

# Northern Planning Committee

## Agenda

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| <b>Date:</b>  | <b>Wednesday, 13th April, 2011</b>                             |
| <b>Time:</b>  | <b>2.00 pm</b>   |
| <b>Venue:</b> | <b>The Capesthorne Room - Town Hall, Macclesfield SK10 1DX</b> |

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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.

**Please note that members of the public are requested to check the Council's website the week the Planning/Board meeting is due to take place as Officers produce updates for some or all of the applications prior to the commencement of the meeting and after the agenda has been published.**

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

**1. Apologies for Absence**

To receive any apologies for absence.

**2. 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 - 4)**

To approve the Minutes as a correct record.

**4. Public Speaking**

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

**Contact:** Sarah Baxter

**Tel:** 01270 686462

**E-Mail:** [sarah.baxter@cheshireeast.gov.uk](mailto:sarah.baxter@cheshireeast.gov.uk)

A total period of 5 minutes is allocated for each of the planning applications for Ward Councillors who are not Members of the Planning Committee.

A period of 3 minutes is allocated for each of the planning applications for the following individuals/groups:

- Members who are not Members of the Planning Committee and are not the Ward Member
- The Relevant Town/Parish Council
- Local Representative Groups/Civic Society
- Objectors
- Supporters
- Applicants

5. **11/0144M-Single Storey Extension, St Peters Church, The Village, Prestbury for St Peters Parochial Church Council** (Pages 5 - 14)

To consider the above application.

6. **11/0107M-Demolition of Ford House and construction of replacement building for parish offices, associated apartments and construction of six (6) townhouses and two (2) apartments within the grounds of Ford House for Ford House, The Village, Prestbury, Macclesfield, Cheshire for St Peters Parochial Church Council** (Pages 15 - 28)

To consider the above application.

7. **11/0108M-Demolition of Ford House (Conservation Area Consent), Ford House, The Village, Prestbury, Macclesfield, Cheshire for St Peters Parochial Church Council** (Pages 29 - 36)

To consider the above application.

8. **11/0271M-Demolition of Existing Garage & Construction of New Garage with Vehicle Hardstanding, 106, Buxton Road, Macclesfield for Mr & Mrs P Findlow** (Pages 37 - 46)

To consider the above application.

9. **11/0274M-Demolition of Existing Garage & Construction of New Garage with Vehicle Hardstanding, 106, Buxton Road, Macclesfield for Mr & Mrs P Findlow** (Pages 47 - 52)

To consider the above application.

10. **Appeal Summaries** (Pages 53 - 54)

To note the Appeal Summaries.

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Northern Planning Committee**  
held on Wednesday, 23rd March, 2011 at The Capesthorne Room - Town  
Hall, Macclesfield SK10 1DX

### **PRESENT**

Councillor B Moran (Chairman)  
Councillor R West (Vice-Chairman)

Councillors J Crockatt, H Gaddum, M Hardy, O Hunter, T Jackson,  
J Narraway, D Neilson, L Smetham, D Stockton, D Thompson and  
C Tomlinson

### **OFFICERS PRESENT**

Mrs N Folan (Planning Solicitor), Mr P Hooley (Northern Area Manager) and  
Mr N Turpin (Principal Planning Officer)

### 120 **APOLOGIES FOR ABSENCE**

None.

### 121 **DECLARATIONS OF INTEREST/ PRE DETERMINATION**

Councillors R J Narraway, Mrs L Smetham and D Stockton all declared that they had not pre-determined application 10/4702M-Two Storey Side Extension, 7, Padstow Close, Macclesfield for Mr A Storer and that they were considering the application afresh in the light of additional information obtained from the site visit.

Councillor Mrs O Hunter declared a personal and prejudicial interest in application 10/2444M-Demolition of Vacant Building and Replacement with 5 Two Storey Houses with Parking, 11, Branden Drive, Knutsford for Mr K Jaber by virtue of the fact that she was closely associated with applicant and in accordance with the Code of Conduct she left the meeting prior to consideration of the application.

Councillor J B Crockatt declared that he had not pre-determined application 11/0269M-First Floor Bedroom Extension Over Garage, 1, Edgehill Chase, Wilmslow for Mrs Sarah Grantham.

### 122 **MINUTES OF THE MEETING**

#### **RESOLVED**

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

123        **PUBLIC SPEAKING**

RESOLVED

That the public speaking procedure be noted.

124        **10/4702M-TWO STOREY SIDE EXTENSION, 7, PADSTOW CLOSE, MACCLESFIELD FOR MR A STORER**

Consideration was given to the above application.

(Mr Storer, the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be approved subject to the following conditions:-

- 1.A03FP    - Commencement of development (3 years)
- 2.A04AP    - Development in accord with revised plans (numbered)
- 3.A07GR    - No windows to be inserted into the side elevation
- 4.A02HP    - Provision of car parking (scheme to be submitted)
- 5.A03EX    - Materials to match existing

125        **10/2444M-DEMOLITION OF VACANT BUILDING AND REPLACEMENT WITH 5 TWO STOREY HOUSES WITH PARKING, 11, BRANDEN DRIVE, KNUTSFORD FOR MR K JABERI**

Consideration was given to the above application. It was noted that the report stated Knutsford Town Council had no objections to the application. The Northern Area Manager advised the Committee that this was incorrect and that the Town Council were against the application.

(Mr Parr, the architect for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be refused for the following reason:-

The proposal for 5 residential dwellings would result in a significant adverse impact on the amenity of nearby residents by virtue of loss of light, overshadowing and the dwellings being overbearing. As such the development would be contrary to Local Plan policies H13, DC3 and DC38.

126      **11/0269M-FIRST FLOOR BEDROOM EXTENSION OVER GARAGE, 1, EDGEHILL CHASE, WILMSLOW FOR MRS SARAH GRANTHAM**

Consideration was given to the above application.

RESOLVED

That the application be approved subject to the following conditions:-

- 1.A03FP    - Commencement of development (3 years)
- 2.A01AP    - Development in accord with approved plans
- 3.A03EX    - Materials to match existing

127      **10/4764M-DEMOLITION OF VARIOUS STORAGE BUILDINGS AND STRUCTURES AND THE ERECTION OF 11 NEW BUILD TOWNHOUSES AND RETENTION OF 2 EXISTING DWELLING HOUSES, NORBURY'S YARD, KNUTSFORD FOR HILLCREST HOMES**

This application was withdrawn prior to the meeting.

128      **11/0432M-PROPOSED CHANGE OF USE FROM LIGHT INDUSTRIAL/WAREHOUSE B1, B2 AND B3 TO PLAY WAREHOUSE D2, UNIT A, MARLBOROUGH CLOSE, KNUTSFORD FOR MRS E PARKS, ROCK 'A' BABY**

Consideration was given to the above application.

RESOLVED

That the application be refused for the following reason:-

R06HW-Parking provision detrimental to highway safety

In addition the Committee requested that the following wording be included on an informative:-

The applicant be advised to explore options for increasing the parking provision for the proposed use.

The meeting commenced at 2.00 pm and concluded at 3.42 pm

Councillor B Moran (Chairman)

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Application No: 11/0144M  
Location: ST PETERS CHURCH, THE VILLAGE, PRESTBURY  
Proposal: SINGLE STOREY EXTENSION  
Applicant: ST PETERS PAROCHIAL CHURCH COUNCIL  
Expiry Date: 22-Mar-2011

**Date Report Prepared:** 1 April 2011

#### **SUMMARY RECOMMENDATION**

Approve subject to the receipt of outstanding information

#### **MAIN ISSUES**

- The impact upon the listed building
- The impact upon the Conservation Area
- The impact upon trees of amenity value

#### **REASON FOR REPORT**

The application has been brought to the Committee by the Head of Planning & Housing due to the significant local interest in the proposal.

#### **DESCRIPTION OF SITE AND CONTEXT**

The application site comprises a Grade I listed church building with surrounding burial ground. Within the grounds lie the remains of a Saxon Cross, which is designated a Scheduled Ancient Monument, a Norman Chapel which is Grade II listed in its own right, and Hearse House, which is also Grade II listed. The site lies within the heart of the village in the Prestbury Conservation Area as identified in the Macclesfield Borough Local Plan.

#### **DETAILS OF PROPOSAL**

This application seeks full planning permission to erect an extension to side / rear of the existing church. Within the extension, the church are seeking to provide a vestry and robing room for the clergy and choir, rehearsal space, space for young church groups, toilet facilities, mix and mingle area for refreshments after services, and archive storage.

It should be noted that the Church of England benefits from “ecclesiastical exemption” from listed building and conservation area consent. This provides the Church with an element of autonomy to develop its buildings. The Church does have its own system of control – the “faculty” system, which requires plans to be submitted to the Diocesan Advisory Committee for formal review. Consequently, there is no requirement for listed building consent from the local authority in this case.

Two accompanying applications at Ford House (11/0107M and 11/0108M) appear elsewhere on the agenda. They have been submitted as accompanying this application as the proceeds from that development will fund the extension to the church, as a form of enabling development.

## **POLICIES**

### **Regional Spatial Strategy**

DP1 – Spatial Principles

DP2 – Promote Sustainable Communities

### **Local Plan Policy**

NE11 – Nature Conservation

BE1 – Design Guidance

BE2 – Preservation of Historic

BE3 – Conservation Areas

BE16 – Setting of Listed Buildings

BE18 – Design Criteria for Listed Buildings

BE22 – Scheduled Monuments

BE24 – Development of sites of Archaeological Importance

DC1 – Design: New Build

DC2 – Design: Extensions and Alterations

DC3 – Amenity

DC6 – Circulation and access

DC9 – Tree protection

### **Other Material Considerations**

Prestbury Conservation Area Appraisal (2006)

Prestbury Village Design Statement (2007)

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

Cheshire Archaeology Planning Advisory Service – Insufficient information has been submitted in order to assess the impact of the works and advise on the archaeological mitigation (to be secured by condition) that may be necessary.

Environment Agency – No response required

Environmental Health – No objections

Natural England – No objections subject to conditions

United Utilities – No objections

English Heritage – Recommend that a programme of predetermination evaluation excavation is carried out to establish the significance of the remains and a mitigation strategy. In



addition, concerns are raised over the extension projecting in front of the east window of the church.

Prestbury Parish Council – No objection, but raise concern over the proximity of the north wall to the boundary, which makes it impossible to maintain.

## **OTHER REPRESENTATIONS**

To date 110 letters of representation have been received. 89 of these letters either raise no objection or support the proposal for the following reasons:

- Extension provides required extra space
- More accessible to young families, older people and disabled
- Modern facilities needed for vibrant and successful community
- Extension will foster community spirit
- Toilets, kitchen, meeting rooms and social rooms are all urgently needed
- Extension is architecturally and historically sensitive
- Village community will benefit from proposals
- Facilities needed to maintain congregation
- Extension will have a positive environmental benefit as whole church will no longer need to be heated for small meetings
- Dedicated archive room is required

21 letters, including one from Prestbury Amenity Society, either raise concern or object to the proposal on the following grounds:

- Design of extension out of keeping with Grade I listed church
- Grand scale of extension not in keeping with village
- Ancient churchyard and graves should be left undisturbed
- Impact upon protected trees
- Scale of extension is too large
- Impact of construction vehicles on residential accesses and public highway
- Proposal detracts from character and appearance of the Conservation Area
- Degree to which extension could be hired is unknown
- Impact upon graveyard during construction (storage of materials etc.)
- Facilities could be provided within existing church

## **APPLICANT'S SUPPORTING INFORMATION**

The following documents have been submitted on behalf of the applicant:

### **Planning, Design & Access Statement**

This statement outlines the need for the church to provide essential facilities, and the extension is the minimum that is possible to accommodate these facilities. The extension is sited to have least impact upon both the listed building and the Conservation Area.

Additional ancillary accommodation can be provided at Ford House, and the erection of the enabling residential development offers the opportunity to fund the requirements of this thriving and expanding church, as well as securing the future of this significant heritage asset.

The extension is fully compliant with relevant planning policies, and would bring benefits to the church and wider community.

### **Conservation & Design Statement**

This statement examines the heritage significance of the site, the issues associated with the church as well as the other heritage assets within the site.

### **Archaeological Desk Based Assessment and Watching Brief**

These documents outline the archaeological potential of the site.

### **Protected Species Survey**

The submitted bat survey identified the presence of common Pipistrelle Bats within the church building. A programme of mitigation is proposed within the statement.

### **Arboriculture Assessment**

This report identifies that the extension will require the removal of several low value trees as well as two moderate value trees.

### **Structural Report – St Peter's Boundary Wall**

The Structural Report recommends that because of the risk of collapse and the proximity of the wall to the access road, the trees adjacent to the boundary should be removed and the bulges rectified through localised rebuilding.

## **OFFICER APPRAISAL**

### **Listed Building / Conservation Area**

The current proposal follows significant pre-application consultation with Council Officers and English Heritage. It is evident from the submitted information and comments from local residents that St Peter's is a well attended church by people of all ages, and the facilities on offer are clearly constrained by the existing building. The proposed facilities, and the alteration that would be required, would be unacceptable within the existing church due to its small scale and sensitive interior, which includes many original features and an almost complete scheme by Gilbert Scott (a renowned church architect) from the 19<sup>th</sup> century. It is therefore accepted that there is a genuine requirement for additional accommodation. It is also acknowledged that an extension on the north east side of the church (as proposed) is the least sensitive location in terms of the Conservation Area impact and general setting of the church, and other buildings / structures within the churchyard.

The scale, mass and architectural approach of the extension is considered to be acceptable. Due to its location at the rear / side of the churchyard, views from The Village will be limited by the boundary wall and intervening vegetation, which helps to minimise the impact upon the Conservation Area. The character and appearance of the Conservation Area is therefore considered to be adequately preserved by the extension, and the proposal is in accordance with policy BE3 of the Macclesfield Borough Local Plan.

English Heritage has raised concern regarding the extension projecting in front of the eastern (rear) gable of the existing church. This is an important façade of the church and should not be obstructed by the extension. These concerns have been forwarded to the applicant and a

response is awaited. However, having regard to the minor scale of the amendment required, it is anticipated that this issue can be overcome. Members will be updated on this issue.

### **Archaeology**

The churchyard at Prestbury is recorded in the Cheshire Historic Environment record (CHER 1434) and contains the medieval parish church of St Peter, a separate 12<sup>th</sup>-century chapel, and a fragment of Anglo-Saxon cross, which may be as early as the 8<sup>th</sup> century and is designated as a Scheduled Monument (SM 25632). Prestbury parish was, until re-organisation in the 19<sup>th</sup> century, the largest parish in Cheshire and made up of multiple townships. The above suggests that Prestbury was, in origin, a pre-Conquest minster church and one of the main early religious sites in the historic county.

The present proposals will involve the erection of a large extension to the north-east of the parish church, in an area that must be considered a key location within the site. This assessment is based on the presence of numerous marked graves dating from the 18<sup>th</sup> century onwards but also the recognition that the area has been used for burial for at least 1000 years and human remains dating to these earlier periods of usage are likely to be present. In addition, structural evidence relating to earlier phases of church building may be present. All of these classes of evidence have the potential to be disturbed and damaged by the proposals. In particular, many gravestones will have to be moved as part of the development and the burials and other buried remains are likely to be damaged by the proposed piling.

In this context it is considered that the information submitted in support of the application is not sufficient at present to assess the impact of the works and advise on the archaeological mitigation (to be secured by condition) that may be necessary. The site should be subject to a programme of pre-determination evaluation in order to establish the nature and extent of any archaeological deposits present. This information will assist in determining the need, if any, for further archaeological measures, which might take the form of mitigation designed to ensure the preservation *in situ* of significant archaeological deposits or, if this is not possible, their preservation by record. Any such mitigation would be secured by condition. As it currently stands, the proposal is contrary to policy BE24 of the Local Plan, and policies HE6 and HE12 of PPS5.

At the time of writing this predetermination work is currently underway, and it is anticipated that it will be completed prior to the Committee meeting, which will then inform the appropriate archaeological mitigation, and potentially satisfy the relevant policy tests.

### **Trees / landscaping**

The proposed extension will require the removal of two mature Lime trees. These trees have been identified as being of moderate value whose retention is desirable. The proposal will also require the removal of low category trees; two young Sycamore, a young Copper Beech and a Privet hedge perched on top of the retaining wall.

The removal of the two Lime trees is justified within a submitted structural engineer's report on the basis of safety management to stabilise the adjacent retaining wall. The Planning Statement and Arboricultural Report also suggest that the loss of these trees can be mitigated by landscaping and tree management works, although no such detail has been submitted by the applicant.

No detailed landscape or tree management proposals have been submitted to provide mitigation for the loss of the trees, and the associated impact upon the Conservation Area. It should also be noted that the Council's Structural Engineer examined the wall in September 2010, and he advised that there are no signs of imminent collapse to the sections of the wall where bulging has occurred and that it should be monitored to assess future movement. He also advised that it is possible to strengthen the wall without taking down the wall without the need for the trees to be felled. The Council's Arboricultural Officer considers that there is insufficient evidence to form a balanced judgement as to whether the trees need to be removed in the interests of health and safety.

In this regard he concludes that the two Lime trees should be considered in relation to the proposed development and not in the context of the integrity of the retaining wall. As both trees are deemed B category trees, and therefore recognised as worthy of retention in terms of their visual prominence and contribution to the landscape and character of the Conservation Area, their removal would be contrary to policy DC9 of the Macclesfield Borough Local Plan.

The comments from the Council's Arboricultural Officer are fully acknowledged, and the loss of the two Lime trees is a significant issue that weighs heavily against the proposal. However, as noted previously, the church is constrained in terms of the location of the extension, having regard to its prominence within the Conservation Area, and the presence of other significant heritage assets and trees within the churchyard, and there is clearly an identified requirement for additional facilities. The applicants have been asked for comprehensive landscaping proposals and mitigation for the proposed tree losses, which are awaited. It is therefore considered that, on balance, having regard to the particular circumstances of the application, the loss of the trees can be accepted subject to the receipt of acceptable mitigation and landscaping.

### **Ecology**

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places, if there is

- no satisfactory alternative
- no detriment to the maintenance of the species population at favourable conservation status in their natural range
- a specified reason such as imperative, overriding public interest.

The UK implements the EC Directive in The Conservation of Habitats & Species Regulations 2010 which contain two layers of protection

- a licensing system administered by Natural England which repeats the above tests
- a requirement on Local Planning Authorities ("LPAs") to have regard to the Directive's requirements.

Circular 6/2005 advises LPAs to give due weight to the presence of a European protected species on a development site to reflect.. [EC] ...requirements ... and this may potentially justify a refusal of planning permission."

In PPS9 (2005) the Government explains that LPAs “should adhere to the following key principles to ensure that the potential impacts of planning decisions on biodiversity are fully considered..... In taking decisions, [LPAs] should ensure that appropriate weight is attached to .... protected species... ... Where granting planning permission would result in significant harm .... [LPAs] will need to be satisfied that the development cannot reasonably be located on any alternative site that would result in less or no harm..... If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused.”

With particular regard to protected species, PPS9 encourages the use of planning conditions or obligations where appropriate and advises, “[LPAs] should refuse permission where harm to the species or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm.”

The converse of this advice is that if issues of species detriment, development alternatives and public interest seem likely to be satisfied, no impediment to planning permission arises under the Directive and Regulations.

A bat survey was carried out by a qualified ecologist on behalf of the applicant who has identified limited bat activity on the site.

The proposed scheme to demolish the Vestry and extend the church should have no significant impact upon the protected species, however, some low level disturbance could occur during construction if some form of mitigation is not incorporated on site.

The proposal to extend the church will provide a valuable resource for the church and community, whilst securing the long term future of this Grade I listed building, together with the achievement of modern day energy efficiency standards in the extension.

The alternative to the extension would be to seek the required space through internal reorganisation. However, space is limited and the significance of the interior of this Grade I listed building means that this would not be a satisfactory alternative.

The mitigation proposes the supervised demolition of the property and the provision of replacement roosts in the form of bat boxes situated on retained trees. The proposed mitigation is acceptable and provided the proposed mitigation is implemented in full the residual impacts of the proposed developments on bats is likely to be very minor. The benefits of the mitigation will provide a new appropriate roost for the bats which will provide a new habitat and will allow the future protection of the bats in perpetuity.

Having regard to the above it is considered that the proposed replacement roosting facilities is an appropriate form of mitigation which in the long term will provide a more satisfactory habitat for the bats than the existing dwelling. It is considered that the mitigation put forward is a material consideration which if implemented will further conserve and enhance the existing protected species in line with Local Plan policy NE11 and is therefore on balance, considered to be acceptable.

The Council's Ecologist has been consulted on this application and raises no objection to the proposed mitigation subject to a condition to ensure work is carried out in accordance within the submitted scheme.

**Amenity**

Having regard to the distance to and relationship with the nearest residential properties, no significant amenity issues are raised.

**CONCLUSIONS AND REASON(S) FOR THE DECISION**

The application site is clearly a very sensitive one with outstanding heritage assets, trees of amenity value and a prominent setting within the Prestbury Conservation Area. Whilst there are aspects of the proposal that do raise some concern, it is considered that on balance, due to the constraints of the site and the potential community benefit that will derive from the extension, a recommendation of approval can be made. This recommendation is subject to the receipt of revised plans or additional information to address the concerns on the east elevation of the church, full details of the archaeological pre-determination evaluation work, and landscaping / mitigation proposals to offset the loss of the trees within the site. Members will be advised of the acceptability of the requested information in an update, at which time additional conditions will be recommended.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Submission of samples of building materials
4. Details of materials to be submitted
5. Details to be approved
6. Protected Species Mitigation

Location Plan: Cheshire East Council Licence No. 100049045



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Application No: 11/0107M

Location: FORD HOUSE, THE VILLAGE, PRESTBURY, MACCLESFIELD, CHESHIRE, SK10 4DG

Proposal: Demolition of Ford House and construction of replacement building for parish offices, associated apartments and construction of six (6) townhouses and two (2) apartments within the grounds of Ford House.

Applicant: ST PETERS PAROCHIAL CHURCH COUNCIL

Expiry Date: 26-Apr-2011

**Date Report Prepared:** 1 April 2011

#### **SUMMARY RECOMMENDATION**

Refuse

#### **MAIN ISSUES**

- Whether the proposal meets the sustainability objectives of PPS3 Housing
- The demolition of a locally listed building
- The impact upon the Conservation Area
- The impact upon trees of amenity value
- The impact upon highway safety
- The impact upon the amenity of neighbouring property

#### **REASON FOR REPORT**

The application has been brought to the Committee by the Head of Planning & Housing due to the significant local interest in the proposal.

#### **DESCRIPTION OF SITE AND CONTEXT**

The application site comprises a detached two-storey locally listed building from the 19<sup>th</sup> century most recently used as meeting rooms and other supporting activities to St Peter's church. Over the years there have been a number of external extensions and internal alterations, but recently the condition of the building has deteriorated to the extent that it was closed for health & safety reasons in 2007. The site occupies a prominent position at the north eastern end of The Village, within the Prestbury Conservation Area as identified in the Macclesfield Borough Local Plan.

## **DETAILS OF PROPOSAL**

This application seeks full planning permission to demolish Ford House and erect a replacement building for parish offices and 3 apartments associated with the church, and the construction of 6 town houses and 2 apartments within the grounds of Ford House and alterations to the existing access.

An accompanying application for Conservation Area Consent (11/0108M) appears elsewhere on the agenda. The separate planning application for the extension to St Peters church (11/0144M) is also linked to this proposal to the extent that the proceeds from the proposed Ford House development will fund the extension to the church, as a form of enabling development.

## **POLICIES**

### **Regional Spatial Strategy**

DP1 – Spatial Principles

DP2 – Promote Sustainable Communities

DP4 – Make the Best Use of Existing Resources and Infrastructure

DP5 - Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility

L4 – Regional Housing Provision

RT2 – Managing Travel Demand

### **Local Plan Policy**

NE11 – Nature Conservation

BE1 – Design Guidance

BE2 – Preservation of Historic

BE3 – Conservation Areas

BE4 – Design Criteria in Conservation Areas

BE20 – Locally Important Buildings

BE24 – Development of sites of Archaeological Importance

H1 – Phasing policy

H2 – Environmental Quality in Housing Developments

H5 – Windfall Housing Sites

DC1 – Design: New Build

DC3 – Amenity

DC6 – Circulation and access

DC8 - Landscaping

DC9 – Tree protection

DC38 – Space, light and privacy

DC63 – Contaminated Land

### **Other Material Considerations**

Prestbury Conservation Area Appraisal (2006)

Prestbury Village Design Statement (2007)

Local List of Historic Buildings SPD (2010)

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

Cheshire Archaeology Planning Advisory Service – Insufficient information has been submitted in order to assess the impact of the works and advise on the archaeological mitigation (to be secured by condition) that may be necessary.

Environment Agency – Comments not received at time of report preparation

Environmental Health (Contaminated Land) – No objections subject to conditions

Strategic Highways Manager – No objections subject to conditions

Natural England – No objections subject to conditions

United Utilities – No objections subject to conditions

English Heritage – No objection to the principle of the new development behind the existing building, but do recommend the refusal of the application based on an unsatisfactory justification for the demolition of Ford House.

Prestbury Parish Council – Object on the grounds that it is a gross overdevelopment of the site. They would also wish a Community Infrastructure Levy to be ordered to compensate the Youth Club.

### **OTHER REPRESENTATIONS**

To date 90 letters of representation have been received. 69 of these letters either raise no objection or support the proposal for the following reasons:

- Ford House needs demolishing due to its condition
- The replacement building will provide essential accommodation for the church
- Ford House is currently an eyesore
- The development will provide funds for the much needed church extension
- It will bring new life into the village

21 letters either raise concern or object to the proposal on the following grounds:

- Loss of car park to rear of Ford House
- Loss of protected trees
- Youth Club building to the rear of Ford House does not belong to the church
- There are Great Crested Newts in the immediate vicinity
- Ford House is locally listed
- Dwellings should be affordable
- Youth Centre extension paid for by village fundraising
- Plans do not acknowledge former role of Ford House as a community resource

- Proposals do not address relocation of the youth club
- The site should be retained for the parishioners of Prestbury
- Financial contribution should be made to compensate for lost community facilities
- The site is subject to flooding
- Highway safety risk at access
- Proposed buildings are out of character
- No recognition of the relationship of the church with the wider community
- The density of the development is a concern

## **APPLICANT'S SUPPORTING INFORMATION**

The following documents have been submitted on behalf of the applicant:

### **Planning, Design & Access Statement**

This statement outlines that the future of the building is intrinsically linked to a development project that will secure the future of St Peter's Church and its role at the centre of the village community. In view of the needs of the church for ancillary accommodation; the scale of the proposed extension appropriate to the church; the cost of development options; the structural condition of Ford House and, factors connected with highway safety it is concluded that the only viable option is to take down and rebuild Ford House for use as a parish office with residential accommodation for church staff. Plus erection of enabling residential development to the rear of the site in accord with policy H11 of PPS5

The site is within the Prestbury Conservation Area, and Ford House is included in the Cheshire East Council's List of Locally Important Buildings SPD. Although the existing building is attractive it has been significantly harmed by modern extensions and has deteriorated in recent years because the church had been struggling to provide sufficient funds to keep it in good order, whilst at the same time meeting its obligation to maintain to a high standard the grade 1 listed church building. The proposed rebuild would restore the original character of the building and would positively enhance the character of both the village centre and wider conservation area in accord with the aims of policies of PPS5 and the local plan.

The proposed development is fully justified based on the benefits it would bring to the church and the needs of the wider community. In accordance with Policy HE9.4 of PPS5, it is demonstrated that any harmful impact the proposal will have on the significance of the conservation area is less than substantial harm, and that therefore the local planning authority should weigh the public benefit of the proposal against the level of harm. There is also a case for considering the proposal as enabling development in accordance with PPS5 Policy HE11, and thus assessing the benefits of development against any harm caused.

In providing funds for the development proposals at St Peter's Church, the development at the Ford House site will secure the future viability and sustainability of a heritage and social asset of exceptional significance.

### **Sustainability Statement**

This statement addresses the key objectives from PPS1, the advice from the RSS on climate change and the Council's housing sustainability checklist.

### **Protected Species Survey**

The submitted bat survey identified the presence of common Pipistrelle Bats within the building. A programme of mitigation is proposed within the statement.

### **Arboriculture Assessment**

This report identifies that the extension will require the removal of several trees within the site. These losses should be considered in terms of the wider community benefits the schemes seek to provide.

### **Structural Report – Ford House**

The Structural Report recommends a range of remedial works throughout the entire building.

### **Flood Risk Assessment**

This outlines that given the proposed finished floor level, the properties should not in general be affected by flood events over an above the 1:1000 year event.

### **Transport Assessment**

The report concludes that the only viable access option involves reuse of the existing site access onto The Village which in turn requires the demolition of Ford House in order to meet the latest design guidance provided by the highway authority.

### **Confidential Report on Enabling Development – Meller Braggins**

This report looks at the market value of the site, and the relative costs of demolition and refurbishment.

### **PPS5 Statement – Ford House**

The primary significance of the building is its role in terminating the view along the main street and its location at the bend which makes it visible from both The Village and New Street. It gains value from its relationship to the mature trees that surround it, and is also important for its past role in the life of the worshipping community.

The building is in a very poor state of repair, and the scale of remedial works required to return it to beneficial use is extensive. The cost of these works exceeds that of taking it down and rebuilding.

The justification for development of the Ford House site is based on the benefits it would bring to the church and the needs of the wider community.

The requirement for replacement of Ford House is based on its physical condition; its lack of authenticity as a result of unsympathetic alterations; the cost of restoration; the need to provide safe access for vehicle users and pedestrians; and the unsuitability of the current layout of the building for church use.

The proposal for replacement will replicate the form and style of the existing building, but with a different internal layout, moving the footprint slightly to allow for a wider access way to the site for highway safety reasons.

In accordance with Policy HE9.4 of PPS5, it is demonstrated that any harmful impact the proposal will have on the significance of the conservation area is less than substantial harm, and that therefore the local planning authority should weigh the public benefit of the proposal against the level of harm.

There is also a case for considering the proposal as enabling development in accordance with PPS5 Policy HE11, and thus assessing the benefits of development against any harm caused.

In balancing the benefits that the scheme will bring against the proposals for demolition of Ford House and rebuilding, it can be seen that the public benefits will be very substantial. For in providing funds for the development proposals at St Peter's Church, the development at the Ford House site will secure the future viability and sustainability of a heritage asset of exceptional significance.

## **OFFICER APPRAISAL**

### **Housing**

The applicant has submitted a PPS3 Housing Self Assessment Checklist with the application, which outlines that the site is within walking distance of public transport and local services, as well as recreational open space.

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. The scheme achieves high quality housing.

### **Leisure / Public Open Space**

The proposed housing development triggers a requirement for public open space (POS), recreation and outdoor sport facilities as identified in the SPG on S106 (Planning) Agreements (May 2004). The SPG also states that developments above the trigger of 6 dwellings and where there is an identified shortfall (or in this case loss of previous facilities) the council will / may seek contributions for the provision of community centre space or services to address local youth needs.

In the absence of on-site provision the development will be required to provide a commuted sum for the provision of offsite POS and amenity of £34,500, which would be used to make additions, improvements and enhancements to open space and amenity facilities in Prestbury. In addition, and again in the absence of on site provision, the development will be required to provide a commuted sum for the provision of offsite recreation / outdoor sports facilities of £8,500, which would be used to make additions, improvements and enhancements to recreation and open space facilities in Prestbury.

It is also understood that Ford House provided facilities for young people in the form of a youth club amongst a range of other community focused activities. The replacement proposals include little in the way of community space; one small meeting room does not seem appropriate for general community use. The applicants would like the community benefit offered within the additional facilities to be provided in the church to be taken into

account to offset this loss. However, the identified benefits of the church extension have been already been considered, and will be afforded appropriate weight, during the assessment of the application to extend the church (11/0144M).

### **Ecology**

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places, if there is

- no satisfactory alternative
- no detriment to the maintenance of the species population at favourable conservation status in their natural range
- a specified reason such as imperative, overriding public interest.

The UK implements the EC Directive in The Conservation of Habitats & Species Regulations 2010 which contain two layers of protection

- a licensing system administered by Natural England which repeats the above tests
- a requirement on Local Planning Authorities ("LPAs") to have regard to the Directive's requirements.

Circular 6/2005 advises LPAs to give due weight to the presence of a European protected species on a development site to reflect.. [EC] ...requirements ... and this may potentially justify a refusal of planning permission."

In PPS9 (2005) the Government explains that LPAs "should adhere to the following key principles to ensure that the potential impacts of planning decisions on biodiversity are fully considered..... In taking decisions, [LPAs] should ensure that appropriate weight is attached to .... protected species... ... Where granting planning permission would result in significant harm .... [LPAs] will need to be satisfied that the development cannot reasonably be located on any alternative site that would result in less or no harm..... If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused."

With particular regard to protected species, PPS9 encourages the use of planning conditions or obligations where appropriate and advises, "[LPAs] should refuse permission where harm to the species or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm."

The converse of this advice is that if issues of species detriment, development alternatives and public interest seem likely to be satisfied, no impediment to planning permission arises under the Directive and Regulations.

A bat survey was carried out by a qualified ecologist on behalf of the applicant who has identified limited bat activity on the site.

The proposed scheme to demolish Ford House should have no significant impact upon the favourable conservation status of the identified protected species, if some form of mitigation is incorporated on site.

The proposal to demolish Ford House and construct a replacement building, 6 town houses and 2 apartments will add to the existing housing stock in the area, and provide a valuable resource for the church and community, whilst securing the long term future of the Grade I listed church and other listed structures on the site.

The alternative to the demolition would be to refurbish the existing building. However, the extent of works required in the renewal of the building is likely to have an equal impact upon bats as its complete demolition.

The mitigation proposes the supervised demolition of the property and the provision of replacement roosts in the form of bat boxes situated on retained trees. The proposed mitigation is acceptable and provided the proposed mitigation is implemented in full the residual impacts of the proposed developments on bats is likely to be very minor. The benefits of the mitigation will provide a new appropriate roost for the bats which will provide a new habitat and will allow the future protection of the bats in perpetuity.

Having regard to the above it is considered that the proposed replacement roosting facilities is an appropriate form of mitigation which in the long term will provide a more satisfactory habitat for the bats than the existing dwelling. It is considered that the mitigation put forward is a material consideration which if implemented will further conserve and enhance the existing protected species in line with Local Plan policy NE11 and is therefore on balance, considered to be acceptable.

The Council's Ecologist has been consulted on this application and raises no objection to the proposed mitigation subject to a condition to ensure work is carried out in accordance within the submitted scheme.

### **Amenity**

The nearest neighbouring dwellings are located to the west of the site. The nearest of the proposed residential properties will be located 15 metres from the boundary shared with Glebe House. There will be some overlooking of existing private gardens, and the simple presence of the dwellings may also have some impact upon the amenity of this nearest neighbour. However, there are some mature trees on the boundary, which will help to filter views from the new dwellings, and additional landscaping may reduce the impact even further. Therefore, having regard to the distance and relationship with the adjacent property, any impact upon residential amenity is not considered to be sufficient to justify a refusal of planning permission.

### **Highways**

The submitted transport statement examines 3 options for access into the site. These options were the reuse of the existing access, a new access to the north of Ford House, and a new access from Bollin Grove using a bridge over the river.

Due to changes in levels from the road into the site, restricted visibility in the non leading direction from the bridge, and the required loss of mature trees, the access to the north of Ford House was discounted.

An access across the River Bollin from Bollin Grove was also discounted due to the loss of mature trees, the bridge would also probably have to be higher than Bollin Grove due to



recent flooding levels, and the report states that the entrance to the bridge would need to be approximately 19 metres in width. Such an access would be impractical and unviable.

It is therefore proposed to use an upgraded existing access. The new access will be widened to 5.5 metres, which will also allow for refuse and service vehicles to enter and turn within the site. The Strategic Highways Manager has considered that the new access design is acceptable.

A total of 20 off street parking spaces are being provided for the 11 dwellings. No off street parking is proposed for the office unit, however, having regard to the location of the site in the centre of the village, proximity to public transport, and the maximum parking standards, a refusal on the grounds of lack of car parking is not considered to be justified. The Strategic Highways Manager also notes that there will be the potential to park on the access road without interfering with the access to the residential properties. No highway safety issues are therefore raised.

### **Archaeology**

The site of the proposed development lies within the historic core of Prestbury, close to the parish church. It is likely that the location has attracted settlement over many centuries in view of this proximity to the church, whose origins may go back to the eighth century, and its position overlooking the river crossing. In addition, the land does not appear to have been seriously disturbed in the recent past, which will have ensured the survival of any archaeological evidence that is present. Work in the immediate vicinity of parish churches elsewhere in Cheshire East has revealed evidence for medieval buildings, rubbish pits, boundaries, pottery kilns, and corn-drying ovens. It is entirely possible that evidence of this kind may be present on this site and could be damaged by the proposed development, particularly where the new buildings are proposed.

It is therefore recommended by the Council's Archaeologist that the site should be subject to a programme of pre-determination evaluation in order to establish the nature and extent of any archaeological deposits present. This work is currently being undertaken on site. This information will assist in determining the need, if any, for further archaeological measures, which might take the form of mitigation designed to ensure the preservation *in situ* of significant archaeological deposits or, if this is not possible, their preservation by record. Any such mitigation would be secured by condition.

### **Trees / landscaping**

The application site lies within the Prestbury Conservation Area and trees (above 75mm diameter) are therefore subject to control under special provisions within Section 211 of the Town and Country Planning Act 1990.

The application identifies six individual trees for removal and one group of trees. These trees have been assessed in accordance with the recommendations contained in BS5837:2005 Trees in Relation to Construction with 'A' category trees being most desirable, desirable (B category); low value (C category) and those unsuitable for retention (R category).

Of these trees, one a mature Copper Beech (T25 of the survey) is identified as an 'A' category tree; four trees (three Yew and a Horse Chestnut) within 'B' category and one tree (a Holly T9) and one group of trees (G7) within C category have been identified.

The Arboricultural Officer notes that the supporting arboricultural statement also does not sufficiently consider the impact of the remaining trees, in particular those shown for retention between the Mews development and the River Bollin along the eastern section of the site and their relationship/social proximity to the proposed mews properties. The submitted information suggests that the trees can be maintained as shared amenity space to facilitate suitable management of tree cover. However, this may not provide the Council with a sufficient defence from future applications to fell or regularly prune the trees.

The Arboricultural Statement also refers to the importance and impact of the proposed tree removals suggesting that consideration should be given to the viability of the Church and proposed mitigation provided by new landscaping / tree management across the churchyard and within the grounds of Ford House providing the necessary benefits for the community and long term sustainability of tree cover. This statement is however not supported by any detailed landscaping scheme or tree management proposals which would allow the Council to consider and evaluate the extent of such mitigation in detail. Based on the information that is currently before the Council for consideration, the Arboricultural Officer considers that the proposal does not satisfy the requirements of policy DC9 of the Macclesfield Borough Local Plan.

The applicants are in the process of producing a landscaping plan and mitigation proposals to offset the identified tree losses for consideration by the Council. Any information received, and its acceptability, will be reported to Members in a written update.

#### **Locally Listed Building / Conservation Area**

Ford House is identified in the adopted Local List of Historical Buildings SPD (2010) as:

*Nineteenth century reconstruction of an earlier building, rebuilt circa 1850-1875. Owned by Parochial Church Council and employed for a variety of church and community uses until closure in 2007.*

*Very prominent position in the village streetscene and a valuable contribution to the Conservation Area.*

Policy BE20 of the Macclesfield Borough Local Plan relates to locally listed buildings and states that “*development which would adversely affect their architectural or historic character will only be allowed if the borough council is satisfied that the building or structure is beyond reasonable repair.*”

In this case, the submitted information indicates that it is significantly more costly (in excess of £100,000) to partially demolish and refurbish the existing building than demolish the entire building and construct a replacement. However, the detailed costings of these estimates have not been submitted to show where the money would be spent in each case. Therefore at present the information is not considered to be sufficiently detailed to satisfy the Council that the building is beyond reasonable repair.

However, the applicant's primary justification for demolition of Ford House is based on the benefits it would bring to the church site. The funds realized through the development of the town houses would finance the extension to the church, thereby securing the future of this significant heritage asset, as well as facilitate required works to the Grade II listed Norman Chapel and Hearse House. Further information on the works required to the Norman Chapel and Hearse House have been requested from the applicant to allow the council to better understand the benefits of the proposal and the viability issues that underlie it.

The supporting information does suggest that the church extension and facilities within Ford House provide benefits to both the church and the wider community. The case for demolition is further based upon its physical condition; its lack of authenticity as a result of unsympathetic alterations; the cost of restoration; the need to provide safe access for vehicle users and pedestrians; and the unsuitability of the current layout of the building for church use.

English Heritage has raised an objection to the demolition of Ford House due to the positive contribution it makes to the Conservation Area. This is strengthened by its inclusion on the list of locally important buildings. They note that policy HE9.1 of PPS5 states that "there is a presumption in favour of the conservation of all designated heritage assets". This means that there should be a presumption in favour of managing change to a conservation area in a way that sustains and where appropriate enhances its significance. To replace one good building with a different but arguably equally as good building is not sustaining its significance. This would be contrary to HE9.1 of PPS5. The applicant needs to demonstrate that the loss is necessary in order to deliver substantial public benefits.

These comments are consistent with the views of the Council's Conservation Officer, who notes that a replacement building would not display the evidence of successive alterations and sense of continuity over time which is apparent in the existing external fabric. The proposal would cause unacceptable harm to this locally listed building and hence to the character of the surrounding area to which it makes an important contribution. The local listing is considered to refer to not only to the street scene contribution, but also the contribution Ford House makes to the historical integrity of the Conservation Area. As such it would conflict with policies BE2, BE4 and BE20 of the Local Plan and Cheshire East Local List SPD which amongst other things seek to protect loss and damage to buildings of historic interest, historic fabric and to protect local distinctiveness.

The design of the dwellings and the replacement Ford House Building are considered to be acceptable and in keeping with the variety of properties in the surrounding area with materials and features drawn from the local area. However, the Conservation Officer notes that the Ford House site does have an open feel particularly when viewed from or near the bridge; therefore the introduction of 6 town houses would represent overdevelopment of this site and diminish the value this site brings to the conservation area. However, views into the site are limited, and the retention of the existing tree belt close to the bridge and running alongside Bollin Grove does serve to screen the site to a level that would minimise the impact of the town houses upon the Conservation Area.

The concept of enabling development is quoted widely in the supporting documentation. English Heritage define enabling development as *development that would be unacceptable in planning terms but for the fact that it would bring public benefits sufficient to justify it being carried out, and which could not otherwise be achieved.*

In their comments on the current application, English Heritage note that “In this instance, because the application for Ford House should be determined as a separate planning matter to the current application for the extension to St Peter’s Church, consideration of the other public benefits should therefore be limited to the proposals for the Ford House site itself.” They also state that, “a criterion for enabling development is that it is contrary to established planning policy”, which the residential development is not. “An enabling development would only be acceptable in principle if the economic benefits would go into the repair of historic fabric in order to preserve a heritage asset, which in this case is proposed for demolition, and is not applicable to new buildings or extensions.”

However, whilst these comments are acknowledged to the extent that the proposal may not amount to enabling development, the matters raised by the applicant to justify the demolition are still material planning considerations, which need to be afforded appropriate weight in the assessment of the application. The applicant maintains that the church extension is reliant upon the development of the Ford House site; therefore whilst they have been submitted as separate planning applications, they are fundamentally linked. As noted above, additional information has been requested that seeks to address the concerns that have been raised above.

#### **Other considerations**

Comments from the Environment Agency are awaited regarding the flood risk matters on the site, and will be reported to Members in an update. The Contaminated Land Officer has noted that since the application is for new residential properties which are a sensitive end use and could be affected by any contamination present, a condition is recommended requiring a phase 1 contaminated land report to be submitted.

#### **CONCLUSIONS AND REASON(S) FOR THE DECISION**

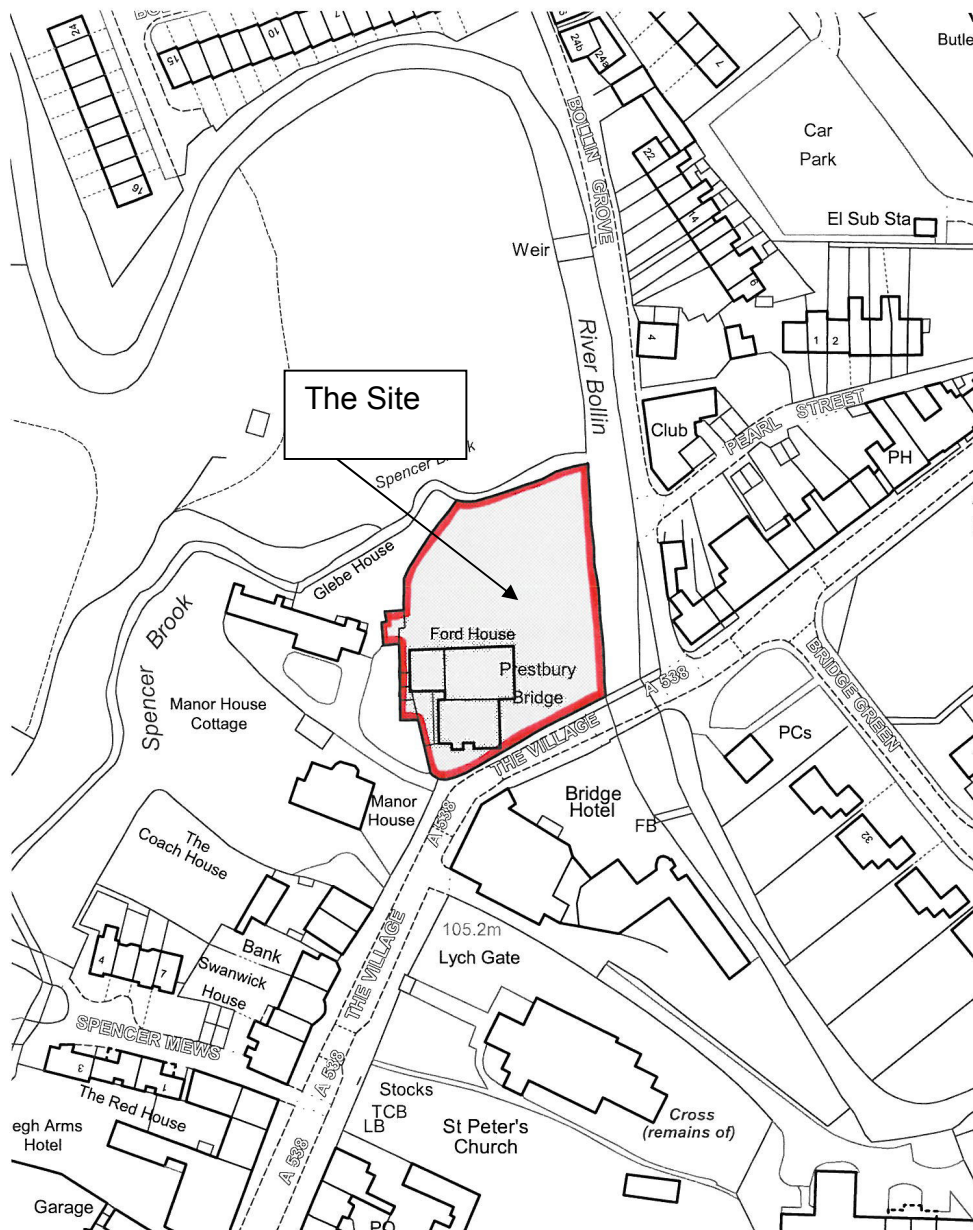
Unlike the application for the church extension, where there is a clear prospect of the required information overcoming the objections raised, in this case, the issues are more complex, and substantial weight needs to be afforded to the viability of the proposals and the community benefits that will derive from the proposal. Until all this information is received and assessed, it is not considered that the loss of a locally listed building, loss of trees of amenity value, and the associated Conservation Area impact can be accepted. A recommendation of refusal is therefore made by virtue of the proposal being contrary to policies BE2, BE4, BE20 and DC9 of the Macclesfield Borough Local Plan.

Application for Full Planning

RECOMMENDATION: Refuse for the following reasons

1. Demolition of building in Conservation Area
2. Loss of trees contributing to amenity

Location Plan: Cheshire East Council Licence No. 100049045



Application No: 11/0108M

Location: FORD HOUSE, THE VILLAGE, PRESTBURY, MACCLESFIELD, CHESHIRE, SK10 4DG

Proposal: Demolition of Ford House (Conservation Area Consent)

Applicant: St Peters Parochial Church Council

Expiry Date: 22-Mar-2011

**Date Report Prepared:** 1 April 2011

#### **SUMMARY RECOMMENDATION**

Refuse

#### **MAIN ISSUES**

- The impact upon the character and appearance of the Conservation Area
- Whether there is an acceptable scheme for replacement development in place

#### **REASON FOR REPORT**

The application has been brought to the Committee by the Head of Planning & Housing due to the significant local interest in the proposal.

#### **DESCRIPTION OF SITE AND CONTEXT**

The application site comprises a detached two-storey locally listed building from the 19<sup>th</sup> century most recently used as meeting rooms and other supporting activities to St Peter's church. Over the years there have been a number of external extensions and internal alterations, but recently the condition of the building has deteriorated to the extent that it was closed for health & safety reasons in 2007. The site occupies a prominent position at the north eastern end of The Village, within the Prestbury Conservation Area as identified in the Macclesfield Borough Local Plan.

#### **DETAILS OF PROPOSAL**

This application seeks Conservation Area Consent to demolish the existing building on the site.

#### **POLICIES**

##### **Local Plan Policy**

BE2 – Historic Fabric

BE3 – Conservation Areas

### **Other Material Considerations**

Prestbury Conservation Area Appraisal (2006)

Prestbury Village Design Statement (2007)

Local List of Historic Buildings SPD (2010)

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

English Heritage – No objection to the principle of the new development behind the existing building, but do recommend the refusal of the application based on an unsatisfactory justification for the demolition of Ford House.

Prestbury Parish Council – No objection

### **OTHER REPRESENTATIONS**

To date 90 approximately letters of representation have been received. 69 of these letters either raise no objection or support the proposal for the following reasons:

- Ford House needs demolishing due to its condition
- The replacement building will provide essential accommodation for the church
- Ford House is currently an eyesore
- The development will provide funds for the much needed church extension
- It will bring new life into the village

21 letters either raise concern or object to the proposal on the following grounds:

- Loss of car park to rear of Ford House
- Loss of protected trees
- Youth Club building to the rear of Ford House does not belong to the church
- There are Great Crested Newts in the immediate vicinity
- Ford House is locally listed
- Dwellings should be affordable
- Youth Centre extension paid for by village fundraising
- Plans do not acknowledge former role of Ford House as a community resource
- Proposals do not address relocation of the youth club
- The site should be retained for the parishioners of Prestbury
- Financial contribution should be made to compensate for lost community facilities
- The site is subject to flooding
- Highway safety risk at access
- Proposed buildings are out of character
- No recognition of the relationship of the church with the wider community
- The density of the development is a concern

### **APPLICANT'S SUPPORTING INFORMATION**



The following documents have been submitted on behalf of the applicant:

## **Planning, Design & Access Statement**

This statement outlines that the future of the building is intrinsically linked to a development project that will secure the future of St Peter's Church and its role at the centre of the village community. In view of the needs of the church for ancillary accommodation; the scale of the proposed extension appropriate to the church; the cost of development options; the structural condition of Ford House and, factors connected with highway safety it is concluded that the only viable option is to take down and rebuild Ford House for use as a parish office with residential accommodation for church staff. Plus erection of enabling residential development to the rear of the site in accord with policy H11 of PPS5

The site is within the Prestbury Conservation Area, and Ford House is included in the Cheshire East Council's List of Locally Important Buildings SPD. Although the existing building is attractive it has been significantly harmed by modern extensions and has deteriorated in recent years because the church had been struggling to provide sufficient funds to keep it in good order, whilst at the same time meeting its obligation to maintain to a high standard the grade 1 listed church building. The proposed rebuild would restore the original character of the building and would positively enhance the character of both the village centre and wider conservation area in accord with the aims of policies of PPS5 and the local plan.

The proposed development is fully justified based on the benefits it would bring to the church and the needs of the wider community. In accordance with Policy HE9.4 of PPS5, it is demonstrated that any harmful impact the proposal will have on the significance of the conservation area is less than substantial harm, and that therefore the local planning authority should weigh the public benefit of the proposal against the level of harm. There is also a case for considering the proposal as enabling development in accordance with PPS5 Policy HE11, and thus assessing the benefits of development against any harm caused.

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The building is in a very poor state of repair, and the scale of remedial works required to return it to beneficial use is extensive. The cost of these works exceeds that of taking it down and rebuilding.

The justification for development of the Ford House site is based on the benefits it would bring to the church and the needs of the wider community.

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The proposal for replacement will replicate the form and style of the existing building, but with a different internal layout, moving the footprint slightly to allow for a wider access way to the site for highway safety reasons.

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*Very prominent position in the village streetscene and a valuable contribution to the Conservation Area.*

Policy BE20 of the Macclesfield Borough Local Plan relates to locally listed buildings and states that “*development which would adversely affect their architectural or historic character will only be allowed if the borough council is satisfied that the building or structure is beyond reasonable repair.*”

In this case, the submitted information indicates that it is significantly more costly (in excess of £100,000) to partially demolish and refurbish the existing building than demolish the entire building and construct a replacement. However, the detailed costings of these estimates have not been submitted to show where the money would be spent in each case. Therefore at present the information is not considered to be sufficiently detailed to satisfy the Council that the building is beyond reasonable repair.

However, the applicant’s primary justification for demolition of Ford House is based on the benefits it would bring to the church site. The funds realized through the development of the town houses would finance the extension to the church, thereby securing the future of this significant heritage asset, as well as facilitate required works to the Grade II listed Norman Chapel and Hearse House. Further information on the works required to the Norman Chapel and Hearse House have been requested from the applicant to allow the council to better understand the benefits of the proposal and the viability issues that underlie it.

The supporting information does suggest that the church extension and facilities within Ford House provide benefits to both the church and the wider community. The case for demolition is further based upon its physical condition; its lack of authenticity as a result of unsympathetic alterations; the cost of restoration; the need to provide safe access for vehicle users and pedestrians; and the unsuitability of the current layout of the building for church use.

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would be contrary to HE9.1 of PPS5. The applicant needs to demonstrate that the loss is necessary in order to deliver substantial public benefits.

These comments are consistent with the views of the Council's Conservation Officer, who notes that a replacement building would not display the evidence of successive alterations and sense of continuity over time which is apparent in the existing external fabric. The proposal would cause unacceptable harm to this locally listed building and hence to the character of the surrounding area to which it makes an important contribution. The local listing is considered to refer to not only to the street scene contribution, but also the contribution Ford House makes to the historical integrity of the Conservation Area. As such it would conflict with policies BE2 and BE4 of the Local Plan and Cheshire East Local List SPD which amongst other things seek to protect loss and damage to buildings of historic interest, historic fabric and to protect local distinctiveness.

The concept of enabling development is quoted widely in the supporting documentation. English Heritage define enabling development as *development that would be unacceptable in planning terms but for the fact that it would bring public benefits sufficient to justify it being carried out, and which could not otherwise be achieved.*

In their comments on the current application, English Heritage note that "In this instance, because the application for Ford House should be determined as a separate planning matter to the current application for the extension to St Peter's Church, consideration of the other public benefits should therefore be limited to the proposals for the Ford House site itself." They also state that, "a criterion for enabling development is that it is contrary to established planning policy", which the residential development is not. "An enabling development would only be acceptable in principle if the economic benefits would go into the repair of historic fabric in order to preserve a heritage asset, which in this case is proposed for demolition, and is not applicable to new buildings or extensions."

However, whilst these comments are acknowledged to the extent that the proposal may not amount to enabling development, the matters raised by the applicant to justify the demolition are still material planning considerations, which need to be afforded appropriate weight in the assessment of the application. The applicant maintains that the church extension is reliant upon the development of the Ford House site; therefore whilst they have been submitted as separate planning applications, they are fundamentally linked. As noted above, additional information has been requested that seeks to address the concerns that have been raised above.

## **CONCLUSIONS AND REASON(S) FOR THE DECISION**

Unlike the application for the church extension, where there is a clear prospect of the required information overcoming the objections raised, in this case, the issues are more complex, and substantial weight needs to be afforded to the viability of the proposals and the community benefits that will derive from the proposal. Until all this information is received and assessed, it is not considered that the loss of a locally listed building and the associated Conservation Area impact can be accepted. A recommendation of refusal is therefore made by virtue of the proposal being contrary to policies BE2 and BE4 of the Macclesfield Borough Local Plan and the Cheshire East Local List SPD.

Furthermore, Conservation Area Consent should only normally be granted if an acceptable scheme of replacement development exists. This is to prevent the creation of derelict sites. The accompanying planning application 11/0107M is not considered to be an acceptable form of replacement development within the Conservation Area at this time, and accordingly this application is recommended for refusal.

Application for Conservation Area Consent

RECOMMENDATION: Refuse for the following reasons

1. Demolition of building in Conservation Area
2. Demolition of building in Conservation Area

Location Plan: Cheshire East Council Licence No. 100049045



Application No: **11/0271M**

Location: **106, BUXTON ROAD, MACCLESFIELD, SK10 1JS**

Proposal: **DEMOLITION OF EXISTING GARAGE & CONSTRUCTION OF NEW GARAGE WITH VEHICLE HARDSTANDING**

Applicant: **MR & MRS P FINDLOW**

Expiry Date: **06-Apr-2011**

**SUMMARY RECOMMENDATION**

**Delegated Authority to the Head of Planning and Housing in consultation with the Chairman to APPROVE with conditions subject to receipt of satisfactory Protected Species Survey and to address any issues raised within the consultation period.**

**MAIN ISSUES**

**Impact of the development on:-**

- **Heritage Assets**
- **Neighbouring Amenity**
- **Highway Safety**
- **Nature Conservation**

**REASON FOR REFERRAL**

This application is to be determined by the Northern Area Planning Committee because the applicant is a Borough Councillor.

**DESCRIPTION OF SITE AND CONTEXT**

The application site is 'L' shaped and measures 968 sq. m. The plot contains a semi-detached two storey Georgian property constructed circa 1806 which is a Grade II listed building. The property has a small front yard bounded by hedging and wrought iron entrance gates and the rear curtilage comprises a 3m high red brick wall with an attached outbuilding currently used as a garage and domestic store which was constructed at a similar time. The rear garden also contains a number of mature and semi-mature trees including a row of cherry blossom trees adjacent to the party wall with no. 108 and a multi-stemmed sycamore tree, two other mature trees central within the rear garden and two sycamore trees protected under the Tree Preservation Order for Buxton Road/ Flint Street.

The original house is said to have been built by a silk manufacturer, who also built the adjacent weavers' houses, Nos 100-104 Buxton Road and the attached neighbour at no. 108 was the servants quarters which is now occupied as a separate dwelling.

The outbuilding the subject of this permission was constructed at a similar time to the main house; it is two storeys with a front garage opening, linear in form running north east to south west in orientation. The building is constructed in an English garden bond with a slate roof and retains many of its original features including cast iron rainwater goods and timber single glazed Georgian multi-paned sash windows. The roof is constructed of slates and supported by a series of timber trusses. This outbuilding is attached to the listed building by the party wall and the adjoining outbuilding which is within the ownership of no. 108.

The site lies within the Buxton Road Conservation Area, a predominantly residential area within Macclesfield and within the settlement boundary line.

### **DETAILS OF PROPOSAL**

The proposals relate to the demolition of this outbuilding and the construction of a replacement outbuilding and associated hardstanding to form a turning area.

It is proposed to demolish the existing garage and WC; the existing garage measures 8.5m in length, 4.8m in width reaching a height of 3.5m to eaves and 5m to the ridge height. The existing garage door is on the northern elevation which is visible from the street.

The replacement outbuilding would measure 6.6m x 6.6m resulting in a square footprint. The orientation of the building would remain as existing, however it would be repositioned 5.5m south of its current position resulting in it being detached from the neighbouring outbuilding and party wall. The replacement building would measure 2.6m to eaves and 5m to ridge height which would give the building a larger expanse of roof and a steep roof pitch. An internal staircase would be provided to a first floor study area with a garage and storage area below. The garage doors would be timber and the design would replicate existing features such as the timber sash windows. New features would include a catslide dormer window on the western elevation and rooflights on the eastern elevation. The plans also show dentilated eaves detailing.

The application forms indicate that the bricks and slates from the existing outbuilding would be re-used and that the turning area would measure 5m x 11m and surfacing materials would incorporate tarmac with a granite sett border.

The external wall of the garage along the site boundary will be retained as a boundary wall and new 1.8m high metal gates including a separate pedestrian and vehicular access points which would be installed to the front of the garage.

### **RELEVANT HISTORY**

09/1384M remove a crude plastic extension and replace with brick and slate build, in keeping with the historic building. (listed building consent) approved 14/08/2009



## **POLICIES**

The development plan includes the North West of England Plan Regional Spatial Strategy 2021 (RSS) and the Macclesfield Borough Local Plan 2004.

The relevant development plan policies are:

### **Regional Spatial Strategy**

None Relevant

### **Local Plan Policy**

NE11 Nature Conservation

BE1 Design Guidance

BE2 Preservation of Historic Fabric

BE3 Conservation Areas

BE4 Design Criteria in Conservation Areas

BE15 Listed Buildings

BE16 Setting of Listed Buildings

BE17 Preservation of Listed Buildings

BE18 Design Criteria for Listed Buildings

DC1 Design

DC3 Amenity

DC9 Tree Protection

DC38 Space Light and Privacy

### **Other Material Considerations**

Planning Policy Statement 1 (Delivering Sustainable Development)

Planning Policy Statement 1 (Delivering Sustainable Development- Climate Change Supplement)

Planning Policy Statement 5 (Planning and the Historic Environment)

Planning Policy Statement 9 (Biodiversity and Geological Conservation)

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

**Strategic Highways Engineer:** None received at time of writing report

## **VIEWS OF THE PARISH COUNCIL**

None received at time of writing report

## **OTHER REPRESENTATIONS:**

None received at time of writing report

## **APPLICANT'S SUPPORTING INFORMATION**

### **Heritage Statement**

#### **OFFICER APPRAISAL**

##### **Principle of Development**

The site lies within the settlement boundary of Macclesfield where there is a presumption in favour of development. In addition, the proposals relate to development ancillary to the enjoyment of a dwellinghouse and the site lies within a predominantly residential area. As a consequence, the use and type of development is also appropriate within this area. However, the site lies within the Buxton Road Conservation Area where development will only be permitted where it preserved or enhances the Conservation Area.

This issue is discussed below.

##### **Heritage Assets**

The outbuilding in question is listed by virtue of its attachment to 106 Buxton Road which is a Grade II listed building. The outbuilding can be considered a heritage asset in its own right as it was constructed at a similar time and contains numerous period features; the building is constructed of English Garden Bond with a slate roof supported by timber trusses and includes cast iron rainwater goods and timber single glazed Georgian multi-pane sash windows. The floor tiles also appear to be original. The outbuilding also makes a contribution to the character and appearance of the Conservation Area as it is a traditional building visible from public vantage points along Buxton Road.

The replacement building would be constructed of the salvaged materials and would match the height and orientation of the existing building. It would also contain first floor accommodation. In addition the additional hardstanding area would contain traditional surfacing materials such as granite setts. The railings would match the traditional design of the railings bounding the front yards of properties along Buxton Road.

That said, the footprint of the replacement building would be bigger, it would have a square rather than linear footprint, it would be sited in a different position and would no longer have its gable end facing the street. The massing of the building would also be altered, as the roof form would be more prominent and new features such as rooflights, dentilated eaves and a catslide dormer window would be introduced. The outbuilding is not contained within the list description of the listed building, however could be argue that it does contribute to the qualities of the listed building.

Whilst the appearance of the building would be altered, the new building would be sympathetic to the character of the outbuilding it is to replace. The presence of a large outbuilding to the rear of the site would be maintained, the boundaries to the property would be preserved, through the careful use of boundary walls and railings, and the original features and materials would be retained and re-used. The introduction of new features such as the rooflights and dentilated eaves would have a limited impact on the appearance of the building

and the siting of the catslide roof would have no impact upon the character of the property or the Conservation Area as it would not be readily visible from public vantage points.

It is therefore considered that the proposals would preserve the character of the Conservation Area and the listed building.

It is however considered necessary to condition that the roof slates, brickwork rainwater goods, floor tiles and windows are salvaged and re-used where possible. The replacement building should also be constructed using English Garden bond and lime based mortar and a layout plan should be submitted indicating where the traditional surfacing materials would be utilised. The works associated with the boundary walls would also be conditioned accordingly, and the building should utilise conservation style rooflights. It is also considered necessary to condition the submission of a demolition statement to ensure that the building would be demolished appropriately without adversely affecting those outbuilding associated with the neighbouring property at no. 108.

### **Amenity**

The outbuilding would contain first floor accommodation which would contain a habitable room. It would be possible to look out of the rooflights on the front elevation, however the pitch of the roof coupled with the positioning of the building ensures that the separation distances of 18.5m to no. 108 and 19.5m to no. 110 would negate a significant impact to these properties by reason of overlooking. Whilst the windows could be conditioned to be obscure glazed this would increase the visual prominence of the rooflights and would identify them as a modern addition which would harm the character of the listed building and the Conservation Area. The rear dormer window would be sited over 21m from the residential dwellings to the rear of the site and therefore there would be no appreciable impact upon neighbours by reason of overlooking.

The outbuilding would be sited to the rear of outbuildings associated with no. 108 however the replacement outbuilding would have less of an impact as it is sited further away. As such it would not result in a loss of light for this property. In addition it should be noted that the outbuilding attached to the existing garage contains windows which overlook the rear garden area to no. 106. This is an existing relationship due to the historic relationship between the two properties and it is not considered that the proposals would make this situation materially worse.

The property would retain ample amenity space.

### **Highway Safety**

Whilst no comments have been received from the Strategic Highways Manager at the time of writing the report, the proposals would increase off street car parking at the site from one to two spaces and would provide manoeuvring and turning space within the site. This would enable vehicles to enter and exit the site in a forward gear which would improve highway safety in this location.

It is however considered appropriate to remove permitted development rights for the conversion of this garage as this would materially harm highway safety.

## Nature Conservation

### Protected Species

The proposals would involve the demolition of a traditional outbuilding with first floor accommodation and roof trusses and as such this may be a suitable habitat for bats and breeding birds. In addition the surrounding mature trees could also be suitable habitats for these species. Bats are listed as a protected species under schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Protected species are considered to be a material consideration in the determination of a planning application, and therefore any impact must be considered and mitigated accordingly.

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places,

- in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment

and provided that there is

- no satisfactory alternative and
- no detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK implements the Directive in the Conservation of Habitats & Species Regulations 2010 which contain two layers of protection

- a requirement on Local Planning Authorities ("LPAs") to have regard to the Directive's requirements above, and
- a licensing system administered by Natural England.

Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements. "This may potentially justify a refusal of planning permission."

PPS9 (2005) advises LPAs to ensure that appropriate weight is attached to protected species "Where granting planning permission would result in significant harm .... [LPAs] will need to be satisfied that the development cannot reasonably be located on any alternative site that would result in less or no harm. In the absence of such alternatives [LPAs] should ensure that, before planning permission is granted, adequate mitigation measures are put in place. Where ... significant harm ... cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused."

PPS9 encourages the use of planning conditions or obligations where appropriate and again advises [LPAs] to “refuse permission where harm to the species or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm.”

The converse of this advice is that if issues of detriment to the species, satisfactory alternatives and public interest seem likely to be satisfied, no impediment to planning permission arises under the Directive and Regulations.

A Protected Species Survey has not been submitted with the application however the case officer has requested this information from the applicant. Provided that a Protected Species Survey is provided before the determination of the application and provided that this has been undertaken by a suitably qualified and experienced ecologist and that any impact can be mitigated accordingly, it is considered that the proposals would not adversely affect protected species.

It is requested that delegated authority be extended to include the insertion of any relevant conditions in respect of protected species within the decision notice, if required.

### Trees

The rear garden contains a number of mature and semi-mature trees including a row of cherry blossom trees adjacent to the party wall with no. 108 and a multi-stemmed sycamore tree and two other mature trees central within the rear garden.

The TPO on the site covers a group of trees within the south east corner of the rear garden. These trees would be unaffected by the proposals. There are more prominent trees closer to the development that lie within the Conservation Area boundary and as such are also protected.

The replacement outbuilding would not appear to directly undermine any of the trees. Nevertheless it is considered appropriate to impose conditions in respect of tree retention, tree protection, a landscaping scheme and landscaping implementation.

### **CONCLUSIONS**

In conclusion the proposals would preserve the character and appearance of the Conservation Area and would continue to respect the special qualities of the listed building. The proposals as conditioned would preserve the historic fabric of the existing building and would not raise any concerns in respect of neighbouring amenity, highway safety or nature conservation. In so doing the proposals accord with policies NE11 Nature Conservation, BE1 Design Guidance, BE2 Preservation of Historic Fabric, BE3 Conservation Areas, BE4 Design Criteria in Conservation Areas, BE15 Listed Buildings, BE16 Setting of Listed Buildings, BE17 Preservation of Listed Buildings, BE18 Design Criteria for Listed Buildings, DC1 Design, DC3 Amenity, DC6 Circulation and Access, DC9 Tree Protection and DC38 Space Light and Privacy within the Macclesfield Borough Local Plan 2004.

## **RECOMMENDATION**

**Delegated Authority to the Head of Planning and Housing in consultation with the Chairman to APPROVE with conditions subject to receipt of satisfactory Protected Species Survey and to address any issues raised within the consultation period.**

Conditions:

1. Commencement of development (3 years)
2. Submission of samples of building materials
3. Development in accord with approved plans
4. Protection of features
5. Tree retention
6. Tree protection
7. Specification of bonding of brickwork
8. Method statement
9. Details to be approved
10. Use of garage / carport
11. Rainwater goods
12. Roof lights set flush
13. Specification of window design / style
14. Garage doors

Location Plan: Cheshire East Council Licence No. 100049045



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Application No: 11/0274M

Location: 106, BUXTON ROAD, MACCLESFIELD, SK10 1JS

Proposal: DEMOLITION OF EXISTING GARAGE & CONSTRUCTION OF NEW GARAGE WITH VEHICLE HARDSTANDING

Applicant: MR & MRS P FINDLOW

Expiry Date: 11-Apr-2011

**SUMMARY RECOMMENDATION**

**Delegated Authority to the Head of Planning and Housing in consultation with the Chairman to APPROVE with conditions subject to addressing any issues raised within the consultation period.**

**MAIN ISSUES**

**Impact of the development on:-**

- **Heritage Assets**

**REASON FOR REFERRAL**

This application is to be determined by the Northern Area Planning Committee because the applicant is a Borough Councillor.

**DESCRIPTION OF SITE AND CONTEXT**

The application site is 'L' shaped and measures 968 sq. m. The plot contains a semi-detached two storey Georgian property constructed circa 1806 which is a Grade II listed building. The property has a small front yard bounded by hedging and wrought iron entrance gates and the rear curtilage comprises a 3m high red brick wall with an attached outbuilding currently used as a garage and domestic store which was constructed at a similar time. The rear garden also contains a number of mature and semi-mature trees including a row of cherry blossom trees adjacent to the party wall with no. 108 and a multi-stemmed sycamore tree, two other mature trees central within the rear garden and two sycamore trees protected under the Tree Preservation Order for Buxton Road/ Flint Street.

The original house is said to have been built by a silk manufacturer, who also built the adjacent weavers' houses, Nos 100-104 Buxton Road and the attached neighbour at no. 108 was the servants quarters which is now occupied as a separate dwelling.

The outbuilding the subject of this permission was constructed at a similar time to the main house; it is two storeys with a front garage opening, linear in form running north east to south west in orientation. The building is constructed in an English garden bond with a slate roof and retains many of its original features including cast iron rainwater goods and timber single glazed Georgian multi-paned sash windows. The roof is constructed of slates and supported by a series of timber trusses. This outbuilding is attached to the listed building by the party wall and the adjoining outbuilding which is within the ownership of no. 108.

The site lies within the Buxton Road Conservation Area, a predominantly residential area within Macclesfield and within the settlement boundary line.

## **DETAILS OF PROPOSAL**

The proposals relate to the demolition of this outbuilding and the construction of a replacement outbuilding and associated hardstanding to form a turning area.

It is proposed to demolish the existing garage and WC; the existing garage measures 8.5m in length, 4.8m in width reaching a height of 3.5m to eaves and 5m to the ridge height. The existing garage door is on the northern elevation which is visible from the street.

The replacement outbuilding would measure 6.6m x 6.6m resulting in a square footprint. The orientation of the building would remain as existing, however it would be repositioned 5.5m south of its current position resulting in it being detached from the neighbouring outbuilding and party wall. The replacement building would measure 2.6m to eaves and 5m to ridge height which would give the building a larger expanse of roof and a steep roof pitch. An internal staircase would be provided to a first floor study area with a garage and storage area below. The garage doors would be timber and the design would replicate existing features such as the timber sash windows. New features would include a catslide dormer window on the western elevation and rooflights on the eastern elevation. The plans also show dentilated eaves detailing.

The application forms indicate that the bricks and slates from the existing outbuilding would be re-used and that the turning area would measure 5m x 11m and surfacing materials would incorporate tarmac with a granite sett border.

The external wall of the garage along the site boundary will be retained as a boundary wall and new 1.8m high metal gates including a separate pedestrian and vehicular access points which would be installed to the front of the garage.

## **RELEVANT HISTORY**

09/1384M remove a crude plastic extension and replace with brick and slate build, in keeping with the historic building. (listed building consent) approved 14/08/2009

## **POLICIES**

The development plan includes the North West of England Plan Regional Spatial Strategy 2021 (RSS) and the Macclesfield Borough Local Plan 2004.

The relevant development plan policies are:

### **Regional Spatial Strategy**

None Relevant

### **Local Plan Policy**

BE2 Preservation of Historic Fabric

BE3 Conservation Areas

BE4 Design Criteria in Conservation Areas

BE15 Listed Buildings

BE16 Setting of Listed Buildings

BE17 Preservation of Listed Buildings

BE18 Design Criteria for Listed Buildings

### **Other Material Considerations**

Planning Policy Statement 5 (Planning and the Historic Environment)

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

**English Heritage** – None received at time of writing report.

## **VIEWS OF THE PARISH COUNCIL**

None received at time of writing report.

## **OTHER REPRESENTATIONS:**

None received at time of writing report.

## **APPLICANT'S SUPPORTING INFORMATION**

### **Heritage Statement**

## **OFFICER APPRAISAL**

The outbuilding in question is listed by virtue of its attachment to 106 Buxton Road which is a Grade II listed building. The outbuilding could be considered a heritage asset in its own right as it was constructed at a similar time and contains period features; the building is constructed of English Garden Bond with a slate roof supported by timber trusses and

includes cast iron rainwater goods and timber single glazed Georgian multi-pane sash windows. The floor tiles also appear to be original. It should also be noted that the original coach door has been infilled to create the garage door that exists at present. The outbuilding makes a very limited contribution to the character and appearance of the Conservation Area as it is only glimpsed from public vantage points along Buxton Road. Policy BE4 outlines a presumption against the demolition of buildings that add a positive contribution to the character of the Conservation Area. In this case the contribution in terms of visual impact and historic fabric is minimal.

The replacement building would be constructed of the salvaged materials and would match the height, orientation of the existing building. It would also contain first floor accommodation. In addition the additional hardstanding area would contain traditional surfacing materials such as granite setts. The railings would match the traditional design of the railings bounding the front yards of properties along Buxton Road.

That said, the footprint of the replacement building would be bigger, it would have a square rather than linear footprint, it would be sited in a different position and would no longer have its gable end facing the street. The massing of the building would also be altered, as the roof form would be particularly prominent and new features such as rooflights, dentilated eaves and a catslide dormer window would be introduced.

The outbuilding is not contained within the list description of the listed building; however it does contribute to some extent to the setting of the listed building.

Whilst the appearance of the building would be altered, the building would be sympathetic to the character of the outbuilding it is to replace. The presence of a large outbuilding to the rear of the site would be maintained, the boundaries to the property would be preserved, through the careful use of boundary walls and railings, and the original features and materials would be retained and re-used. The introduction of new features such as the rooflights and dentilated eaves would have a limited impact on the appearance of the building and the siting of the catslide roof would have no impact upon the character of the property or the Conservation Area as it would not be readily visible from public vantage points.

It is therefore considered that the proposals would preserve the character of the Conservation Area and the listed building.

It is however considered necessary to condition that the roof slates, brickwork rainwater goods, floor tiles and windows are salvaged and re-used where possible. The replacement building should also be constructed using English Garden bond and lime based mortar and a layout plan should be submitted indicating where the traditional surfacing materials would be utilised. The works associated with the boundary walls would also be conditioned accordingly, and the building should utilise conservation style rooflights.

## **CONCLUSIONS**

In conclusion the proposals would preserve the character and appearance of the Conservation Area and would continue to respect the special qualities of the listed building. The proposals as conditioned would preserve the historic fabric of the existing building. In so

doing the proposals accord with policies BE2 Preservation of Historic Fabric, BE3 Conservation Areas, BE4 Design Criteria in Conservation Areas, BE15 Listed Buildings, BE16 Setting of Listed Buildings, BE17 Preservation of Listed Buildings and BE18 Design Criteria for Listed Buildings, within the Macclesfield Borough Local Plan 2004.

## **RECOMMENDATION**

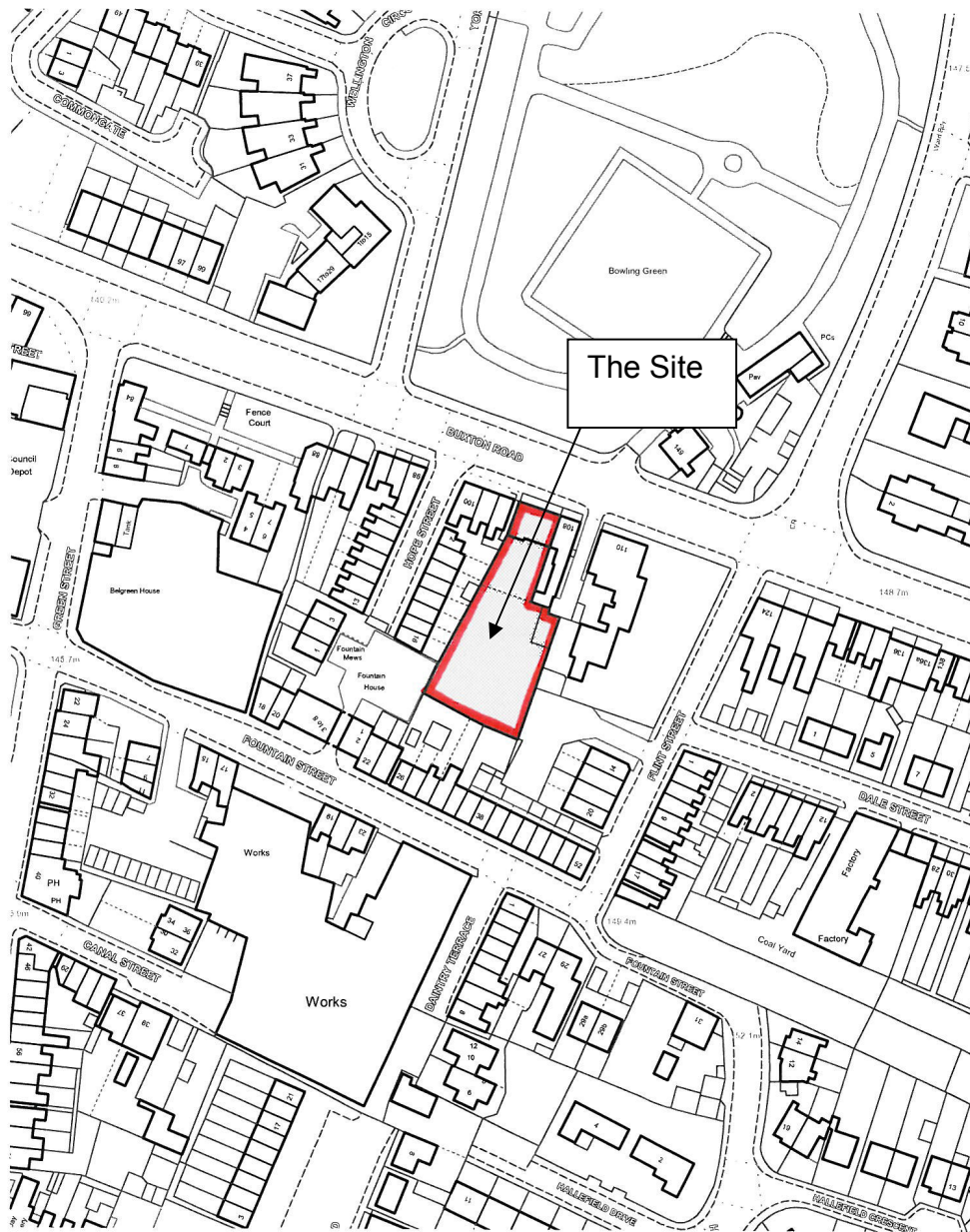
Application for Listed Building Consent:

**Delegated Authority to the Head of Planning and Housing in consultation with the Chairman to APPROVE with conditions subject to addressing any issues raised within the consultation period.**

Conditions:

1. Standard Time Limit
2. Submission of samples of building materials
3. Development in accord with approved plans
4. Protection of features
5. Specification of bonding of brickwork
6. Method statement
7. Details to be approved
8. Rainwater goods
9. Roof lights set flush
10. Specification of window design / style
11. Garage doors
12. Layout plan

Location Plan: Cheshire East Council Licence No. 100049045



|          |   |  |      |     |                           |  |
|----------|---|--|------|-----|---------------------------|--|
| 10/1680M | THE HOMESTEAD, FANNERS LANE, HIGH LEGH, WA16 0RZ        | Erection of replacement dwelling – resubmission of 10/0094M                  | Dele | N/A | Not determined 06.08.2010 | Dismissed 02.02.2011   |
| 10/0533M | THE NURSARY, SWANSCOE LANE, HIGHER HURDSFIELD, SK10 5TA | Retention of steel framed building, hardstanding & timber office building    | Dele | N/A | Refused 07.05.2010        | Dismissed 03.02.2010<br><br>Application for costs – Refused 03.02.2010 |
| 09/4267M | CEDAR MANOR, ASH LANE, OLLERTON, WA16 8RQ               | Retrospective application for the retention and amendment to attached garage | Dele | N/A | Refused 12.04.2010        | Dismissed 27.01.2011   |
| 09/4268M | CEDAR MANOR, ASH LANE, OLLERTON, WA16 8RQ               | Amendment to existing open storey (retrospective)                            | Dele | N/A | Not determined            | Dismissed 27.01.2011   |

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