

Application No: 20/1432M

Location: 12, BOLLIN HILL, WILMSLOW, SK9 4AW

Proposal: The demolition of the existing bungalow and the erection of two dwellinghouses

Applicant: C/O Agent, Tilder Properties Limited

Expiry Date: 27-May-2020

SUMMARY

It is considered that the proposal is environmentally, socially and economically sustainable and would accord with the Cheshire East Borough Design Guide, development plans and the Framework. The site is located in a relatively sustainable location within the settlement of Wilmslow and the proposal is considered to represent an efficient use of land.

The principle of the proposed development is acceptable subject to there being no significant adverse impacts arising from the proposal.

It is considered that the impact on the Conservation Area and other interests has been assessed by the Conservation Officer and is now acceptable. The proposal is considered to accord with Heritage policy, the Cheshire East Borough Design Guide, relevant policies in the local plan and national guidance in the Framework. The proposals are considered to be acceptable in design and layout, visual, highway safety, amenity, arboriculture, and nature conservation terms.

The principle of the proposed development is acceptable and no significant adverse impacts arising from the application have been identified.

The proposal is considered to accord with adopted relevant policy in the neighbourhood plan, the development plan and national guidance in the Framework.

SUMMARY RECOMMENDATION: Approve subject to conditions

REASON FOR REPORT

The application has been called to Committee by the local ward member, Cllr Stockton for the following reason:

“This is a straight forward case of overdevelopment of a site (easily argued) in the Conservation area, changing the character (Two storey instead of Single storey on this site) and increasing the density of housing as a result”.

DESCRIPTION OF SITE AND CONTEXT

The application site is rectangular in shape with an area of approximately 0.17 hectares. It consists of an (unremarkable) bungalow which has been vacant for in excess of 12 months and is in a poor condition. The bungalow is accessed from Bollin Hill; a private road which runs parallel to the southern site boundary. An unmaintained garden sits alongside a driveway to the front of the property and this comprises a number of trees including a Birch, a Spruce and a Cherry. These are the subject of a Tree Preservation Order (TPO). The bungalow is served by a garden to the rear. To the east of the site is a private driveway and beyond this is no.10 Bollin Hill. To the north beyond the garden fence is an area of dense evergreen vegetation and to the west is no.14 Bollin Hill. A number of residential properties are located to the south of the site. The bungalow was constructed during the 1960s and has been the subject of substantial alteration including extensions to the side and rear and detached double garage; the architecture is similar to that of no.14 Bollin Hill and other properties to the west. The site sits within the Bollin Hill Conservation Area and within an allocated low- density housing area. The more notable buildings within the Conservation Area are to the east which were built after the First World War by Manchester architects, Halliday Paterson & Agate.

DETAILS OF PROPOSAL

It is proposed to clear the site and construct two detached dwellings with integral garages set back from the road in front, in alignment with nos. 10 and 14. The protected trees near the site's frontage would be retained alongside other forms of existing vegetation. However, a total of four trees near the front of the site would be removed. Two of these are in a very poor condition (category U), whilst the remaining trees (categories B and C) would be removed to accommodate the proposed redevelopment. As a result of the initial comments of officers the scheme has been revised during the currency of the application.

PLANNING HISTORY

No relevant planning history

POLICIES

Cheshire East Local Plan Strategy (CELPS)

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
SE7 The Historic Environment
SE9 Energy Efficient development
SE12 Pollution, land contamination and land stability
SE13 Flood risk and water management
CO1 Sustainable travel and transport
CO3 Digital connections

Macclesfield Borough Local Plan saved policies (MBLP)

NE11 Nature conservation
DC3 Residential Amenity
DC6 Circulation and Access
DC8 Landscaping
DC9 Tree Protection
DC38 Space, light and privacy
DC41 Infill Housing Development or Redevelopment
H12 Low Density Housing Areas

Wilmslow Neighbourhood Plan (WNP)

SP1 Sustainable Construction
SP2 Sustainable Spaces
TA1 Residential Parking Standards
TH3 Heritage
H2 Residential Design
H3 Housing Mix
NE6 Garden Space

Other Material Considerations

National Planning Policy Framework (The Framework)
National Planning Practice Guidance
Cheshire East Borough Design Guide

CONSULTATIONS (External to Planning)

Head of Strategic Transport – No objections

Environmental Protection – No objections subject to EV charging condition and advisory notes.

UU – Have issued a standard advice letter with no requested conditions.

Wilmslow Town Council – Recommend refusal as being overdevelopment and out of keeping with the street-scene in this Conservation Area. No comment received on revised plans.

REPRESENTATIONS

35 letters of objection were received to the initial submission. A re-consultation exercise was carried out on the revised plans and **25** letters of objection have been received on the following grounds:-

- Plot too small to be subdivided and plot ratio not appropriate
- Not appropriate to conservation area and would undermine it creating a precedent for further infill and sub division
- Out of character in street scene
- Revised changes not enough and only one dwelling appropriate
- Terracing would result
- Impact on privacy
- Conservation area re-appraisal should be known
- Contrary to SD2, SE1, SE7, H12 and TH3

This is a summary and full comments are on CEC website

OFFICER APPRAISAL

Principle of Development

The site is within a settlement and therefore the principle of the redevelopment of the site is acceptable. However, any redevelopment must conform to extant and relevant National and Local Planning Policy. The main policy tests in this case would be compliance with SD2, SE, SE2 and SE5 of the Cheshire East Local Plan Strategy; saved policies DC3, DC6, DC9, DC38 DC41, and H12 of the Macclesfield Local Plan and the overarching umbrella of the Cheshire East Borough Design Guide.

Design, Layout and Heritage

The Conservation Officer has no objections to the revised plans, and has been involved in advising on the proposals throughout the application process. Bollin Hill Conservation Area (CA) was laid out on the principles of a garden city, with the emphasis on spacious, wide verges and plots, architecturally designed houses by Halliday Paterson and Agate. Its significance is based around these principles.

Number 12 is not marked on the appraisal map as an original house from the planned estate; however, it successfully follows the principles of the garden city movement, spacious plot and mature planting. Whilst the property itself is not architecturally as important as its neighbours,

which were designed by Halliday and Agate, its presence is unassuming and in keeping with the area, and does not dominate or distract from those properties which make a positive contribution to the significance of the CA. Overall, due to the existing high quality plot, the site as it currently is, makes a positive contribution to the CA.

The replacement or (s) must therefore, preserve this position or enhance to be in keeping with policy and guidance.

The proposed scheme is for 2 dwellings in place of one, the initial submission has been revised on a number of occasions to address concerns relating to the size of the dwellings, proximity to their neighbours and to each other.

The built form to plot ratio of the proposed dwellings is less than the 22% ratio which has been demonstrated to be consistent with other properties in the immediate Conservation Area. The scale and mass of the buildings has been reduced in accordance with previous comments of the Conservation Officer and the space between the two houses has been increased to 3.5m which would allow them to fit comfortably in the established street scene. It is considered that the spacing between the houses and their neighbours to fit with the immediate group.

The proposed design for the houses, is sympathetic to the conservation area, which itself is characterised by a mix of contemporary styles and not just the Halliday Paterson Agate dwellings. The group of houses to the immediate west of the site is a mix of varying late 20th century and early 21st century styles. The proposed materials and detailing, including grey slate, render and timber casements would fit with those used elsewhere in the conservation area.

Number 12b would lie to the west of 10 Bollin Hill, which is a Halliday Paterson Agate (HPA) dwelling. Whilst the new house would bring a degree of change to the setting of the neighbouring historic property it is not considered that this change would have a negative impact. There are a number of HPA houses which also lie adjacent to contemporary infill developments. The height of the new dwelling would be commensurate with its neighbour.

It is considered that the amended scheme would now preserve and enhance the conservation area and therefore meets the objectives of local and neighbourhood plan policies and NPPF Section 16 which seek to ensure protection for designation heritage assets from development which would cause harm to their significance. It is considered to be a positive development bringing design benefits in comparison to the existing site situation.

The NPPF para advises at paragraph 60 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.”*

Paragraph 61 reinforces this by explaining that good design goes beyond aesthetic considerations and *“should address the connections between people and places and the integration of new development into the natural, built and historic environment.”* Paragraph 64

goes on to stress that poor design that fails to take opportunities to improve the character and quality of an area should be refused.

Policy SD2 of the Cheshire East Local Plan, reflecting the NPPF, requires that new developments *“contribute to an areas character and identity, creating or reinforcing local distinctiveness in terms of a. of height, scale form and grouping.....”*

Policy SE1 of the Cheshire East Local Plan, reflecting the NPPF, requires that new development achieve a high quality of design and that development proposals make a positive contribution to their surroundings, identifying achieving sense of place as one of the principal objectives, in particular criterion I *“...by protecting and enhancing the quality, distinctiveness and character of settlements”*

The Cheshire East Residential Design Guide SPD Vol 2 ii/55-59 identifies that the density of new development should relate to the character of the area and the position of the site within a settlement and it is considered that the proposal complies and complies with policy TH3 of the Neighbourhood Plan that stipulates that *“applications will be required to demonstrate how they have considered impact on the setting of heritage assets, including an assessment of, but not limited to, the following*

- *The bulk, height and material use of any proposed development*
- *Location of buildings within the site*
- *Boundary and ground treatments (hedges, fences, walls, driveways etc.)*

The outward appearance of proposed developments should demonstrate appropriate architectural styles which complement the surroundings and the character of designated or non-designated heritage assets.”

It is considered they would be situated on plots that would be commensurate to the dwelling size, and overall would be in the context of the wider area. Clearly the development will result in a higher density of development that currently exists on the site but it is considered that this new proposal is at ease with the lower density character of the area and addresses the issues identified by policy H12. The amended scheme would accord with policy H12 in that the plot and width between the sides would be commensurate with the surrounding area and be sympathetic to the character. It would accord with Neighbourhood Plan policies NE6 and H2 in terms of character and remaining garden space.

Infill Housing Development

It is considered that the scheme would be compliant with all criteria of saved policy DC41 of the MBLP in that it is situated in an area that enjoys higher, space, light and privacy standards than the minimum prescribed. It is considered that the plots proposed in the scheme reflect the character within the area. The proposals would not result in undue overlooking of private gardens nor would it directly overshadow any existing habitable rooms nearby. It is considered the garden sizes are commensurate with the majority of plots within the context of the wider area. The net increase of one house would not lead to excessive amounts of new traffic in a quiet area and the submission demonstrates that the any increase in movements would not be at all significant. The proposal as described earlier would result in two houses enjoying an open outlook. In order to maintain the space light and privacy standards in

perpetuity it is considered that permitted development rights should be removed by condition to maintain control over any future proposals to extend the houses.

Residential Amenity

Saved Macclesfield Borough local Plan policy DC3 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 with guidance on space distances between buildings contained in saved policy DC38 of the Macclesfield Borough Local Plan and guidance within the Cheshire East Design Guide.

It is important to consider the impact of the proposals on the amenity of the existing occupiers of residential property that surround the application site as well as the amenity for future occupiers of the proposed development. In both respects the proposal is considered to allow for an acceptable standard of amenity that one would expect in a residential area, with appropriate interfaces within the proposed development and externally to adjoining and nearby residential properties. It is not considered that privacy would be impinged as privacy standard distances prescribed in DC38 are significantly exceeded.

Accordingly it is considered to comply with policies DC3 and DC38 of the MBLP.

Access and Parking

The two houses would be served by a private drive access from Bollin Hill and each house would have a policy compliant 3 parking spaces accommodated in a combination of garage and in curtilage spaces off the private drive. There are no material highway implications associated with this proposal, as the site is accessed from an un-adopted private road. Accordingly, the Head of Strategic Transport has no objection to the planning application. Therefore, the application is considered acceptable in that it accords with policy DC6 of the MBLP and SE1 and Appendix C (Parking standards) of CELPS.

Trees

Policy SE 5 of the CELPS outlines that development proposals which will result in the loss of, or threat to, the continued health and life expectancy of trees, hedgerows or woodlands (including veteran trees or ancient semi-natural woodland), that provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area, will not normally be permitted, except where there are clear overriding reasons for allowing the development and there are no suitable alternatives

The Arboricultural Statement has identified 13 individual trees and 2 groups within the application site. The MBC (Wilmslow - Bollin Hill No.2) TPO 1987 affords protection to 1 Spruce, 1 Silver Birch and 1 Cherry (G5 of the original Order, T1, T3 and T5 of the submitted report). The remaining trees identified are located within the Bollin Hill Conservation Area and afforded a degree of formal protection.

The Forestry Officer comments that subject being carried out in accordance with detail identified within the submitted arboricultural reports, the proposal would not present any significant implications for existing protected trees; A section of proposed hard standing at the

modified access would extend slightly (6.8%) into the Root Protection Area (RPA) of an existing protected Birch (T3). BS5837:2012 makes provision and design recommendations for incursions into the RPA of trees which has been addressed in the submitted report. The incursions within the RPA of the Birch tree are relatively minor and taking into account the species characteristics, age and vitality of this tree. The Forestry officer is satisfied that the tree will remain viable in the long term subject to the conditions, and the development is therefore considered to comply with policy SE5 of the CELPS.

Nature Conservation

The Nature Conservation Officer has requested conditions in respect of breeding birds and these are attached.

Air Quality

On the recommendation of Environmental Protection Officer a condition is recommended requiring the provision of electric vehicle charging points in order to contribute to improvements in air quality and sustainability within the area and comply with the air quality objectives of policy SE12 of the CELPS.

COMMENTS ON REPRESENTATIONS

The key points of objection that have been received on planning grounds have been noted and addressed by the main body of the report. It is considered that the application represents acceptable proposed development as enshrined by national and local planning policy and would bring notable positive benefits of regeneration of a dilapidated/overgrown site within the conservation area.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The issues raised in representation have been duly considered however the proposals are considered to very clearly comply with National, Local and Neighbourhood Plan Policy. It is considered to comply in particular with the adopted Wilmslow Neighbourhood Plan, and crucially policy SE7 of the Cheshire East Local Plan Strategy, the adopted Design Guide and saved policy BE2 of the Macclesfield Local Plan and the NPPF. It is also considered to comply with other relevant policies of CELPS and the MBLP.

Policy MP1 of the CELPS states that *“Planning applications that accord with the policies in the Development Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise.”*

Accordingly the application is recommended for approval subject to conditions.

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Removal of permitted development rights (Classes A - F)

4. Landscaping - submission of details
5. Landscaping (implementation)
6. Materials as application
7. Electric Vehicle Charging Points to be provided
8. Nesting Bird Survey to be submitted
9. Tree protection measures to be implemented
10. Development carried out in accordance with Tree Construction Specification / Method Statement
11. Arboricultural works in accordance with Tree Survey Schedule
12. Incorporation of features into the scheme suitable for use by breeding birds including house sparrows, and roosting bats

In order to give proper effect to the Northern Planning Committee's intent and without changing the substance of its decision, authority is delegated to the Head of Planning in consultation with the Chairman (or in their absence the Vice Chairman) to correct any technical slip or omission in the resolution, before issue of the decision notice.

