

# Northern Planning Committee

## Agenda

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Date:	Wednesday, 13th March, 2024
Time:	10.00 am
Venue:	The Capesthorpe Room - Town Hall, Macclesfield SK10 1EA

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Members of the public are requested to check the Council's website the week the Northern Planning Committee meeting is due to take place as Officers produce updates for some or all of the applications prior to the commencement of the meeting and after the agenda has been published.

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The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and in the report.

It should be noted that Part 1 items of Cheshire East Council decision-making meetings are audio recorded and the recordings are uploaded to the Council's website.

### **PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT**

1. **Apologies for Absence**

To receive any apologies for absence.

2. **Declarations of Interest/Pre Determination**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary interests, other registerable interests, and non-registerable interests in any item on the agenda and for Members to declare if they have a pre-determination in respect of any item on the agenda.

3. **Minutes of the Previous Meeting** (Pages 3 - 6)

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**Please Contact:** Gaynor Hawthornthwaite  
**E-Mail:** [gaynor.hawthornthwaite@cheshireeast.gov.uk](mailto:gaynor.hawthornthwaite@cheshireeast.gov.uk) with any apologies or request for further information  
[Speakingatplanning@cheshireeast.gov.uk](mailto:Speakingatplanning@cheshireeast.gov.uk) to arrange to speak at the meeting

To approve the Minutes of the meeting held on 14<sup>th</sup> February 2024 as a correct record.

#### 4. **Public Speaking**

A total period of 5 minutes is allocated for each of the planning applications for the following:

- Ward Councillors who are not members of the Planning Committee
- The relevant Town/Parish Council

A period of 3 minutes is allocated for each of the planning applications for the following individuals/groups:

- Members who are not members of the planning committee and are not the Ward Member
- Objectors
- Supporters
- Applicants

#### 5. **23/4024M - Land Adjoining Jenny Heyes, HEYES LANE, ALDERLEY EDGE, SK9 7LH: Permission in principle (Stage 1) for an affordable housing exception site and associated works for Mrs A Wood (Pages 7 - 26)**

To consider the above planning application.

#### 6. **23/3385M - Land adjacent to 17, AVONSIDE WAY, MACCLESFIELD, SK11 8BY: Proposed new dwelling, formation of a new driveway and landscaping for Mr Jon Wynne (Pages 27 - 52)**

To consider the above planning application.

**Membership:** Councillors M Beanland, T Dean, K Edwards, M Gorman, A Harrison, S Holland, T Jackson, D Jefferay (Chair), N Mannion, J Place, J Smith and F Wilson (Vice-Chair)

**CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Northern Planning Committee**  
held on Wednesday, 14th February, 2024 in the The Capesthorne Room -  
Town Hall, Macclesfield SK10 1EA

**PRESENT**

Councillor D Jefferay (Chair)  
Councillor F Wilson (Vice-Chair)

Councillors M Beanland, T Dean, K Edwards, M Gorman, S Holland,  
T Jackson, J Place and J Smith

**OFFICERS IN ATTENDANCE**

Nicky Folan – Planning Solicitor  
Paul Wakefield – Planning Team Leader  
Neil Jones – Principal Development Officer  
Gaynor Hawthornthwaite – Democratic Services Officer

**48 APOLOGIES FOR ABSENCE**

Apologies were received from Councillor N Mannion.

**49 DECLARATIONS OF INTEREST/PRE DETERMINATION**

There were no declarations of interest.

**50 MINUTES OF THE PREVIOUS MEETING**

That the minutes of the previous meeting held on 6<sup>th</sup> December 2023 be approved as a correct record and signed by the Chair.

**51 PUBLIC SPEAKING**

That the public speaking procedure be noted.

**52 WITHDRAWN - 23/1365M - 1 PRICE POULTRY FARM, THE GABLES, GREEN LANE, POYNTON, SK12 1TJ: CHANGE OF USE OF FORMER BRICK BUILT AGRICUTURAL BUILDINGS (FORMER COMMERCIAL CHICKEN SHEDS) TO STORAGE USE (USE CLASS B8) FOR MR JAMES PRICE**

This item was WITHDRAWN by the applicant prior to the meeting.

- 53 **23/3471M - CRAVEN HOUSE, LUSO MACCLESFIELD SERVICED APARTMENTS, CHURCHILL WAY, MACCLESFIELD, SK11 6AY: PROPOSED 5TH FLOOR EXTENSION TO FORM 2NO. ADDITIONAL APARTMENTS, INCLUDING NEW ROOF TERRACE. NEW PERGOLA AND HOT TUB PROPOSED TO EXISTING ROOF TERRACE FOR LBH MACCLESFIELD LTD**

Consideration was given to the above application.

(Councillor L Braithwaite (Ward Councillor) and Mr F Pacitto (Agent) attended the meeting and spoke in respect of the application).

### **RESOLVED**

That, for the reasons set out in the report, the application be APPROVED, subject to the following conditions:

1. Time Limit for implementation (3 years)
2. Development to be in accordance with approved plans
3. Details of materials to be submitted and agreed.
4. Within 3 months of the decision details of the boundary screen for the hot tub along with a timetable for its installation shall be submitted to and agreed in writing by the local planning authority.

*In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning, in consultation with the Chair (or in their absence the Vice Chair) of Northern Planning Committee to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.*

*The Committee adjourned for a short break.*

- 54 **23/3010M - 2, DELAMERE DRIVE, MACCLESFIELD, SK10 2PW: REMOVAL OF EXISTING GARAGES AND OUTHOUSE, REPLACEMENT GARAGE AND TWO STOREY REAR EXTENSION FOR MR JULIAN BROADHURST**

Consideration was given to the above application.

That, for the reasons set out in the report, the application be APPROVED, subject to the following conditions:

1. Time Limit (3 years)
2. Development in accord with approved plans
3. Materials to be as per the application, to match the main dwelling.
4. Garage to remain ancillary to the house
5. To prevent conversion of garage to living accommodation

*In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning, in consultation with the Chair (or in their absence the Vice Chair) of Northern Planning Committee to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.*

The meeting commenced at 10.00 am and concluded at 11.30 am

Councillor D Jefferay (Chair)

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Application No: 23/4024M

Location: Land Adjoining Jenny Heyes, HEYES LANE, ALDERLEY EDGE, SK9 7LH

Proposal: Permission in principle (Stage 1) for an affordable housing exception site and associated works

Applicant: Mrs A Wood

Expiry Date: 15-Mar-2024

### **SUMMARY**

The site is located within the open countryside and Green Belt and the proposal comprises 100% affordable housing to serve an identified local need. Therefore the proposals qualify as an exception to inappropriate development in the Green Belt.

The proposals would contribute towards to local affordable housing needs of Alderley Edge and a development of 9 units would be appropriate in terms of density in this location. It is considered that a suitable layout of development could be achieved that overcomes flood risk concerns, amenity, highway and tree issues.

There are no ecological issues highlighted at this stage.

Overall, the principle of small-scale residential development in this location would not result in any conflict with the development plan.

The application is therefore recommended for approval.

### **SUMMARY RECOMMENDATION**

APPROVE

### **REASON FOR REFERRAL**

This application is referred to Cheshire East Council's Northern Planning Committee by Councillor Craig Browne for the following reasons;

*CELPS Policy PG3 – the proposed development site is in the North Cheshire Green belt and exceptional circumstances have not been demonstrated (three further brown field sites in Alderley Edge remain available, but not developed: Red Roofs, Hole Farm & Holmfield – two of these are in council ownership, one in the ownership of Peaks & Plains)*

*Wilmslow NP Policy TH1 – ribbon development at gateway or entrance sites (the proposed development site is at the entrance/gateway to Wilmslow & Alderley Edge, being sited on the Ward Boundary)*

*Wilmslow NP Policy PR3 – connectivity to a safe and accessible pedestrian network (the proposed development site is technically in Wilmslow, but visually connected to Alderley Edge; however, there is no pedestrian footway connecting the site to either of the two service centres).*

*Wilmslow NP Policy TA4 – connectivity to safe and well lit sustainable travel routes for walking and cycling (access/egress to and from the proposed development site is on a series of sharp bends in the road, with severely restricted visibility. The most obvious route into Alderley Edge is over a narrow bridge without a footpath on either side of the carriageway)*

*Alderley Edge NP Policy AE9 – (ensure that the green belt gap between Alderley Edge & Wilmslow is protected)*

## **DESCRIPTION OF SITE AND CONTEXT**

The site comprises a parcel of land some 0.2ha in area located on the north eastern fringe of Alderley Edge (although falls within the Parish of Wilmslow) and is on the southern side of Heyes Lane. To the immediate north and south is remaining open field, with development surrounding the site on 3 sides to the north, west and south, and open fields to the east. Whitehall brook runs to the south. Boundaries are marked by trees and hedgerows.

The site lies within the open countryside and Green Belt. The site falls within flood zone 1 with land surrounding the southern boundary falling within flood zones 2 and 3 that follow Whitehall Brook.

## **DESCRIPTION OF PROPOSAL**

This application seeks Permission in Principle (PiP Stage 1) for the construction of an affordable housing exception site and associated works.

An indicative site plan accompanies the application and demonstrates how the site could be divided into 9 plots with access from Heyes Lane, access road with visitor parking, parking court and turning head all within the site.

The application is accompanied by the following documents;

- Planning Statement
- Affordable Housing Statement
- Indicative Site Plan

## **RELEVANT HISTORY**



15/3535M - The construction of a new driveway to access Jenny Heyes from an existing gateway entrance into the parcel of land also owned by the applicant adjoining the property to replace an otherwise dangerous existing vehicular access to the said property - Refused / 28-Sep-2015. Refused on the grounds of inappropriate development within the Green Belt.

15/0766M - The construction of a new driveway to access Jenny Heyes from an existing gateway entrance into the parcel of land adjacent to Jenny Heyes and thereby close and replace an otherwise dangerous existing access to the said property – Withdrawn 24-Apr-2013

## **RELEVANT PLANNING POLICY**

By virtue of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application should be determined in accordance with the development plan unless material considerations indicate otherwise.

### **Cheshire East Local Plan Strategy 2010-2030 – Adopted July 2017**

MP1 Presumption in favour of sustainable development  
PG1 Overall Development Strategy  
PG2 Settlement Hierarchy  
PG3 Green Belt  
PG6 Open Countryside  
SD1 Sustainable Development in Cheshire East  
SD2 Sustainable Development Principles  
SC4 Residential Mix  
SC5 Affordable Homes  
SC6 Rural Exceptions Housing for Local Needs  
SE1 Design  
SE3 Biodiversity and Geodiversity  
SE4 The Landscape  
SE5 Trees, Hedgerows and Woodland  
SE6 Green Infrastructure  
SE12 Pollution, Land contamination and land instability  
SE13 Flood risk and water management  
CO1 Sustainable Travel and Transport

### **Cheshire East Site Allocations and Development Policies Document (SADPD)- Adopted December 2022**

PG 8 Development at local service centres  
GEN1 Design principles  
ENV1 Ecological Network  
ENV2 Ecological implementation  
ENV3 Landscape character  
ENV4 River Corridors  
ENV6 Trees, hedgerows and woodland implementation  
ENV7 Climate Change  
ENV12 Air quality

ENV15 New development and existing uses  
ENV16 Surface water management and flood risk  
ENV17 Protecting water resources  
HOU 1 Housing Mix  
HOU 12 Amenity  
HOU 13 Residential Standards  
HOU 14 Housing Density  
HOU 16 Small and Medium Sized sites  
INF1 Cycleways, bridleways and footpaths  
INF3 Highways safety and access

### **Wilmslow Neighbourhood Plan (2019)**

Policy H2: Residential Design.  
Policy H3: Housing Mix.  
Policy TH1: Gateways into Wilmslow

### **Other Material Planning Considerations**

National Planning Policy Framework (2023) National Planning Policy Guidance  
Alderley Edge Neighbourhood Plan

### **CONSULTATIONS (External to Planning)**

**Environment Agency** – Objection and recommend refusal due to absence of a flood risk assessment.

**Local Lead Flood Authority** – No objection subject to condition requiring detailed surface water drainage scheme.

**Strategic Housing** – No objection.

**United Utilities**- No objection

**Strategic Highways** –

**Ward Member** – No representations received

**Wilmslow Town Council** – Recommend refusal.

- Inappropriate in the Green Belt and will negatively impact on the openness of the Greenbelt, the benefits of which will not outweigh the resulting harm.
- proposal is contrary to Policy NE1 of the Wilmslow Neighbourhood Plan (Countryside Around the Town) and the have not demonstrated or sensitively responded to guidance identified as part of the Wilmslow Landscape Character Assessment, a supporting document to the Wilmslow Neighbourhood Plan.
- Proposals do not comply with the Wilmslow Neighbourhood Plan, Policies TH1 Ribbon Development at a Gateway or Entrance Site; PR3 Connecting to a safe and accessible pedestrian network; and TR4 Connecting to safe and well-lit sustainable routes for walking and cycling.
- Access to and from the site is at a dangerous location and the developer has not demonstrated how this issue will be satisfactorily overcome.

**Alderley Edge Parish Council – Recommend refusal.**

- Inappropriate development within the Greenbelt
- Final SADPD recommended site should stay in the Greenbelt
- Access is dangerous with no reference of how this would be managed
- Dangerous precedent if Neighbourhood plans of Wilmslow and Alderley Edge are overridden.
- Proposals are contrary to following policies;  
Wilmslow NP policy TH1 which prevent ribbon development at town entrance/gateways  
AENDP AE1 as brownfield sites should be developed first,  
AENDP AE9 Landscape Character and Access - Development should ensure the adequate separation of the built up area of Alderley Edge and Wilmslow.  
AENDP AE13 Views and Townscape – Development proposals must not harm characteristic features in the landscape.  
Wilmslow NP PR3 development proposals should seek to improve pedestrian connectivity through the Town Core.  
Wilmslow NP KS1 retention and creation of new routes for cycling and walking. Green infrastructure assets such as mature trees and hedgerows to be retained.  
Wilmslow NP LSP3 new development has to integrate with existing walking and cycling routes.

Wilmslow NP TA4 ensure appropriate access to schools via safe and well-lit sustainable transport routes, such as for walking and cycling.

**REPRESENTATIONS**

1 representation of support has been received and is summarised below;

- There is a need for affordable housing in Wilmslow and Alderley Edge.

13 letters of representation have been received from residents and 1 representation from 'Residents of Wilmslow' objecting to the proposal on the following grounds:

**Principle**

- This will open the flood gates for development in the Greenbelt
- Is there true affordable housing in Alderley edge and Wilmslow
- Application refers to housing need of Alderley Edge but site is in Wilmslow therefore impossible to consider exceptional circumstances
- Proposals do not meet Wilmslow or Alderley Edge neighbourhood plan policy
- Proposals set a dangerous precedent by disregarding neighbourhood plans
- This site is inappropriate
- Loss of green belt land
- The site would rely on use of Alderley Edges amenities and should be considered against Alderley edge policies.
- Local schools are oversubscribed and this will add pressure to that.
- There are more suitable sites in Alderley Edge e.g. Holmfield, Hole Farm Field which are brownfield not green belt land.
- Proposals do not align with SC6 and criteria for small sites as it is not connected to existing or proposed services
- Contradicts NP policy TH1 which prevents ribbon development at town entrances

- It is important that policies and principles of the Neighbourhood Plans are given significant weight so as to protect the individual character of both communities, their aspirations too.

### Visual Amenity

- Overdevelopment
- This site is in direct view from 'The Edge'
- Alteration of existing character of Alderley Edge
- New build affordable housing would take away from existing 1800's properties in the area
- Threat to characteristic features of the landscape

### Highways

- Poor access on a dangerous bend.
- This is a dangerous access
- Lack of footpath
- A dangerous blind corner on a fast road
- Cars speed up at this section of road
- Proposals do not connect to a safe and accessible pedestrian network
- Heyes Lane struggles with existing traffic without added pressure of more traffic
- Van slid off road at the exact proposed entrance spot
- Additional vehicles will create more parking issues and traffic
- Not enough parking shown on proposed plans
- The access is not identified and approved

### Ecology

- Rare birds nest in the trees

### Flooding

- Increased flow through Whitehall Brook contributes to flooding on A34 and this development will exacerbate the problem.
- Increased flood risk
- Increased development increased flood risk
- Stream is getting higher every year and will eventually flood
- There is often water laying across the road

### Environmental

- Additional noise disturbance
- Disruption to wildlife
- Noise during construction
- Proposals fail to preserve green infrastructure assets

### Amenity

- Loss of amenity
- Loss of privacy to neighbouring properties as result of loss of trees

Other

- Viability assessments are a loophole for developers to escape their affordable housing obligations.
- Any financial assessments should be put in the public domain. [Officer note: There are no financial or viability assessments accompanying this application]

## OFFICER APPRAISAL

### Procedure

The permission in principle consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development.

The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed.

The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these 'in principle' matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage.

It is not possible for conditions to be attached to a grant of Permission in Principle and its terms may only include the site location, the type of development and the amount of development. Where permission in principle is granted by application, the default duration of that permission is 3 years.

### Principle of development in the Green Belt / Open Countryside – Location and Land Use

The application site is located within the Parish of Wilmslow and within the Open Countryside and Green Belt.

Paragraph 152 of the National Planning Policy Framework outlines that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 154 of the NPPF and Policy PG3 of the Cheshire East Local Plan Strategy apply a general presumption against development in the Green Belt, subject to certain exceptions.

Paragraph 154(f) outlines one such exception as "*limited affordable housing for local community needs under policies set out within the development plan (including policies for rural exception sites)*". This exception is reflected in Policy PG3(3)(v) of the CELPS, which identifies limited affordable housing for local community needs under policies set out in the Local Plan as an exception to inappropriate development.

The site also lies within the open countryside and as such, is subject to the requirements of Policy PG6. Policy PG6 of the CELPS states within the open countryside, only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers,

or for other uses appropriate to a rural area will be permitted. Exceptions include affordable housing in accordance with the criteria contained in Policy SC 6 'Rural Exceptions Housing for Local Needs'.

Paragraph 78 of the NPPF states that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs and consider whether allowing some market housing on these sites would help to facilitate this.

The relevant local plan policy to assess rural exceptions housing for local needs is CELPS Policy SC6. The Alderley Edge Neighbourhood Plan (AENP) outlines that rural exceptions housing will be considered in line with CELPS Policy SC6. This policy sets out the requirements against which the proposal must be considered. The policy states that proposals for rural affordable housing schemes will be supported by the Council subject to all of the criteria below being met. Each of these will be addressed in turn;

1. Sites should adjoin Local Service Centres and Other Settlements and be close to existing employment and existing or proposed services and facilities, including public transport, educational and health facilities and retail services;

The site lies within the Parish of Wilmslow but is adjacent to the settlement boundary of Alderley Edge (a Local Service Centre as identified under policy PG2 of the CELPS), separated only by Whitehall Brook. The site is approximately 1km walk from Alderley Edge village centre, with its associated services and facilities, its railway station; which provides services to Manchester and Crewe; and the bus stops located on London Road which provide services to Macclesfield and Manchester Airport via Wilmslow.

2. Proposals must be for small schemes; small schemes are considered to be those of 10 dwellings or fewer. Any such developments must be appropriate in scale, design and character to the locality;

The proposal seeks permission in principle for "an affordable housing exception site and associated works", and whilst the number of units are not confirmed at this stage, an indicative layout plan has been provided to show 9 no. dwellings, which would meet the above criterion. Matters of scale, design and character would be considered at the technical details consent stage and are therefore not for consideration as part of this application.

3. A thorough site options appraisal must be submitted to demonstrate why the site is the most suitable one. Such an appraisal must demonstrate why the need cannot be met within the settlement;

The site directly adjoins the settlement boundary of Alderley Edge, a local service centre as designated by the settlement hierarchy. SADPD policy PG8 advises that Local services centres will be expected to accommodate 3,500 new homes and it is expected that the housing element will be addressed by windfall going forward, in line with other policies in the local plan.

The applicant has noted that the '*settlement boundary adopted for Alderley Edge tightly encloses the village. Other than infrequent opportunities for redevelopment and potential intensification of existing housing plots or previously developed land (which themselves are further constrained by other restrictions such as by Conservation Area designation), opportunities to deliver new housing within the settlement boundary are very limited*'. The applicant suggests that this level of restriction is reflected in the numbers of housing



completions in Alderley Edge (Housing Monitoring Report, base date 31 March 2022) that since 2010, only 95 no. dwellings (net) have been delivered in Alderley Edge, equating to approximately 8 no. dwellings per annum.

One site within the settlement boundary, Holmefield, owned by Peaks and Plains, and is considered below. Red Roofs and Hole Farm were also considered by the applicant which fall within the Green Belt. These sites were raised as potential alternatives by the Ward Councillor in his call-in request.

Holmefield – Proposals have been advanced to demolish the existing 32 no. apartments for the over 55s, no redevelopment proposals have yet been formulated. Peaks & Plains Housing Trust advise ‘plans are underway to continue to work with interested local partners to redevelop this site in Alderley Edge to build much-needed affordable homes’ (Peaks and Plains Website, February 2024).

To maintain the current position stated in the Needs Report (for an additional 17 dwellings), the 32 no. dwellings at Holmefield would need to be replaced within the village boundary. There are no known sites suggested by the applicant that could accommodate this level of development within the settlement boundary of Alderley Edge. The housing needs assessment had not at the time of preparation included the displaced Holmefield residents which would further inflate the level of local need.

Whilst the Holmefield site could be redeveloped at a higher density, to provide more than 32 no. affordable homes, ultimately there is no guarantee that this would or could occur as Peaks and Plains advise ‘*demand for these small and outdated flats at Holmfield is low, while the demand for modern efficient affordable homes in the areas is high*’ (Peaks and Plains website).

Red Roofs / Hole Farm - Both of the sites do not fall within the settlement boundary of Alderley Edge and are within the Green Belt. Any proposal for affordable housing on this land would need to comply with the same policy tests and Green Belt exemptions as the proposal at Jenny Heyes.

As the Red Roofs/Hole Farm site is not within the settlement, it is not considered to be any more suitable than the application site. Notwithstanding this view, the sites are also both within the ownership of the Council and no development proposals exist.

#### The application site

The land between Whitehall Brook and Jenny Heyes was considered as a potential site allocation during the SADPD process by the LPA, along with other small housing allocations in the Green Belt. The Alderley Edge settlement report August 2020, part of the evidence base for the SADPD, assessed these parcels of land grading them on their basis of contribution to Green Belt purposes, ranging from major contribution, significant contribution, contribution, down to no contribution. The assessment findings for the application site are summarised below;

Green Belt Purposes	Assessment
1. Check the unrestricted sprawl of large built-up areas	Contribution

2. Prevent neighbouring towns merging into one another	No contribution
3. Assist in safeguarding the countryside from encroachment	Contribution
4. Preserve the setting and special character of historic towns	Contribution
5. Assist in urban regeneration, by encouraging the recycling of derelict and other urban land	Significant contribution
Overall evaluation	The site makes a significant contribution to assisting in urban regeneration but a contribution or no contribution to the other four purposes. It is a small, well contained site and overall is considered to make a 'contribution' to Green Belt purposes.
<b>Overall Assessment</b>	Contribution

As shown above, the site was concluded as making a 'contribution' to Green Belt purposes. This site was the only site location assessed of the 13 considered at that stage to make a "contribution" to the Green Belt; there were no other sites that were considered to make a lower or equal contribution to Green Belt purposes.

The applicant considers that it is inescapable that any windfall development opportunities that may exist on Green Belt land at Alderley Edge must take place on land that contributes to the Green Belt.

They state that historically low levels of housing development in Alderley edge demonstrate that windfall opportunities within the settlement boundary are heavily constrained.

Whilst this site was not selected as an allocation, the evidence at that time during the selection process for the SADPD did find that the site was adjacent to the settlement and in a sustainable location which meets the accessibility criteria for the majority of services and facilities listed in CELPS Policy SD 2.

The site does have some built development on 3 sides and was found to be the least harmful site to Green Belt purposes when compared to alternative locations.

4. In all cases, proposals for rural exceptions housing schemes must be supported by an up-to-date Housing Needs Survey that identifies the need for such provision within the parish;

The application is supported by an Affordable Housing Statement which considers the findings of the Alderley Edge Parish Housing Needs Report, published in January 2023. This survey



concluded that there is a need for 17 affordable dwellings and represents an up-to-date Housing Needs Study.

Whilst the site is within the parish of Wilmslow, it is directly adjacent to Alderley Edge and development here would effectively function as part of Alderley Edge. Given the pattern of development in this area, the housing officer considers that it is appropriate for the housing needs survey to consider the housing needs of Alderley Edge Parish. Information gathered as part of the preparation for the Alderley Edge Neighbourhood plan identified affordable housing as the highest priority in new housing. AENP policy AE2 clarifies that affordable housing will be required in line with the applicable policies of the CELPS

5. Occupancy will, in perpetuity, be restricted to a person in housing need and resident or working in the relevant parish, or who has other strong links with the relevant locality in line with the community connection criteria as set out by Cheshire Homechoice, both initially and on subsequent change of occupancy. This could include Key Workers and Self Build;
6. The locality to which the occupancy criteria are to be applied is taken as the parish, unless otherwise agreed with Cheshire East Council;
7. To ensure that a property is let or sold to a person who either lives locally or has strong local connections in the future, the council will expect there to be a 'cascade' approach to the locality issue appropriate to the type of tenure. Thus, first priority is to be given to those satisfying the occupancy criteria in relation to the parish, widening in agreed geographical stages

The above criteria are all matters which would be addressed as part of the Technical Detail consent and associated Section 106 legal agreement. However, the applicant has indicated their intention to work proactively with the Council to achieve this.

In light of the above, the proposal is considered to accord with CELPS policy SC6, and objectives set out within CELPS policies PG1, PG2, PG3, PG7 and SC6; and SADPD policy PG8 in this regard. The proposals accord with paragraph 154(f) of the Framework and would not be an inappropriate form for development in the Green Belt.

#### Other location matters

Alderley Edge Parish Council, Wilmslow Town Council and residents have raised concerns that the proposals do not meet the requirements of Wilmslow NP Policy TH1 which seek to prevent further ribbon development on town entrances or gateways. However, the site is not on one of the listed roads within the policy nor does it result in ribbon development. Moreover, it would fill part of an area surrounded by development of 3 sides.

#### **Amount of development**

CELPS policy SC6(2) requires proposals for rural exception sites to be small, comprising sites of 10 dwellings or fewer.

The Permission in Principle (PiP) process is limited to development proposals of between 1 and 9 dwellings, total development of under 1,000 sqm and a site hectare of under 1 hectare.

The indicative proposal comprises 9 no. dwellings and is on a site of 0.2 hectare and therefore meets the requirements of the PiP process CELPS policy SC6.

CELPS Policy PG1 states that sufficient land will be provided to accommodate the full, objectively assessed needs for the Borough of a minimum of 36,000 homes, at a net average of 1,800 dwellings per year. SADPD policy PG8 identifies that the ten settlements that comprise the Local Service Centres (LSC), such as Alderley Edge, shall contribute 3,500 dwellings to that overall requirement. The policy does not determine how this is distributed between the 10 LSC. There are no allocated sites without planning permission in Alderley Edge and no dedicated housing allocations.

As detailed above the construction of a rural exception site for 9 no. affordable dwellings in this sustainable location would not be inappropriate development in the Green Belt. Housing needs assessments conclude that a level of local need exists for affordable housing in Alderley Edge.

Policy AE9 of the Alderley Edge Neighbourhood plan seeks to secure adequate separation of Alderley Edge and Wilmslow addressing the landscape design principles:

1. Development proposals on the edges of the built-up area will be required to provide an appropriate transition from the wider rural area to the built form of the settlement, with landscaped buffer zones using locally appropriate species in boundary treatments;
2. Development proposals must not significantly harm, individually or cumulatively, characteristic features within the local landscape.

The site proposes 9 dwellings, with a density of around 37 dwellings a hectare. SADPD policy HOU 14 requires a net density of at least 30 per hectare. Any future technical detail application would need to address a design and layout which reflect the rural nature of the surroundings.

The proposals would introduce development on this currently green site but would be surrounded by built form beyond the remaining section of field. Land levels dip down towards the brook which would place development at a lower level than neighbouring residential development to the north and north west. It is currently screened from public view by mature trees and vegetation and is not prominent from public viewpoints. The site does not have a strong visual connection to the surrounding landscape. Any future application would need to secure appropriate landscaping along the boundary to maintain this tree-lined character present along this section of Heyes Lane. The indicative layout demonstrates this may be possible.

Adequate land surrounds the site to enable appropriate outdoor amenity space for each plot and to provide adequate privacy distances between existing and proposed development.

### **Highways/Accessibility**

CELPS Policy CO 1 deals with sustainable travel and transport. It supports a shift from car travel to public transport and seeks to guide development to sustainable and accessible locations.

SADPD policy INF3 requires that amongst other things, proposals provide safe access to and from the site for all highway users and incorporate safe internal movement in the site to meet the requirements of servicing and emergency vehicles. Development traffic should be

satisfactorily assimilated into the operation of the existing highway network so that it would not have an unacceptable impact on highway safety, incorporating measures to assist access to, from and within the site by pedestrians, cyclists and public transport users and meets the needs of people with disabilities. WNP policy TA4 requires applications to demonstrate how they can ensure appropriate access to schools via safe and well-lit sustainable transport routes such as walking and cycling. Residents and the Town and Parish Council have all raised concerns regarding highway safety and access issues.

Whilst this application is for a permission in principle, any future application would need to address the issue of access. Safe and convenient pedestrian access would need to be provided in accordance with LPS Policy CO 1 and WNP TA4, bearing in mind that the current footpath provision from Alderley Edge is narrow, on the other side of Heyes Lane, and ends at the bridge over the brook.

Although a site-specific transport statement would be required for the technical application, the applicant has advised that previous highway assessments were carried out on the site as it was promoted as a housing allocation thorough the SADPD process. At that time an access feasibility appraisal concluded that requisite visibility splays of 2.4m x 33m could be provided in each direction. The highway officer raises no concerns regarding the trip generation of this site and the visibility splays would be acceptable.

This would be formally considered as part of the technical detail consent.

## **Ecology**

Section 15 of the NPPF considers the conservation and enhancement of the natural environment. Local Plan Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity. This is reflected within SADPD policy ENV 2.

The National Planning Practice guidance is clear that permission in principle must not be granted for development which is habitat development (development which is likely to have a significant effect on a qualifying European site, referred to as habitats sites in the National Planning Policy Framework (either alone or in combination with other plans or projects); is not directly connected with or necessary to the management of the site, and; the competent authority has not given consent, permission, or other authorisation in accordance with regulation 63 of the Conservation of Habitats and Species Regulations 2017.)

The Council's ecologist confirms there are no SSSI (or other designated sites) issues associated with this site. There would be a need for habitat/protected species surveys as part of the technical detail application.

## **Trees**

CELPs Policy SE5 seeks to ensure the sustainable management of trees, woodland and hedgerows including provision of new planting to provide local distinctiveness within the landscape, enable climate adaptation resilience, and support biodiversity. Furthermore, the planting and sustainable growth of large trees within new development as part of a structured landscape scheme is encouraged in order to retain and improve tree canopy cover within the

borough as a whole. Similarly SADPD policy ENV 6 requires proposals to retain and protect trees, woodland and hedgerows. Proposals should include measures to secure the long-term maintenance of newly planted trees.

The site is surrounded by established hedgerows and tree cover bordering the Whitehall Brook. The indicative proposal suggests that the development area would be less than 10 metres to the north of the brook and an established linear group of trees which border the water course. None of the trees are afforded statutory protection.

The location of the indicative access indicates a section of hedgerow would need to be removed to create the new access and associated visibility splays and this hedgerow may be subject to the Hedgerow Regulations 1997. Where proposed development is likely to result in the loss of existing agricultural hedgerows which are more than 30 years old, a Hedgerow Removal Notice would be normally required under the Hedgerow Regulations 1997. However, there are some circumstances where hedge removal can be exempt from the Regulations, for example,

- To make a new opening in substitution for an existing one which gives access to land (in which case the existing access must be planted up with hedge plants within 8 months),

or

- To obtain access to land where another means of access is not available or is only available at disproportionate cost.

The Council's Arboriculture officer consider that the hedge in question may meet one of the historic criteria in the Regulations. Nevertheless, if the applicant can demonstrate that an exemption would be applicable, a full assessment may not be required but the amount of hedgerow to be removed in its entirety to accommodate the access would need to be indicated on the proposed plans.

As part of the technical details consent, an arboricultural assessment should inform the layout and ensure that trees and hedgerows are retained to maintain the landscape character of the area and to ensure appropriate relationships are achieved in terms of separation.

## **Flooding and Drainage**

Paragraph 165 of the Framework advises that inappropriate development in areas at risk of flooding should be avoided, by directing development away from areas at highest risk. The Planning Practice Guidance clarifies that the aim should be to keep development out of medium and high flood risk areas (Flood Zones 2 and 3).

Policy SE13 of the CELPS states that developments must integrate measures for sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity within the borough and provide opportunities to enhance biodiversity, health and recreation.

Representations have raised concerns over flood risk at the site.

Whitehall brook runs along the southern boundary of the development site and the Environment Agency's (EA) Flood Maps show that land adjacent to the watercourse is affected by Flood Zones 2 and 3. The EA have objected to the proposals in the absence of a Flood Risk Assessment (FRA) which they consider is required to demonstrate that the proposed

development will be safe from fluvial flooding over its expected lifetime, taking the impacts of climate change into account.

However, the applicant states that the site falls within Flood Zone 1 and that only land adjacent to the boundary with Whitehall Brook is within Flood Zone 2 and 3.

The NPPF advises that a sequential, risk-based approach should apply to the location of development. If the sequential test set out in the NPPF should be applied to the proposal, paragraph 167 advises that development should not be permitted if there are reasonably available sites appropriate for the development in areas with a lower risk of flooding. In this case, as the majority of the site is within Flood Zone 1 and the area in dispute is the southernmost section of the site, it is considered that the site is of a sufficient size for the development to be accommodated within a part of the site that lies wholly in Flood Zone 1 and would therefore pass the sequential test.

Consequently, whilst the EA objection is noted, along with the concerns raised in representation, it is considered that a FRA is not required with this permission in principle application. These matters would be dealt with as part of a subsequent application for technical details consent.

## **Contamination**

CELPs policy SE12 seeks to ensure that all development is located and designed so as not to result in a harmful or cumulative impact upon air quality, surface water and groundwater, noise, smell, dust, vibration, soil contamination, light pollution or any other pollution which would unacceptably affect the natural and built environment, or detrimentally affect amenity or cause harm. In most cases, development will only be deemed acceptable where it can be demonstrated that any contamination or land instability issues can be appropriately mitigated against and remediated, if necessary.

The application is for new residential properties which are a sensitive end use and could be affected by any contamination present or brought onto the site. This matter would be dealt with at the Technical Details stage.

## **Other Matters Raised by Representations**

Concerns have been raised over the impact upon local infrastructure (schools). The development falls below the required trigger to mitigate the impact upon schools.

Residents have raised concerns about the precedent that the approval of this application may set and the subsequent threat to the Green Belt. However, as detailed above this application meets the tests required for the proposals to be considered as a rural exception site which is an exceptional form of development in the Green Belt. Furthermore, each application is determined on its merits.

## **Conclusion**

The site is located within the open countryside and Green Belt and the proposal comprises 100% affordable housing to serve an identified local need. Therefore the proposals qualify as an exceptional form of development which would not be an inappropriate in the Green Belt.

The proposals would contribute towards to local affordable housing needs of Alderley Edge and a development of 9 units would be appropriate in terms of density in this location. It is considered that a suitable layout of development could be achieved that overcomes flood risk concerns, amenity, highway and tree issues.

There are no ecological issues highlighted at this stage.

Overall, the principle of small-scale residential development in this location would not result in any conflict with the development plan.

The application is therefore recommended for approval.

## **RECOMMENDATION**

### **Approve**

It is not possible for conditions to be attached to a grant of Permission in Principle. Where Permission in Principle is granted by application, the default duration of that permission is 3 years.

It is not possible to secure a planning obligation at the Permission in Principle stage.

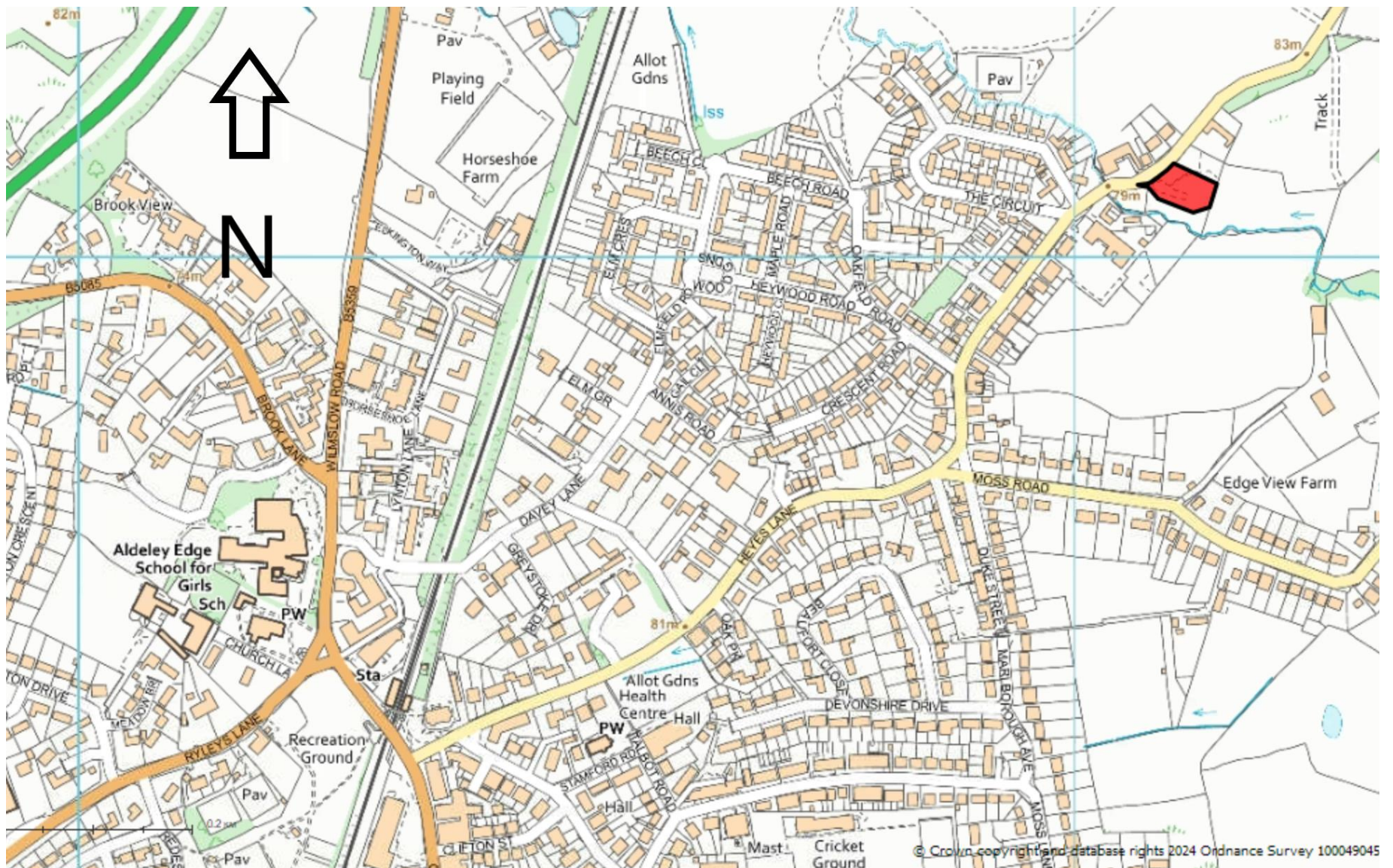
The Planning Practice Guidance advises that if the local planning authority considers it appropriate on planning grounds they may shorten or extend these periods, but should clearly give their justification for doing so. Applications for technical details consent must be determined within the duration of the permission granted.

*In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning, in consultation with the Chair (or in their absence the Vice Chair) of Northern Planning Committee to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.*

Application for Permission in Principle

RECOMMENDATION: Approve without conditions









23/4024M

Land Adjoining Jenny Heyes,  
HEYES LANE, ALDERLEY EDGE,  
SK9 7LH



Application No: 23/3385M

Location: Land adjacent to 17, AVONSIDE WAY, MACCLESFIELD, SK11 8BY

Proposal: Proposed new dwelling, formation of a new driveway and landscaping

Applicant: Mr Jon Wynne

Expiry Date: 22-Mar-2024

**SUMMARY**

The application site lies within the settlement boundary of Macclesfield. Macclesfield is identified as a Principal Town in the CELPS, where residential development is deemed acceptable subject to compliance with other policies within the development plan. The development accords with Policies PG 2 and SD 2 of the CELPS.

The development is considered to be acceptable in terms of its impact upon the residential amenities of the neighbouring residential properties surrounding the site. There is no significant conflict with Policy HOU 8, 11, 12 or 13 of the SADPD in this regard.

The site is within a sustainable location and is in easy walking distance of public transport links, schools and local facilities.

The design of the proposed development is considered to be acceptable and would not result in significant harm to the character or appearance of the area. There is no significant conflict with policies SE1, SD2 of the Cheshire East Local Plan Strategy and policy GEN1 of the SADPD and the Cheshire East Design Guide.

The development is considered to be acceptable in terms of its impact upon the highway safety and parking provision. The development complies with SADPD policy INF 3 and Appendix C of the CELPS.

The proposal is deemed acceptable in ecological terms and subject to condition the development should help safeguard biodiversity in accordance with the NPPF and Local Plan Policy SE3.

Subject to conditions the development, which is in flood zone 1, is in accordance with policy SE13 and ENV16 with regard to flood risk and water management.

The proposal is therefore considered to be acceptable in the context of the relevant policies of the Cheshire East Local Plan Strategy, the Site Allocations and Development Plan Document and advice contained within the NPPF. The application is therefore recommended for approval subject to conditions.

### **SUMMARY RECOMMENDATION**

Approve subject to conditions.

### **REASON FOR REFERRAL**

This application has been called-in to be determined by the Northern Planning Committee by the local Ward Member, Cllr Liz Braithwaite, for the following reasons:

*“I have several significant concerns with this application including the following:*

*Overdevelopment of the site*

*Proposed 4-bedroom house over 3 storeys is not in keeping with the predominately 2-bedroom 2 storey neighbouring properties and is overbearing*

*Potential overlooking of houses on Mayfield Avenue from the rear with loss of residential amenity*

*Minimum separation distances with potential loss of residential amenity for neighbouring properties*

*The proposed driveway for no 17 and the new property is located close to a busy pedestrian walkway at the end of a cul-de-sac and may not meet Highways requirements including for visual splays. It is noted in the application that parking for no 17 is off site. (At the time of writing this request there is no Highways submission for the application).*

*I feel that the significant impact on the area of this application warrants consideration by the planning committee.”*

### **DESCRIPTION OF SITE AND CONTEXT**

The application site comprises an open plot of grassed land at the head of a cul-de-sac and forms part of the garden area of 17 Avonside Way. Some works (fencing and hardstanding) have recently taken place at the site. The site is located within the settlement boundary of Macclesfield, an aerodrome safeguarding area and ecological network core area.

17 Avonside Way is a two bed, two storey dwelling and has one allocated parking space located to the west of the site on a designated car park. 17 Avonside Way's frontage was formerly grassed and contained a pedestrian access to the front door, no second parking space was provided for the existing dwelling.

The local vernacular of dwellings on Avonside Way are similar in design and are an assortment of terraced, link attached, semi-detached or detached dwellings. Building lines in parts are staggered. Houses in the immediate vicinity have retained their brick façade and the ridge heights are relatively consistent, but there are changes between adjoining properties. Marlowe Court runs off Avonside Way, resulting in two side gables fronting Avonside Way.

In-between 15 Avonside Way and the application site is a pedestrian footpath leading to Hathaway Drive. To the east of the site is a further footpath serving the rear gardens of dwellings on Hathaway Drive.

### **DETAILS OF PROPOSAL**

This application seeks full planning permission for a new dwelling, formation of a new driveway and landscaping. Solar panels are to be located on the roof to the rear.

### **Relevant Planning History**

25055P 2 FURTHER HOUSES TO EXISTING DEVELOPMENT (2 PLOTS BETWEEN PL RIDGE VIEW (AVONSIDE WAY) OFF RYLES PARK RD. Refused 30-Mar-1981

### **CONSULTATIONS (EXTERNAL TO PLANNING)**

**Environmental Health** – No objection, however informatives and conditions requested

**United Utilities** – No objection, however informatives requested

**Head of Strategic Transport** – No objection

**Macclesfield Town Council** – would like the planning officer to check this isn't overdevelopment of the piece of land and also ask that the following policies from the Cheshire East Local Plan- Site Allocations and Development Policies Document are checked:

- Policy HOU12- Amenity relating to loss of sunlight or daylight, and traffic generation, access and parking
- Policy HOU13- Residential standards.

### **REPRESENTATIONS**

9 letters of representation have been received objecting to the proposal on the following grounds (comments in full can be viewed on application file):

- restrict natural light for neighbouring properties
- overlook the pre-existing properties and reduce privacy
- un-neighbourly behaviour
- shared pathway that already exists down the east boundary of the property is missing. New construction of fencing along the east boundary clearly obstructs the pathway. The path was 1.2 metres wide, this is now 0.6 metre
- Overdevelopment



- the design of this new building is incongruent with the properties in the surrounding area.
- No 3-storey properties exist on the current development.
- Construction Before Permission
- The roof line of the proposed building is more than 1 metre above any of the houses.
- Materials not in keeping
- Rear balcony causing amenity issues
- Landscape already negatively impacted with trees, bushes and hedges on the garden area of 17 Avonside Way been taken out
- Loss of habitats and biodiversity
- Proposed tarmacked 4 parking spaces will result in traffic increase
- Footpath leading from Hathaway Drive to Avonside way is a playing area for children and concerns are raised with regards to safety
- Cast shadow on 22 Hathaway Drive particularly on the North facing extension room and West facing main house external wall.
- 22 Hathaway Drive will be no longer able to insert renewable Solar Cell panels on the extension roof which gets sun from 11am till the sunset
- Proposed 2nd floor window overlooks 22 and 24Hathaway Drive window
- Sound pollutions due to excessive glazing
- East facing windows and door must be non-opening type, preferably with obscure glasses to maintain the good neighbourly relationship.
- Overlooking on the properties to Mayfield Avenue
- No evidence that this proposal will achieve a Biodiversity net gain
- Concerns over the extensive renovation work already undertaken to the existing building's kitchen area
- Concerns over construction / workers vehicles
- Statement incorrect as refers to a two storey dwelling when in fact it's three storey

## **POLICIES**

### **Cheshire East Local Plan Strategy**

MP1	Presumption in Favour of Sustainable Development
SD1	Sustainable development in Cheshire East
SD2	Sustainable development principles
SE1	Design
SE2	Efficient use of land
SE3	Biodiversity and Geodiversity
SE4	Landscape
SE5	Trees, Hedgerows and Woodland
SE8	Renewable and low carbon energy
SE9	Energy Efficient Development
SE12	Pollution, Land Contamination and Land Instability
SE13	Flood Risk and Water Management
IN1	Infrastructure
PG1	Overall Development Strategy
PG2	Settlement Hierarchy

PG9 Settlement Boundary

Appendix C Parking Standards

## **Site Allocations and Development Policies Document**

GEN 1 Design Principles  
GEN 5 Aerodrome Safeguarding  
ENV 2 Ecological implementation  
ENV 3 Landscape Character  
ENV 5 Landscaping  
ENV 6 Trees, hedgerows and woodland implementation  
ENV 7 Climate Change  
ENV 10 Solar Energy  
ENV 16 Surface water management and flood risk  
HOU 11 Extensions and alterations  
HOU 12 Amenity  
HOU13 Residential standards  
INF 3 Highway safety and access

## **Other Material Considerations**

- National Planning Policy Framework
- National Planning Practice Guidance
- Cheshire East Borough Design Guide SPD
- Technical housing standards – nationally described space standard

## **OFFICER APPRAISAL**

### **Design and impact on the character and appearance of the area**

Policy SE1 of the CELPS advises that the proposal should achieve a high standard of design and; wherever possible, enhance the built environment. It should also respect the pattern, character and form of the surroundings. There are also further references to design within policies; SD1, SD2 and SE3 of the CELPS.

Policy SD2 of the Cheshire East Local Plan states that all development will be expected to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of height, scale, form and grouping, choice of materials, and external design features. In addition, in terms of its relationship to neighbouring properties, the street scene and wider neighbourhood.

Policy GEN 1 is in line with LPS policies SD 2 'Sustainable Development Principles' and SE 1 'Design', development proposals should:

- 1. create high quality, beautiful and sustainable buildings and places, avoiding the imposition of standardised and/or generic design solutions where they do not establish and/or maintain a strong sense of quality and place;*
- 2. create a sense of identity and*

*legibility by using landmarks and incorporating key views into, within and out of new development; 3. reflect the local character and design preferences set out in the Cheshire East Borough Design Guide supplementary planning document unless otherwise justified by appropriate innovative design or change that fits in with the overall form and layout of their surroundings.*

The initial proposal contained a 1.8m high fence and gates around the perimeter of the site. The proposed fence which has already been erected would result in a poor outlook for future occupiers and sits at odds with landscaping traditions of the area. Additionally, there is a risk that it creates an area which could encourage antisocial behaviour with the formation of an enclosed alley along the existing footpath. Revised plans were therefore secured reducing the height of the fence to the front and removing the access gates. This will help retain some of the open feel of the landscaping.

#### Layout

The application proposes the erection of a two storey, 3-bed, detached dwelling within a site measuring approx. 9.5m x 28.3m in size (the site widens towards the front). The dwelling is to occupy a corner plot which was the side garden of 17 Avonside Way. Whilst the dwelling is to be at the head of a cul-de-sac, the dwelling will not be overly prominent when heading south along Avonside Way as it occupies a corner plot and the built form is set back from the road.

The proposed three parking spaces to the front boundary of the proposed site are in keeping with the character and appearance of the area.

This overall layout and density of plot development is deemed to be reflective of the surrounding character and considered acceptable.

#### Form

The detached dwelling proposed is in keeping with the character and appearance of the area. Avonside Way is comprised of a mixture of detached, semi-detached and terraced properties. As such, the provision of a further detached dwelling would not appear incongruous.

#### Scale

The revised design of the detached dwelling now results in the dwelling measuring approx. 6.7m to the ridge and 8.1m wide (not including the overhang). The dwelling is to be 6.8m deep at two storey and approx. 13.7m deep at ground floor. The revised design and reduced height is now in keeping with the character and appearance of the area. The proposed footprint is also in keeping with the area. As such, subject to a levels condition in the event of approval, the scale of the development is deemed to be acceptable.

#### Appearance

The objections on design grounds have been noted from neighbours. The initial design of the dwelling was deemed unacceptable in terms of its appearance and would have had a detrimental effect on the character and appearance of the area. The revised scheme has reduced the height of the dwelling, removed the dormer window, and overall reconfigured the massing of the dwelling, and scaled back the timber detailing on the front elevation. The reduction in scale is positive, helping to reduce the impact the proposed has on the surroundings. In particular, the replacement of the two-storey front 'extension' with a single-storey element resolves the concerns regarding the dominant feature and better responds to the context. The front elevation better responds to the context with regards to its character, and overall the proposed sits better within the surroundings.



Overall, the scale, form and appearance responds well to character and appearance of the area. As such, it is deemed that the design of the proposed development is acceptable, adhering with the relevant design policies of the Development Plan. The revision has been assessed by Cheshire East Councils Design Officer who confirms on balance there are no objections, however further changes to incorporate soft landscaping to the front boundary would be welcome.

Bearing the above points in mind and subject to landscaping conditions, the revised scheme is deemed to be in accordance with policy SE1, SD2 of the Cheshire East Local Plan Strategy and policy GEN1 of the Site Allocations and Development Policies Document and the Cheshire East Design Guide.

### **Living conditions**

As detailed above, objections and concerns have been raised by interested parties regarding the impact of the proposal upon the living conditions of neighbouring properties.

As noted previously, revised plans have been secured during the course of the application reducing the height of the dwelling from a three-storey dwelling to two storey and removing the balcony from the rear. These amendments help reduce any substantial amenity issues. The initial proposal also contained a first-floor side window facing dwellings on Hathaway Drive, which has also now been removed. Concerns are noted with regards to second floor windows causing overlooking issues and the revised scheme contains no second-floor windows.

In terms of the potential overlooking of the properties on Mayfield Avenue, number 55 Mayfield Avenue is directly to the south of the proposed dwelling. As the rear boundary treatment for the proposed dwelling contains a 1.8m high timber fence and as the rear boundary contains planting/shrubs / hedges, there is no substantial amenity concerns with the ground floor development due to substantial screening. The proposed two storey development is to be approx. 20.6m between the proposed two storey element and the built form at 55 Mayfield Avenue and there is approx. 23.5m between both rear two storey elements. As policy HOU13 of the SADPD suggests 21m back to back for a two storey dwelling. The proposed distance and taking into account the boundary treatment to the closest dwelling on Mayfield Avenue, is deemed in accordance with policy at two storey and acceptable at ground floor due to the particular circumstances of the site.

The proposed west elevation is to contain just one door which contains a large window. As the window faces a blank elevation at ground floor 17 Avonside Way, this raises no significant amenity issues.

Number 17 Avonside Way contains a first-floor window facing the proposed development. This window serves the stair / landing area and is therefore a non-habitable room. As this room is non-habitable and is to face a blank gable the relationship raises no concerns.

The adjacent property to the east, 22 Hathaway Drive, contains a first floor west facing side window. According to planning application 08/0496P at 22 Hathaway Drive, the first-floor window serves a non-habitable room (stairs / landing). Application 08/0496P also confirms at ground floor there is a side door. As there are no side habitable room windows facing the

proposed development and also taking into account the orientation of the dwellings, this relationship is considered to be acceptable.

The concerns of the occupiers of 22 Hathaway Drive are noted regarding the development casting a shadow and restriction of natural light. The revised plans have reduced the height of the proposed dwelling which will reduce impact. In addition, taking account of the sun rising to the east, whilst it is acknowledged that there will be some element of shade cast later on in the day depending on the time of the year, due to the orientation of the dwellings and sun direction, it would not be so substantial to justify a refusal of planning permission.

Policy HOU 13 refers to the 45-degree rule, which is a well-established rule of thumb that is used to make sure development does not have an unacceptable impact on outlook and light to principal and habitable room windows. A site layout diagram has been submitted with the application evidencing the 45-degree line of sight from first and ground floor windows at both 17 Avonside Way and 22 Hathaway Drive. Whilst it's noted at ground floor the line of sight from 22 Hathaway Drive is slightly breached on plan, taking into account the proposed 1.8m high fence and pathways separating the two properties, no significant impact is anticipated.

The side elevation of number 15 Avonside Way sits to the north (front) of the proposed dwelling. This building contains one first floor window which appears to be obscurely glazed and will face the proposed development, with a separation distance of approx. 14m thereby meeting the recommended separation distances in policy HOU13 of the SADPD.

Concerns are noted from objectors with regards to the east facing windows and door. The submitted plans evidence the east facing ground floor window to the front of the dwelling is to be obscurely glazed, this is to serve a bathroom and is not anticipated to cause any substantial amenity issues. The two further ground floor east facing windows to the rear of the proposed dwelling are to be set in from the site boundary by approx. 4m. Due to the distance from the boundary line, as the boundary fence is to be 1.8m high and as there is a footpath separating the boundaries of the proposed site and 22 Hathaway Avenue, these proposed windows are not considered to raise any significant impact upon the living conditions of the neighbour.

Conditions are recommended preventing the insertion of additional windows and to prevent the use of the flat roof as a balcony / roof terrace, in order to protect the living conditions of neighbours.

#### Nationally Described Space Standard (NDSS)

Policy HOU8 of the SADPD confirms '*Proposals for new residential development in the borough should meet the Nationally Described Space Standard*'.

The proposed 2 double bed and 1 single bed (5 person) dwelling requires 93sqm as a minimal internal floor area and storage. The proposed dwelling meets this requirement. The proposed bedrooms also meets the floor area required per bedroom. Therefore, the proposal is in accordance with the NDSS and policy HOU8 of the SADPD.

Bearing the above points in mind, the proposed development is deemed in accordance with Policy HOU8, HOU11, HOU12 and HOU13 of the SADPD and the NPPF.

#### **Highways**

The Town Council and neighbour concerns have been noted with regards highway safety. Cheshire East Councils Highways Officer has assessed the proposal and confirmed the access, which is at the end of the turning head is deemed acceptable.

Looking at historic aerial imagery, 17 Avonside Way did not contain a parking space to the front of the dwelling, therefore the only space allocated to this dwelling was in the communal parking area, where this one allocated space is to be retained. The retention of just one parking space for number 17 Avonside way is therefore deemed acceptable in this instance.

The proposed dwelling contains 3 parking spaces. Appendix C of the Cheshire East Local Plan confirms a 2+ bed dwellinghouse in this area requires 2 parking spaces per dwelling. Each standard parking bay should be at a size of 4.8m x 2.5m. Therefore, as the proposed dwelling is to contain three parking spaces the proposed site is deemed in accordance with Appendix C of the Cheshire East Local Plan parking standards.

Concerns have been noted with regards to the proposed driveway being located close to a busy pedestrian walkway at the end of a cul-de-sac and thus highway safety concerns. Revised plans were sought removing the 1.8m high access/egress gates and the north boundary fence has been reduced to a 0.9m high fence, this has improved visibility. Having looked at historic aerial images, the turning head directly in front of 17 Avonside Way for many years has been used as a parking space and said vehicles have therefore been blocking the pedestrian walkway, it is therefore presumed that the proposed driveways will therefore prevent this unwelcomed parking in the turning head which could improve pedestrian safety.

Concerns have been noted with regards construction / workers vehicles. Due to the size and scale of the development there is no substantial concern in this instance. The applicant / agent should ensure no obstruction is caused. If obstruction does take place, this may be a matter for the police.

Bearing the above points in mind the development is considered to be acceptable in terms of its impact upon the highway safety and parking provision. The development complies with SADPD policy INF 3 and Appendix C of the CELPS.

### **Trees**

The application has been assessed by Cheshire East Councils Arboricultural officer, who confirms the development of this plot is not considered to arise in any significant arboricultural implications. Notwithstanding this it's noted that some hedge and shrub removal has already taken place.

Local Plan Policy SE 5 requires that all developments should ensure the sustainable management of trees, woodlands and hedgerows including the provision of new planting within new development to retain and improve canopy cover, enable climate adaptation resilience and support biodiversity and this planning application provides an opportunity to incorporate new planting.

Therefore, if planning permission is granted, a condition will be used which requires the submission of a landscape scheme to meet the requirements of this policy. Subject to said

condition, the proposal is deemed in accordance with policy SE 5 of the Local Plan and the NPPF.

### **Nature Conservation**

The application site falls within the CEC ecological network which forms part of the SADPD. Policy ENV1 therefore applied to this application. Policy SE3 and ENV2 also require development proposals to deliver a gain for biodiversity. The application has been assessed by Cheshire East Councils Nature Conservation Officer who has no objection subject to conditions.

As the application sites opportunities for ecological enhancement are limited, a condition is recommended requiring the submission of a strategy to enhance the biodiversity value of the proposed development.

A condition was also been recommended by the nature conservation officer requiring a nesting bird survey prior to the removal of vegetation or the demolition, extension or conversion of buildings between 1st March and 31st August in any year. However, in this instance, as the site had already been cleared and therefore this condition unnecessary.

Bearing the above points in mind, the proposed is acceptable in ecological terms and this condition will aim to enhance biodiversity in accordance with the NPPF and policies SE3 and ENV2.

### **Flood Risk and Drainage**

The application site is located in Flood Zone 1 and is not at a high risk of flooding. Consequently there is no requirement for a Flood Risk Assessment.

In consideration of drainage, United Utilities (UU) advised that they have no objections, however information has been provided by UU regarding sustainable drainage and surface water and applicant's responsibility to investigate the existence of any pipelines that might cross or impact their proposed site.

In accordance with policy SE13 and ENV16, if the application is to be approved then a condition is recommended to ensure that prior to the development commencing a sustainable drainage management and maintenance plan for the lifetime of the development is submitted to the local planning authority and agreed in writing.

To prevent any substantial flooding issues, it is suggested that the sustainable drainage management and maintenance plan should ensure the approved drive/area for parking as detailed on the proposed site plan, shall be surfaced with either a porous material, or provision is to be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

As such, subject to conditions, the application is deemed to adhere with Policy SE13 of the CELPS and ENV16 of the SADPD and the other drainage policies of the development plan.

### **Aerodrome Safeguarding**

The site is within an aerodrome safeguarding area, and therefore policy GEN 5 of the SADPD confirms, development that would adversely affect the operational integrity or safety of any officially safeguarded civil aerodrome or associated aerodrome navigation aids, radio aids or telecommunications systems will not be permitted.

In this instance, due to the scale and location of the new dwelling, it's not anticipated the development will cause any significant issues in terms of aerodrome safeguarding in this instance.

Whilst it is also noted that the proposed development includes solar panels to the roof on the rear elevation, which in some circumstances can result in unacceptable glare, due to the scale and location and taking into account that solar panels can be erected in certain circumstances under permitted development, this aspect is also deemed acceptable.

The proposal is therefore considered in accordance with policy GEN 5 of the SADPD.

### **Other Matters**

The Environmental Health Section suggested a condition requiring the submission of information confirming that all installed gas-fired boilers shall be in accordance with EN15502 Part 1 2015 Class 6, and requiring Electric Vehicle Charging points. Planning decisions should not duplicate the function of other regulatory bodies or controls, and therefore as the provision of a particular boiler and EV charging points are covered by Building Regulations, such conditions are not necessary.

Concerns are noted from objectors regarding the shared pathway along the eastern boundary of the property. Revised plans have been requested to show the walkway as was not previously identified on the plan. The declaration on the application form has been signed by the agent to confirm the information submitted is believed to be true and certificate A has also been completed to confirm the applicant is the sole owner of the site. The agent has confirmed the location of the fence along the east boundary is in the correct location. Bearing the above point in mind, the concerns with regards to the proposed fence taking some of the pathway needs to be dealt with as a civil matter and is not a matter requiring further consideration as part of the planning application.

### **CONCLUSIONS AND REASON(S) FOR THE DECISION**

The application site lies within the settlement boundary of Macclesfield. Macclesfield is identified as a Principal Town in the CELPS, where residential development is deemed acceptable subject to compliance with other policies within the development plan. The development accords with Policies PG 2 and SD 2 of the CELPS.

The development is considered to be acceptable in terms of its impact upon the living conditions of the neighbouring residential properties surrounding the site. There is no significant conflict with Policy HOU 8, 11, 12 or 13 of the SADPD in this regard.

The site is within a sustainable location and is in easy walking distance of public transport links, schools and local facilities.

The design of the proposed development is considered to be acceptable and would not result in significant harm to the character or appearance of the area. There is no significant conflict with policies SE1, SD2 of the Cheshire East Local Plan Strategy and policy GEN1 of the SADPD and the Cheshire East Design Guide.

The development is considered to be acceptable in terms of its impact upon the highway safety and parking provision. The development complies with SADPD policy INF 3 and Appendix C of the CELPS.

The proposal is deemed acceptable in ecological terms and subject to condition the development should help enhance biodiversity in accordance with the NPPF and Local Plan Policy SE3.

Subject to conditions the development, which is in flood zone 1, is in accordance with policy SE13 and ENV16 with regard to flood risk and water management.

The proposal is therefore considered to be acceptable in the context of the relevant policies of the Cheshire East Local Plan Strategy, the Site Allocations and Development Plan Document and advice contained within the NPPF. The application is therefore recommended for approval subject to conditions.

*In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning, in consultation with the Chair (or in their absence the Vice Chair) of Northern Planning Committee to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.*

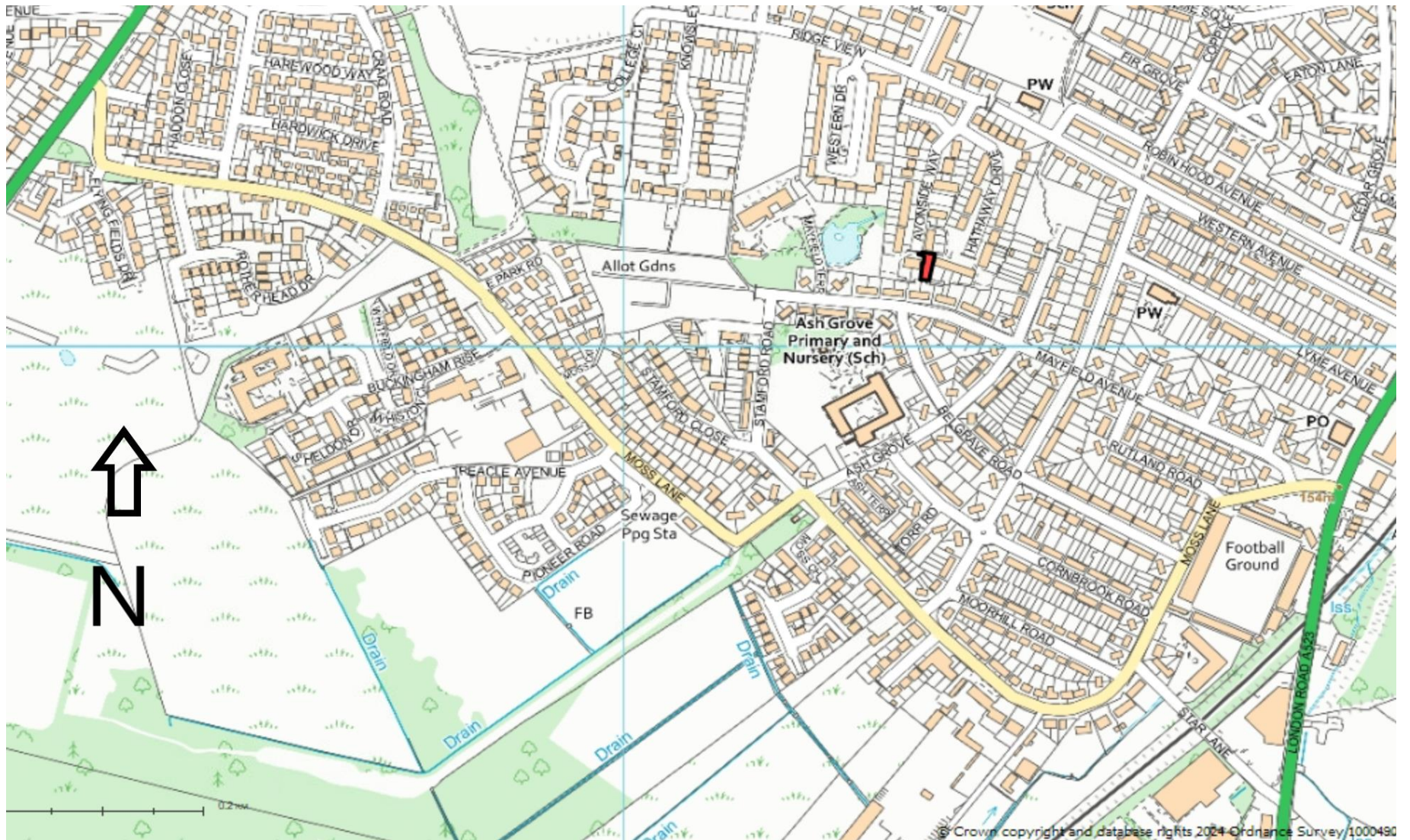
Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A06EX - Materials as application
4. A01HP - Provision of car parking spaces prior to occupation
5. A09GR - Prevention of use of flat roof as balcony
6. A06GR - No windows to be inserted - east side facing elevation.
7. A02LS - Submission of landscaping scheme
8. A04LS - Landscaping (implementation)

9. Strategy to be submitted to enhance the biodiversity value of the proposed development.
10. Sustainable drainage management and maintenance plan to be submitted
11. Details of the existing ground levels, proposed ground levels and the level of proposed floor slabs to be submitted







23/3385M

Land adjacent to17,

AVONSIDE WAY, MACCLESFIELD,

SK11 8BY

Project:

LAND ADJACENT TO  
17 AVONSIDE WAY  
MACCLESFIELD  
CHESHIRE  
ENGLAND

For Jon Wynne

Date:

28.02.2024

Revision:

- first issue 05.09.2023

1- revised design for planning 10.01.2024

2- east boundary updated 28.02.2024

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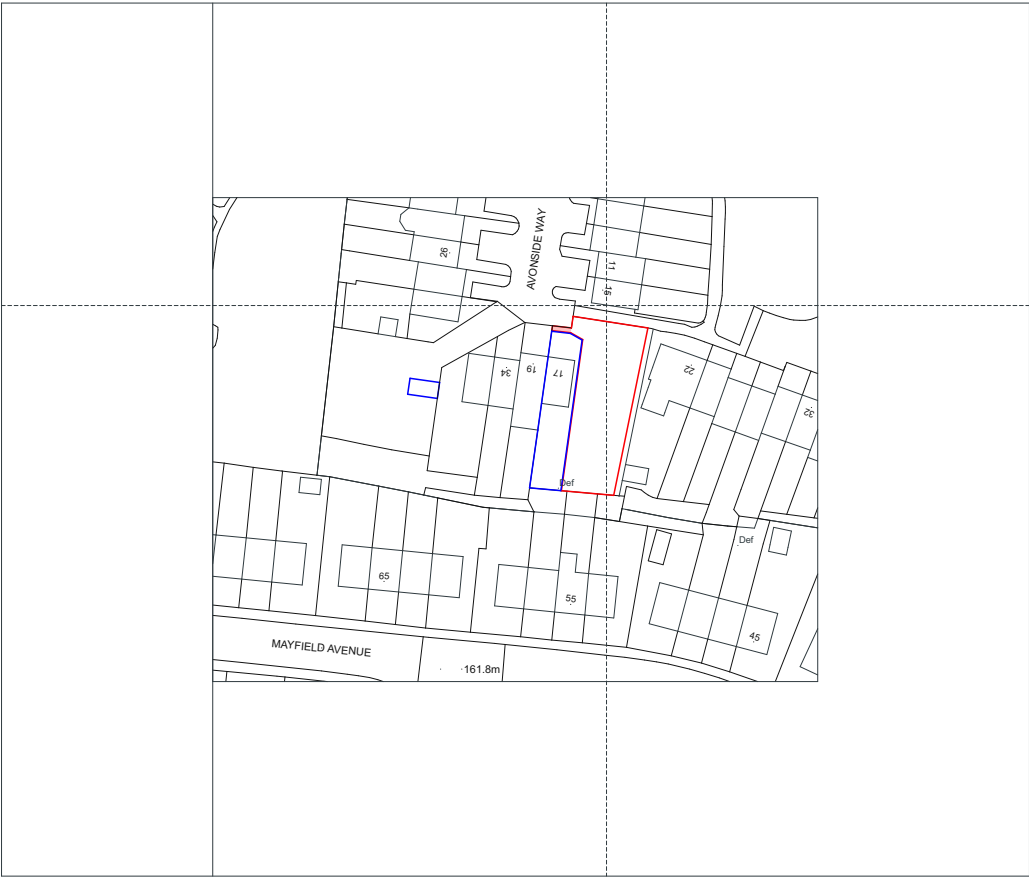
Title:

LOCATION PLAN

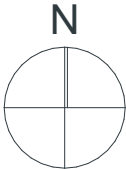
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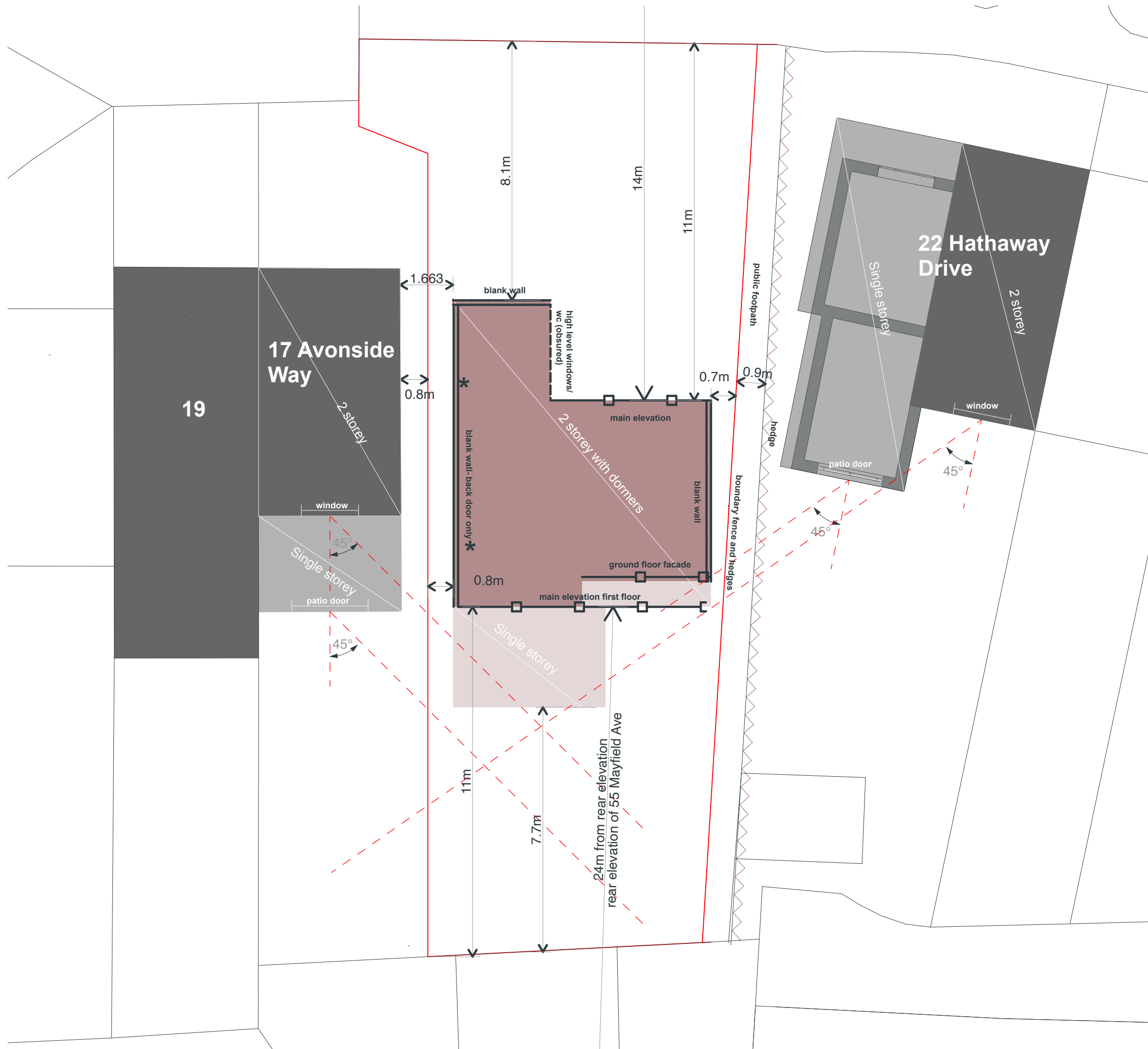
A\_L\_0  
1\_01

Scale: 1:1250 @A4



- application site
- land under same ownership
- shared space





AVONSIDE WAY



Project:  
**LAND ADJACENT TO  
17 AVONSIDE WAY  
MACCLESFIELD  
CHESHIRE  
ENGLAND**  
For Jon Wynne

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Date:  
**28.02.2024**  
Revision:  
- first issue 05.09.2023  
1- revised design for planning 10.01.2024  
2- east boundary updated 28.02.2024

Title:  
**EXISTING SITE  
PLAN**  
**FOR PLANNING PERMISSION**

Drawing No:  
**A\_L\_0  
1\_02**  
Scale: 1:200@A4



AVONSIDE WAY



Project:

**LAND ADJACENT TO  
17 AVONSIDE WAY  
MACCLESFIELD  
CHESHIRE  
ENGLAND**

For Jon Wynne

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1- revised design for planning 10.01.2024  
2- revised design for planning 15.02.2024  
3- east boundary updated 28.02.2024

Title:

**PROPOSED SITE  
PLAN**

**FOR PLANNING PERMISSION**

Drawing No:

**A\_L\_0  
1\_10**

Scale: 1:200@A4

BANDARCHITECTS







Project: \_\_\_\_\_

**LAND ADJACENT TO  
17 AVONSIDE WAY  
MACCLESFIELD  
CHESHIRE  
ENGLAND**

For Jon Wynne

Generally: \_\_\_\_\_

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3- east boundary updated 28.02.2024

Title: \_\_\_\_\_

**PROPOSED  
GROUND FLOOR  
PLAN**

**FOR PLANNING PERMISSION**

Drawing No: \_\_\_\_\_

**A\_L\_0  
2\_11**

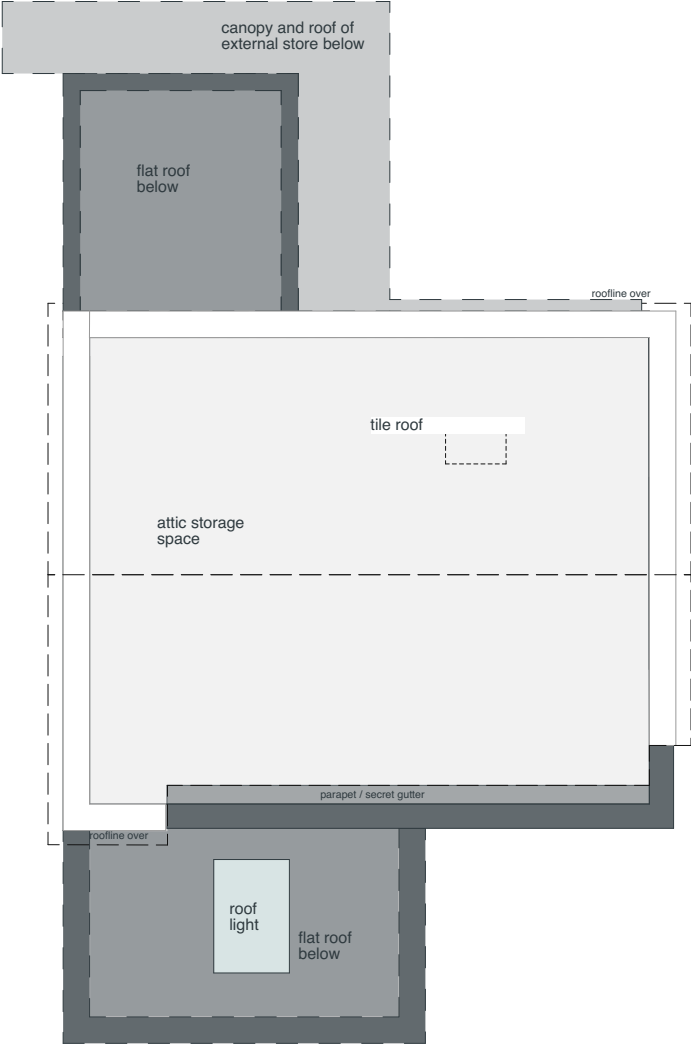
Scale: 1:100@A3



PROPOSED FIRST FLOOR



PROPOSED ATTIC FLOOR



Project:

LAND ADJACENT TO  
17 AVONSIDE WAY  
MACCLESFIELD  
CHESHIRE  
ENGLAND

For Jon Wynne

Date:

15.02.2024

Revision:

- first issue 05.09.2023  
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Title:

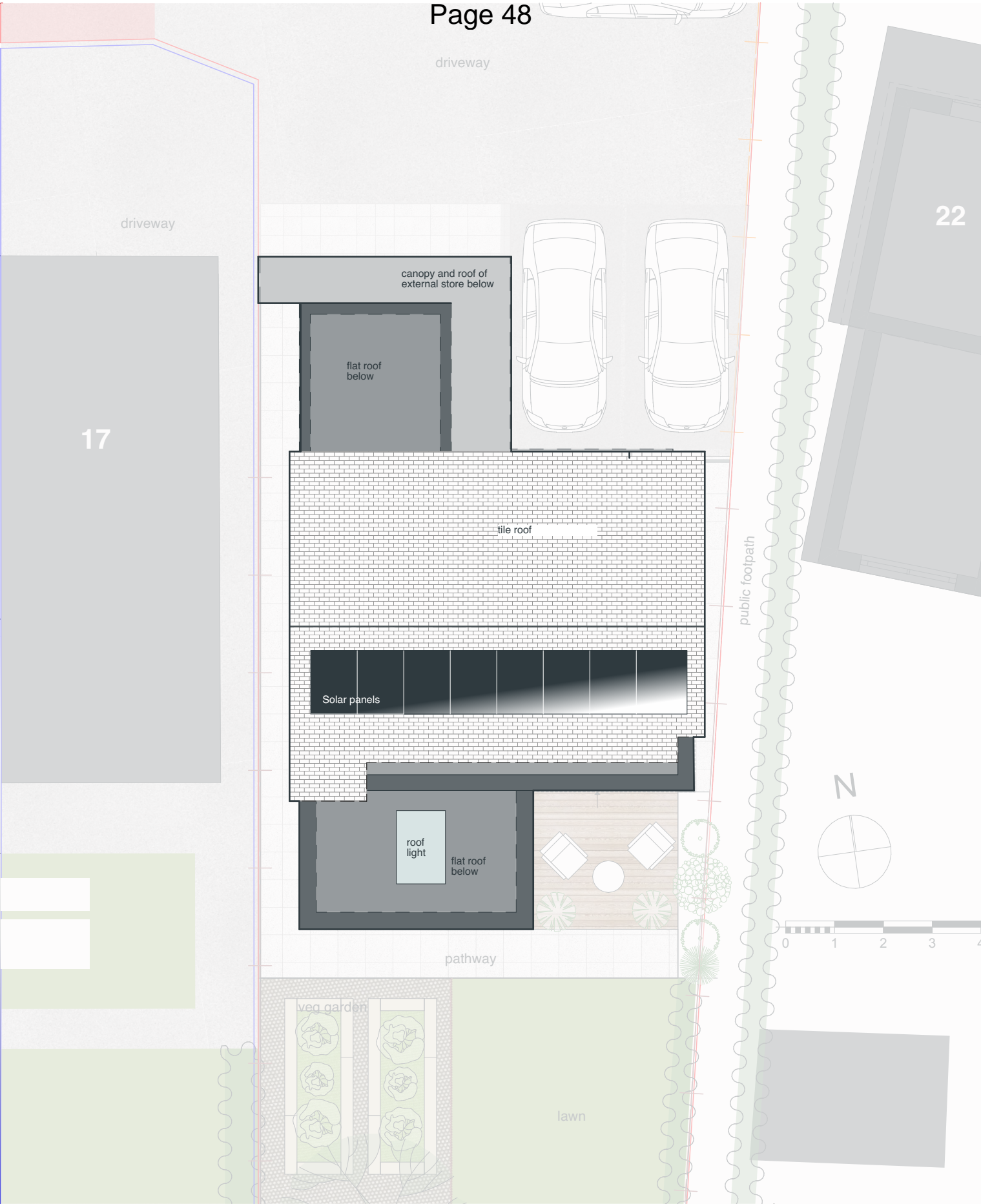
PROPOSED FIRST  
AND ATTIC FLOOR  
PLAN

Drawing No:

A\_L\_0  
2\_12

Scale: 1:100@A4





Project:

**LAND ADJACENT TO  
17 AVONSIDE WAY  
MACCLESFIELD  
CHESHIRE  
ENGLAND**

For Jon Wynne

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1- revised design for planning 10.01.2024  
2- revised design for planning 15.02.2024  
3- east boundary updated 28.02.2024

Title:

**PROPOSED ROOF  
PLAN**

**FOR PLANNING PERMISSION**

Drawing No:

**A\_L\_0  
2\_14**

Scale: 1:100@A4

Project:

**LAND ADJACENT TO  
17 AVONSIDE WAY  
MACCLESFIELD  
CHESHIRE  
ENGLAND**

For Jon Wynne

Date:

15.02.2024

Revision:

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Title:

**PROPOSED NORTH  
(FRONT)  
ELEVATION**

Drawing No:

**A\_L\_0  
3\_10**

Scale: 1:100@A4



KEY:

1. Timber cladding - black
2. Obscured UPVC double glazed window - black frames
3. Red masonry
4. Timber doors to external store- black
5. UPVC double-glazed windows and doors - black frames
6. Close boarded treated timber fence
7. Concrete tile roof in grey
8. PPC aluminium flashings and trims - black
9. UPVC or aluminium verge, soffit and fascia cladding with matching rainwater goods- black
10. Close boarded treated timber gate
11. Composite front door - black

Project:

LAND ADJACENT TO  
17 AVONSIDE WAY  
MACCLESFIELD  
CHESHIRE  
ENGLAND

For Jon Wynne

Date:

15.02.2024

Revision:

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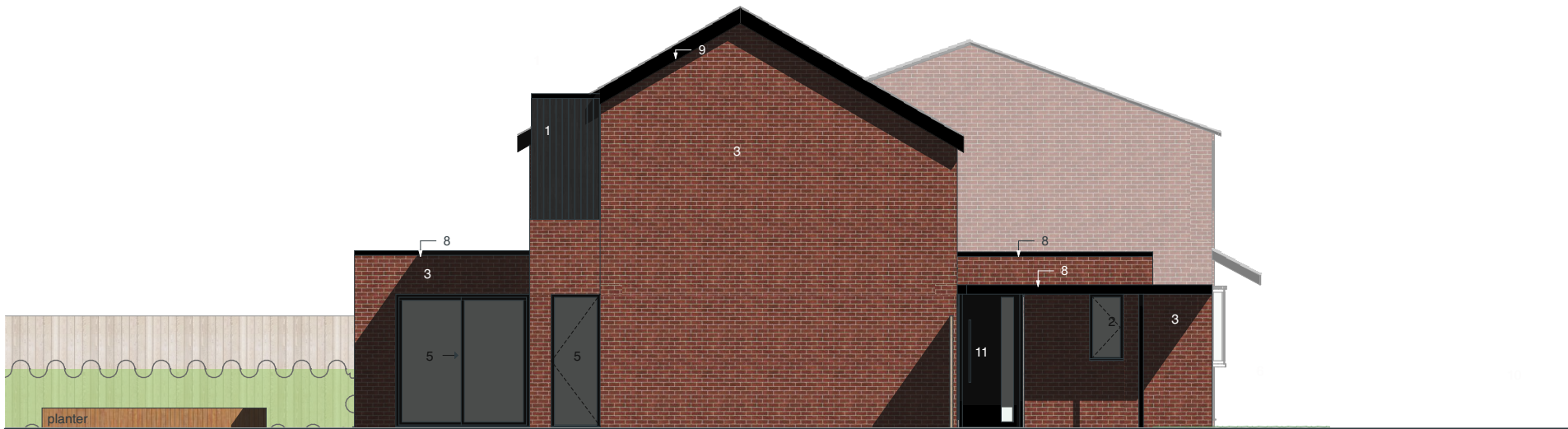
Title:

PROPOSED EAST  
ELEVATION

Drawing No:

A\_L\_0  
3\_11

Scale: 1:100@A4



KEY:

1. Timber cladding - black
2. Obscured UPVC double glazed window - black frames
3. Red masonry
4. Timber doors to external store- black
5. UPVC double-glazed windows and doors - black frames
6. Close boarded treated timber fence
7. Concrete tile roof in grey
8. PPC aluminium flashings and trims - black
9. UPVC or aluminium verge, soffit and fascia cladding with matching rainwater goods- black
10. Close boarded treated timber gate
11. Composite front door - black

**LAND ADJACENT TO  
17 AVONSIDE WAY  
MACCLESFIELD  
CHESHIRE  
ENGLAND**

For Jon Wynne

Date:

15.02.2024

Revision:

- first issue 05.09.2023

1- revised design for planning 10.01.2024

2- revised design for planning 15.02.2024

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consultant's drawings and reference should be made to the individual consultant's drawings for the exact setting out, size

individual consultant's drawings for the exact setting out, size and type of components. Discrepancies and/or ambiguities within this drawing, between it and information given

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ordained but are approximations only. Please refer to detailed specifications and/or details or main contractor detailed construction information for actual signs. Refer to

detailed construction information for actual sizes. Refer to the current CDM information where relevant. It is assumed that all dimensions are in millimetres.

that all works on this drawing will be carried out by a competent contractor, working where appropriate to an

approved method statement.

Title:

PROPOSED SOUTH  
(REAR) ELEVATION

Drawing No:

A\_L\_0  
3\_12

Scale: 1:100@A4



**KEY:**

1. Timber cladding - black
2. Obscured UPVC double glazed window - black frames
3. Red masonry
4. Timber doors to external store- black
5. UPVC double-glazed windows and doors - black frames
6. Close boarded treated timber fence
7. Concrete tile roof in grey
8. PPC aluminium flashings and trims - black
9. UPVC or aluminium verge, soffit and fascia cladding with matching rainwater goods- black
10. Close boarded treated timber gate
11. Composite front door - black
12. Solar panels

Project:

**LAND ADJACENT TO  
17 AVONSIDE WAY  
MACCLESFIELD  
CHESHIRE  
ENGLAND**

For Jon Wynne

Date:

**15.02.2024**

Revision:

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Title:

**PROPOSED WEST  
ELEVATION**

Drawing No:

**A\_L\_0  
3\_13**

Scale: 1:100@A4



KEY:

1. Timber cladding - black
2. Obscured UPVC double glazed window - black frames
3. Red masonry
4. Timber doors to external store- black
5. UPVC double-glazed windows and doors - black frames
6. Close boarded treated timber fence
7. Concrete tile roof in grey
8. PPC aluminium flashings and trims - black
9. UPVC or aluminium verge, soffit and fascia cladding with matching rainwater goods- black
10. Close boarded treated timber gate
11. Composite front door - black