in by the Ward Councillor, Cllr Paul Findlow, due to local concerns raised about:

1. *“Over development – adversely impacting on the character, appearance and design of the area, and which does not conform with the existing scale and density of the 7 houses in the close.*
2. *Loss of spaciousness – attributable to materially reduced plot sizes, with, overall, an irreversible deleterious change in the street scene.*
3. *A parking nightmare – an unacceptable impact on access, parking and traffic in a short cul-de-sac. The very narrow, below standard, access road already results in pavement parking, which would be significantly exacerbated rendering emergency vehicle access impossible. Also, insufficient parking within the curtilage, with shared driveways.*
4. *Overlooking – of neighbours’ properties and gardens thereby compromising outlook, amenity and privacy.*
5. *Precedent – a dangerous precedent would be established, inviting replication and vitiating the essential character of the village.”*

PROPOSAL

This application seeks planning permission for the demolition of the existing two storey dwelling, subdivision of the plot, and erection of two pairs of semi- detached dwellings (4 units). The proposed dwellings would be 4 bedroom comprising habitable space within the basement, ground floor and 1st floor. Light would be provided at basement level due to the lower land levels to the rear, whereby the basement floor would essentially assume the role of ground floor. To the front the appearance of the scheme would be of two-storey dwellings.

The buildings are to adopt a hipped roof style with a prominent gable to the front. A small recessed porch, chimney stacks, bay windows and a timber (painted white) fenestration have been incorporated to ensure a traditional detached appearance. The roofing tiles would be red clay and the main finish would be white render with a red brick foundation.

Three parking bays are indicated for each plot. Shrubbery and planting including establishment of a tree frontage is indicated to the front of the plot (as shown on the landscape plan). To the rear, a small external terrace would immediately abut the rear elevation before respective areas of lawn which would provide the private external amenity space. A 1.8m close boarded fence would provide the main screening between the rear gardens. External access is shared between plots 2 and 3, although plots 1 and 4 have private side access to the respective northern and southern boundaries.

Full consultation has been carried out on the plans submitted with the application.

SITE DESCRIPTION

The application site comprises a large detached residential dwelling and its curtilage set within the settlement boundary of Prestbury (as defined by the Local Plan Policies Map, 2004). The surrounding area is predominantly residential and the architectural styles in the area are distinctly varied.

The host building is two-storey, with a distinct cat-slide roof to the principal elevation which incorporates two ‘shed’ style dormers and two traditional chimney stacks to the gables. A linked garage, and car port, exists to the side of the house. The building is finished in render with a brickwork base and a timberboarded (stained black) gable to the garage. The house

fronts onto a large area of hardstanding and turning area, which has two access points to Orme Close. A substantial hedge has been established to the side boundaries and numerous mature trees exist to the rear of the site which provide a significant level of screening to the rear garden.

To the rear of the cul-de-sac, the buildings appear more densely located together, fronting onto a turning head, with nos. 1 and 2 to the entrance of Orme Close occupying larger curtilages. The dwellings are set back from the highway and many are partly screened by intervening vegetation (mature trees/shrubbery).

Due to the topography of the area, the land levels gradually descend west/south west through the site (from Brocklehurst Drive down through Orme Close) with the adjacent site, no.3 at a lower siting. The garden to the rear also falls below the ground level of the house.

Further west of Orme Close resides the North Cheshire Green Belt and an Area of Special County Value.

Permission has been granted for the demolition of the existing house and erection of two detached dwellings(16/4527m), although this has not yet been implemented.

RELEVANT SITE HISTORY

03/1665P – New bay window to rear at ground floor, new dormer window to rear of roof. Approved with conditions 14/08/03.

16/4527m - Demolition of the existing house to be replaced with two new build detached dwellings. Refused (Allowed on Appeal).

LPA Reason:

1. The proposal would result in an overdevelopment of the site causing an almost complete built up frontage which would appear cramped within the street scene that would be detrimental to the character and appearance of the area. The proposal is therefore contrary to policies DC1 and BE1 of the Macclesfield Borough Local Plan, the Prestbury Village Design Statement, and paragraph 64 of the National Planning Policy Framework.

LOCAL AND NATIONAL POLICY

Macclesfield Borough Local Plan (2004) – saved (legacy) policies

DC3 (Design & Amenity – Amenity)
DC6 (Circulation and Access)
DC8 (Landscaping)
DC9 (Tree Protection)
DC35 (Materials and Finishes)
DC37 (Landscaping)
DC38 (Space, Light and Privacy)
DC41 (Infill Housing Development or Redevelopment)

Cheshire East Local Plan Strategy (2010 – 2030)

Policy SD1 (Sustainable Development in Cheshire East)
Policy SD2 (Sustainable Development Principles)
Policy SE1 (Design)
Policy SE2 (Efficient Use of Land)
Policy SE4 (The Landscape)
Policy SE5 (Trees, Hedgerows and Woodland)
Policy SE9 (Energy Efficient Development)
Policy SE12 (Pollution, Land Contamination and Land Instability)
Policy IN1 (Infrastructure)
Policy PG1 (Overall Development Strategy)
Policy PG2 (Settlement Hierarchy)

National Policy

The National Planning Policy Framework (NPPF) (2012) establishes a presumption in favour of sustainable development. Of particular relevance are paragraphs:

7 (Achieving Sustainable Development)
14 (Presumption in Favour of Sustainable Development)
17 (Core Planning Principles)
32 (Promoting Sustainable Transport)
47-50 (Wide Choice of Quality Homes)
56-68 (Requiring Good Design)
69-78 (Promoting Healthy Communities)
109-11 (Conserving and Enhancing the Natural Environment)

The National Planning Practice Guidance (NPPG) (as updated online)

Supplementary Planning Documents

Cheshire East Borough Design Guide (2017)

Prestbury Supplementary Planning Document (2011)

Objective 3 (Ensuring appropriate development in the village)
Objective 4 (To ensure quality of access to dwellings and safety of roads within the parish)
Objective 5 (To protect the built and natural environment of the village)

Prestbury Village Design Statement (2007)

CONSULTATIONS (External to Planning)

CEC Highways – No objection:

There are no material highway implications associated with the above proposal as:

- The proposal for access is acceptable for the proposed use;

- There is sufficient space within each plot for off-street parking provision to be in accordance with CEC standards and, given that Orme Close is a Cul-de-Sac, there is not requirement for vehicles to enter and exit each plot in a forward gear; and
- The commuter peak hour and daily traffic generation associated with a development of this scale, would not be expected to have a material impact on the operation of the adjacent or wider highway network.

Given this is a small cul-de-sac and very low speeds and traffic, there wouldn't be any issue in reversing out.

The Strategic Infrastructure Manager has no objection to the planning application.

Environmental Health – No objection:

Suggest conditions re.

- Pile foundations
- Dust control
- Construction / demolition works
- Electric Vehicle Infrastructure
- Contaminated land
- Contaminated land informative

Prestbury Parish Council - Objection:

(Object to the proposal) – Under the village design statement “the built environment recommendation No 1” states new development should conform to the density in the part of the village in which it is taking place but also to the building scale of its immediate area and this is supported also by the “local development framework, Prestbury supplementary planning document dated July 2011” adopted by Cheshire East Council. This development does not comply to DC42. This development does not comply to DC6 with regard to vehicle movements to and from the site or provision for access for service and emergency vehicles. Under DC41 any proposal should not result in excessive amounts of new vehicle movements in quiet areas or where roads are deemed unsuitable, this development contravenes this policy. Under DC41 any development should not result in overlooking of existing gardens, this development contravenes this policy.

REPRESENTATIONS

8 letters of objection received (including 2 from the same address), summarised as follows:

- Insufficient parking
- Plans not sufficiently detailed
- No topographical / spot level details
- Overdevelopment
- Harm to the character of the locality and street scene. No semi-detached houses in the vicinity, and area known for attractive homes and landscapes
- Increase of illegal parking along Orme Close

- Insufficient room for manoeuvrability within the site.
- Impact during construction
- Prestbury does not need further housing
- Excessive scale of houses
- Loss of amenity
- Car-ports could be converted
- Contrary to planning policy and supplementary planning documents
- Drainage issues
- Covenants and restrictions on land use
- Lack of greenery within the development
- Set precedent for future applications, causing an increase in subdivision and damage to the wider prestbury village character (domino effect)
- Development at Meadow Hey does not set a precedent for this development
- Overlooking from velux windows
- Improper consultation carried out

The full content of the above objections can be viewed on the public file. These have been noted and fully considered in the determination of this application.

Issues relating to covenants, legal matters, construction, working hours and suppliers are not material planning considerations which can be afforded significant weight in this decision.

The details submitted are considered sufficient, in enabling the Local Planning Authority to satisfactorily determine this application. Three site inspections have been carried out on 26th September 2016, 14th October 2016 and 1st November 2017. Public consultation has been carried out in accordance with statutory requirements.

APPRAISAL

Key Issues

- Principle of development;
- Differences to 16/4527m
- Design considerations
- Character of the area
- Impact upon amenity of neighbouring properties
- Highway Safety Implications
- Flooding issues
- Ecology Implications
- Arboricultural Implications
- Sustainability

Principle of Development

The application site resides within an area designated as predominantly residential (as defined by the Macclesfield Borough Local Plan, 2004). Within this designation, the principle of development is considered acceptable by the development plan and national policy. The NPPF strongly emphasises, at paragraph 14, there is a “presumption in favour of sustainable

development” and that this is vital in decision-taking. With reference to decision-taking, this means approving development proposals that accord with the development plan without delay.

Differences between proposal and 16/4527m

- Increase in number of units from 2 to 4
- Further car parking provided (3 per dwelling)
- Changes to the fenestration
- Reduction in height of the buildings
- Landscaping.

Design assessment

The scale of the buildings has been considered acceptable under the previous application. This has not significantly changed and the architectural style replicates the previously approved plans.

The rear gardens would be further reduced in size with plots 2 and 3 containing smaller gardens than plots 1 and 4. Views of these gardens are not possible due to the mature and extensive planting to the rear of the site. Subject to a condition regarding the boundary treatments between the respective gardens, this amenity space could be enjoyed privately and is of a suitable size for the units. External access to the gardens would be provided including a joint access between plots 2 and 3. Bins could be stored to the rear and the access would facilitate external maintenance of the respective plots.

Effects on the character of the area

The site does not lie in a low density housing area. There is no policy objection to an increase in density. The key issue is whether or not there are any significant impacts resulting from the proposed increase in housing density that would be unacceptable.

The proposed dwellings replicate the design, scale and aesthetics of the approved subdivision (to 2 dwellings). The height of the dwellings has, in fact, been reduced as per the table below:

Proposed Buildings	Approved height	Proposed height	Difference
Easternmost (plots 1 and 2)	8.6m	8.0m	-0.6m
Westernmost (plots 3 and 4)	8.6m	7.7m	-0.9m

During the consideration of the earlier appeal, the Inspector noted that:

“whilst the proposal would increase the density of the built development on the site, the plot sizes and spacing between the proposed and existing properties would be commensurate with the general pattern of development in the locality. The dwellings would be staggered

relative to each other, thus providing punctuation between them and breaking up the overall mass of the development... I do not consider that the scheme would appear cramped in the street scene and would not be uncharacteristic of other development in the locality”.

Weight must be afforded to this analysis of the original development. In terms of design of the dwellings and scale, very little has changed except the introduction of some additional doors, small changes to fenestration and actually a reduction in height. There would be some additional hard landscaping to the front for parking and vehicle manoeuvrability. Views of this, however, would be filtered by green landscaping which shall be conditioned to the front of the site. The hard landscaping would also be textured to ensure an acceptable visual impact. Trees are to be planted to the street frontage boundary and the accesses into the site shall remain modestly sized through 2 access points. It is noted that the westernmost entrance would not be significantly visible due to its angled nature facing towards the turning head of Orme Close. The permeable resin bounded gravel to the turning area will provide a visual distinction to the designated parking spaces allowing a break in the hardstanding. The shared space, coupled with the set back also creates a sense of space to the front of the site in keeping with that of the surrounding plots.

It is likely that the proposal will result in an increase in parked cars at the site, but noting the design features and landscaping proposed this impact will be limited and would not be an issue that could warrant a refusal of planning permission.

The impact would be localised within the site, and ultimately would not harm the character of the area. The hardstanding is, in fact, only modestly larger than the extant approval. The density, species, positioning, and implementation of the landscaping as shown on Drawing No. 17-166/001 would be conditioned.

As relied upon by the previous Inspector, paragraph 60 of the NPPF states that:

“Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness”.

The post-war style of Prestbury and urban layout lends itself to a character of low-density, predominantly detached dwellings. This is outlined as a defining characteristic in the ‘Prestbury Village Design Statement’. However, with due consideration of paragraph 60, the increased density of the development on the site would not be significantly prominent within the street scene nor from any particular views within the public realm. When compared with 16/4527m, the visual impact of this proposal would not be of one damaging or harmful to the character of the area. The styles of the house are sympathetic to both the local and wider vernacular, continue the building line of Orme Close and provide an arts and craft style of good architectural merit. The provision of 4 dwellings without the visual harm or impression of overdevelopment, constitutes good design which supports the existing character and quality of this area.

It is not considered that there are reasons that could substantiate a reason for refusal. The development is fully compliant with policies SD2, and SE1 of the CELPS, and the guidance of the NPPF (2012). The objections are noted and Officers have given consideration to the local

opposition to this scheme but it is only where there is clear significant and demonstrable harm that the development should be resisted. No such harm exists.

Residential amenity

The relationship between the existing buildings and the neighbouring sites is acceptable as previously considered under 16/4527m. The 1st floor side elevation windows will be conditioned to be obscure glazed. Similarly, the side elevation roof lights to plot 1 shall be conditioned to be obscure glazed and set at least 1.8m above floor level.

No other concerns are raised in terms of dominance or loss of light. The proposals accord with policy DC3 of the MBLP (2004).

The levels of privacy within the outdoor amenity space for future occupiers of the proposed dwellings would be slightly reduced when compared to the permission for 2No. dwellings due to increased potential for overlooking of garden areas, however this relationship would be typical of most semi-detached properties and is not significant. Privacy levels within the properties fully meet guideline standards.

Highways

Three parking spaces are indicated within each plot in addition to a shared area of hardstanding which would provide a turning area. The scheme makes provision for vehicles to enter and exit the site in a forward gear without compromising highway safety or pedestrian use of the footpath. In practical terms, with the use of a shared driveway, one can imagine there may be occasion when turning space is limited. On occasions where vehicles do reverse out onto the highway, this would not generate a highway risk. Vehicle speeds along Orme Close are slow (due to the extent of the cul-de-sac) and traffic would be minimal. It would not be unusual for vehicles to reverse in or out of developments in cul-de-sac locations such as this. The Highways Officer has assessed the level of provision, turning space, and impact on the wider highway network and considers the proposal to be acceptable.

Notwithstanding that the proposed level of parking is in full accordance with CEC standards (3 per dwelling), the site resides in a sustainable location with good access to local amenities and public transport links. The site is within walking distance of Prestbury Village Centre. Buses run through Prestbury providing frequent transport to larger settlements. Prestbury train station also supports links to Manchester, Stoke and other nearby towns/cities. The NPPF encourages, at various points, the reduction in use of the private vehicles and encourages a shift towards other sustainable modes of transport. Whilst the provision three parking bays might be considered to be excessive for a 4 bedroom dwelling, this would help to reduce occasions of on-street parking. As noted above, the occupiers would also have opportunities to use more sustainable transport methods.

An EVP (Electric Vehicle Infrastructure – Charing Point) condition as recommended by Environmental Health is proposed to ensure that the occupiers of each dwelling have the infrastructure in place to accommodate more environmentally friendly car usage.

Flooding issues

The site is not situated within an Environment Agency designated flood zone. The concerns relating to drainage have been noted although it is considered that adequate drainage would be provided through the large areas of permeable surfaces within the curtilage. A condition requiring a scheme for the drainage of surface water to be submitted is recommended.

It is not considered that this scheme would significantly exacerbate any present flooding within the neighbouring sites or the immediate locality and is thus acceptable in this aspect, in line with the NPPF.

Ecology and Nature Conservation

A bat survey has accompanied the application which has been completed by a suitably experienced ecological consultant. The survey concludes that the building is unlikely to support a significant bat roost, and the nature conservation officer has confirmed that he is satisfied that the structure in question does not contain a legally protected roost. As such, the scheme is unlikely to have a harmful impact upon the protected species. The inspection was carried out in daytime and evening conditions.

Conditions have been suggested by both the surveyor and the CEC Nature Conservation Officer to secure the wellbeing of bats in the surrounding area and to safeguard nesting birds. The conditions relate to a detailed survey to check for nesting birds and if found, include an appropriate exclusion zone until breeding is complete, and in respect of bats, the recommendations of the bat survey report shall be conditioned including the installation of a 1FQ Schwegler bat box and associated lighting recommendations. The proposal is considered to comply with policies NE11 of the MBLP and SE3 of the CELPS.

Arboricultural impacts

The Arboricultural Officer has been consulted who has raised no objection to the works subject to appropriate tree protection conditions. These conditions will ensure the retention and wellbeing of the hedge which contributes positively in respect of visual amenities and residential amenities. Particular care must be given to the removal of the existing properties eastern elevation, which will be subject to a detailed method statement for approval by the LPA.

Some small trees are indicated to be removed although these are considered to be low value specimens and their loss is of no significant concern. A very minor incursion is identified within the RPA of T18 although this is considered inconsequential, and would not detract from the moderate value tree. The conditions previously recommended by the Arboricultural Officer and applied by the Inspector shall similarly form part of this recommendation. The proposal is considered to comply with policies DC9 of the MBLP and SE5 of the CELPS.

Sustainability

Environmental sustainability

Taking into account the above sections, the proposal is considered to represent an appropriate form of development in the context of the area, and one which would preserve the environmental merits of the immediate and wider locality and uphold the existing residential

amenities. The visual amenities which contribute to the street scene would be preserved and there would be no significant highway issues, flood risk issues, harm to the wellbeing of any significant trees, or harm to the biodiversity of the area. The scheme is therefore deemed to be environmentally sustainable.

Social sustainability / Housing Land Supply

Paragraph 47 of the National Planning Policy Framework requires that Councils identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements. This development would make a minor contribution to the Council's existing housing land supply and this carries some additional weight in favour of the development

It is recognised that the provision of three additional houses within the site would provide some social benefits to the neighbourhood. The scheme would also help to provide family housing with Cheshire East, which both locally and nationally is shown to be in demand.

Economic sustainability

The proposed development will help to maintain a flexible and responsive supply of land for housing, albeit to a small extent. Some direct and indirect benefits for the local economy will also be evident, including additional trade for local shops and businesses.

Jobs in construction and economic benefits to the construction industry supply chain could also be supported within the local area and wider Cheshire East environment.

It is acknowledged that, whilst these economic benefits would exist, they are considered to be relatively minor.

CONCLUSION

The objections have been noted and considered, however the proposals are judged to accord with the Development Plan, and as such are a sustainable form of development.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals should be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposal does not breach the relevant policies of the Development Plan and the recent Appeal Decision which granted permission for a similar development on the same site is a material consideration in favour of granting permission. There are no material considerations of such weight that would warrant a refusal of planning permission.

The physical form of the development is very similar to the extant planning permission. The additional impacts that may arise by subdividing the plots to allow a further 2 units on the site have been fully considered. The parking and landscaping arrangements proposed demonstrate that the development can be accommodated without having a detrimental effect on the character and appearance of Orme Close, highway safety or the amenity of the occupiers of adjoining property.

Paragraph 14 of the NPPF requires development proposals that accord with the development plan to be permitted without delay. Therefore, the application is recommended for approval subject to conditions.

In the event of any changes being needed to the wording of the Committee's decision (such as to debate, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning Regulation 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. Development in accordance with plans
2. Development to commence within 3 years
3. Materials to be submitted.
4. Side elevation rooflights to be obscure glazed and positioned 1.8m above finished floor level.
5. 1st floor side elevation windows to be obscure glazed.
6. Pile foundation details to be submitted
7. Dust mitigation details to be submitted
8. Electric Vehicle Infrastructure to be provided
9. Imported soil to be tested for contamination
10. Survey for Nesting Birds to be carried out
11. Development in accordance with recommendations of bat survey.
12. Surface Water Drainage scheme to be submitted
13. Scheme for the protection of retained trees
14. Construction Method Statement to be submitted.
15. Detailed method statement for demolition and removal of eastern wall
16. Details of retaining walls and structures to be submitted
17. Development not occupied until space for parking has been provided
18. All planting and soft landscaping carried out within first planting and seeding season following occupation of the buildings, or completion of the development (whichever is sooner)

19. Details of finished floor levels (in relation to existing ground levels) to be submitted.

