

Application No: 17/4952M

Location: LAND TO THE REAR OF 14-18, LONDON ROAD, ALDERLEY EDGE, CHESHIRE

Proposal: Proposed demolition of existing building to the rear of No's 14-18 London Road, Alderley Edge and erection of a two and half storeys mixed use block comprising office unit on the ground floor and two apartments on the first and second floor.

Applicant: Mr Anwar Kanj, Atco Export

Expiry Date: 22-Nov-2017

SUMMARY

This application seeks full planning consent for the construction of a new mixed use building for an office unit on the first floor and two apartments on the first and second, replacing an existing storage building. The application follows several previous applications and there is a current extant permission for the erection of a two and a half storey office building which displays a similar design to the proposal.

The application follows a recently dismissed appeal on the same site for an identical building with 3no. apartments at ground, first and second floors. The main issue was the living standards for the ground floor apartment. The use of the ground floor as an office removes this element.

It is considered that the amendment overcomes the previous reasons for refusal and would cause no significant adverse impacts relating to design, impact on the character of the area, residential amenity or highways safety. The proposal accords with the Development Plan and is deemed to be a sustainable form of development.

RECOMMENDATION: Approve, subject to conditions and 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 Craig Browne on the 8th November 2017 due to the following concerns:

"The Parish Council has expressed a number of concerns regarding this application, including potential overdevelopment, inadequate parking provision, possible issues around access and construction work and unacceptable levels of nuisance to local neighbours. As a previous application (16/3610M) on this site was considered by

Northern Planning Committee and a subsequent appeal dismissed by the Inspector, this application would benefit from consideration by the Committee also, to enable the issues to be debated.”

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a two storey detached building located at the rear of properties facing London Road and West Street. The site has been subject to a number of applications including the most recent for an identical three storey building for three apartments which was dismissed at appeal. This application followed an approval for a similar sized building

The approval followed previous refusals on site due to the impact of the development on the amenity of number 6 West Street. This property was subsequently purchased by the applicant and alterations overcame the previous issues for refusal.

The site is located within the centre of the village of Alderley Edge, within a local shopping centre, as defined in the Local Plan.

DETAILS OF PROPOSAL

Full planning permission is sought for the demolition of the existing building on site and erection of a new mixed use building for an office unit on the first floor and two apartments on the first and second. No parking provision is proposed.

The last application was refused for the following reason:

“The proposal represents an over development and over intensification of use resulting in unacceptable living conditions for future occupiers, and lack of outdoor space. The development is therefore contrary to guidance within the National Planning Policy Framework and policies DC3, DC41 and H6 of the Macclesfield Borough Local Plan and would cause harm to the objectives of those policies. “

RELEVANT HISTORY

- | | |
|----------|---|
| 16/3610M | Proposed demolition of existing building to the rear of 14-18 London Road, Alderley Edge and erection of a two and half storeys residential block comprising three apartments.
Refused 06 October 2016 – Dismissed at appeal 03 July 2017 |
| 12/4201M | Proposed demolition of existing building to the rear of No's 14-18 London Road, Alderley Edge and erection of a two and half storey office block together with a two storey rear extension and alterations to No 6 West Street.
Approved 02 January 2013 |
| 11/1310M | Proposed offices
REFUSED 20 th July 2011 and DISMISSED on appeal 30 th November 2011. |
| 08/0395P | Demolition of building and erection of new dwelling – Amendments to 02/2950P
APPROVED 7 th May 2008 |

02/2950P First floor side extension, single storey front extension and front balcony to form a dwelling
APPROVED 1st April 2003

POLICIES

Cheshire East Local Plan Strategy – adopted 27th July 2017

MP1 Presumption in Favour of Sustainable Development

PG1 Overall Development Strategy

PG2 Settlement Boundaries

PG3 Green Belt

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

SE8 Renewable and Low Carbon Energy

SE12 Pollution, Land Contamination and Land Instability

Appendix C – Parking Standards

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.

Saved Macclesfield Borough Local Plan Policies

DC3 (Protection of the amenities of nearby residential properties)

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

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

DC41 (Infill Housing Development or Redevelopment)

NE11 (Nature conservation)

H6 (Town centre housing)

AEC1 (Protecting a concentration of A1 uses)

AEC3 (Use of upper floors in shopping areas)

AEC6 (Housing and Community Uses)

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

Other Material Considerations

National Planning Policy Framework (NPPF)

National Planning Practice Framework (NPPG)

National Policy:

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

Of particular relevance are paragraphs 1, 3, 4, 5, 6, 7 and 11.

CONSULTATIONS (External to Planning)

Environmental Protection: Include a condition for an acoustic report in order to assess the impact of the existing commercial units on the amenity of the proposed residential units.

VIEWS OF THE PARISH / TOWN COUNCIL

Alderley Edge Parish Council: *'The Parish Council recommends refusal of this application on the grounds that it is overdevelopment; there is inadequate parking provision regardless of transport links; the problems around access and construction work will cause unacceptable nuisance to neighbouring properties and there has been no construction plan submitted to mitigate this. The Parish Council also request this is called in to the Northern Planning Committee.'*

OTHER REPRESENTATIONS

A comment has been received from an agent representing Aberdeen Asset Management PLC who owns the Parade to the north of the site containing Waitrose. Concerns have been raised regarding the access arrangements for the proposed apartments and servicing of the apartments which would have to take place over land owned by Aberdeen Asset Management PLC. It is acknowledged that this currently occurs to the rear of the properties on London Road; however there is no right of way or agreement for this.

It is also stated that the proposal has not overcome the reasons highlighted in the Inspector's reasons for refusal.

A further objection was received raising concerns regarding the lack of parking.

OFFICER APPRAISAL

Key Issues

- Principle of development
- Impact of the development on character and appearance of the site and surroundings
- Impact of the development on residential amenity
- Highway safety

Principle of Development

Policy AEC1 relates to protecting the shopping area from a concentration of non-A1 uses. The existing use of the building already comprises a non-A1 use (storage) and the recent approval was for non-A1 (office) and therefore the proposed development of residential use would not affect the existing supply of A1 uses.

Policy AEC3 relates to the use of upper floors in shopping areas and encourages residential use. Policy AEC6 permits new housing where a satisfactory housing environment can be created.

Policy H6 allows new housing within local centres provided a satisfactory environment can be created for both prospective occupiers and any adjoining properties.

ENVIRONMENTAL SUSTAINABILITY

Design and Impact on the character and appearance of the area

The recent appeal decision did not raise any issues with regard to the design of the proposal and design was not included as a reason for refusal in the Council's decision. The external appearance is identical to the last dismissed application.

The most recent approval on the site, 12/4201M, gave permission for a 2.5 storey building for office use. One of the conditions of the approval required that an extension be constructed on the rear of number 6 West Street prior to the office block being constructed as there had previously been a refusal on the site (11/1310M) for a three-storey office block, due to the impact on the amenity of number 6 West Street. The extension on the rear elevation of number 6 West Street has been erected (in accordance with the condition) and it is angled away from the approved 2.5 storey office building, thereby overcoming the previous amenity reason for refusal (11/1310M).

The proposal seeks to increase the ridge height of the approved 2.5 storey office building by approx. 0.3m. This is considered to be acceptable in the context of the site and the site history.

It is noted that permission 12/4210M has been implemented as the extension on the rear of number 6 West Street has been erected. Consequently, the permission for the office building is extant and should be given weight.

The design of the proposed apartment block is virtually the same as the design of the approved office building, apart from the 0.3m increase in height and an additional storey on the south elevation. It is considered that these amendments are acceptable and the design of the building has already been accepted.

Amenity

The reason for refusal of the last application was as follows:

“The proposal represents an over development and over intensification of use resulting in unacceptable living conditions for future occupiers, and lack of outdoor space. The development is therefore contrary to guidance within the National Planning Policy Framework and policies DC3, DC41 and H6 of the Macclesfield Borough Local Plan and would cause harm to the objectives of those policies. “

The issue of outdoor space was addressed in the Inspector's decision where it was dismissed with the following statement:

"I have considered whether the lack of outdoor amenity space is in this case a matter which would detract from the quality of the accommodation provided. The flats would be located close to local services and amenities and their size would be unlikely to appeal to families. As such, the absence of a garden would, in this case, not be determinative."

The ground floor accommodation was highlighted to be the main cause for concern in relation to residential amenity with the outlook from the ground floor flat onto a brick wall which would be within a metre of the property. With a bin storage positioned outside another habitable window and a right of access or yard adjacent to the remaining windows the living conditions of this property were considered to be substandard.

The change of the ground floor flat into office accommodation with this application removes the main reason for refusal from the last application with no mention in either the Council's statement or the Inspector's decision in regard to the amenity of the first or second floor flats. The outlook from the main habitable windows of these properties would be above the wall and there would be long range views from these properties.

It is also considered that the amenities of neighbouring properties would not experience any significant harm over and above the impact of the approved office building and again this was not considered to be an issue in the last dismissed application.

Highways

The proposal does not include any car parking on site. The approved 2.5 storey office block included 1no. car parking space. No comments have been received from the Strategic Infrastructure Manager; however the site is within the village centre within close proximity to public transport (railway station and bus stops), public car parks and all the village services and facilities.

No objections were raised to the last application for the three apartments and the Inspector stated the following in relation to parking:

"...taking into account the accessible location of the proposal I am satisfied that the lack of designated parking would not be harmful in this case..."

Other Issues

The issues raised by the owners of the parade are noted; however issues of rights of way are outside of planning control and as confirmed by the Inspector would be a civil matter. The properties along London Road already use this area for access, and while no arrangement may exist it would be up to the applicant to come to an arrangement with the owner of the land.

There is provision for a 360l bin for each apartment which would be sufficient for the size of the units.

SOCIAL SUSTAINABILITY

The development would make a small contribution to delivering housing supply. However, it is only for two apartments and therefore the impact is limited.

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. The ground floor office unit would also potentially provide employment opportunities which would have obvious economic benefits.

CONCLUSION

Whilst the objections are noted, the proposed scheme is considered to be acceptable. The proposal would have an acceptable impact on the character of the area and does not raise significant concerns with regard to amenity or highway safety over and above the previous, extant approval for offices and the reason for refusal of the last application has been overcome with the change from residential to office use at ground floor.

Bearing all the above points in mind, it is considered that the proposal accords with all other relevant Development Plan policies and as such it is recommended the application be approved, subject to relevant conditions and Highways comments.

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 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:

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Materials as application
4. Dust control

