

Application No: 22/2353M

Location: CHERRY DENE, MACCLESFIELD ROAD, ALDERLEY EDGE,

Proposal: Proposed demolition of the existing dwelling and the erection of a replacement dwelling and associated works including the realignment of the internal access road.

Applicant: Mark Hawthornthwaite

Expiry Date: 05-Aug-2022

## **SUMMARY**

The proposed development seeks approval for the replacement of an existing dwelling. The site is within the settlement boundary of Alderley Edge where residential development is acceptable, and within the Alderley Edge Conservation Area.

The development is deemed to be unacceptable with regards to the requirements of heritage policies, specifically in terms of the impact upon the character and appearance of the conservation area. The design of the replacement dwelling would result in the appearance of an austere, dominant, and cramped development of the site.

The layout does not demonstrate that the proposal would not result in damage to an existing veteran tree, and insufficient information has been provided relating to flood risk.

No issues are deemed to be created by the proposal with regards to amenity, highway safety, landscape, or ecology subject to conditions.

## **SUMMARY RECOMMENDATION**

**Refuse**

## **REASON FOR REFERRAL**

Application 22/2353M was referred to the Northern Planning Committee at the request of Cllr Craig Browne (Alderley Edge Ward) for the following reasons: -

*“As the application site is located within the Alderley Edge Conservation Area, the application would benefit from added scrutiny by the members of the Northern Planning Committee with particular reference to the relevant policies within the Cheshire East Local Plan (SE1 - Design & SE4 - Landscape), as well as the corresponding policies within the Alderley Edge Neighbourhood Plan (AE3 - character of the area).”*

## **DESCRIPTION OF SITE AND CONTEXT**

The application site is positioned on the southern side of Macclesfield Road within the settlement boundary and Alderley Edge Conservation Area. The site is bound to the east, south and west by residential properties and to the north by Macclesfield Road. A public right of way runs adjacent to the east side boundary between the application site, 'Pine Tree Cottage' and 'Trelawney'.

## **DETAILS OF PROPOSAL**

Full planning permission is sought for the demolition of the existing dwelling and the erection of a replacement dwelling and associated works including the realignment of the internal access road.

Revised plans were received during the course of the application to overcome the Conservation Officer and Arboricultural Officer's concerns. Concerns raised included:

- Large, linear footprint with little relief, uniform roof line and long blank elevations
- Amount of site visually free from built form
- Blank elevation to Macclesfield Road would be a dominating feature
- Cramped and overly dense development
- Loss of an independently verified veteran tree and inferior relationship to established tree cover of collective amenity value

## **RELEVANT HISTORY**

12/3478M - Approved with conditions / 01-Mar-2013

Amendments to approved application 08/0566P - Proposed apartment block, Oatlands, Alderley Edge

08/0566P - Approved with conditions / 16-Jul-2008

Demolition Of 8 Dwellings to Be Replaced By 4 Detached Houses And An Apartment Block Of 3 Units - Total 7 Dwellings & Separate Security Gate House

08/0567P - Approved with conditions / 16-Jul-2008

Demolition Of 8no Dwellings

96/0360P - Approved with conditions / 16-Apr-1996

Bay Window Extension to Rear

## **POLICIES**

### **Cheshire East Local Plan Strategy (CELPS)**

MP 1 - Presumption in Favour of Sustainable Development

PG2 – Settlement Hierarchy

SD 1 – Sustainable development in Cheshire East

SD 2 - Sustainable Development Principles

SE1 - Design

SE3 – Biodiversity and Geodiversity

SE4 – The Landscape

SE5 – Trees, Hedgerow and Woodland

SE7 – The Historic Environment

SE13 – Flood Risk and Water Management  
Appendix C Parking Standards

**Site Allocations and Development Policies Document (SADPD) (Adopted December 2022)**

PG9 – Settlement Boundaries  
GEN1 – Design Principles  
ENV1 – Ecological Network  
ENV2 – Ecological Implementation  
ENV3 – Landscape Character  
ENV5 - Landscaping  
ENV6 – Trees, Hedgerow and Woodland Implementation  
ENV16 – Surface Water Management and Flood Risk  
HER1 – Heritage Assets  
HER3 – Conservation Areas  
HOU12 – Amenity  
HOU13 – Residential Standards  
HER14 – Housing Density  
INF3 – Highway Safety and Access

**Alderley Edge Neighbourhood Plan (2021-2030)**

AE1 – Alderley Edge Development Strategy  
AE2 – Design, Scale and Type of New Housing  
AE3 – Sustainable Housing Design  
AE9 – Landscape Character and Access  
AE11 – Protecting and Enhancing the Conservation Area  
AE12 – Local and Historic Character

**Other Material Considerations**

National Planning Policy Framework (NPPF) 2021  
National Planning Practice Guidance  
Cheshire East Design Guide

**CONSULTATIONS (External to Planning)**

**Environmental Protection (CEC)** – No objections, subject to a number of conditions including the use of soil and soil forming materials and reporting previously unidentified contaminated land.

**United Utilities** – No objection.

**Alderley Edge Parish Council** – The Parish Council has no objection to this application subject to approval by the conservation officers and arboricultural officers.

**REPRESENTATIONS**

15 neighbour notification letters were sent on 21<sup>st</sup> June 2022.

1 general observation was received which is summarised below:

- This site and particularly the public footpath to the side of it produces a flow of water across the Macclesfield Road in wet weather. Building sites produce a slurry that blocks the drains and can make the roads hazardous. We request that the Macclesfield Road is subject to regular cleaning/sweeping during the development process for the safety of vehicles using the main road.

In response to the re-consultation exercise, at the time of writing this committee report, 1 objection letter had been received, which raised the following objections:

- Wildlife habitat destroyed over last 18 months
- Loss of landscape maturity of Macclesfield Road
- Concerns regarding overlooking and privacy
- Excavation required will be excessive resulting in heavy machinery for long periods of time, noise pollution and dust

## **OFFICER APPRAISAL**

### **Principle of development**

The application relates to the demolition of an existing two-storey detached dwelling and replacement with a larger detached dwelling within the settlement boundary of Alderley Edge.

Policy PG2 of the Local Plan defines Alderley Edge as a Local Service Centre. Here, small scale development to meet needs and priorities will be supported where they contribute to the creation and maintenance of sustainable communities.

Policy AE1 of the Alderley Edge Neighbourhood Plan goes on to state new residential development will be supported within Alderley Edge village where proposals are located within the settlement boundary.

The replacement of the existing dwelling with a new dwelling is therefore considered acceptable in principle, subject to compliance with other development plan policies discussed below.

### **Heritage and Design**

CELPS Policy SE1 states that “development proposals should ensure a retained sense of place and management of design quality”. CELPS Policy SD2 further details the design matters that should be considered, including height, scale, form and grouping of development, choice of materials, external design features, massing of development and impact upon the street scene. Policy GEN1 of the SADPD sets out that development proposals should create high quality, beautiful and sustainable buildings and places and should reflect local character.

Policy SE7 of the CELPS refers to the Historic Environment. The crux of Policy SE7 is to ensure all new development avoids harm to heritage assets and makes a positive contribution to the character of Cheshire East’s historic and built environment, including the setting of the assets and where appropriate, the wider historic environment.

The crux of Policy SE4 (Landscape) of the CELPS is to conserve the landscape character and quality and where possible, enhance and effectively manage the historic, natural and man-made

landscape features that contribute to local distinctiveness of both rural and urban landscapes. Policy AE9 of the Alderley Edge Neighbourhood Plan states development proposals should be sited and designed to ensure they are sensitive to the distinctive landscape character of Alderley Edge. Proposals must not significantly harm, individually or cumulatively, characteristic features within the local landscape, including mature trees, estate landscapes and traditional agricultural buildings and traditional boundaries such as railings and brick walls.

Policy ENV3 of the SADPD states development proposals should respect the qualities, features and characteristics that contribute to the distinctiveness of the local area. Policy HER1 of the SADPD states all proposals affecting heritage assets and their settings must be accompanied by proportionate information that assesses and describes their impact on the asset's significance. Policy HER3 goes on to state Development within or affecting the setting of a conservation area must pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

Policy AE11 of the Alderley Edge Neighbourhood Plan states development proposals in the Alderley Edge Conservation Areas should be carefully designed using good quality materials and detailing. Development proposals that harm the special character of the conservation area and its setting will be resisted.

The existing dwelling at Cherry Dene sits within the Alderley Edge Conservation Area and makes a neutral contribution to its significance as a designated heritage asset. The building and plot size are consistent with the conservation area. The house was one of several built within the grounds of a larger villa, Oatlands. The rest of the site was redeveloped as part of the Oatlands development in 2008. Cherry Dene was not developed with the rest of the site and remains undeveloped. The site has 2 planning permissions which are understood to be extant and able to be built out. These are 08/0567P and 12/3478M. There has been removal of trees on the site, which now has a negative impact on the conservation area as the site is uncharacteristically sparse in planting and leaves much of the site exposed. The extent to which these works were granted under a s211 notice (20/5409T – works to trees in a conservation area) are currently subject to enforcement investigations. The application was not formally determined however the 6-week determination date expired and the tree work went ahead.

The site is visually exposed when viewing the site from Macclesfield Road. It therefore appears as an anomaly within the Conservation Area. It is important that this aspect is carefully considered in light of the current proposal and what would be required to be replanted or should have been replanted under the permission which has already been implemented.

The conservation officer noted that the replacement building for Cherry Dene in 2008 was made to look like a villa which was the success of it. Its scale and mass was consistent with other villas within the area and planting, which appears from the plans to preserve the conservation area at this point, ensuring that the new dwelling was screened with appropriate boundary treatments.

The proposed scheme would have a different impact on the site. It has a large, linear footprint with little relief, uniform roof line and long blank elevations. The footprint appears to spread over more of the site, leaving less of the site visually free of built form. There is a courtyard within the building envelope but the appearance from the road and driveway would only be of built form.

The previous scheme allowed for a generous planting scheme. The ongoing enforcement investigations relate to works on all boundaries of the site, where trees were proposed to be felled. The proposed development would be required to make a positive contribution to the landscaping of the site. The driveway is also being realigned away from the building towards the boundary, which reduces the space for boundary planting. The subterranean nature of the building also limits the amount and type of the planting to the frontage and side.

Even though the extant and proposed footprints are comparable, and the proposal appears slightly lower than what is extant, the impact on the conservation area would be very different. The principle of development of development is accepted and can be implemented under the 2008 permission. Although the architectural style of the 2008 permission is now likely outdated, the format of the former proposal is consistent with the character of the conservation area and would present a positive frontage to Macclesfield Road. The varied roof line and windows fronting the road to appear as one house are all features presented by the 2008 scheme. What is now proposed appears to have an almost blank elevation to Macclesfield Road and due to the elevated nature of the site above the road, this would be an austere and dominating feature, one not felt elsewhere in the conservation area. There are examples of contemporary architecture within the conservation area. This is not in itself a concern, but the length of the building frontage creates an incongruous element which would be negative on the significance of the Alderley Edge Conservation Area.

The issues above contribute to the overall impression of a cramped and overly dense development. The impact of the design in an elevated, prominent position on Macclesfield Road. Overall, the proposal would be an over development of the site and inappropriate design of the replacement dwelling, resulting in harm to the character and appearance of the Conservation Area. The development would therefore fail to preserve both the character and the appearance of the Conservation Area and would result in less than substantial harm to the designated heritage asset. The National Planning Policy Framework states that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. There are not considered to be any public benefits to the proposal of sufficient weight to outweigh the identified harm.

The agent has submitted a statement in response to the Conservation Officer's comments. This statement concludes that the position of the building on site and subterranean nature results in low-mass contextual architecture, and that the proposed building has a lower volume than the extant permission. While the proposal under this application may be lower in footprint and volume than the extant apartment scheme, the Conservation Officer has stated the impact would be very different. The character and appearance of both schemes would result in significantly different impacts to the surrounding area and thus volume is not the only consideration. The scale and mass of this proposal is not considered to be consistent with villas in the surrounding area and it is not considered that the proposal results in low mass contextual architecture, as less of the site would be visually free from built form compared to the existing scenario and the extant permission.

The revised landscape proposals received on 22nd February 2023 have presented improvements to the original submission. The building has been reorientated and moved away from the eastern

boundary and the access drive to the basement garage has been realigned and shortened. These amendments have created more space for planting on the northern and eastern boundaries.

On the eastern boundary there is a more appropriate offset between the proposed trees and the dwelling and there is more space for understorey planting. On the site frontage, the planting proposals have been amended to replace the low-growing Thuja trees with 7m high Scots Pine under planted with Holly which is more in keeping with the area. The amendments also provide space for several small trees between the house and the access ramp which would increase the depth of the frontage tree planting.

The boundary hedgerow and tree planting would be carried out prior to the commencement of the building works. The proposed boundary Holly hedges are 2.25m+ in height and all boundary trees are specified as large, semi-mature nursery stock. Soil improvement and a leaky-pipe irrigation system are also proposed to improve establishment and growth.

The 'instant' boundary hedgerows and semi-mature tree planting proposed would provide an initial impact in the street scene. However, it is still considered that the landscaping proposed would not overcome the heritage harm identified, noting that the street scene visuals show that the dwelling would be clearly visible from Macclesfield Road after 5 years.

### *Heritage and Design Summary*

The concerns from the Conservation Team have not been addressed and it is considered that the proposal would have a detrimental impact on the character or appearance of the conservation area and would fail to adhere with Policies SE1, SE7 and SD2 of the CELPS, Policy GEN1, HER1 and HER3 of the SADPD, Policy AE9 and AE11 and AE12 of the Neighbourhood Plan and the National Planning Policy Framework.

## **Living Conditions**

CELPS Policy SE1 states that development should ensure an appropriate level of privacy for new and existing residential properties. Policy HOU12 of the SADPD states development proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive users or future occupiers of the proposed development due to:

1. loss of privacy;
2. loss of sunlight and daylight;
3. the overbearing and dominating effect of new buildings;
4. environmental disturbance or pollution; or
5. traffic generation, access and parking.

Policy HOU13 of the SADPD provides minimum separation distances. Policy SE1 of the CELPS states that development should ensure an appropriate level of privacy for new and existing residential properties.

The proposed dwelling would be situated over 25m from Pine Tree Cottage to the east, approximately 23m from The Lodge to the south west, over 26m from Cherry Tree House to the south and over 33m from Cornerfield to the north. Due to these separation distances, and the fact

that the dwelling would be situated at a lower ground level than Cherry Tree House and Pine Tree Cottage, the proposal is not considered to significantly harm light exposure to surrounding properties, or result in any overlooking or loss of privacy issues.

With regards to the impacts on future users, all habitable rooms would be provided with sufficient openings to provide light and outlook. Sufficient amenity space would be provided.

The proposals will not result in unacceptable harm to the residential amenity of adjacent neighbours in terms of overlooking, loss of privacy or overshadowing and as such complies with the principles of policies SE1 Cheshire East Local Plan and Policy HOU12 and HOU13 of the SADPD.

## **Highways**

Policy CO1 of the CELPS considers matters of highway safety. Appendix C of the Cheshire East Local Plan identifies minimum Parking Standards for residential development in Principal Towns and Key Service Centres and for the remainder of the borough. The LPA will vary from the prescribed standards where there is clear and compelling justification to do so.

Policy INF3 of the SADPD refers to highway safety and access, stating development should provide safe access to and from the site for all highway users.

There are no highway implications associated with this proposal for a replacement dwelling. Aside from internal revisions to the site access, pedestrian and vehicular access from Macclesfield Road remains unchanged and there is sufficient space reserved within the site for off-street car parking provision to be in accordance with CEC car parking standards.

## *Sustainable Travel*

Having regard for the low volume of traffic movements expected to be associated with the proposal and its proximity to Alderley Edge village centre; there is not considered to be sufficient grounds for refusal based on sustainability.

## *Traffic Impact*

The number of dwellings within the plot would not be increased by the proposal. Therefore, the works are not considered to have a material impact on the safe operation of the adjacent or wider highway network.

## **Trees & Hedgerows**

Policy SE5 of the Local Plan refers to trees, hedgerows and woodland, stating development proposals which will result in the loss of, or threat to, the continued health and life expectancy of trees, hedgerows or woodlands (including veteran trees or ancient semi-natural woodland), that provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area, will not normally be permitted, except where there are clear overriding reasons for allowing the development and there are no suitable alternatives.



Policy ENV6 of the SADPD states development proposals should seek to retain and protect trees, woodlands and hedgerows.

The amended layout has been supported by an Updated Arboricultural Planning Assessment (WAL\_22\_052\_P01) dated 6th February 2023 and supporting plans. The updated layout confirms tree losses of some boundary trees which are accepted and indicates the use of above ground construction techniques within a small percentage of the rooting area of high amenity Oak to the front roadside boundary. The layout has also made provision to retain Veteran tree T5 (Tree 235805 on the Ancient Tree Inventory), which is close to the eastern boundary, and proposes the relocation of the new below ground footprint of the swimming pool at 7.5 metres from the stem centre of the tree to the west.

It is important to note that the Arboricultural Assessment references T5 as a low-quality C Category tree and not as a high quality A3 Category tree as a verified veteran tree in accordance with best practice guidance (BS5837:2012 – Table 1).

Paragraph 188 c) of the NPPF states that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists. Supporting Guidance states that ‘for veteran trees the buffer zone should be at least 15 times larger than the diameter of the tree’. Proposed development which could arise in damage, loss of roots to veteran trees is considered to constitute direct damage within the rooting environment.

The supporting information comprises of a detailed above ground inspection of veteran tree features and makes proposals for a reduction to minimize risk of failure above areas of weakness and seeks to demonstrate that the tree can be retained, and that damage will be minimal irrespective of the proposed subterranean construction within 7.5 metres of the stem centre of the tree.

Section 5 of the supporting Arboricultural Report includes the findings of an investigation of tree T5's structural integrity and assessment of the veteran features that contributed to it being worthy of record on the Ancient Tree Inventory. It is accepted that the above ground condition of the tree is a consideration given the tree's position adjacent to a footpath, however Government Guidance (Ancient woodland, ancient trees and veteran trees: advice for making planning decisions) states that; where a proposal involves the loss or deterioration of ancient or veteran trees, you should not take account of the existing condition when you assess the merits of a proposal. Its existing condition is not a reason to give permission for development. A woodland or tree in poor condition can be improved with good management.

Section 5.5 of the report provides images and findings from root excavations carried out up to 7.5 metres from the stem centre of the veteran tree. The report states that investigations initially commenced with an air spade, a recognized less invasive method of establishing root establishment. When these investigations were inconclusive, a 3-tonne excavator was subsequently used to dig to a depth of 1 metre, at which point minimal roots were encountered at 12 metres from the stem centre with the report confirming that at 7 metres ‘no roots exceeding 60mm were encountered’. Images have been provided to confirm the extent of rooting at this location. On this basis the report concludes that construction at this distance where roots no greater than 60mm are encountered will have only a minor impact on tree health

Considering roots up to 60mm diameter were noted at 7.5 metres from the stem base, it is reasonable to assume that roots of a similar size or of a greater diameter extend beyond this, particularly given the soil type being of a sandy nature where nutrients are easily leached out as root extension including that of minor roots would likely increase in order to seek out nutrients and/or to secure anchorage.

The report appears to ignore the veteran status of the tree and the requirement of guidance to keep development and associated incursion to no closer than 15 metres. Given the residential nature of the site it is accepted that if it had been demonstrated that tree roots were absent, that a closer relationship than 15 metres could have been considered. However, the actual calculated radius of the RPA is not respected in the latest layout proposals. Given that roots were encountered at 12 metres, this suggests that the root protection area calculations in BS5837:2012 (Annex D) which provide a guide as to trees ability to tolerate root disturbance or damage and which are described as 'theoretical' within the report, are a significant factor for consideration. Section 7.2.3 of BS5837:2012 states that roots smaller than 25mm may be pruned back but than anything greater could be essential to the tree's health and stability. There are concerns regards damage already caused during confirmation of roots of up to 60mm, and it is considered that severance of roots of this size at this proximity to any tree would have a detrimental impact on tree health and stability.

The agent has submitted a statement in response to the Arboricultural Officer's comments. The statement indicates that the recording of tree T5 in the Woodlands Trust Website does not grant any type of status to the tree. This is considered to be inaccurate as the Woodland Trust Website clearly identifies tree T5 as a veteran tree. The submitted statement concludes that the development would result in a net gain of 68 mature specimen trees, which is not being questioned. There are no ecological concerns or objections to the proposal. The statement goes on to conclude that extensive measures for retention of tree T5 are proposed facilitating its long-term health and growth, and the distance between the proposed building and tree assures the future vitality of the tree. The Arboricultural Officer's comments do not agree with this as the proposal has not demonstrated how T5 would not be damaged due to the proposed layout.

The layout as submitted is not considered to demonstrate that the proposal would not result in damage to Veteran tree T5, nor does it demonstrate that wholly exceptional reasons exist to justify the potential deterioration of a veteran tree which could be reasonably anticipated to arise from excavation to a depth of approximately 5 metres below existing ground levels within 7 metres of the stem centre, which would equate to root loss of approximately 19% of the calculated RPA (Not modified to reflect NPPF Guidance for veteran trees).

The proposed development would therefore have a detrimental impact on the existing trees, notably the Veteran Tree present, and would fail to accord with Policy SE5 of the Local Plan, ENV6 of the SADPD and the NPPF.

## **Nature Conservation**

Policy SE3 of the CELPS requires all development to positively contribute to the conservation and enhancement of biodiversity and geodiversity and should not negatively affect these interests. The following ecological matters are relevant to the current proposal:

### *Bats*

The oak tree known as T5 in the tree plan, while not proposed for removal under the scheme does possess features which may provide roosting opportunities for bats. In accordance with the BCT Guidance Note 08/18 (Bats and Artificial Lighting in the UK), prior to the commencement of development details of the proposed lighting scheme should be submitted to and approved in writing by the Local Planning Authority.

The scheme should consider both illuminance (lux) and luminance (candelas/m<sup>2</sup>). It should include dark areas and avoid light spill upon bat roost features, bat commuting and foraging habitat (boundary hedgerows, trees, watercourses etc.) aiming for a maximum of 1lux light spill on those features.

#### *Breeding Birds*

A condition relating to the protection of breeding birds is recommended due to potential impacts arising from the removal of any hedgerow, tree or scrub or other habitat.

#### *Ecological Enhancement*

A condition relating to the submission of a strategy to incorporate features to enhance the biodiversity value of the development prior to the use of building materials is recommended, due to the application providing the opportunity for the incorporation of such features.

On the basis of the above it is considered that the requirements of the proposal would positively contribute to the conservation and enhancement of biodiversity and geodiversity in accordance with policy SE 3 of the CELPS.

### **Flood Risk and Drainage**

Policy SE13 of the Local Plan states development must integrate measures for sustainable water management to reduce flood risk. Policy ENV16 of the SADPD goes on to state approved development proposals will be expected to be supplemented by appropriate maintenance and management regimes for surface water drainage schemes.

The LLFA raised have no objection in principle to the proposals. However, the updated Flood Risk Assessment does not confirm the existing and proposed finished floor levels of the proposed dwelling.

The proposal would lower the existing ground level and the LLFA would need to establish the groundwater level via formal ground investigation prior to approval. This information cannot be conditioned because if the ground water level has been reached / is at capacity, the ground level may not be able to be lowered as this may increase flood risk. Due to the changes in topography on site, the need for boundary drainage may be required to ensure no transfer of surface water runoff on/off site.

As such, insufficient information has been submitted with regards to the impact of the proposal on flooding. The development therefore fails to accord with Policy SE13 of the Local Plan, ENV16 of the SADPD and the NPPF.

### **Other matters**

In response to points raised by objectors which have not already been addressed:

Environmental Health have raised no objection regarding noise and dust pollution, and no significant impacts are anticipated for a development of this scale.

## **CONCLUSIONS**

The proposed development raises no issues in terms of the impact upon the living conditions of neighbours, highway safety, or ecology subject to conditions. However, the proposed development is considered to result in less than substantial harm to a designated heritage asset – the Alderley Edge Conservation Area. No public benefits of such significance have been identified to weigh against this harm. In addition, it has not been demonstrated that the proposal would not result in damage to an existing veteran tree, and insufficient information has been provided relating to flood risk. The application is therefore recommended for refusal for the following reasons:

## **RECOMMENDATIONS**

### **Refuse for the following reasons**

**1. By virtue of design, the proposed replacement dwelling would have a detrimental impact on the character and appearance of the Conservation Area. The almost blank elevation to Macclesfield Road in an elevated positioning above the road would be a dominating feature within the conservation area. The length of the building frontage creates an incongruous element which would be negative on the significance of the Alderley Edge Conservation Area. The large, linear footprint with little relief, uniform roof line and long bank elevations, as well as little of the site visually being free of built form, contribute to the impression of a cramped, dense development. The proposal is considered be an overdevelopment of the site and by virtue of the inappropriate design, would harm the character of the area. The development results in less than substantial harm to a designated heritage asset, and no public benefits of such significance have been identified to outweigh that harm. The proposal fails to accord with Policies SE1 (Design), SE7 (The Historic Environment) and SD2 (Sustainable Development Principles) of the Cheshire East Design Guide, Policies GEN1 (Design Principles), HER1 (Heritage Assets) and HER3 (Conservation Areas) of the Site Allocations and Development Policies Document, Policy AE9 (Landscape Character and Access) and AE11 (Protecting and Enhancing the Conservation Area) of the Alderley Edge Neighbourhood Plan and the National Planning Policy Framework.**

**2. The Arboricultural Planning Assessment ignores the veteran status of an existing tree and the requirement of guidance to keep development and associated incursion to no closer than 15 metres. The actual calculated radius of the root protection area is not respected in the layout proposals. The layout as submitted is not considered to demonstrate that the proposal would not result in damage to Veteran tree T5, or that wholly exception reasons exist to justify the potential deterioration of a veteran tree. The proposed development therefore fail to accord with Policy SE5 (Trees, Hedgerow and Woodland) of the Cheshire East Local Plan, Policy ENV6 (Trees, Hedgerow and Woodland Implementation) of the Site Allocations and Development Policies Document, and Paragraph 188 c) of the National Planning Policy Framework.**

**3. Insufficient information has been submitted with regards to the impact of the proposal on flood risk. The impact of the development on flooding is therefore unknown, contrary to Policy SE13 (Flood Risk and Water Management) of the Cheshire East Local Plan, Policy ENV16 (Surface Water Management and Flood Risk) of the Site Allocations and Development Policies Document and the National Planning Policy Framework.**

*In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add Conditions and/or Informatives or reasons for approval prior to the decision being issued, the Head of Planning 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.*

