

Application No: 20/0554M

Location: CORNER CROFT, GREEN LANE, ALDERLEY EDGE, SK9 7UW

Proposal: Erection of new detached dwelling adjacent to the existing property

Applicant: Mr & Mrs Kaminski

Expiry Date: 06-Apr-2020

### **SUMMARY**

The principle of a new dwelling within the predominantly residential area of Alderley Edge is acceptable in principle. The comments from the neighbours and the Town Council are noted. However, the site comprises development in a sustainable location within the predominantly residential area of Alderley Edge, with access to a range of local services and facilities nearby. It would add to the stock of housing and its construction and occupation would result in social and economic benefits, albeit relatively minor. The development would make effective use of an available site.

The proposal also raises no significant design, amenity or highway safety issues.

The proposal is found to accord with the relevant local plan policies, national planning advice as well as draft policies in the emerging neighbourhood plan. The application is therefore recommended for approval subject to conditions and comments from the Council's Environmental Protection Unit and Flood Risk Manager.

### **RECOMMENDATION:**

**Approve subject to conditions**

### **REASON FOR REPORT**

The application is to be presented at Northern Planning Committee because it has been 'called-in' to committee at the request of Cllr Craig Browne on the 26<sup>th</sup> February 2020 for the following reason:

*"This application is called in at the request of Alderley Edge Parish Council following concerns expressed by local residents relating to:*

- massing and overbearing nature of the proposed development*

- *impact on residential amenity of neighbour*
- *privacy and overlooking*
- *overdevelopment of the site*
- *complementarity with the existing streetscene*
- *compliance with the emerging Alderley Edge Neighbourhood Plan”*

## **DESCRIPTION OF SITE AND CONTEXT**

The application site comprises the side garden area of the property referred to as ‘Corner Croft’. This property has a large garden which extends to the side and rear. The proposal would be sited to the side (south) of Corner Croft.

The site is located in a predominantly residential area of Alderley Edge on the edge of the urban area, adjacent to the Green Belt.

The site benefits from good boundary screening and is accessed by a narrow lightly trafficked unadopted road.

## **DETAILS OF PROPOSAL**

Full planning permission is sought for the erection of a new dwelling in the large side garden area of Corner Croft.

Amended plans have been received during the course of the application in order to address the Council’s concerns.

## **RELEVANT HISTORY**

03/3344P      ERECTION OF 1NO. TWO STOREY DETACHED DWELLING (OUTLINE PLANNING)

Refused 6 February 2004 (Refused due to the housing supply restrictions which were in place at the time)

00/0405P      DETACHED DWELLING (OUTLINE)

Approved 30 March 2000

## **POLICIES**

### **Cheshire East Local Plan Strategy – adopted 27<sup>th</sup> July 2017**

MP1    Presumption in Favour of Sustainable Development  
 PG1    Overall Development Strategy  
 PG2    Settlement Boundaries  
 PG7    Spatial distribution of development  
 SD1    Sustainable development in Cheshire East  
 SD2    Sustainable development principles  
 IN1    Infrastructure  
 IN2    Developer Contributions  
 SC4    Residential Mix  
 SC5    Affordable Homes

SE1 Design  
SE2 Efficient Use of Land  
SE3 Biodiversity and Geodiversity  
SE4 The Landscape  
SE5 Trees, Hedgerows and Woodland  
SE6 Green Infrastructure  
SE8 Renewable and Low Carbon Energy  
SE9 Energy Efficient Development  
SE12 Pollution, Land Contamination and Land Instability  
SE13 Flood risk and water management  
CO1 Sustainable travel and transport

## Appendix C – Parking Standards

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27<sup>th</sup> July 2017. There are however policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.

### **Saved Macclesfield Borough Local Plan Policies**

NE11 (Nature conservation interests)  
DC3 (Amenities of residential property)  
DC6 (Circulation and Access)  
DC8 (Landscaping)  
DC9 (Tree protection)  
DC35 (Materials and Finishes)  
DC36 (Road layouts and circulation)  
DC37 (Landscaping in housing developments)  
DC38 (Space, light and Privacy)  
DC41 (Infilling housing or redevelopment)  
DC63 (Contaminated land)

### **Alderley Edge Neighbourhood Plan**

The Alderley Edge Neighbourhood Plan has reached regulation 16 stage and has been through public consultation. On this basis some weight can be given to the relevant draft policies which are;

AE1: Alderley Edge Development Strategy  
AE2: Design, Scale and Type of New Housing  
AE3: Sustainable Housing Design  
AE4: Rear Garden and Backland Development  
AE9: Landscape Character and Access  
AE15: Promoting Accessibility to Public Transport

### **Other Material Considerations**

National Planning Policy Framework (NPPF)  
National Planning Practice Framework (NPPG)

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

**Highways:** no objections

**Environmental Health:** no comments received

**United Utilities:** no objections, subject to conditions relating to drainage

**Flood risk:** no comments received

## **VIEWS OF THE PARISH / TOWN COUNCIL**

**Alderley Edge Parish Council:** *“Parish council recommends refusal and call in to council. Alderley Edge Neighbourhood plans emerging policy AE4 is resistive to infill development this should be born into consideration along with CE policies for this form of development. Current housing supply requirements for CE are being met. The submitted applications plans do not complement the existing building line and if there are intentions to alter the existing properties perhaps this should be submitted as a single application. It is considered that there would be loss of amenity and privacy for the property to its rear through overlooking of garden and likely the existing properties front garden also. The overall proximity and massing of the new property would be overbearing also.”*

## **OTHER REPRESENTATIONS**

Amended plans were received during the application period. 3no. representations were received prior to the amendments with a further representation received following. Below is a summary of the main issues:

- The mass and siting of the proposed dwelling would lead to a loss of light and loss of privacy to the surrounding dwellings. The privacy distances are shown from first floor and not ground floor.
- The development would lead to a noise nuisance both during and after construction.
- The proposed garden space would be smaller than the neighbours.
- The hedge to the rear is Beech so overlooking would be exacerbated in winter.
- The size of the dwelling is disproportionate to the plot size.

Following submission of amended plans, neighbours were re-consulted and the original comments were repeated.

## **OFFICER APPRAISAL**

### **Principle of Development**

The application site lies within a predominately residential area in Alderley Edge. Alderley Edge is identified as being a Local Service Centre under Policy PG 2 of the Cheshire East Local Plan Strategy (CELPS). This policy confirms that within Alderley Edge, small scale

development to meet needs and priorities will be supported where they contribute to the creation and maintenance of sustainable communities.

Whilst Alderley Edge Neighbourhood Plan (AENP) has not yet been the subject of examination, draft Policy AE1 advises that new residential development within the settlement boundary (such as this site) will be supported where proposals are for 'small to medium sized developments' (under 10), are sustainably located have a high quality of design.

As a windfall site, CELPS Policy SE 2 states that development should;

- Consider the landscape and townscape character of the surrounding area when determining the character and density of development
- Build upon existing concentrations of activities and existing infrastructure
- Not require major investment in new infrastructure
- Consider the consequences of the proposal for sustainable development having regard to Policies SD 1 and SD 2

In this case, the provision of 6 no. dwellings would be of an acceptable scale relative to Alderley Edge and would deliver housing within a sustainable location with the Village centre within walking / cycling distance. From here, there are good rail links (including to Manchester, London) and buses to other local / key service centres. There are local amenities nearby, and social infrastructure such as schools, hairdressers, gyms, employment etc. The development to provide a residential unit in a sustainable location aligns with the general principles of national policy, local policy and emerging neighbourhood policy.

The development would make a small contribution to the Boroughs housing requirements through the provision of 1 no. market dwelling. In accordance with these policies, there is no objection in principle to new dwellings in this location, subject to compliance with the other relevant development plan policies

### **Design and Impact on Character of the Area**

NPPF paragraph 127 notes that planning decisions should ensure that developments are: visually attractive as a result of good architecture and layout; are sympathetic to local character and history, while not preventing or discouraging appropriate innovation or change; establish or maintain a strong sense of place, and create attractive and distinctive places to live, work and visit. Paragraph 130 notes that permission should be refused for poor design that fails to take the opportunities for improving the character and quality of an area.

Local Policy SD 2 notes that 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, external design features, massing of development, and relationship to neighbouring properties, street scene and the wider neighbourhood. Policy SE 1 notes that development proposals should make a positive contribution to their surroundings by:

- Ensuring design solutions achieve a sense of place by protecting and enhancing the quality, distinctiveness and character of settlements

- Encouraging innovative and creative design solutions that are appropriate to the local context

Draft Policy AE2 of the Alderley Edge Neighbourhood Plan applies a similar approach to design as Policies SE 1 and SD 2.

The triangle of development within which the application site lies contains a variety of relatively large dwellings set within reasonable sized plots. The existing dwelling is an anomaly in terms of the plot:building ratio and the subdivision into two would not be to the detriment of the pattern or character of the area.

The new dwelling would display a hipped roof with three front facing gables matching features of the existing dwelling at Corner Croft. Amended plans have been received reducing the scale and increasing the set back of the front projection from the road.

The added detail in the previously blank front gable helps to soften the appearance and assimilate it into the street scene. The design features of the proposed dwelling would complement the street scene

Saved Macclesfield Local Plan policy DC41, relating to infill housing states:

*'The garden space should reflect the typical ratio of garden space within curtilages in the area and the location, size and shapes should be suitable for the intended purpose'.*

The size of plots:building ratios of the surrounding dwellings within the 'triangle' vary from 10.7% to 22.3%. While at the higher end of the scale at 21.87 following the amended plans there are two properties within the vicinity displaying a higher plot:building ratio.

It is considered that the improvements satisfy the raised issues of density, elevational design and scale in accordance with policies SE1 and SD2 of the CELPS, draft Policy AE2 of the Alderley Edge Neighbourhood Plan and the Cheshire East Design Guide.

## **Amenity**

Saved Macclesfield Borough local Plan policy DC3 seeks to ensure development does not significantly injure the amenities of adjoining or nearby residential properties through a loss of light, overbearing effect or loss of sunlight/daylight with guidance on space distances between buildings contained in saved policy DC38 of the Macclesfield Borough Local Plan and guidance within the Cheshire East Design Guide.

The objections have been carefully considered. The south facing side elevation of the proposal faces onto the rear elevation of number 10 Blackshaw Lane (Ashwater House). The distance between the two buildings would be 16.1m at its closet with the dwellings set at an angle to each other meaning that the natural outlook from number 10 would not be interrupted by the new dwelling. The side elevation would not contain any windows.

To the rear the distance between the closest habitable windows at first floor between number 6 Blackshaw Lane (Little Meadows) and the proposal would be 15.6m. While this is slightly substandard the bedroom at number 6 contains three other windows facing onto other directions so this window is clearly secondary and is relatively small. The dwellings would

also be set at an angle to each other so there would be no direct views. The other habitable rear facing window of number 6 would be positioned 24.9m and 25.15m from the habitable rooms on the proposed dwelling. Again these are at an angle to each other.

The gap between the dwellings, together with the oblique angle and boundary screening ensures that the relationship between proposed new dwellings is within acceptable limits.

## **Highways**

MBLP saved Policy DC6 requires new developments to provide safe and convenient access for vehicles and pedestrians, as well as providing adequate parking and turning for vehicles. The new dwelling would be accessed from an unadopted road and would contain sufficient off street parking. There are no objections to the application raised by the Head of Strategic Infrastructure and as such, it is acceptable in terms of highway safety and parking provision.

## **Arboriculture and Forestry**

This application is supported by an Arboricultural Report which includes a Tree Survey Schedule, a Development Layout Plan, a Tree Protection Plan and a Tree Constraints Plan. The report is broadly in accordance with the requirements of *BS5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations*.

The site consists chiefly of ornamental shrubs and small trees with no significant high amenity value offered. The Arboricultural Report has identified 15 trees, 1 Group and 1 Hedge within the application site. The Alderley Edge Urban District Council (Chorley Hall Lane) TPO 1968 affords protection to one group (G2 of the original Order) to the northern boundary of the existing property with no impact expected by the proposal.

The proposed removal of T18 Cherry, T23 Juniper and T26 Cherry are identified as U (T18 & T23) and C (T26) category trees within the submitted BS5837 Tree Schedule and therefore the Council's Arboricultural Officer has confirmed that their removal is considered to be acceptable with no detriment to the long term amenity expected.

A section of proposed external patio area at the southern elevation will extend slightly into the Root Protection Area (RPA) of an existing unprotected Beech (T25). BS5837:2012 makes provision and design recommendations for incursions into the RPA of trees, which has been addressed in the submitted report. The incursion within the RPA of the Beech tree is relatively minor and taking into account the species characteristics, age and vitality of this tree, the Council is satisfied that the tree will remain viable in the long term.

The Council's Arboricultural Officer therefore raises no objections subject to a suitably worded condition. The proposal is found to accord with CELPS Policy SE 5 and MBLP Policy DC9.

## **CONCLUSIONS AND PLANNING BALANCE**

The principle of a new dwelling within the predominantly residential area of Alderley Edge is acceptable in principle. Comments from the neighbours and town council are noted. However, the site comprises development in a sustainable location, with access to a range of local services and facilities nearby. It would add to the stock of housing and its construction and

occupation would result in social and economic benefits, albeit relatively minor. The development would make effective use of an available site.

The proposal also raises no significant design, amenity or highway safety issues.

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## **RECOMMENDATIONS**

**APPROVE with the following conditions;**

- 1. Standard time limit**
- 2. Accordance with approved Plans**
- 3. Breeding birds – timing of works**
- 4. Arboricultural works to be carried out in accordance with the submitted Method Statement**
- 5. Tree protection measures to be implemented in accordance with submitted details**
- 6. Submission and approval of a drainage strategy**
- 7. Land levels to be submitted, approved and implemented**
- 8. Dust Management Plan to be submitted, approved and implemented**
- 9. Electric Vehicle Charging point to be provided**
- 10. Contaminated land survey to be submitted, approved and implemented**
- 11. Details of any soils imported onto the site**
- 12. Works to stop if any unexpected contamination is discovered**
- 13. Details of boundary treatments to be submitted and approved**
- 14. Landscaping scheme to be submitted and approved**
- 15. Landscaping implementation**
- 16. Materials to be submitted**
- 17. Access and visibility splays to be provided prior to first occupation**

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



