

Application No: 11/1022C

Location: 1, The Chandlery, WHARF MILL, CONGLETON, CW12 3GQ

Proposal: Change of Use from Existing Offices to a Pair of Three-Bed Semi Detached Houses

Applicant: McDermott Developments

Expiry Date: 09-May-2011

Date report Prepared 8 June 2011

SUMMARY RECOMMENDATION: Approve with conditions

MAIN ISSUES:

- Principle of the Development
- Marketing and Demand
- Suitability of the Site for Residential Use
- Highways and Parking

1. REASON FOR REFERRAL

This application has been referred to the Southern Planning Committee as Councillor Roland Domleo called it in on the following grounds:

"The former Congleton Borough Council wanted to see the Congleton Canal basin come back into proper use with boats stopping and people shopping in the town and the local pubs. So as part of granting planning permission for the redevelopment of the mill and a large number of new flats, there was a requirement to have a chandlery on the site. It was hoped that this would be a supply shop and cafe for the passing boats.

What is designated as the Chandlery looks like a pair of semi detached houses which has raised suspicions that the developer may have had other ideas for this building, which may be confirmed by this planning application.

My request to call this in is based on this being a fundamental change in the original use for this site, which will no longer have any chance of meeting one of the original key requirements - to bring the canal basin back into use. ie " there are significant policy or precedent implications"

I will want to see evidence of what the developer has done to try and market this as a Chandlery /Shop."

2. DESCRIPTION AND SITE CONTEXT

This application relates to a brick built building which was constructed as part of a development comprising a converted mill, new build apartments and these commercial units. The building does have the appearance of residential properties. To the rear is the Macclesfield Canal.

3. DETAILS OF PROPOSAL

This proposal is for full planning permission for the change of use of the buildings from offices to residential. No external alterations are proposed, but internally the rooms would be sub-divided in order to provide satisfactory living accommodation.

The whole development was granted consent in 2003 (35037/3) and this element was designated as a chandlery. In 2006 an application was refused for change of use to residential (06/0580/FUL) and in 2007 consent for change of use to offices was granted (07/0364/FUL). A marketing report has been submitted with the application which details the measures that have been taken to market the site for commercial use and the supply and demand for office space in the Congleton area.

4. RELEVANT HISTORY

35037/3	2003	Approval for conversion of mill to residential, 24 new build apartments and chandlery
06/0580/FUL	2006	Refusal for change of use to residential
07/0364/FUL	2007	Approval for change of use to residential

5. POLICIES

National Guidance

PPS1 Delivering Sustainable Development
PPS3 Housing

Regional Spatial Strategy

DP1 Spatial Principles
DP2 Promote Sustainable Communities
DP4 Making the Best Use of Existing Resources and Infrastructure
DP5 Manage Travel Demand: Reduce the Need to Travel, and Increase Accessibility
DP7 Promote Environmental Quality
DP9 Reduce Emissions and Adapt to Climate Change
RDF1 Spatial Priorities
L2 Understanding Housing Markets
L4 Regional Housing Provision
RT2 Managing Travel Demand
RT9 Walking and Cycling
EM1 Integrated Enhancement and Protection of the Region's Environmental Assets

Congleton Local Plan 2005

The site is not allocated in the Local Plan but the following policies apply:

PS4 Towns
H1 & H2 Provision of New Housing Development

GR1 New Development
GR6 Amenity and Health
GR9 Parking and Access
E10 Re-use or Redevelopment of Existing Employment sites
SPG2 Provision of Private Open Space in New Residential Developments

6. CONSIDERATIONS

Environmental Protection:

No objections.

Highways:

None received at the time of report writing.

British Waterways:

No objections.

7. VIEWS OF TOWN COUNCIL

None received at the time of report writing.

8. OTHER REPRESENTATIONS

None received at the time of report writing.

9. APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement

This document provides details on the history of the site and the process which led to the submission of this proposal.

Report in Respect of Demand for Employment Uses and Marketing Strategy

This document gives details of the methods by which the building has been marketed and the demand for employment uses in the Congleton area.

10. OFFICER APPRAISAL

Principle of Development

The site is designated as being within the Settlement Zone Line of Congleton where there is a general presumption in favour of development provided that it is in keeping with the scale and character of the town. Therefore the proposal should be judged on the criteria laid out in the individual sections of this report.

Marketing and Demand

Policy E10 of the adopted local plan requires that inter-alia, proposals that would result in the loss of an employment site will not be permitted unless it is demonstrated that it is no longer suitable for employment use or there would be planning benefit that would outweigh the loss. This should be considered having regard to the nature and location of the site, the adequacy of suitable local employment sites and the measures that have been taken to secure employment use at the site.

The application contains a report which details the marketing strategy that has been undertaken and an assessment of the supply and demand of office space in Congleton. It states that Timothy A Brown, a local estate agent, first marketed the property in August 2003 as a chandlery, for a rent of £10,000. This marketing included advertising in specialist magazines and local newspapers and a mailshot to boat builders, chandleries and marinas. This produced some queries in the period up to May 2005 but the two proposals that were put forward were not acceptable due to conditions requested on the lease. Rental details and copies of the advertisements are appendices to the report. Following the granting of planning permission for change of use in 2007, marketing was undertaken for the buildings to be used as offices. The marketing comprised a sign on the premises and details available in their shop and on the internet. The rent was set at £9,500 for each of the two units. A tenant was found in 2010 for a rent of £5,500 with 6 months rent free, however this fell through. The report states that substantial reductions in the rent and other incentives have failed to elicit further interest in the properties for office use and concludes that there is no demand for use as a shop or offices at the site.

The report goes on to detail several vacant office units in the Congleton area and concludes that there is an over supply of office accommodation in Congleton.

Research undertaken during the compilation of this report confirms that there is a considerable amount of office space available in Congleton and that the prices that the property has been marketed at appear to be realistic. It is therefore considered that reasonable attempts have been made to let the premises for employment use as required by Policy E10 of the adopted local plan.

Suitability of the Site for Residential Use

The surrounding area comprises largely residential properties and the building has the appearance of a pair of dwelling houses. As such it is considered that with internal alteration, the site would be suitable for residential use. Having regard to the amenities of future occupiers, the proposed dwellings would have an adequate amount of useable residential amenity space to the rear however, permitted development rights for extensions should be removed in order to ensure that this remains the case. It is therefore considered that the site is suitable for residential use subject to the removal of permitted development rights.

Highways and Parking

The proposal would provide adequate parking provision for properties of this size, 2 spaces per dwelling and access already exists to Canal Road for the whole development. As such it is not considered that the development would meet the requirements of Policy GR9 of the adopted local plan.

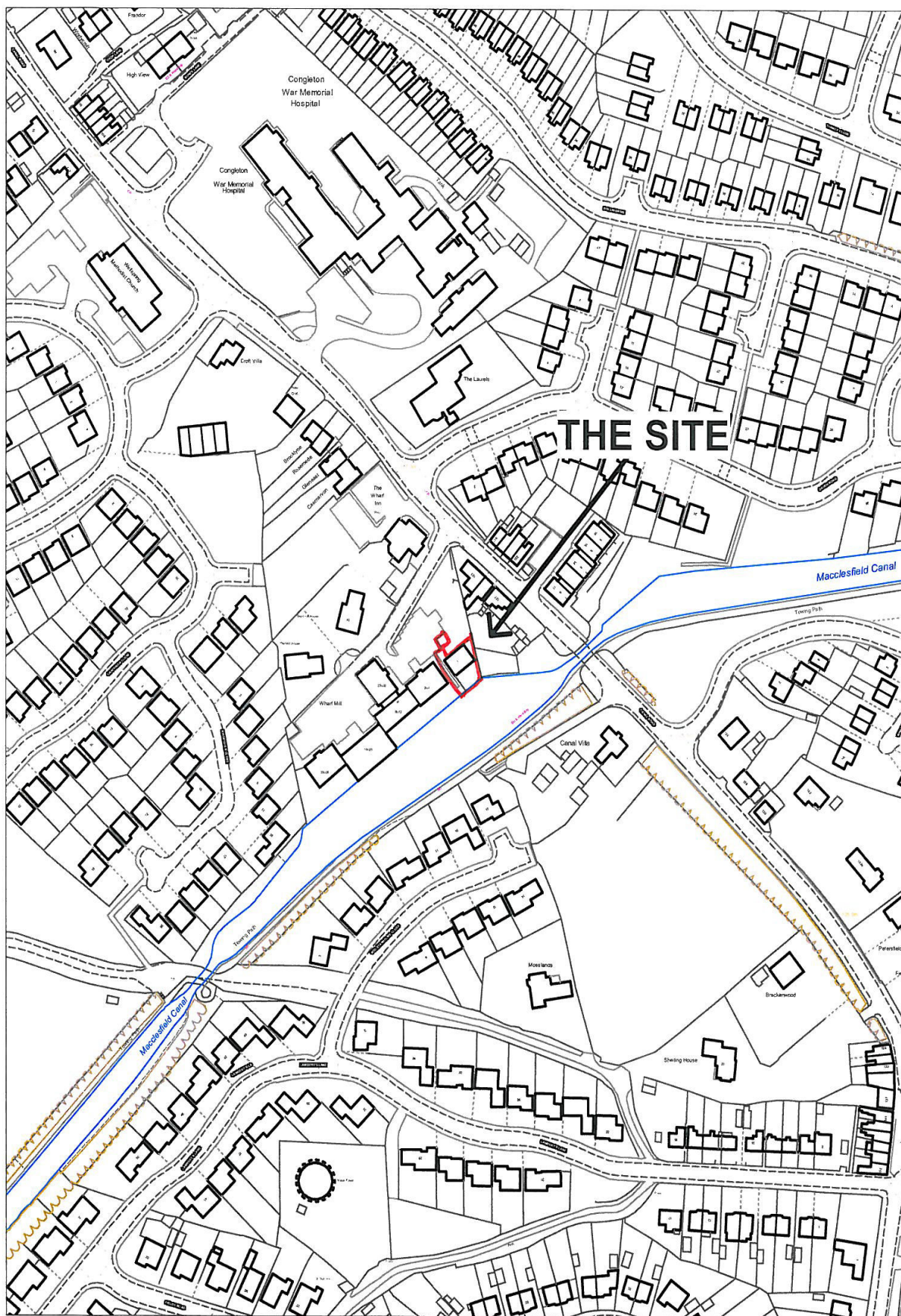
11. CONCLUSIONS

In conclusion, the site is within the Settlement Zone Line of Congleton in the adopted local plan and the proposed development complies with the relevant policies contained within that document, in relation to loss of employment land, amenity and highway safety. It is therefore recommended that the application be approved subject to the following conditions.

12. RECOMMENDATION:

Approve subject to the following conditions:

1. **Standard time limit**
1. **Development carried out in complete accordance with the approved plans**
2. **Removal of permitted development rights for extensions**



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