

**Application No:** 06/0236P  
**Location:** LAND AND BUILDINGS AT PARK GREEN MACCLESFIELD SK117NA  
**Proposal:** MIXED USE DEVELOPMENT COMPRISING 87 NO. APARTMENTS AND 1077 SQ. M. BUSINESS FLOORSPEACE WITH ASSOCIATED CAR PARKING , ACCESS AND SERVICE ARRANGEMENTS (FULL PLANNING)  
**For** PH PROPERTY HOLDINGS LTD AND GRADUS LTD  
**Registered** 08-Feb-2006  
**Policy Item** Yes  
**Grid Reference** 391975 373174

## **DATE REPORT PREPARED**

6-8 April 2006

## **POLICIES**

The part of the site to the east of the River Bollin is in the Park Green Conservation Area. The Georgian Mill on the site and the adjacent Chapel Mill are Grade II listed. The Local Plan identifies the site as a Mixed Use Regeneration Area, an Area of Archaeological Potential and the River Bollin is identified for environmental improvement. Relevant Policies consist of Regional Planning Guidance 13 Policies UR7-10, ER3-5, EQ1 & T8 Cheshire Replacement SP 2016 Policies R1, GEN1, GEN3, HOU1-HOU3, T1-3 and Macclesfield Borough Local Plan Policies NE9-11, BE1-5, BE15-19, BE21, BE23, BE24, RT5, RT7, H1-H3, H6, H8, H9, E11-14, T3-T5, MTC18, MTC19, MTC22, MTC27, IMP1, IMP4, DC1-8, DC17-18, DC20, DC34-DC40 & DC63.

In addition, the Supplementary Planning Guidance documents Restricting the Supply of Housing and Section 106 Agreements are of particular relevance.

## **RELEVANT PREVIOUS APPLICATIONS**

There have been numerous applications on the site relating to the industrial use of the site, but none of direct relevance to this current scheme.

## **CONSULTATIONS**

**Highway Authority** - No objections raised to the principle of development, subject to conditions. There is general agreement with the Transport Statement regarding generated traffic and the identifiable differences between the existing uses of the site(s) and the proposed uses the subject of the application. No provision has been made for residents cycle parking and this could be met by the imposition of a condition. Amendments to the plans

originally submitted are required with respect to the precise alignment, the provision of turning facilities and a footway on Maydews Passage. Comments on the revised plans are awaited.

**Cheshire County Council (Environmental Planning)** – comments awaited.

**Cheshire County Council (Archaeology)** – the submitted archaeological assessment shows that mills were first developed in the area in the late 18<sup>th</sup> century. The report makes a number of recommendations, including the recording of buildings and a programme of archaeological evaluation, which should be carried out before the application is determined. Any subsequent investigations and a watching brief for parts of the site can be dealt with by conditions.

**Cheshire Constabulary** – comments awaited

**Head of Environmental Health** – no objection subject to further investigation for contamination of the site and where appropriate remediation is required.

**Head of Service (Waste)** – makes recommendations regarding the provision for waste disposal and recycling from the development. Vehicles will need to be able to obtain close access to bins and room should be provided to allow safe manoeuvring of vehicles.

**Community Leisure** – comments awaited

**Environment Agency** - no objection in principle (subject to conditions). There would have been a preference for a longer stretch of the existing River Bollin culvert to be removed. The Agency actively encourages culverts to be opened up. The submitted Flood Risk Assessment is acceptable.

**United Utilities** - no objection assuming on a separate system with only foul drainage connected to drainage onto a separate sewer. Further comments are made with respect to the applicants undertake statutory duties with regard to relevant infrastructure.

**Manchester Airport** – no conflict with safeguarding criteria.

**The Georgian Group & English Heritage** – see report for application 06/0235P.

## **PUBLICITY**

Newspaper advertisement, site notices and neighbour notification. The last date for comments was on 15.03.06 and a further opportunity to comment on revised plans lasts until 19.04.06.

The applicants have also submitted a Statement of Community Involvement. This outlines the consultation that took place prior to the application. It also refers to the public exhibition which took place at the Town Hall on 15.02.06, a

summary of the feed back received and how this has been responded to in the form of revised drawings submitted on 31.03.05.

## **REPRESENTATIONS**

Two residents from Waterside object to the fact that the plans (as originally submitted) show the car park under the Silk Road extending into their rear gardens. Concern is raised if the cycle/walkway runs to the rear of their property.

The East Cheshire Drug Service occupies premises on the corner of Brook Street and Maydews Passage, and the reception opens directly onto the latter. The use of the centre during rebuilding and the amenities of the occupiers would be adversely affected.

F. Harding Ltd state they have been forced to move, not because of the development, but due to a decline in the character of the area causing difficulties loading and unloading goods as well as vandalism. The redevelopment would help regenerate this historical, but run down part of the town.

## **APPLICANT'S SUBMISSION**

A number of documents have been submitted in support of the application. These include a Planning Statement, a Statement of Community Involvement an Urban Design and Landscape Statement, Transportation Statement, Contaminated Land Study, Market Viability Study, a Statement prepared by Gradus, a Flood Risk Assessment, an Acoustic Assessment, an Ecological Report and an Archaeological Assessment. These are available for inspection and the following is a brief summary of some of the salient points from the Planning Statement.

The site is in a highly sustainable location, within the defined town centre. The buildings have reached the end of their economic life and are ill suited to the accommodation needs of modern occupiers. The statement by Gradus highlights that one of the main reasons for its desire to relocate are the deficiencies associated with the existing buildings which impact adversely on its economic competitiveness. Similar considerations would apply to any other potential occupiers.

The proposals are compliant with Local Plan policies H2, H3, H5 and H6. The linked proposals for affordable housing at Jack Lee Mill confirm that this scheme is also capable of complying with H8. In relation to the Council's Restrictive Housing Supply policy, the apartments within Georgian Mill clearly fall within the exception category due to its listed status. The remainder of the scheme is compliant with the SPG policy as an urban regeneration scheme within a key town centre Conservation Area. In this regard, the following factors are directly relevant:

- The existing industrial uses are not governed by any planning permissions with conditions limiting hours of operation or the nature of the activities carried out.
- Once vacated there is potential for the sites to be occupied by a range of low grade commercial activities likely to cause environmental disbenefits to the local area.
- The current operation suffers severe constraints due to the limited servicing and difficult access arrangements, which exist. This is a major factor in Gradus' decision to relocate. There are very limited opportunities for turning and manoeuvring of vehicles other than on the public highway.
- Removal of unattractive industrial buildings and their replacement by a well designed composition.
- Restoration of the listed Georgian Mill providing an enhanced setting. Removing the unsightly and poor quality extension (erected following fire damage to the original structure) and its replacement by a more appropriate new building, thereby benefiting the setting of the listed building and wider Conservation Area;
- Enhancements and environmental improvements to the public realm in and around Park Green;
- Stopping-up of Maydews Passage to through traffic, providing a safer and more pleasant pedestrian / cycle environment at the centre of the Conservation Area.
- Creation of some 160m of the Bollin Way through the site, which is only made possible through redevelopment of the existing buildings.
- Providing the essential cross-funding to enable development of a substantial number of affordable housing units at Jack Lee Mill.
- Facilitating Gradus's relocation, the Borough Council will directly help to underpin existing employment in the town by this company, and enable it to retain a competitive advantage, enhancing future growth and job prospects.

## **KEY ISSUES**

The application site covers roughly 0.67ha and relates to a group of primarily industrial buildings at the southern end of the town centre either side of the River Bollin. A detailed description of the site is not provided here since the Committee are due to visit the site. The main components of the scheme comprise the following:

- Conversion of Georgian Mill to 15 residential apartments;
- Demolition of the existing later additions to the Georgian Mill (including the industrial sheds to the rear) and erection of a new 3 storey wing containing 15 apartments;
- Demolition of Waterside (Harding's) Mill and its replacement with a 4/5 storey new building containing 24 apartments and 971 sq. m of office floor space.
- Demolition of all the Park Green Works between the River Bollin and Maydews Passage (with the exception of 42 Park Green which is retained as offices) and construction of a new 3 storey building

fronting Park Green, continuing alongside the River Bollin through to Brook Street. This would contain 31 apartments;

- A new building comprising 2 single storey houses fronting Brook Street to the east of the River Bollin to replace the existing Eddie Connor joinery workshop;
- Car parking spaces including on the 2 outlying parcels of land; one is between the neighbouring brewery and the railway embankment and the other is between the river and Waterside, being partially underneath the elevated Silk Road;
- Construction of a new public walkway along the River Bollin, which is a 3m wide combined footway / cycleway.

## RELEVANT PLANNING POLICIES

The most critical policies are those contained in the Housing and Macclesfield Town Centre Chapters of the Local Plan. The site forms part of the George Street Mixed Use Regeneration Area<sup>1</sup>. Policy MTC18 states,'

**'The Borough Council will encourage the revitalisation of the area principally by the re-use of existing buildings for employment (B2) and offices (B1) together with enhancement of the River Bollin corridor.**

*Reason: George Street is an old industrial area on the edge of the town centre. In order to secure the retention of the old buildings a mix of new uses may be permitted. The juxtaposition of the River Bollin and the textile mills is part of the character of the area. The Borough Council proposes to enhance the Bollin corridor as part of the wider improvements of the river.'*

Clearly the whole emphasis of the scheme is the revitalisation of the area, but the question arises whether the mix of uses is appropriate given the primary proposed use being residential. The other main issue of principle relates to the Restrictive Housing Policy as set out in Structure Plan policy HOU1 and Local Plan Policy H1. These 2 issues relating to the principle of the residential use are returned to at the end of this report once other more detailed matters have been considered.

Policies H3, H5, H6 and various other policies in the Local Plan (notably in the Development Control chapter) set out criteria for considering residential development. These are referred to at appropriate stages in the report. Notwithstanding the restrictive housing policy, Policy H8 requires that on all developments 25 or more dwellings the council will negotiate for 25% of units to be affordable. On this site none are proposed for the reason that they would be provided at nearby Jack Lee Mill. Taking the 2 sites together the overall level of affordable provision would be 41%. This equates to 24 more affordable units than required by Policy H8. This is a positive aspect of the scheme and a link will be required in a Section 106 agreement to ensure that the affordable housing is delivered.

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<sup>1</sup> Despite its name, the site does not lie in the Park Green Mixed Use Regeneration Area (Policy MTC14), which is situated further to the west between Park Lane and Park Street.

The density of the scheme is undoubtedly high at roughly 130 dwelling/hectare. However, the applicants are correct to highlight that in areas with good access to services, such as town centres, Policy H3 and PPG3 encourage higher concentrations than the normal standard of 30-50. Therefore, an objection to the proposed density is not raised subject to other planning criteria, including the quality of the design, not being adversely compromised.

## **DESIGN AND CONSERVATION**

These are critical issues given the important location of the site, its high density and the fact that much of the site is Conservation Area with prominent listed buildings on or adjacent to it. Even those areas outside of the Conservation Area, to the east of the river, are crucial to its setting. As discussed in the report for listed building application 06/0235P, the principle of the change of use of the Georgian Mill and the new wing to its rear are considered to be acceptable. It would also comply with criteria in Policy E12 with respect to the conversion of redundant mills. The development would also enhance the setting of the adjacent listed Chapel Mill by removing the overly dominant neighbouring industrial sheds.

The dominant design theme of the development would be of elongated 3 storey brick buildings with slate roofs, possessing an overall form and fenestration pattern reflecting the general appearance of the mill buildings, which are characteristic of the townscape along the River Bollin. The more traditionally designed buildings, as proposed, would incorporate more modern secondary design features, such as glazed projecting panels on their gable ends, helping to avoid an appearance which is too much of a pastiche. Officers have seen inspected examples of buildings adopting a similar design approach in regenerated former textile mill areas in Manchester and in this instance it is considered this translates well to this part of Macclesfield, given the similar heritage.

A secondary design theme is of buildings, which would be of a more modern design in their own right. There is no objection to this in principle since prevents the development becoming too homogenous. As originally submitted, these were the aspects of the scheme which were less successful for a number reasons. In the case of the building facing Chapel Mill adjacent to the river, which would have a largely glazed frontage, the main issues related to scale and massing compared to the adjacent building in the terrace, 42 Park Green, which possesses a diminutive and cottage like quality. The revised plans address this point since part of the proposed building joining the 42 Park Green has been significantly reduced in height so that it is no longer overly dominant. To avoid conflict with adjacent residential property, the 2 dwellings on the Eddie Connor site facing Brook Street have had to adopt a single storey design. They occupy an important position adjacent to the proposed river walkway. They both face into an internal courtyard, which as originally proposed, resulted in a design, which was too unassertive and largely bereft of any external features such as windows and doors. The

revised plans improve the design by introducing more external fenestration and provide greater variety in the roofscape and materials.

The most prominent building of modern design would be the part of the building on the Harding's Mill site facing Waterside and Lower Bank Street containing offices. It would be largely clad in zinc and glass would be 4 storey. As with some of the other buildings on the site, the height has had to be elevated by roughly half storey to avoid flood risk. As a result the main bulk of the building would be 18.7m with a glass tower on the corner reaching 21m. Local Plan Policy BE1 states that buildings in the Borough should not normally exceed 3 storeys, but in this location an exception is merited given the character of the area, which is of substantial mill buildings set in the valley. A building in this particular location also demands a more robust presence since it needs to compete with the adjacent Silk Road flyover, which is also an important vantage point when viewing the site as whole. However, the height is not so great that the building would be too dominant compared to the listed Georgian and Chapel Mills.

The detailed design of the revised plans was still being assessed at the time of preparing this report. However, if any further amendments are required they would be of a cosmetic nature and would not relate to the overall form and character of the development. It is concluded that the proposal would enhance the character of the Conservation Area and help preserve the listed mill. It would therefore comply with relevant Local Plan policies relating to the conservation and design of the built environment.

The site is also within an Area Of Archaeological Potential (Policies BE23 and BE24) and the comments of the County Council regarding this issue should be noted. The applicants have been requested to undertake some additional investigative works prior to determination of the application, so that a clearer picture of the impact on any archaeological remains can be obtained.

## **SITE PLANNING FACTORS**

One of the benefits associated with the scheme is the improvement to residential amenity with the removal of industrial uses. The redevelopment also provides an opportunity to remove any contamination of land. Nonetheless, it remains important that the proposed development does not harm the amenities of existing residents. Those closest to the site live on Brook Street and Allen Street. The rear of the terrace on Allen Street would face the proposed building running parallel to the Bollin and the minimum gap would be 19m. The distance standards in Policy DC38 need to be adjusted to take account of the fact that the existing houses are at a higher level roughly equivalent to one storey. It would still be 6m short of the standard at its closest point, but taking account of the benefits associated with the removal of the unneighbourly uses, the general enhancement of the environment and the need to retain the tight urban grain in the development, it is not considered that an objection is warranted. No objections have been received from Allen Street residents.

The plans as originally submitted showed the parking area situated under the Silk Road flyover encroaching into the rear gardens of two houses on Waterside. Understandably, the residents concerned objected. This was an unfortunate drafting error and this has been rectified by the revised plans.

## **IMPACT ON THE RIVER BOLLIN**

The relationship with the river is fundamental to the success of the scheme. It has helped shape the industrial heritage of the area, but partly as a result, it has been enclosed by development, and in the case of the southern end of the site, culverted. It has been the long stated objective of the Borough Council to improve the environment of the river and open it up for public access with the creation of a continuous walkway through the town. These are requirements of Local Plan Policy MTC27 and the scheme provides a walk /cycleway along the river's entire length through the site (160m). Policies NE9, NE10, RT7, T3 and MTC18 also encourage such a feature. One minor reservation is that a 20m stretch currently under the Harding's Mill would remain culverted. As part of the revised plans the applicants were asked to increase the route's width at its northern end and ensure it was accessible to all potential users including the disabled. The submitted revisions are still being assessed, but in principle the provision of the route and associated environment works are welcomed. It is the intention that the route would be transferred to the Borough Council's ownership for its future maintenance and this would need to be included in a legal agreement.

Much of the site is a designated Flood Risk Area and this has affected the design mainly by locating parking at ground level with accommodation on the storeys above. This would help conceal some of the parked vehicles and has been achieved in a manner, which does not adversely affect the overall composition of the scheme to any significant degree. It is important to note that the Environment Agency raise no objection, having considered the Flood Risk Assessment.

## **OPEN SPACE AND LANDSCAPING**

Apart from the route adjacent to the Bollin, there would be minimal private or public amenity space. Local Plan policy DC39 indicates that dwelling should normally possess a rear garden. Unlike in the majority of the Borough, the provision of domestic gardens would not be entirely in keeping with such an urban setting and private amenity space has not always been required in connection with residential mill conversions or on town centre sites. This places a greater burden on recreational facilities in the area and the applicants would be expected to make a financial contribution towards the Borough Council's sports, recreational and open space facilities as required by policies in the Local Plan. The payment of the sum would be included in the legal agreement and would be based on guidance in the Section 106 SPG, also taking account of the costs associated with the walkway provision.

The only existing trees on the site are some relatively poor quality specimens adjacent to the Bollin. No objection is raised to their loss. The quality of both



hard and soft landscaping is critical to the setting of the development. A number of detailed issues were raised with respect to the plans as originally submitted. The applicants were requested to increase the number of trees to offset the hard urban form of the proposals and break up the parking areas. The revised plans seek to address these issues and comments will be provided when they have been fully assessed by officers.

## **NATURE CONSERVATION FEATURES AND IMPLICATIONS**

It is agreed that the Ecological Surveys submitted with the application were conducted in a suitable manner and they found no evidence of specifically designated protected species have been found. Some evidence of breeding birds was found and they are protected by statute. The river corridor would be a suitable environment for bats and artificial roosts could be provided. Japanese Knotweed exists in the river and it is an offence to let it grow due to its invasive nature. Conditions can address these points.

## **HIGHWAY AND TRANSPORT IMPLICATIONS**

The starting point for assessing the Transport Assessment is the potential traffic generation of the existing uses. The narrow streets serving the site are clearly unsuited to HGVs. The Highway Authority are satisfied with access and parking arrangements, subject to provision of a footway on Maydews Passage which would be main vehicular access serving the northern part of the site. This has been incorporated into the revised plans.

## **OTHER MATERIAL CONSIDERATIONS**

The availability of such a large site for development is largely as a result of the coincidental transfer of two companies from sites in the town to new premises more suited to their needs at roughly the same time. Gradus would retain Chapel Mill as offices and a site at Clowes Street, while the remainder of their operations would transfer from the proposed redevelopment sites across the town to new purpose built facilities at Lyme Green. Harding's are in the process of moving their business to the former Rieter Scragg site at Langley. Thus a synergy exists, whereby the companies are able to maintain their competitiveness and contribution to the local economy by moving to premises more suited to their current needs, while the redevelopment offers a chance to regenerate this prominent and historically important part of the town.

## **STRATEGIC IMPACT OF THE DEVELOPMENT AND CONCLUSION**

Having considered the details of the scheme, it is necessary to return to the question of whether the proposals comply with Policy MTC 18 and the Restrictive Housing Policy.

It is accepted that policy MTC18 states that the regeneration of the area will be principally achieved by the reuse of buildings for employment (B2) and offices although it does not specifically preclude housing as an appropriate

use. As previously explained, the site is unsuited to industrial uses while it is considered there are adequate opportunities for offices in designated Regeneration Areas and Mixed Use Areas elsewhere in the town centre. When interpreting the policy with regard to the site it is considered that any concerns relating to the mix of uses are clearly outweighed by the fact that the scheme would revitalise the area and enhance the river corridor, which are also referred to in the text.

With respect to the Restrictive Housing Policy, the Structure Plan policy HOU1 indicates figures as to the number dwellings, which may be permitted in the Borough. In the period 2006-11 no more than 200 per annum should be permitted. It also gives priority to certain types of development including brownfield locations in sustainable locations, which promote regeneration.

The Borough seeks to limit the housing supply by means of qualitative criteria set out in the relevant SPG. Paragraph 3.1 sets out exception categories where new housing will normally be accepted. Of these, the only one relevant to this application is the reuse of listed buildings, where it can be demonstrated that housing is the only viable and appropriate means of securing the future of the building. This applies to the conversion of the Georgian Mill, which would contain 15 apartments. This leaves 72 apartments that still need to be justified on the basis of the other exception categories 'that will need to be considered on their merits'. The 'enabling development' category is of some relevance since a reasonable case has been made 'that the public benefits clearly outweigh the public harm'. However, this does not form the main thrust of the applicant's case and there has not been a full disclosure of all financial aspects of the scheme.

The case put forward primarily relates to the Urban Regeneration category, which is defined as such:

*Some housing developments are likely to be presented as urban regeneration schemes; the claim is likely to be that they improve the environment. Such schemes local facilities/services e.g. garages, workshops and public houses in residential areas. The Council will need to treat each scheme on its merits taking into account the degree of incompatibility of the existing use in the residential area and the extent to which the proposal delivers significant community benefits on the site.*

The Borough Council has not as yet granted any development under this category and a cautious approach should be adopted, since if applied too generously it would quickly result in an oversupply of dwellings. If the application is to be approved, it is necessary to establish that a precedent would not be set that could be repeated too often. One clear distinction is the fact that the Local Plan designates the site as a Mixed Use Regeneration Area, a policy allocation which only exists within parts of central Macclesfield. Positive factors with regard to SPG include the enhancement of the environment which is Conservation Area containing listed buildings, the removal of unneighbourly uses and community benefits, including the provision of the Bollin walkway and a proportion of affordable housing at a

level higher than normally anticipated by Policy H8. On the basis of the particular combination of benefits associated with the scheme it is considered that the necessary reassurance exists to make a recommendation of approval, subject to the conditions and Legal Agreement as detailed below.

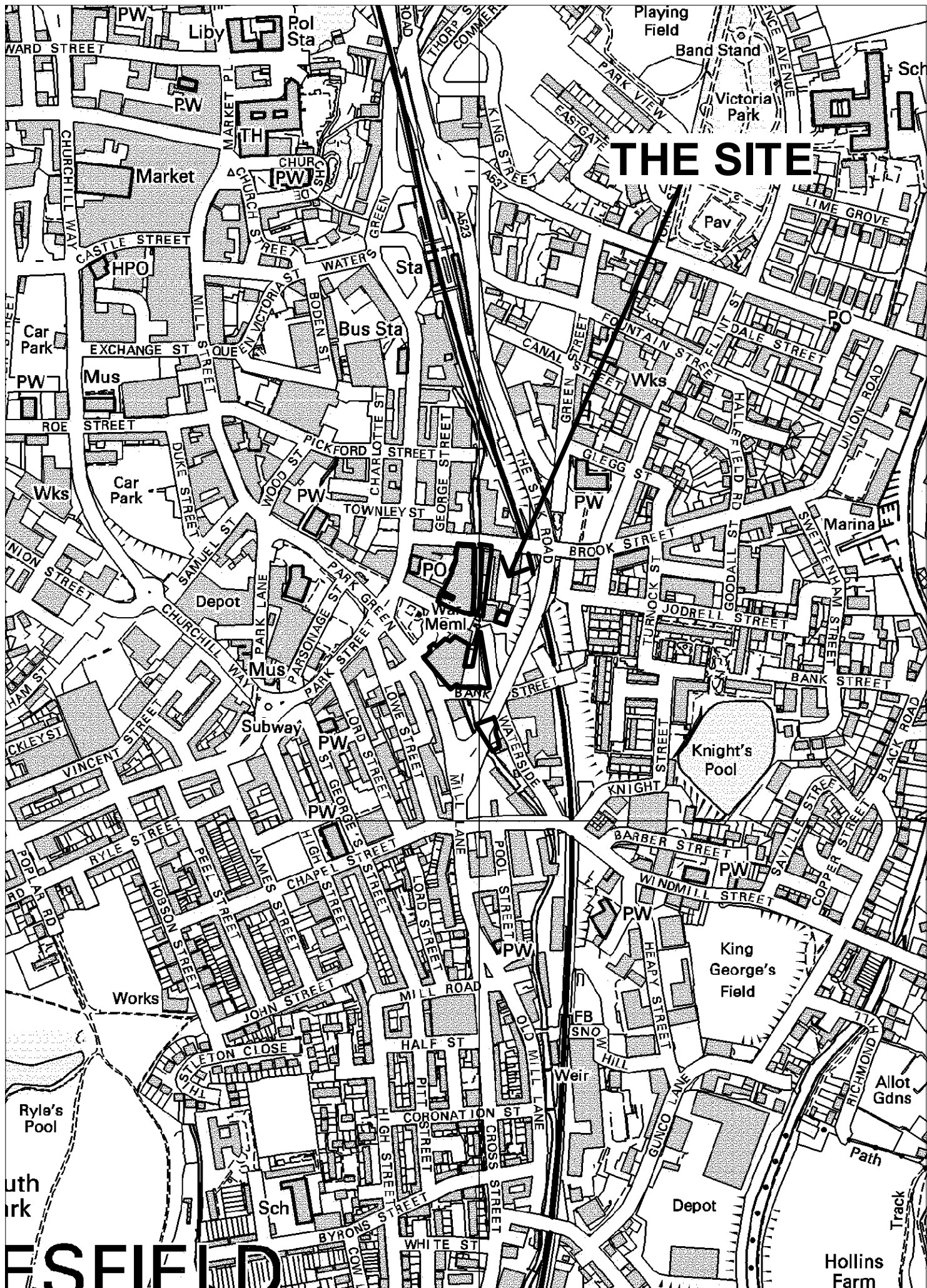
## **OTHER RELEVANT INFORMATION**

A Committee site visit is due to take place on 20 April 2006.

## **HEADS OF TERMS**

The Section 106 agreement would need to contain requirements for the following. Discussions were still taking place with the applicants so the precise details may change.

- Ensuring provision of a new walk/cycleway adjacent to the River Bollin within an agreed timescale and the transfer of the land on which it would sit to the Borough Council.
- Commuted payments towards sport and recreational facilities in the town, taking account of the costs of providing the walk/cycleway.
- Phasing of the development site to ensure the delivery of the 'planning gain' aspects of the scheme - i.e. the walkway, the conversion/upgrading of the listed Georgian Mill and the affordable housing at Jack Lee Mill within an appropriate timescale.



06/0236P: LAND AND BUILDINGS AT PARK GREEN, MACCLESFIELD

N.G.R: 391,990 - 373,240

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