

Application No: 17/4242M  
Location: 35, HEYES LANE, ALDERLEY EDGE, SK9 7LA  
Proposal: Resubmission of application 17/2249M for proposed dropped kerb to facilitate off road parking facilities.  
Applicant: Mr & Mrs Leonard  
Expiry Date: 09-Nov-2017

### **SUMMARY**

The application raises no significant issues relating to design, highway safety or amenity.

All objections and comments received have been noted and considered during the assessment of this application. However, the proposal complies with the relevant policies of the development plan and is therefore a sustainable form of development, which should be approved without delay. Accordingly a recommendation of approval is made.

### **SUMMARY RECOMMENDATION**

Approve subject to conditions.

### **REASON FOR REPORT**

This application is referred to the Northern Planning Committee as it has been called-in by the Ward Member, Councillor Craig Browne for the following reasons:

*“Similar application (17/1776M - 25 Chapel Road, Alderley Edge) was refused on grounds of failing to preserve or enhance the character of the area. There is a need for the Local Planning Authority to be and be seen to be consistent in its decision making processes.”*

### **PROPOSAL**

This application seeks full planning permission for the construction of an access and parking area off Heyes Lane. The proposal seeks to remove a section of hedge along the boundary of the property and install a dropped kerb and hardstanding area for the parking of 2 vehicles.

A previous application was withdrawn earlier this year due to concerns regarding the impact on the character of the area by virtue of removing a large section of the boundary hedge.

## **SITE DESCRIPTION**

The dwelling within the application site is set well back from Heyes Lane and currently has a shared vehicular access to the rear of the property off Davey Lane which is used by approximately 5 dwellings. The boundary detail to the front of the site is a well established hedge with a small pedestrian access. The front garden is well established and inclines up to the dwelling which is positioned above the highway.

The site is within a predominantly residential area and is not located within a conservation area. The local vernacular of dwellings is a mixture of traditional and more modern dwellings constructed from a variety of materials. The dwellings on the eastern side of Heyes Lane are positioned closer to the highway and the majority have accesses and off road parking for at least 1 vehicle.

The root protection areas for 2 TPO'd trees fall within the site area, and therefore the application is supported by an Arboricultural Method Statement.

## **RELEVANT SITE HISTORY**

17/2249M - Dropped kerb and new driveway. Withdrawn 2017.

## **LOCAL AND NATIONAL POLICY**

### **National Planning Policy Framework**

Paragraph 17 – Core Planning Principles  
Section 7 – Requiring Good Design

### **Cheshire East Local Plan**

MP1 (Presumption in Favour of Sustainable Development)  
SD1 (Sustainable Development in Cheshire East)  
SD2 (Sustainable Development Principles)  
SE1 (Design)  
SE5 (Trees, Hedgerows and Woodland)

### **Macclesfield Borough Local Plan**

DC3 (Protection of the amenities of nearby residential properties)  
DC6 (Access)  
DC9 (Tree Protection)

All of the above policies are considered to be consistent with the NPPF.

### **Alderley Edge Neighbourhood Plan**

The area has been designated as a Neighbourhood Plan area; however a draft plan is not yet available.

## **CONSULTATIONS**

Highways – No objection.

Alderley Edge Parish Council – No comments received.

## **REPRESENTATIONS**

No neighbour comments have been received.

## **APPRAISAL**

### **ENVIRONMENTAL SUSTAINABILITY**

#### **Design**

This application has been called in to the Northern Planning Committee due to concerns that the proposed development will have a detrimental impact on the character of the Heyes Lane. As previously identified Hayes Lane has a mixture of old and new dwellings, and a number of dwellings have off road parking and access from Heyes Lane. Directly adjacent to the proposed access is an existing cobbled lane access heading north west off the highway.

35 Heyes Lane is positioned towards the end of an established hedgerow which has a number of small pedestrian access points leading to the dwellings off the footpath. This hedgerow is punctuated by these access points and access roads along the length of Heyes Lane.

Opposite the site are a number of dwellings all with provision for off road parking adjacent to the highway. These driveways establish a presence of cars parked to the front of dwellings within the direct vicinity of the site, and therefore vehicles are already an established part of the character of the street scene.

The gap created in the hedgerow has been reduced significantly from a previously withdrawn application which sought to remove the hedgerow the width of the site.

Whilst the removal of a 4.5m section of the hedgerow will remove some of the green vegetation adjacent to the highway, and also have an impact on the continuation of the hedgerow, as no gates are proposed, an anomalous feature with a detrimental impact will not be introduced to the area. The driveway is also partially hidden behind hedging to be retained therefore views of the parked cars will also be partially hidden. A condition can also prevent gates from being added in the future.

As parked cars are an established part of the street scene, and it is considered that the removal of the hedgerow will not significantly harm the character of Hayes Lane. It is considered that this proposal is acceptable in terms of design, and therefore is compliant with CELPS policies SE1 and SD2.

## **Arboricultural Impacts**

Cheshire East Local Plan policy SE5, and saved policy DC9 of the Macclesfield Local Plan state that development which would result in a threat to the continued wellbeing of trees which are considered worthy of protection will not be allowed. The root protection areas of 2 TPO'd trees have been identified within the site and as such the arboricultural officer has been consulted and has provided comments.

Comments received state that whilst the RPAs are within the site to be developed, there is unlikely to be a significant impact on the health and longevity of the protected trees by virtue of the development and construction of retaining walls. In order to ensure that there is no significant harm to the health of the trees by virtue of the development, a tree protection condition is recommended.

## **Highways**

As Heyes Lane is a classified highway it is vital to ensure that the proposed new access does not have a detrimental impact on the safe use of the highway. The proposed access has been reviewed by the highways team with regard to the visibility available when exiting and entering the site.

Highways have confirmed that there are no highway safety issues as a result of the proposed access to be created as the width of the entrance is wide enough to ensure adequate visibility along Heyes Lane. It is also considered that there is sufficient space within the proposed driveway to ensure that vehicles can enter and exit the site in a forward gear.

Therefore it is considered that the proposed access is acceptable in terms of highway safety, and the proposal therefore complies with policy DC6 of the MBLP.

## **SOCIAL SUSTAINABILITY**

### **Residential Amenity**

MBLP policy DC3 places significant weight in the protection of the amenity of existing neighbours and future residents of new properties. Development should not have a detrimental impact on the privacy, light or comfort of neighbouring residents.

As the proposed access and driveway is positioned to the front of the dwelling, and is at a lower height than the neighbouring dwellings adjacent to the site, there are no amenity concerns as a result of this proposal. Dwellings opposite will also not suffer from a loss of amenity as the proposed driveway will not result in loss of privacy.

As there are no amenity concerns it is considered that the proposed development complies with policies DC3 of the Macclesfield Borough Local Plan.

## **ECONOMIC SUSTAINABILITY**

Due to the nature and scale of the proposed development there are limited economic benefits to this proposal. However it will not have detrimental impact on the economic sustainability of the area. As such, it is considered that the proposed development would be economically sustainable.

## **CONCLUSION**

All objections and comments received have been noted and considered during the assessment of this application. However, the proposal complies with the relevant policies of the development plan and is therefore a sustainable form of development, which should be approved without delay. Accordingly a recommendation of approval is made.

## **RECOMMENDATION**

### **Approved Subject to conditions**

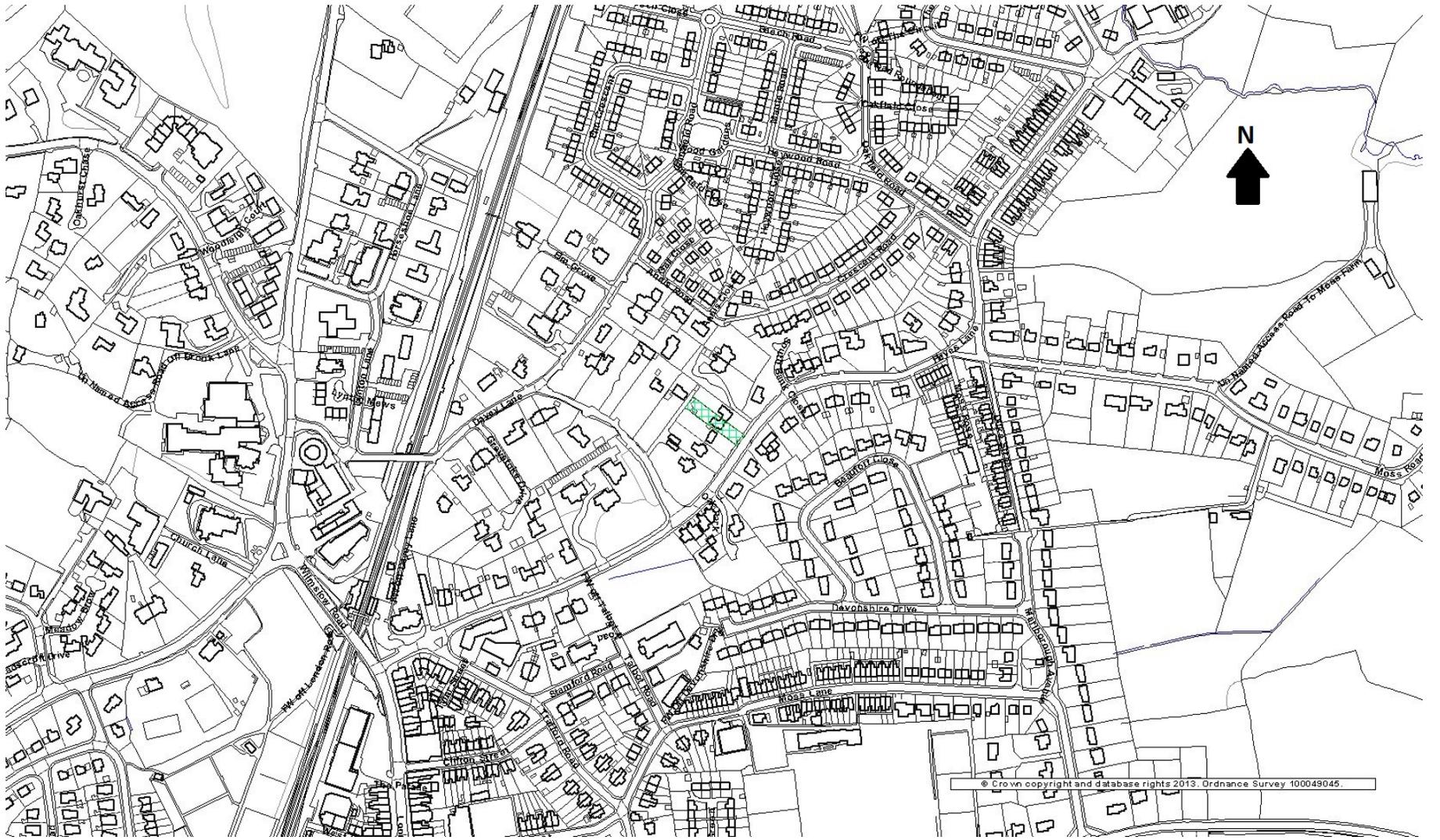
1. Commencement of development
2. In accordance with plans
3. Materials as application
4. Tree protection
5. Levels details to be submitted
6. No gates to be erected

*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 Householder

RECOMMENDATION: Approve subject to following conditions

1. Commencement of development
2. Development in accord with approved plans
3. Materials as application
4. Tree protection
5. No gates - new access
6. Submission of levels



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