

Application No: 16/4674M

Location: FAIRFIELD, 25, CHAPEL ROAD, ALDERLEY EDGE, WILMSLOW, CHESHIRE, SK9 7DX

Proposal: Formation of new drive way onto Chapel Road, with dropped kerb.

Applicant: Mr Craig Jones, the CAVE

Expiry Date: 16-Jan-2017

SUMMARY:

The application for a vehicular access of Chapel Road includes the removal of part of a low level stone boundary wall, hedge and landscaped garden as well as dropping of the kerb. When considered as a whole, the proposed development does require planning permission by virtue of Chapel Road being a classified road, and overall the proposal is not considered to preserve or enhance the character of the conservation area and lacks public benefit to outweigh the harm to the conservation area.

SUMMARY RECOMMENDATION

Recommended for refusal

REASON FOR THE REPORT

The application has been called into committee at the request of Cllr Craig Browne for the following reasons:

Concerns have been raised both by the Parish Council and local residents regarding the potential impact on the Conservation Area, highways safety and the opportunity it may create for further infill development. The application is therefore worthy of consideration by Northern Planning Committee, as it will provide an opportunity for all parties to be heard.

PROPOSAL

The proposal is for vehicular access with dropped kerb, new driveway involving removal of a tree and front garden and alteration of the low level boundary wall.

SITE DESCRIPTION

The application site comprises of a semi-detached property located within the Trafford Road Conservation Area in Alderley Edge. The site is bordered by Stevens Street to the north and Chapel Road to the south. The front boundary to the site comprises a low level stone wall with hedge behind and timber gated pedestrian access and a landscaped front garden between the boundary and the front of the house.

PLANNING HISTORY

31908P EXTENSION TO FORM SUN TERRACE AND DINING AREA AND A REPLACEMENT DETACHED DOUBLE GARAGE AND INTERIOR ALTERATIONS
Withdrawn 17-Dec-1982

32450P REPLACEMENT DOUBLE GARAGE Approved 16-Feb-1983

16/4943M SELF BUILD CONSTRUCTION OF ONE DETACHED INFILL DWELLING WITH NEW ACCESS AND ASSOCIATED CAR PARKING – not yet determined

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.

56-68 Requiring good design

128, 129,13, 132-134 Conserving and enhancing the historic environment

Development Plan

Macclesfield Borough Local Plan

BE1 Design Guidance

BE2 Historic Fabric

BE3 Conservation Areas

H13 Protecting Residential Areas

DC1 New Build

DC3 Amenity

DC6 Circulation and Access

DC8 Landscaping

DC9 Tree Protection

DC35 Materials and Finishes

DC37 Landscaping

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

Cheshire East Local Plan Strategy – Proposed Changes Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

MP1 Presumption in favour of sustainable development

PG1 Overall Development Strategy

PG2 Settlement hierarchy

SD1 Sustainable Development in Cheshire East

SD2 Sustainable Development Principles

SE1 Design

SE2 Efficient use of land

SE4 The Landscape

SE5 Trees, Hedgerows and Woodland

SE7 The Historic Environment

Other Material Considerations:

National Planning Practice Guidance (NPPG)
Cheshire East Borough Design Guide

CONSULTATIONS

Highways – No objections

Forestry – No objections subject to condition relating to replacement planting

Conservation – Some harm caused

VIEWS OF THE PARISH/TOWN COUNCIL

Alderley Edge Parish Council: recommends refusal, raising the following issues:

- Not improving or enhancing the conservation area
- No need for hardstanding as access already exists at the rear
- Reduction of free drainage
- Highways safety concerns

OTHER REPRESENTATIONS

10 letters/representations have been received from/on behalf of neighbours. The full comments can be found on the Cheshire East Council website. A summary of the key issues raised are as follows:

- Concerns over impact on highway safety
- Impact on the character of the conservation area
- Partial loss of the stone front boundary wall.
- The choice of materials for the proposed driveway
- Loss of vegetation, a magnolia tree, and hedge
- Root protection to silver birch tree in the garden of No27 Chapel Road
- Impact on drainage

APPRAISAL

Principle of Development

The site lies within the settlement boundary, where development is normally acceptable in principle subject to all other material considerations being satisfactory. The site is within a designated conservation area and special attention to the desirability of preserving or enhancing its character or appearance is required by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

There are three dimensions to sustainable development identified in the NPPF: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles.

Environmental Sustainability

Design issues and impact on the Conservation Area

Policy BE1 of the Macclesfield Borough Local Plan requires development to reflect local character and respect form, layout, siting, scale and design of surrounding buildings and their setting. Policy DC1 requires development to be sympathetic to its surroundings, streetscene and host building and within Conservation areas, Policy BE3 requires development to preserve or enhance the character or appearance of the conservation area, with special attention to matters of bulk, height, materials, colour and design.

Much of Chapel Road is characterised by substantial residential properties dating from around the turn of the last century, with mature gardens. The boundary treatment along the road on the northern side particularly to the eastern end is relatively consistent with low level walls and fences and mature hedges, most punctuated only by narrow pedestrian entrances. This boundary treatment contributes to the character and appearance of the conservation area. The parking restrictions on the road mean that there is very little visibility of parked cars along this section of the road. An exception to this is No.23 Chapel Road where a vehicular access has been constructed and part of the boundary wall and hedge removed allowing an opening of 3m wide. Applications for vehicular access to Nos 11 and 13 were both refused and dismissed at appeal. Whilst these appeals were some time ago and policies may have since changed, the issues of impact upon the conservation area remain.

The proposal at 25 Chapel Road includes widening the boundary opening to approximately 4.4m wide (as measured on the revised layout), a substantially larger opening than at the adjacent No.23. Each application is considered on its own merit. It is considered that the existing widened opening to the boundary to 23 Chapel Road does cause some harm to the conservation area, and some existing harm does not justify further harm. If this opening is repeated down Chapel Road it would result in a significant visual impact on the street scene with the introduction of parked cars visible and a breakdown of the currently almost continuous sense of enclosure created by the existing boundary treatments. The visual appearance of parked cars as well as the widening of the opening and loss of landscaping would alter the character of the conservation area, in a manner that would be to its detriment.

The stone wall and hedged boundaries are a feature of the Trafford Road conservation area and the Conservation Officer has commented that some harm would be caused (to the character of the conservation area), but she does note that the extent of the works to the wall fall within permitted development due to the extent of alteration and the height. The revised layout with a change of materials and reduced size to the driveway surfacing is preferable in design terms to the original proposal, however in principle the proposal is considered to have an unacceptable impact on the conservation area, and it is considered that less than substantial harm to the designated heritage asset would result.

A planning application is required for creation of the vehicular access as Chapel Road is a classified road. Whilst it is acknowledged that aspects of the work can be carried out under permitted development, on consideration of the application as a whole it is not considered to preserve or enhance the character of the conservation area. Even if the permitted development aspects were carried out, planning permission would still be required for the

construction of access to a highway. This access would facilitate the parking of cars on the front garden the detrimental visual impact of parked cars would still be evident.

(Policy BE12 has been mentioned in some of the comments relating to this application. BE12 relates specifically to the Alderley Edge Conservation Area which has a different character to the Trafford Road conservation area.)

Highways

There are no concerns raised by the highways department. Two parking spaces are shown on the layout and there would be space for a third car on the driveway. If approved, highways have requested an informative notifying the developer of the requirement for entering a Section 184 Agreement under the Highways Act 1980.

Trees/Landscaping

The arboricultural officer's comment notes that the proposals would include the removal of a mature magnolia, but that whilst protected as part of the conservation area, it is not considered worthy of formal protection under a Tree Preservation Order. If the application is approved, and the magnolia tree removed, replacement planting will be required. No concerns have been raised by the arboricultural officer in relation to root protection of trees in the neighbouring property.

Additional issues

It should be noted that there is an application for a new dwelling at the rear of the garden to 25 Chapel Road, fronting Stevens Street, in the location of the current parking spaces and garage for the existing property (16/4943M). However each application is considered on its own merit, and application 16/4943M alongside this one does not materially affect the issues discussed within this report.

The comments of the Town Council and neighbours have been considered regarding drainage. Surface water run off can be managed by appropriate drainage to areas of soft landscaping within the site boundary and could be conditioned.

Social & Economic Sustainability

Neighbouring Amenity

The proposals are not considered to cause significant harm to the living conditions of neighbouring property due to the nature and scale of the proposal.

There are not considered to be any significant issues relating to economic sustainability arising from this proposal.

PLANNING BALANCE

It has been identified that some harm would be caused to the character of the conservation area. As the application does require planning permission due to its being a classified road, the application can be considered as whole, including the visual impact of parked cars in this

location and the overall impact on the conservation area. The proposals are not considered to preserve or enhance the character of the conservation area, contrary to policy BE3 of the local plan, and do result in less than substantial harm to the conservation area, a designated heritage asset. Paragraph 134 of the NPPF requires that where there is less than substantial harm to the significance of the designated heritage asset arising from a development proposal, this harm should be weighed against the public benefits of the proposal. In this case, there are not considered to be any public benefits to the proposal which would outweigh the harm to the conservation area. Accordingly the application is recommended for refusal.

RECOMMENDATION

Refuse for the following reason:

- 1. The formation of an access and parking area to the front of the dwelling would not preserve or enhance the character and appearance of the Conservation Area and would result in less than substantial harm to the designated heritage asset. There are no public benefits of the proposal to outweigh the identified harm to the Conservation Area. The proposal is therefore contrary to policy BE3 of the Macclesfield Borough Local Plan and paragraph 134 of the NPPF.**

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) 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.

