

Application No: 17/1977M

Location: NETHERBROOK, CHORLEY HALL LANE, ALDERLEY EDGE,  
WILMSLOW, CHESHIRE, SK9 7UL

Proposal: Erection of a single detached dwelling and creation of a new access to the  
existing dwelling

Applicant: Alderley Edge 1 GB Ltd

Expiry Date: 14-Jul-2017

### **SUMMARY**

The site is located within a predominantly residential area to the south west of Alderley Edge. Policy DC41 of the Macclesfield Borough Local Plan, PG2 of the Emerging Cheshire East Local Plan and paragraphs within the NPPF set out the circumstances where infill development can be acceptable.

The NPPF, at paragraph 14 requires development proposals that accord with the development plan to be permitted without delay and thusly this application goes before the Planning Committee with a recommendation of approval subject to appropriately worded conditions being attached to any grant of permission.

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

### **SUMMARY RECOMMENDATION**

Approve subject to conditions.

### **REASON FOR REFERRAL**

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

*"The Parish Council has recommended refusal of this application on the grounds that it represents overdevelopment through the subdivision of an existing plot. Concerns have also been expressed by neighbouring residents with respect to the increase in footprint, massing and height of the proposed dwellings. There is also evidence of an increased flood risk at this location and a flood-risk assessment has been requested; therefore, the application would benefit from consideration by Northern Planning Committee."*

## **PROPOSAL**

Planning consent is being sought for the construction of a detached dwelling to the side on an existing dwelling. The permission seeks to split the plot to allow for a second dwelling to be constructed. The proposed dwelling will have 5 bedrooms and will have bedroom space within the roof space. The application will allow for the construction of a separate access to that of Netherbrook, and will provide parking for the proposed dwelling.

## **SITE DESCRIPTION**

The application site is currently occupied by a large detached dwelling which is currently undergoing renovation works. Planning permission has been granted for the original dwelling to reduce its footprint, and to alter the design and finish of the dwelling.

The site is close to an existing area of designated open space, and is to the north of the green belt boundary. An area of TPO'd trees lie to the north of the site. The design of the existing dwelling itself does not reflect any specific design period, however it has a distinct style of its own and is aesthetically concordant with its surroundings. As there are no prevailing design features within the street scene the dwelling is of individual style and taste.

## **RELEVANT SITE HISTORY**

- 17/1330M – New gable and porch to front elevation. Demolition of existing extensions and construction of permitted development rear extensions single and two storey. Rendering of complete building. Approved 2017.

## **LOCAL AND NATIONAL POLICY**

### **National Planning Policy Framework**

Paragraph 17 – Core Planning Principles

Section 7 – Requiring Good Design

Section 11 – Conserving and Enhancing the Natural Environment

### **Macclesfield Borough Local Plan**

BE1 (Design)

DC1 (Design)

DC3 (Amenity)

DC6 (Circulation and Access)

DC8 (Landscaping)

DC9 (Tree Protection)

DC38 (Space, Light and Privacy)

DC41 (Infill Development)

DC42 (Subdivision of Property for Residential Purposes)

H13 (Protecting Residential Areas)

### **Cheshire East Local Plan Strategy – Submission Version**

MP1 (Presumption in Favour of Sustainable Development)  
PG2 (Settlement Hierarchy)  
SD1 (Sustainable Development in Cheshire East)  
SD2 (Sustainable Development Principles)  
SE1 (Design)  
SE4 (The Landscape)

## **Alderley Edge Neighbourhood Plan**

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

### **CONSULTATIONS**

United Utilities – Drainage concerns raised.

Highways – No objection.

Alderley Edge Parish Council – Refusal recommended.

Public Rights of Way – No objection.

### **REPRESENTATIONS**

4 letters of objection received, summarised as follows:

Damage to existing hedges.  
Loss of privacy  
Construction should be restricted to working hours  
Design and scale of the development  
Drainage/sewerage  
Highway concerns

### **APPRAISAL**

#### **Sustainability**

The National Planning Policy Framework definition of sustainable development is:

*“Sustainable means ensuring that better lives for ourselves don’t mean worse lives for future generations. Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world. We must house a rising population, which is living longer and wants to make new choices. We must respond to the changes that new technologies offer us. Our lives, and the places in which we live them, can be better, but they*

*will certainly be worse if things stagnate. Sustainable development is about change for the better, and not only in our built environment”*

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

**an environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

**an economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

**a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and These roles should not be undertaken in isolation, because they are mutually dependent.

## **ENVIRONMENTAL SUSTAINABILITY**

### **Infill Development**

Local Plan Policy DC41 relating to infill housing development, states that infill housing will be required to comply with a number of criteria prior to being considered appropriate development. These criteria relate to the design of the proposed dwelling, the impact the dwelling will have on the amenity of the neighbouring dwellings, and the impact on highway safety.

Amenity and highway safety are addressed within a separate section of this report, therefore design is considered below.

Dwellings along the length of Chorley Hall Lane are of differing design and finish materials. Therefore provided that the design of the proposed dwelling does not create a significant contrast between itself and the existing dwellings there are no design concerns regarding the dwelling itself. The dwelling will be 3 storey, and will have a vertical emphasis due to the width constraints of the site, but this does not pose a concern as existing dwellings are either of 2 or 3 storey design.

It is proposed that the dwelling be finished in render, whilst the neighbouring dwelling is of brick construction, Netherbrook itself has recently obtained planning consent to be rendered. As the neighbouring dwelling, and other dwellings on Chorley Hall Lane are to be rendered this will not result in a dwelling discordant with its surroundings.

Concern has been raised that the dwelling will occupy a very small site which is in turn considered to be over development of the original Netherbrook site. The original dwelling Netherbrook has been reduced in width by the removal of a large single storey side extension. It is considered that the site itself is large enough to accommodate two dwellings with sufficient amenity space and parking space without having a significant detrimental impact on the character of the surrounding street scene.

It is therefore considered that the proposed dwelling the subject of this application will not have a significant detrimental impact on the character of the area, nor will it create an anomalous feature within the immediate vicinity. Therefore, the proposed development complies with policies DC21, DC1 and BC1 of the Macclesfield Local Plan.

### **Drainage**

Drainage concerns have been raised by United Utilities and have since been addressed by the submission of a revised drainage scheme. Whilst flooding has been raised as a concern, and is one of the reasons for the application to have been called in to the Planning Committee it is considered that a flood risk assessment is not necessary for this proposal as the dwelling does not lie within a flood zone as designated by the Environment Agency. Comments from the Flood Risk Manager are awaited and will be reported as an update.

### **Arboricultural Impacts**

Macclesfield Borough Local Plan policy DC9 states that development which would result in a threat to the continued wellbeing of trees which are considered worthy of protection will not be allowed. The site contains a number of large well established trees which make a positive contribution to the character of the site itself and the surrounding area. Although these are not protected by any TPOs it was considered necessary to consult the Arboricultural Officer due to their significance.

A small area of TPO'd trees are positioned to the north of the site. No significant work is to take place in this location, however in order to achieve the proposed visibility splays, a section of the boundary hedge may need to be removed. Comments have not been received from the Arboricultural Officer with regard to the proposed development, therefore once these have been received they will be included in an update report.

A landscape condition will be added to any subsequent decision in order to ensure that the green and leafy character of the immediate surroundings are maintained.

### **Highways**

Concern has been raised by members of the public regarding the safe access and egress to and from the proposed dwelling, these concerns were mirrored by comments from the Highways Department regarding sufficient visibility splays being achievable. A revised plan showing the required visibility splays has been received and is now considered acceptable by Highways .

The NPPF places great emphasis on encouraging sustainable development, including the use of sustainable modes of transport. The site is considered to be within a sustainable location

with good access to local amenities and public transport links. The dwelling will be within a 20 minute walk to the local railway station and town centre. The railway station provides links to Manchester to the north and Stoke to the south which could reduce the use of private vehicles.

## **SOCIAL SUSTAINABILITY**

### **Residential Amenity**

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

The site of Netherbrook on Chorley Hall Lane is a large site with significant and well established boundary detail to all sides.

The construction of the dwelling will not result in loss of light, or overshadowing to the rear of any neighbouring dwelling by virtue of its location as it is to the north of dwelling on Downesway and therefore does not impact on levels of direct sunlight to these dwellings. The residents of Aeolia to the east, will also not suffer loss of light, or overshadowing due to the position of the dwelling, and the existing boundary detail.

Privacy distances have been met between the proposed dwelling and dwellings on Downesway, and the established boundary detail further protects the privacy of all residents. Concern has been raised by the resident of Aeolia regarding potential loss of privacy due to the 4 windows to be placed in the side elevation of the dwelling. Whilst these windows are not to habitable rooms, it is intended that they be obscurely glazed in the interest of privacy for both the neighbours and the future occupiers of the dwelling.

It has been requested that a condition be placed on any subsequent approval with regard to the hours of construction. Whilst hours of construction have not been suggested by Environmental Health, due to the level of work to be carried out on the site, and the proximity to neighbouring properties, a condition will be added which restricts the hours of construction works.

As amenity concerns have been addressed it is considered that the proposed development complies with policies DC3 and DC38 of the Macclesfield Borough Local Plan and relevant sections of the NPPF.

### **Housing Land Supply**

On 13 December 2016 Inspector Stephen Pratt published a note which sets out his views on the further modifications needed to the Cheshire East Local Plan Strategy. This note follows 6 weeks of Examination hearings concluding on 20 October 2016.

This note confirms that his previous endorsement for the core policies on the plan still stand and that *“no new evidence or information has been presented to the examination which is sufficient to outweigh or alter my initial conclusions”*. This signals his agreement with central

issues such as the 'Duty to Cooperate', the overall development strategy, the scale of housing and employment land, green belt policy, settlement hierarchy and distribution of development.

The Inspector goes on to support the Council's approach to the allocation of development sites and of addressing housing supply. He commented that the Council:

*"seems to have undertaken a comprehensive assessment of housing land supply, and established a realistic and deliverable means of meeting the objectively assessed housing need and addressing previous shortfalls in provision, including assessing the deliverability and viability of the proposed site allocations"*

The Inspector went on to state that the development strategy for the main towns, villages and rural areas appeared to be "appropriate, justified, effective, deliverable and soundly based." As a consequence there was no need to consider other possible development sites at this stage.

The Inspector's recommendations on Main Modifications mean that under paragraph 216 of the Framework the emerging policies of the Cheshire East Local Plan Strategy can be attributed a greater degree of weight – as the Plan as revised is at an enhanced stage, objections are substantially resolved and policies are compliant with National advice.

The Inspector's recommendations on housing land supply, his support for the Cheshire East approach to meeting past shortfalls (Sedgepool 8) indicate that a remedy is at hand to housing supply problems. The Council **still cannot demonstrate a 5 year supply of housing at this time** but it will be able to on the adoption of the Local Plan Strategy. This is highly relevant to the assessment of weight given to housing supply policies which are deemed out of date by the absence of a 5 year supply. Following the Court of Appeal decision on the *Richborough* case, the weight of an out of date policy is a matter for the decision maker and could be influenced by the extent of the shortfall, the action being taken to address it and the purpose of the particular policy. Given the solution to housing supply now at hand, correspondingly more weight can be attributed to these out of date policies.

The creation of an additional dwelling at this site will create a dwelling which is affordable and within a desirable area of Alderley Edge, without affecting the character of the area. This, in conjunction with the close proximity of the dwelling to Alderley Edge railway station and the town centre will result in an additional dwelling being provided within a sustainable location within the Borough.

## **ECONOMIC SUSTAINABILITY**

It is accepted that a development of this size would bring the usual economic benefit to the closest shops in Alderley Edge for the duration of the construction, and would potentially provide local employment opportunities in construction and the wider economic benefits to the construction industry supply chain. There would be some economic and social benefit by virtue of new resident's spending money in the area and using local services.

As such, it is considered that the proposed development would be economically sustainable.

## **SUMMARY AND PLANNING BALANCE**

All objections and comments received have been noted and considered during the recommendation of this application. The presumption in favour of development is however a significant material consideration. The merits of the application have been taken into account, and it is considered that the application complies with both local and national policy, therefore satisfying the presumption towards sustainable development.

Paragraph 14 of the NPPF requires development proposals that accord with the development plan to be permitted without delay. Thusly this application goes before the Planning Committee with a recommendation of approval subject to appropriately worded conditions being attached to any grant of permission.

## **RECOMMENDATION**

### **Approved Subject to conditions**

*In the event of any changes being needed to the wording of the Committee's decision (such as to debate, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning Regulation has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.*

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. Commencement of development
2. Development in accord with approved plans
3. Materials as application
4. Obscure glazing requirement
5. Protection from noise during construction (hours of construction)
6. Landscaping - submission of details
7. Landscaping (implementation)



