

Northern Planning Committee

Agenda

Date: Wednesday, 14th October, 2009
Time: 2.00 pm
Venue: The Capesthorne Room - Town Hall, Macclesfield SK10 1DX

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 at the foot of each report.

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

1. **Apologies for Absence**

To receive any apologies for absence.

2. **Code of Conduct-Declarations of Interest/Pre-Determination**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests and for Members to declare if they have pre-determined any item on the agenda.

3. **Minutes of the Meeting** (Pages 1 - 2)

To approve the Minutes of the meeting held on 23 September 2009.

4. **Public Speaking**

5. **09/2859M-Conservation & Conversion of Grade 2 Listed former Silk Mill to 16 New Apartments, Brown Street Mill, Brown Street, Macclesfield, Cheshire for Mr. Quinn, Silk Mill Mansions Ltd** (Pages 3 - 14)

To consider the above application.

6. **09/2862M-09/2859M-Conservation & Conversion of Grade 2 Listed former Silk Mill to 16 New Apartments (LBC), Brown Street Mill, Brown Street, Macclesfield, Cheshire for Mr. Quinn, Silk Mill Mansions Ltd** (Pages 15 - 22)

For any apologies or requests for further information, or to arrange to speak at the meeting

Contact: Sarah Baxter
Tel: 01270 529786
E-Mail: sarah.baxter@cheshireeast.gov.uk

To consider the above application.

7. **09/2028M-Erection of Building Including Retail on Ground Floor, Offices on First Floor and Basement Parking (Retrospective), 17- 23, London Road, Alderley Edge, Cheshire for Middlemede Properties LTD (Pages 23 - 32)**

To consider the above application.

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Northern Planning Committee**
held on Wednesday, 23rd September, 2009 at The Capesthorne Room -
Town Hall, Macclesfield SK10 1DX

PRESENT

Councillor R West (Chairman)
Councillor M Hardy (Vice-Chairman)

Councillors C Andrew, G Barton, J Crockatt, H Davenport, T Jackson,
D Neilson, L Smetham and C Tomlinson

Apologies

Councillors E Gilliland, W Livesley, J Narraway, D Stockton and D Thompson

55 CODE OF CONDUCT-DECLARATIONS OF INTEREST/PRE-DETERMINATION

None.

56 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes be approved as a correct record and signed by the Chairman.

57 PUBLIC SPEAKING

RESOLVED:

That the public speaking procedure be noted.

58 09/2383M-CHANGE OF USE OF PETROL FILLING STATION TO HAND CAR WASH WITH VALETING BAY AND WATER TREATMENT BUILDING AND STAFF FACILITIES, PLUMLEY SERVICE STATION, CHESTER ROAD, PLUMLEY, KNUTSFORD, CHESHIRE FOR MR MCWHIRK

Consideration was given to the above application.

(The agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the Head of Planning and Policy in conjunction with the Chairman of the Committee be delegated authority to refuse the application upon the expiry of the consultation period for the reasons below:-

1. R12LP - Contrary to Green Belt / Open Countryside policies
2. Highway safety

The meeting commenced at 2.00 pm and concluded at 3.00 pm

Councillor R West (Chairman)

Application No: 09/2859M

Location: BROWN STREET MILL, BROWN STREET, MACCLESFIELD, CHESHIRE, SK11 6SA

Proposal: CONSERVATION & CONVERSION OF GRADE 2 LISTED FORMER SILK MILL TO 16 NEW APARTMENTS

For MR. QUINN, SILK MILL MANSIONS LTD

Registered 14-Sep-2009

Policy Item Yes

Grid Reference 391452 373124

Date Report Prepared: 02.10.09

SUMMARY RECOMMENDATION: Approve subject to conditions and receipt of any further representations.

MAIN ISSUES

- Impact on the character and appearance of the area;
- Impact on the Grade 2 Listed Building;
- Design;
- Impact upon highway safety;
- Impact upon residential amenity

REASON FOR REPORT

This item is before the Northern Area Planning Committee due to the number of dwellings proposed.

DESCRIPTION OF SITE AND CONTEXT

The site is located on the corner of Brown Street and Statham Street. The locality is a relatively quiet residential area surrounded largely by terraced houses. The site is occupied by Brown Street Mill, which is a grade II listed former silk mill which was built in the 1820's. The building has four storeys and is brick built with a pitched slate roof.

The site has been vacant for approximately 20 years where it has continued to fall further into disrepair. The building has been through several different owners within this time, and was resold in August. The previous but one owner removed the floors, which is why a scaffold was initially erected to ensure that the building would not cause a danger for residents. Over the years understandably, residents have become more concerned at the lack of activity at the site and more concerned about the potential dangers of a building which was falling into an ever increasing state of disrepair.

DETAILS OF PROPOSAL

The application seeks planning consent to convert the former mill into sixteen flats. Each unit would comprise a living/kitchen room, with two bedrooms and a bathroom. The building has been designed to minimise the impact on the dwellings in the vicinity as far as practically possible given the constraints of a listed building. None of the windows would

satisfy front to front, or rear to rear distances as contained within the local plan. However, the pattern of development would generally be commensurate with that of the area.

There would be no off street parking provided with the development. Access would be provided to the rear of the mill, via a corridor on the ground floor from both Brown Street and Statham Street, and via a right of way, which runs to the rear of 1-7 John Street. Each unit would have access to a storage area in the basement, along with cycle parking.

It is considered that the conservation and retention of the external facades to Brown Street and Statham Street are of primary importance. These are the public faces of the building and are significant both historically and contextually, as the former industrial building sits within residential terraced streets from where its workforce would have lived.

Externally, it is proposed to retain as much of the original brickwork as possible, re-pointing as necessary. To retain the historic fabric it will be necessary to stabilise the building by inserting a new steel frame and new concrete floors. This system will allow the building to be stabilized structurally without the need to rebuild the brick façade, which would have resulted in the loss of character. The proposed structural system will allow the 'lean' to be retained and made safe.

Other alterations include the replacement of the windows and cills (where necessary). It is proposed to protect and strip back the roof to enable splice repairs and renewal of rot affected roof timbers. It is anticipated that a good quantity of the slate can be re-used. Any additional slates which are required are proposed to be second hand to match the existing. These would be laid to the rear to minimise the impact of the alteration on the public face of the building. Rainwater goods will be repaired where possible using traditional techniques, although replacement cast iron gutters and downpipes will be used where necessary.

At the rear it is proposed to insert a new glass and timber circulation core, which would contain a new lift and staircase. New deck access balconies with minimal glazed handrails will be added along the rear façade. The new staircase and lift arrangement and steel substructure have been designed to be self supporting to minimise the intervention into the historic brickwork. The engineers consider this solution to be the most appropriate following evaluation of the previous schemes circulation routes, and is considered to be the most rational and efficient solution.

RELEVANT HISTORY

- 59819P Demolition of listed buildings. Refused 09.10.89.
- 68060P & 68061P - Conversion of mill into ten flats. Planning permission and Listed Building Consent – Approved 15.11.91
- 96/1472P & 96/1473P - Conversion of mill into ten flats. Planning permission and Listed Building Consent granted 25.09.96
- 01/0029P & 01/0030P - Conversion of mill into fourteen flats. Applications for planning permission and Listed Building Consent - withdrawn ??03.01
- 01/1009P & 01/1010P - Conversion of mill into fourteen apartments. Applications for planning permission and Listed Building Consent approved 06.06.01
- 03/2954P Conversion of mill into 16 No. flats and 10 car parking spaces, Listed Building Consent approved 17.12.03
- 03/2948P Conversion of mill into 16 No. flats and 10 car parking spaces Planning permission refused 11.02.04

04/0933P Conversion of existing redundant mill to 16 No. apartments, including 3 no duplex apartments and 9 no car park spaces - approved with conditions 23.06.04

POLICIES

Regional Spatial Strategy

DP1, DP5, DP6, DP7, EM1

Local Plan Policy

NE11, BE1, BE18, H1-H3, H13, DC1-DC6, DC8

CONSULTATIONS (External to Planning)

Highways: Comments are awaited

Environmental Health: The Environmental Health Officer raises no objections to this application. The Contaminated Land Officer notes that the application is for new residential properties which are a sensitive end use and could be affected by any contamination present. The Preliminary Risk Assessment submitted in support of the planning application identifies the likely presence of contamination and recommends an intrusive investigation be carried out, and a phase 2 investigation is required, the results of which will also need to be submitted. If contaminants are found, then a remediation statement will be required, followed by a site Completion Report, which details the conclusions and actions taken at each stage.

OTHER REPRESENTATIONS

Three letters have been received from residents in the local area. Full copies of all correspondence are available to view on the application file. The positive comments relate to the fact that something is at last being done to this eyesore building. Concern is expressed with regard to the lack of parking, which will make an existing bad situation worse. One of the residents is concerned that the development will destroy his privacy as the flats will overlook his property. In addition, residents of the new developments cars may block existing residents' drives.

A letter has been received from Councillor Broadhurst, who comments that one concern he has with this development is the overall residential parking within the area. This development will potentially add to those concerns therefore, existing residents parking needs should be considered, discussed and be incorporated within any proposed parking schemes.

APPLICANT'S SUPPORTING INFORMATION

The following documents were submitted with the application: -

- A Heritage, Design and Access Statement
- A Structural Report (including methodology)
- A Parking and Transport Survey
- A Bat Survey Report
- An Environmental Desk top study

These documents are available for Member's information on the application file.

OFFICER APPRAISAL

Principle of Development

The main issues to consider in determining this application are:

- The differences between this proposal and previously approved schemes for this building.
- Design and impact on the character and appearance of the area, including the street-scene.
- The impact on a Grade II Listed Building.
- Impact on the amenity of neighbouring properties.
- Highways safety/parking.
- Nature conservation.
- The desirability of maximising the use of previously developed land.

Policy

The site lies within a Predominantly Residential Area on the adopted Macclesfield Borough Local Plan where residential uses are acceptable in principle. The application needs to be assessed against Local Plan Policy BE1 (Design Guidance), BE18 (Listed Buildings), H2, (Environmental Quality in Housing Developments), H13 (Protecting Residential Areas), and Development Control Policies DC1, DC3, and DC38, which relate to the standard of design, amenity and space standards. Policy DC6 relates to circulation and access.

A report on the supply of housing has been approved by the Environment Policy Development Committee and the Cabinet of MBC, which effectively replaced the former SPG on Restricting the Supply of Housing with the new guidance “PPS3 Housing and Saved Policies Advice Note”. The Advice Note is based on a list of 5 criteria outlined in PPS3 which planning authorities should have regard to when deciding planning applications for new housing and on the Council’s saved policies and other guidance in PPS3. In summary, the Advice Note states that planning applications for new housing should meet the following criteria: -

1. Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in the area and does not undermine wider policy objectives (does the application accord with the housing objectives of the Borough and wider policy objectives e.g. affordable housing and urban regeneration)
2. Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people (does the application meet the housing needs of the area and/or provide affordable housing)
3. The suitability of a site for housing, including its environmental sustainability (is the site in a suitable and sustainable location, is it previously developed land, what constraints exist)
4. Using land effectively and efficiently (is the density at least 30 dwellings per hectare)
5. Achieving high quality housing (is the site accessible to public transport and services, is the development well laid out, safe, accessible and user friendly, is there adequate open space and/or access to recreational open space, does the design complement/improve the character of the area, is the car parking well designed and integrated, does the development enhance biodiversity)

In this case it is considered that the proposal broadly complies with the five listed criteria. The site is considered to be in a suitable and sustainable location. It is a previously

developed site, within an area surrounded by housing, which is within walking distance of public transport links and to services. Although the proposal would not be affordable housing offered through a housing association, the accommodation to be provided would fall at the lower section of the market. The scheme achieves high quality housing in a town centre location

Highways

Although formal comments are yet to be received from the Highways Engineer, it is understood that no objections will be raised to the scheme. Although the Highways Engineer is disappointed by the lack of parking for this development, it is accepted that there are many special circumstances which allow for this view. These include the fact that this is a Listed Building, the long term dereliction of the site, and that the site has an existing planning use which would result in a different level of parking in the area. In addition, it is noted that the parking survey demonstrates that parking spaces are available within the wider area.

It is noted that parking was a consideration of the scheme approved in 2004, and although it was noted that Brown Street filled up in the evenings (7pm onwards) there was parking available within the peripheral streets to accommodate more cars. The scaffolding which was erected approximately 6 years ago, has been taking up space where approximately 5 cars could park. Therefore, once the scaffold is removed, the apparent additional difference between that parking previously considered to be acceptable and that parking which needs to be found would realistically be 4 spaces.

Design

This building has seen numerous previous applications for conversion, and has received previous planning approvals, the latest which has recently expired. The applicant entered into pre-application discussions with the Conservation Officer and the advice given has been taken on board.

The proposal to convert this former silk mill into 16 apartments is challenging particularly as the structural integrity of the building is in need of some support. The scheme proposed will secure not only the physical structure by the insertion of a steel frame, but will give new life to this building. As such the Conservation Officer views this as a welcome step forward in the history of this building. In addition, the Conservation Officer is satisfied with the engineering approach being taken in stabilising the structure and the methodology proposed to retain the historic fabric.

It is considered that the proposal would result in an improvement to the external appearance of the building; the inclusion of a galley, lift and staircase to the rear is not without precedence, as the original cast iron fire escape is still situated on this elevation. It is therefore considered that the proposed additions would not result in any harm to the character or appearance of the listed building.

The introduction of large opening lights to all the windows is a departure from the very small opening lights which are currently in place. This departure is to accommodate the need for extra ventilation which is required for the domestic conversion. With careful design this modification to the fenestration will still portray an industrial mill building.

The Conservation Officer is pleased that the previous car parking provision (approved under application 04/0933P) in the basement, (which was later found to be unworkable) has been removed from this scheme, as this will result in the retention of more historic fabric, and allow the building to be expressed more appropriately.

Externally, the brickwork is in a fair condition given the overall state of deterioration of the building as a whole. Some areas of the brickwork have been re-pointed, possibly as part of a previous development attempt. There is also a significant lean to the brick facades of the building along Statham Street and the rear façade parallel to Statham Street. In addition, some cracking has been observed in the Statham Street elevation, possibly due to settlement and the condition of the lean.

The Council's Structural Engineer (from the Building Control Department) has confirmed that the updated Structural Defects report on the mill from the applicants' structural engineer is acceptable. The concept for construction adopts a principle of adopting a new inner steel frame, which will serve as the main supporting element. The existing external brickwork will therefore be used as a facial cladding element.

Amenity

The proposed access to the apartments for this scheme is from decked walkways to the rear. In addition, a new staircase is proposed at the rear with a lift. It is not considered that the staircase and lift would be obtrusive in design terms to neighbouring properties at the rear. Although the proposed scheme will inevitably result in some rear facing windows to habitable rooms within the mill, it is considered that overall the solution is on balance an improvement over that approved under the 2004 scheme. The previously approved scheme granted 9 no. windows serving habitable rooms on each of the first, second and third floors, whereas the proposed development would result in only 3 no. windows overlooking the rear yard area as the circulation core does conceal a number of windows that otherwise would overlook the adjacent gardens. The choice of a primarily timber structure assists in minimising overlooking from the circulation core. The previously approved scheme also included a ramp down to basement parking. This has now been removed from the scheme as the ramp would not have been feasible in design terms. This will improve the relationship with the gardens that back onto the courtyard at the rear of the mill, which would have possibly caused a noise nuisance.

Housing

The applicant has submitted a PPS3 Housing and Self Assessment Checklist. Having regard to the applicant's self assessment, in this case it is considered that the proposal broadly complies with the five listed criteria. The site is considered to be in a suitable and sustainable location. It is a previously developed site, within a predominantly residential area, which is within walking distance of public transport links and to services.

Ecology

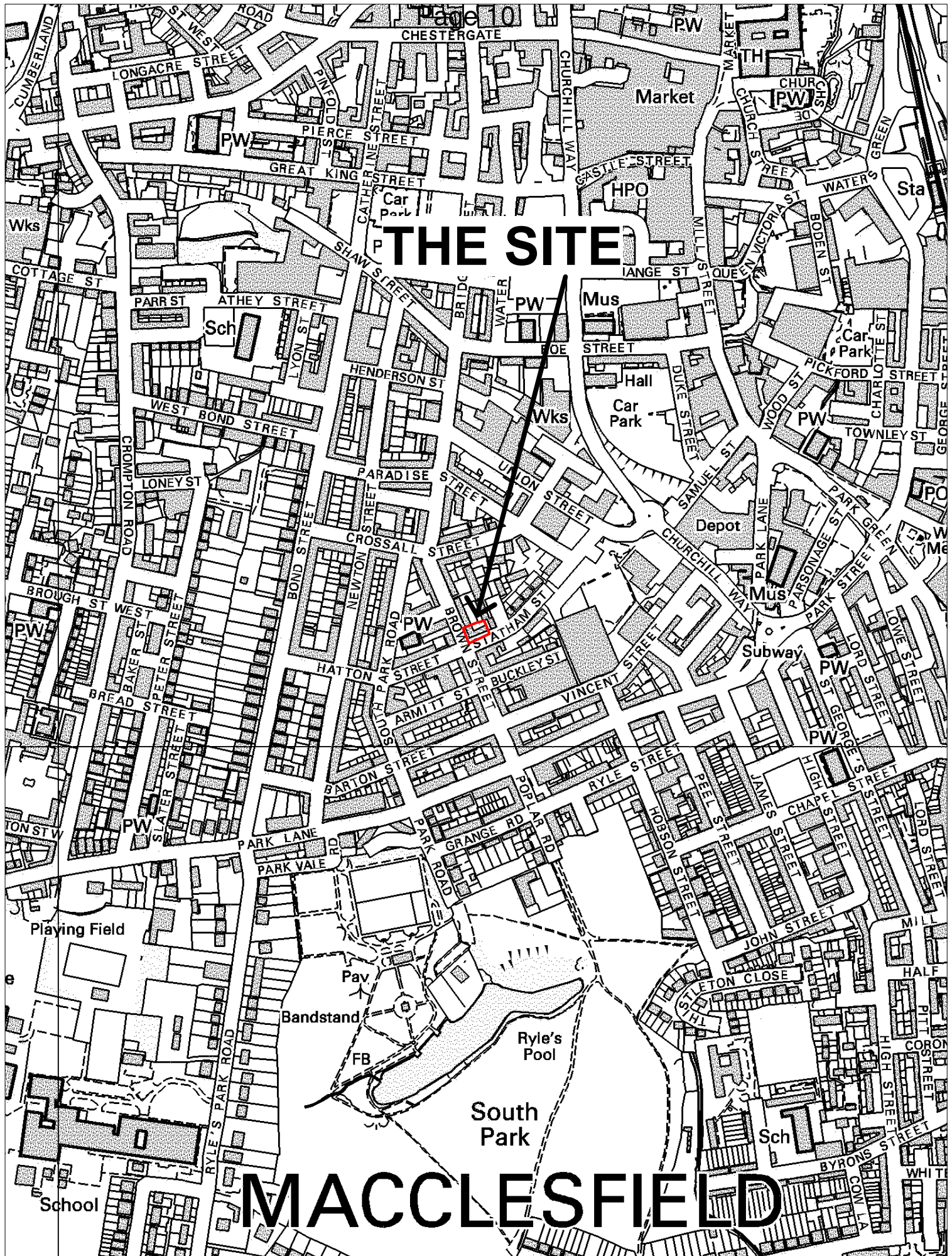
The Nature Conservation Officer has commented that the only potential ecological issue associated with this proposed development relates to the potential presence of roosting bats. A bat survey has been undertaken and submitted and no evidence of bats was recorded. Considering the lack of suitable foraging habitat in the vicinity of the mill building and the abundance of alternative possible more appealing roosting opportunities offered by the surrounding buildings, the Nature Conservation Officer advises that the Council has enough information to be satisfied that the proposed development is unlikely to have an impact upon protected species.

CONCLUSIONS AND REASON(S) FOR THE DECISION

In conclusion, it is noted that a number of previous schemes have been granted planning permission and Listed Building Consent for residential reuse. The comments of the neighbours are noted and have been considered in the report above. The applicants'

agent has provided financial information which covers the projected expenditure and projected apartment sale prices for the development. Although these figures will provide a scheme which is deliverable the scheme would become financially uneconomic should contributions be necessary towards affordable housing, public open space or highways improvements. Although this is unfortunate, it is considered that this necessary to secure the retention of the Grade II Listed Building. Although the scheme would result in no car parking provision, it is considered in this instance that this is on balance acceptable and the site is in a sustainable location.

It is considered that the development of the mill needs to happen as quickly as possible to ensure that the visual impact of the building and its environmental issues are addressed, and to improve the living environment to residents who live in the direct vicinity of the mill. A recommendation of approval is therefore made.



09/2859M & 09/2862M BROWN STREET MILL, BROWN STREET, MACCLESFIELD, CHESHIRE, SK11 6SA

NGR: 391,450m - 373,120m

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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. A08EX - Submission of specified materials
5. A09EX - Rainwater goods
6. A11EX - Details to be approved - window design
7. A14EX - Specification of bonding of brickwork
8. A20EX - Submission of details of windows
9. A21EX - Roof lights set flush
10. A22EX - Roofing material
11. Mortar mix
12. Method statement
13. Doors and windows

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Application No: 09/2862M
Location: BROWN STREET MILL, BROWN STREET, MACCLESFIELD, CHESHIRE, SK11 6SA
Proposal: CONSERVATION & CONVERSION OF GRADE 2 LISTED FORMER SILK MILL TO 16 NEW APARTMENTS (LBC)

For MR QUINN, SILK MILL MANSIONS LTD

Registered 14-Sep-2009
Policy Item Yes
Grid Reference 391452 373124

Date Report Prepared: 02.10.09

SUMMARY RECOMMENDATION: Approve subject to conditions and receipt of any further representations.

MAIN ISSUES

- Impact upon the Listed Building

REASON FOR REPORT

This item is before the Northern Area Planning Committee as it accompanies application (09/2859M), which is before Members due to the number of dwellings proposed.

DESCRIPTION OF SITE AND CONTEXT

The site is located on the corner of Brown Street and Statham Street. The locality is a relatively quiet residential area surrounded largely by terraced houses. The site is occupied by Brown Street Mill, which is a grade II listed former silk mill which was built in the 1820's. The building has four storeys and is brick built with a pitched slate roof.

The site has been vacant for approximately 20 years where it has continued to fall further into disrepair. The building has been through several different owners within this time, and was resold in August. The previous but one owner removed the floors, which is why a scaffold was initially erected to ensure that the building would not cause a danger for residents. Over the years understandably, residents have become more concerned at the lack of

activity at the site and more concerned about the potential dangers of a building which was falling into an ever increasing state of disrepair.

DETAILS OF PROPOSAL

This application seeks Listed Building Consent to convert the former mill into sixteen flats. An accompanying application for full planning permission (09/2859M) appears elsewhere on the agenda. Each unit would comprise a living/kitchen room, with two bedrooms and a bathroom. The building has been designed to minimise the impact on the dwellings in the vicinity as far as practically possible given the constraints of a listed building. None of the windows would satisfy front to front, or rear to rear distances as contained within the local plan. However, the pattern of development would generally be commensurate with that of the area.

There would be no off street parking provided with the development. Access would be provided to the rear of the mill, via a corridor on the ground floor from both Brown Street and Statham Street, and via a right of way, which runs to the rear of 1-7 John Street. Each unit would have access to a storage area in the basement, along with cycle parking.

It is considered that the conservation and retention of the external facades to Brown Street and Statham Street are of primary importance. These are the public faces of the building and are significant both historically and contextually, as the former industrial building sits within residential terraced streets from where its workforce would have lived.

Externally, it is proposed to retain as much of the original brickwork as possible, re-pointing as necessary. To retain the historic fabric it will be necessary to stabilise the building by inserting a new steel frame and new concrete floors. This system will allow the building to be stabilized structurally without the need to rebuild the brick façade, which would have resulted in the loss of character. The proposed structural system will allow the 'lean' to be retained and made safe.

Other alterations include the replacement of the windows and cills (where necessary). It is proposed to protect and strip back the roof to enable splice repairs and renewal of rot affected roof timbers. It is anticipated that a good quantity of the slate can be re-used. Any additional slates which are required are proposed to be second hand to match the existing. These would be laid to the rear to minimise the impact of the alteration on the public face of the building. Rainwater goods will be repaired where possible using traditional techniques, although replacement cast iron gutters and downpipes will be used where necessary.

At the rear it is proposed to insert a new glass and timber circulation core, which would contain a new lift and staircase. New deck access balconies with minimal glazed handrails will be added along the rear façade. The new staircase and lift arrangement and steel substructure have been designed to be self supporting to minimise the intervention into the historic brickwork. The

engineers consider this solution to be the most appropriate following evaluation of the previous schemes circulation routes, and is considered to be the most rational and efficient solution.

RELEVANT HISTORY

- 59819P Demolition of listed buildings. Refused 09.10.89.
68060P & 68061P - Conversion of mill into ten flats. Planning permission and Listed Building Consent – Approved 15.11.91
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POLICIES

Regional Spatial Strategy

EM1

Local Plan Policy

BE18

CONSULTATIONS (External to Planning)

N/A

OTHER REPRESENTATIONS

Three letters have been received from residents in the local area. Full copies of all correspondence are available to view on the application file. The positive comments relate to the fact that something is at last being done to this eyesore building. The other matters raised relate to parking and overlooking, which are addressed under application 09/2859M elsewhere in this agenda.

APPLICANT'S SUPPORTING INFORMATION

The following documents were submitted with the application: -

- A Heritage, Design and Access Statement
- A Structural Report (including methodology)

These documents are available for Member's information on the application file.

OFFICER APPRAISAL

Principle of Development

The main issues to consider in determining this application are:

- The differences between this proposal and previously approved schemes for this building.
- The impact on a Grade II Listed Building.

Listed Building

This building has seen numerous previous applications for conversion, and has received previous planning approvals, the latest which has recently expired. The applicant entered into pre-application discussions with the Conservation Officer and the advice given has been taken on board.

The proposal to convert this former silk mill into 16 apartments is challenging particularly as the structural integrity of the building is in need of some support. The scheme proposed will secure not only the physical structure by the insertion of a steel frame, but will give new life to this building. As such the Conservation Officer views this as a welcome step forward in the history of this building. In addition, the Conservation Officer is satisfied with the engineering approach being taken in stabilising the structure and the methodology proposed to retain the historic fabric.

It is considered that the proposal would result in an improvement to the external appearance of the building; the inclusion of a galley, lift and staircase to the rear is not without precedence, as the original cast iron fire escape is still situated on this elevation. It is therefore considered that the proposed additions would not result in any harm to the character or appearance of the listed building.

The introduction of large opening lights to all the windows is a departure from the very small opening lights which are currently in place. This departure is to accommodate the need for extra ventilation which is required for the domestic conversion. With careful design this modification to the fenestration will still portray an industrial mill building.

The Conservation Officer is pleased that the previous car parking provision (approved under application 04/0933P) in the basement, (which was later found to be unworkable) has been removed from this scheme, as this will result in the retention of more historic fabric, and allow the building to be expressed more appropriately. Overall, the proposal is considered to adequately maintain the architectural and historic integrity of the building and its setting.

Externally, the brickwork is in a fair condition given the overall state of deterioration of the building as a whole. Some areas of the brickwork have been re-pointed, possibly as part of a previous development attempt. There is also a significant lean to the brick facades of the building along Statham

Street and the rear façade parallel to Statham Street. In addition, some cracking has been observed in the Statham Street elevation, possibly due to settlement and the condition of the lean.

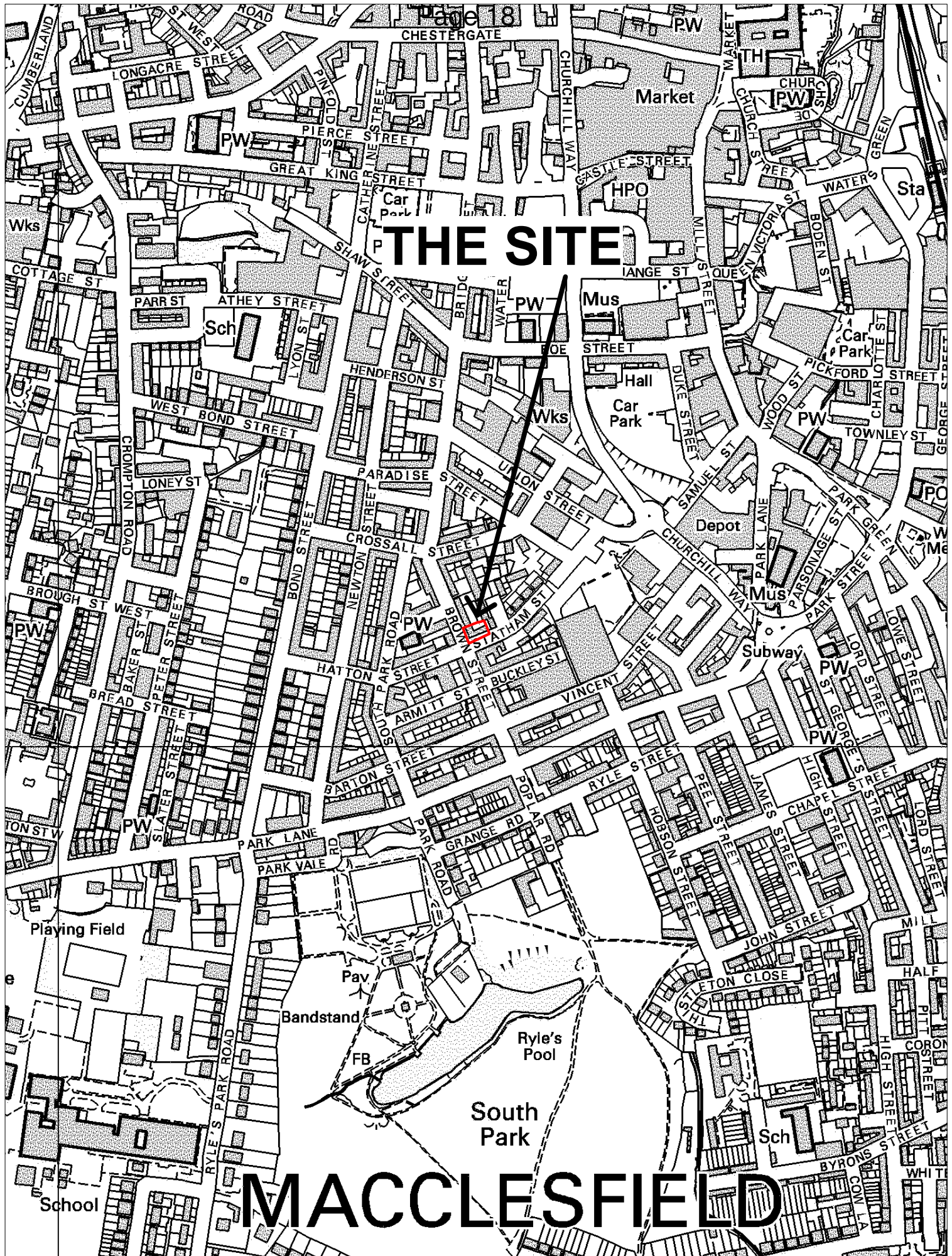
The Councils Structural Engineer (from the Building Control Department) has confirmed that the updated Structural Defects report on the mill from the applicants' structural engineer is acceptable. The concept for construction adopts a principle of adopting a new inner steel frame, which will serve as the main supporting element. The existing external brickwork will therefore be used as a facial cladding element.

OTHER MATERIAL PLANNING CONSIDERATIONS

The impact upon the amenity of neighbours and parking is assessed within the full planning application report (09/2859M).

CONCLUSIONS AND REASON(S) FOR THE DECISION

For the reasons outlined above, a recommendation of approval is made.



09/2859M & 09/2862M BROWN STREET MILL, BROWN STREET, MACCLESFIELD, CHESHIRE, SK11 6SA

NGR: 391,450m - 373,120m

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Application for **Listed Building Consent**

RECOMMENDATION : Approve without conditions

1. A07LB - Standard Time Limit
2. A02LB - Method statement
3. A03LB - Protection of features
4. A05LB - Protection of features

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Application No: 09/2028M

Location: 17- 23, LONDON ROAD, ALDERLEY EDGE, CHESHIRE

Proposal: ERECTION OF BUILDING INCLUDING RETAIL ON GROUND FLOOR, OFFICES ON FIRST FLOOR AND BASEMENT PARKING (RETROSPECTIVE)

For MIDDLEMEDE PROPERTIES LTD

Registered 22-Jul-2009

Policy Item No

Grid Reference 384377 378423

Date Report Prepared: 1 October 2009

SUMMARY RECOMMENDATION

Approve with conditions

MAIN ISSUES

- Impact of the alterations to the previous planning permission on the site
- Design
- Residential Amenity

DESCRIPTION OF SITE AND CONTEXT

The site lies within the Shopping Area of Alderley Edge as designated by the Macclesfield Borough Local Plan. The site is located on the corner of London Road and Clifton Street. London Road is the main shopping street through Alderley Edge and Clifton Street is predominantly a residential street characterised by traditional two storey housing that extends towards the Trafford Road Conservation Area. The site itself does not adjoin the Conservation Area.

DETAILS OF PROPOSAL

The proposal is retrospective as the building is nearly complete. The development is a two storey building with a maximum height of 13 metres, including a mezzanine floor, with a retail use on the ground floor and offices at

first floor. The proposal also includes basement car parking with the access taken from Clifton Street. Parking is provided for 17 cars and 10 cycle spaces. The net tradable retail area on the ground floor is 416 sq m, not including storage space. Office space of approximately 650 sq m is provided on the first floor. The mezzanine level provides for staff facilities including an office, canteen and toilets. Deliveries to the site are proposed from London Road.

RELEVANT HISTORY

Planning permission 03/3207P is very relevant to this application and is a material consideration that should be afforded significant weight by Members in reaching a decision on this proposal.

Planning permission for a retail and office development with basement car parking was granted on 7 June 2005. That permission was recently commenced. Towards the completion of the build it became apparent that the building was not being built in accordance with the approved plans. Officers therefore declared that the development should be built in accordance with the approved plans or alternatively a new planning application would be required to attempt to regularise the breach of control. Hence this application has been submitted and is now before Members. It is important to outline the material differences and similarities between this proposal and the scheme that has previously been approved:

Key differences

- The rear section of the building where it faces residential properties on Clifton Street (adjacent to No.1 Clifton Street) has been built with an eaves height of approximately 5 metres, which is 0.5 metres higher than approved.
- The position and design of windows on the rear elevation and the elevation facing Clifton Street has altered.
- The eaves height of the rear section of the building where it faces Clifton Street has been increased by approximately 1 metre, with alteration to the proportion, design and positioning of fenestration. The splayed gable on this elevation has also been widened.
- The eaves height of the main building has been increased by approximately 300mm.
- The roof design has altered. False chimneys have not been built. The development also includes air conditioning plant inset within the roof.
- The service bay from Clifton Street has been removed. This is a false bay door shown on the drawings. It has been negotiated with officers that deliveries will take place from a new delivery bay to be created on London Road, with no HGVs to use Clifton Street. This allows more parking bays to be retained on Clifton Street and prevents servicing from Clifton Street.
- Shop front accesses have been added to the London Road elevation.
- The size of the internal mezzanine floor providing staff facilities has been enlarged by approximately 40 sq m.
- The proposal also includes an ATM on the London Road frontage (not yet installed).

Key Similarities

- The overall maximum height of the building is unchanged at 13 metres – this was measured during construction by officers.
- The basement car park access remains in the same position from Clifton Street.
- The footprint of the building has not changed.
- The materials are those approved during the previous application (brick, slate, stone surround and aluminium frames). The brick samples were approved previously.
- The retail and office floorspace within the building remain very similar. The previous planning permission had gross floor areas of: basement 691 sq m; ground floor 691 sq m; first floor 634 sq m; and mezzanine 84 sq m. With this proposal the gross areas are as follows: basement 691 sq m; ground floor 691 sq m; first floor 663 sq m; and mezzanine 120 sq m.

POLICIES

Regional Spatial Strategy

DP1 (Spatial principles applicable to development management)
DP2 (Criteria to promote sustainable communities)
DP3 (Promotion of sustainable economic development)
DP4 (Sequential approach to make the best use of existing resources)
DP6 (Linking economic opportunity with areas in greatest need)
DP5 (Objectives to reduce the need to travel and improve accessibility)
DP7 (Criteria to promote environmental quality)
DP9 (Objectives to reduce greenhouse gas emissions and adapt to climate change)
EM18 (Securing decentralised energy supply in new development)
EM16 (Energy conservation and efficiency)
RT2 (Strategies for managing travel demand and regional parking standards)
RT9 (Provision of high quality pedestrian and cycle facilities)
W5 (Retail Development)

Local Plan Policy

BE1 (Design principles for new developments)
DC1 (High quality design for new build)
DC3 (Protection of the amenities of nearby residential properties)
DC6 (Safe and convenient access for vehicles, special needs groups and pedestrians)
AEC1 (Protection of the vitality of the shopping area)
AEC3 (Use of upper floors in shopping areas)
AEC5 (Control over the scale of office development in Alderley Edge)
S1 (Proposals for new shopping developments)

Other Material Considerations

Relevant national planning guidance includes PPS1: Delivering Sustainable Development and PPS6: Planning for Town Centres.

CONSULTATIONS (External to Planning)

Highways: No objection subject to conditions and a financial contribution via legal agreement to deal with requirements to accommodate the loading bay on London Road

Environmental Health: Comments awaited.

Cheshire Constabulary planning liaison officer: Comments awaited.

VIEWS OF THE PARISH / TOWN COUNCIL

No objection subject to a condition requiring obscure glazing to be installed in the office windows opposite the residential unit above Weinholt's Bakery.

OTHER REPRESENTATIONS

13 letters of representation have been received. 11 of these are of objection to the proposal. 1 supports the proposal and another supports the proposal subject to conditions requiring the installation of frosted glass and subject to the loading bay on London Road having a more limited delivery time to allow cars to park there up to 4 pm.

The points of objection are summarised as follows:

- Loss of light and amenity to No.1 Clifton Street and adjoining residential property.
- The building is out of proportion and out of character with its surroundings.
- The proposal is contrary to local plan policies H13, DC3, S1, BE1 (design standards for new development), DC6, DC13, AEC5 and DC48.
- Noise, traffic generation, access and parking will all affect the amenity of the residential area.
- It will negatively impact on other retailers in the village.
- Insufficient parking is provided.
- The process has been undemocratic.
- Does not preserve the appearance of the adjoining conservation area.
- Amount of office space exceeds limits allowed by policy.
- Lack of information regarding opening hours
- Noise and light pollution
- Poor design with no chimneys and contrived window positions.
- Roof line is higher than in the application.
- 24 hours impact from cash machine.
- Increase in anti-social behaviour.
- The design and access statement is incorrect and mis-leading.
- It extends the shopping area into the adjacent residential street contrary to the objective of the Local Plan.

The points of support state that it is a good looking building, will add amenity to the village and helps to resolve parking problems.

APPLICANT'S SUPPORTING INFORMATION

A design and access statement has been submitted with the application which can be viewed online as background information.

It is stated that the elevational treatment conforms to the traditional properties along London Road with prominent gables, facing brick walls with stone window cills and heads, corniced shop windows and ashlar stone plinths. Entrance to the retail and office units is from London Road. Access to the car parking in the basement is from Clifton Street as it was previously. Retail loading is to be from London Road with a 25m Loading Bay as discussed with the Cheshire East Traffic Engineer. The loading will be restricted from 7am – 10am and 3pm-7pm. No HGVs will use Clifton Street. Additional parking bays are to be provided along Clifton Street.

OFFICER APPRAISAL

Principle of Development

The application follows an approval by the Local Planning Authority for a retail and office development that was substantially the same as this proposal. There is therefore no objection in principle to this development. Policy W5 of the Regional Spatial Strategy seeks to encourage investment, of an appropriate scale, in centres such as Alderley Edge in order to maintain and enhance their vitality and viability. Similarly, shopping policies of the Macclesfield Borough Local Plan aim to secure the viability of shopping centres through development of an appropriate scale to ensure the provision of important day to day shopping facilities.

Policy

Objections have been raised in respect of the scale of the retail and office development in terms of how it will impact upon Alderley Edge and adjoining residents. The extent of retail and office space has previously been accepted, which replaced 6 smaller shop units and offices that previously existed on the site. The site is located in the Alderley Edge Shopping Area and therefore these uses are appropriate to the site. Given that the scale of the use has already been accepted a policy objection cannot be raised in terms of floorspace. The key issues for Members to consider with this development relate to the changes in the built form of the development that have resulted from the developer deviating from the approved plans. In particular the pertinent issues are of design, access, massing and impact on the residential amenity of the occupiers of adjoining property.

Policies DC1 and BE1 of the Local Plan require new development to be of a high standard and sympathetic to its surroundings. Particular attention is given to height, scale and materials of new buildings. Policy DC3 seeks to ensure that development does not significantly injure the living conditions of adjoining residential property through issues such as loss of light, privacy, overbearing impact, overshadowing and noise. Policy DC6 seeks to ensure safe and convenient access for vehicles, pedestrians and special needs groups.

Highways

The basement provides 17 car parking spaces (3 disabled) and 10 cycle spaces. The previous application provided 18 spaces, but better cycle provision is made in this proposal. The highway officer response concludes with no objection subject to conditions. In the previous application the developer made a contribution in lieu of parking provision. Access is taken from Clifton Street as with the previous planning permission.

In terms of delivery, the Council has had prolonged discussion with the applicant to provide a delivery bay on London Road. The previous planning permission included delivery and servicing from Clifton Street. During a residents' meeting at the Parish Council it became apparent that this was not a very satisfactory situation for local residents. Bearing in mind that the previous approval has delivery arrangements from Clifton Street, the Council would have little ground for resisting the same arrangement with this proposal. However it has been negotiated that deliveries will be made from London Road with no HGV delivery vehicles using Clifton Street. The internal service bay from Clifton Street has been removed from the plans and the large bay door is a false door that retains the design of the previous permission.

Design

The overall design of the building remains substantially the same as the previous permission. The materials used are as approved and the overall bulk of the development is relatively unchanged with minor alterations at the rear of the building and to the eaves level. The key differences have been noted above. In terms of appearance of the building, the main change is on the Clifton Street elevation where the building drops down to a lower level. The first floor windows are at a lower level and the bay has been narrowed. The eaves level does not drop down at this section as with the previous approval. Despite these changes the appearance of the building is of a satisfactory standard with a good finish of traditional materials.

The alterations to the roof relate to the flat roof section inset behind the pitched roof that is visible from the public realm and these alterations have no impact on the appearance of the building. The loss of the false chimneys is regrettable but this is not considered to significantly harm the design of the building. It also would have been preferable to retain the cills of first floor windows closer to the fascia above the shop windows. However the building as constructed is considered to have an acceptable relationship to the scale and design of the adjoining and nearby buildings.

In summary the changes to the design of the building are relatively modest and have not significantly altered the appearance of the building within the street scene when compared to the previously approved design. Other minor alterations to the fenestration of the building have little impact, such as the creation of new doors onto London Road. It is considered that the development complies with policies DC1 and BE1 (design standards for new development) of the Local Plan.

Amenity

The key issue in terms of residential amenity is the impact on the occupier of No.1 Clifton Street. This property is located to the rear of the new development and is separated by a pedestrian walkway. The rear elevation of the development is located at 90 degrees to the rear elevation of No.1 Clifton Street, which has habitable room windows in close proximity to rear wall of the building. The development evidently has some impact on the light and outlook of this property, but this is not considered to be materially different from the previous planning permission. The eaves level of the rear wall in question is approximately 0.5 metres higher than previously approved and it is not considered that this additional height has a material impact on the living conditions of the occupier of No.1 Clifton Street in terms of loss of light, privacy or overshadowing. Similarly any noise impacts on surrounding properties would be unchanged.

An objection has also been raised regarding the first floor office windows that face a residential flat on the opposite side of Clifton Street, it has been requested by the Parish Council and the adjoining property that these windows be obscure glazed. However, given that this was not a condition of the previous permission and the windows are in the same position it is considered unreasonable to now impose such a condition.

Concerns have been raised regarding the proposed ATM machine on London Road. ATM machines are to be expected in a shopping area and it is not considered that this proposal would have an unduly harmful impact on living conditions. It is not considered that there would be a security issue with this proposal; however comments from the police planning liaison officer are awaited.

The proposed delivery arrangements would have an improved impact on surrounding residential properties, as this will no longer take place on Clifton Street.

Concern has been raised regarding opening hours. No restriction was placed on the opening hours of the previous permission by conditions and therefore it is considered unreasonable to impose a restrictive condition on this application if it is approved. The operating hours of the prospective tenant of the site are believed to be 7am to 11pm.

Other matters

It has been noted that the submitted plans do not fully reflect what has been built on the site. Revised plans have been requested so that there is no discrepancy. Representations have been made on the basis of the development as built on the site and therefore these objections are valid and are not considered to have been prejudiced by any error on the plans.

HEADS OF TERMS

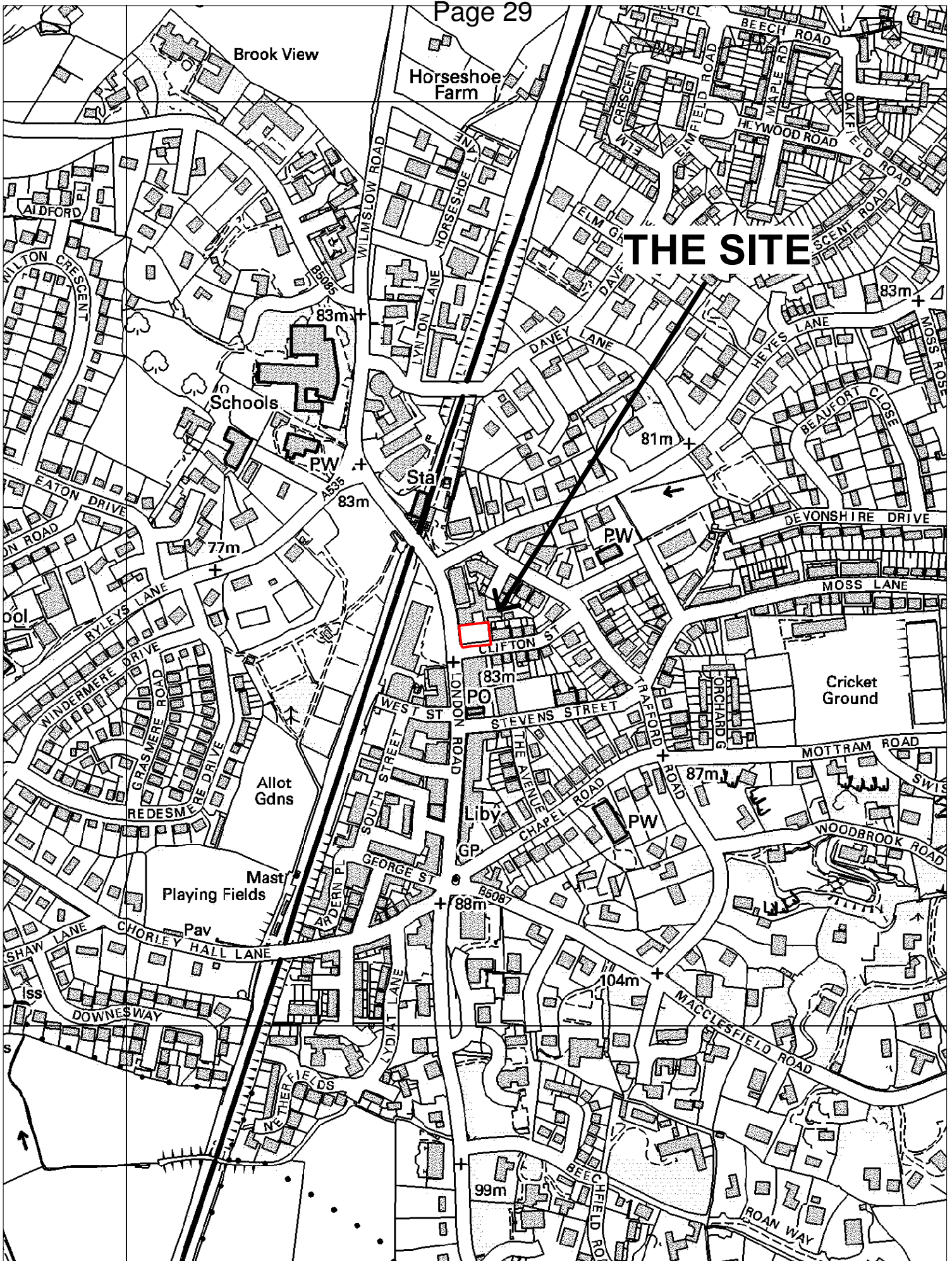
A unilateral undertaking has been requested from the applicant in respect of financial contributions required for the amendments to the traffic regulation orders on London Road and Clifton Street. The applicant has agreed to this, but in the absence of a completed undertaking before the committee meeting a legal agreement will be required.

SUBJECT TO

S106 legal agreement for traffic regulation order amendments.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposed development represents a relatively minor alteration to a recent planning permission and the circumstances are substantially unchanged. The proposed development complies with relevant Development Policy and in the light of s38(6) of the Planning and Compulsory Purchase Act the application is recommended for approval subject to conditions.



09/2208M - 17- 23, LONDON ROAD, ALDERLEY EDGE

N.G.R. - 384,380 - 378,420

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Application for **Full Planning**

RECOMMENDATION : Approve subject to following conditions

1. A01AP - Development in accord with approved plans
2. AGRG1 - Details of deliveries
3. ALP71 - limitation on use
4. AGR91 - Ground floor window display
5. Access in accordance with approved plans
6. No obstruction of footway
7. Parking
8. Cycle Parking
9. Access Drive
10. Changing Facilities