

**Application No: 10/3614M**

**Location: LAND AND BUILDINGS AT, PARK GREEN, MACCLESFIELD**  
**Proposal: EXTENSION OF TIME FOR PERMISSION 06/0234P**  
**(CONSERVATION AREA CONSENT) - PART DEMOLITION OF**  
**NON-LISTED BUILDINGS FOR REDEVELOPMENT**  
**(CONSERVATION AREA CONSENT)**

**For PH PROPERTY HOLDINGS LIMITED**

**Registered 07-Sep-2010**  
**Policy Item Yes**  
**Grid Reference 391975 373174**

**Date Report Prepared: 7<sup>th</sup> January 2010**

<b>SUMMARY RECOMMENDATION</b>	Approve subject to conditions
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**MAIN ISSUES**

- Whether there has been a significant change in circumstances or policy since the original grant of permission for 06/0234P.
- Whether there is sufficient information submitted to enable an extension of time to the original full permission 06/0234P to be granted.

**REASON FOR REPORT**

This application seeks Conservation Area Consent for the demolition of all non-listed buildings on the site described in the reports for applications 10/3545M and 10/3615M, which can be found elsewhere on the agenda. This application is before the Committee at the discretion of the Head of Planning and Housing.

**DESCRIPTION OF SITE AND CONTEXT**

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. The site is located in the Park Green Conservation Area.

**SCOPE OF THIS APPLICATION**

Extensions to the time limits for implementing existing planning permissions were brought into force on 1 October 2009. The new system was introduced in order to make it easier for developers to keep planning permissions alive for longer during the economic downturn. It includes provisions for a reduced fee and simplified consultation procedures.

As a matter of law the Northern Planning Committee decides applications afresh: resolutions which vary from previous decisions may be justified by change of circumstances, or of weight. For this type of application, the Government's advice is for Local Planning Authorities to take a positive and

constructive approach towards applications that improve the prospects of sustainable development being brought forward quickly. The development proposed will, by definition, have been judged acceptable in principle at an earlier date. It is the Government's advice that Local Planning Authorities should only look at issues that may have changed significantly since that planning permission was previously considered to be acceptable in principle.

In short, it is not intended that Local Planning Authorities should re-open debates about principles of any particular proposal, except where material circumstances may have significantly changed, either in local plan policy terms or in terms of national policy or other material considerations.

### **DETAILS OF PROPOSAL**

This is an application for an extension of time to the Conservation Area Consent application for the demolition of all non-listed buildings on the site described in the reports for applications 10/3545M and 10/3614M. In effect, these consist of the Park Green Works situated between Maydews Passage and the River Bollin. Apart from no. 42 Park Green, which would be retained, they consist of an assorted collection of 20<sup>th</sup> Century industrial buildings, which detract from the character and appearance of the Conservation Area.

The current application (received on 07 September 2010) was received whilst the original application was an extant permission. Whilst the guidance advises Applicants not to leave their applications to the last minute, it remains clear that this application was submitted in time and therefore should be determined as a valid application.

### **RELEVANT HISTORY**

See report for application 10/3545M.

### **POLICIES**

#### **Regional Spatial Strategy**

Relevant Policies consist of the Regional Spatial Strategy Policies EM1 and DP7

#### **Local Plan Policy**

Macclesfield Borough Local Plan Policies BE2, BE3 and BE4.

#### **Other Material Considerations**

National Planning Guidance in the form of: -

PPS5: Planning for the Historic Environment was published in March 2010. The scheme, which was submitted under 06/0236P was accompanied by a comprehensive Design Statement, which is considered to embrace the principles embodied within PPS5 in terms of consideration of the heritage asset.

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

None

## **OTHER REPRESENTATIONS**

No representations had been received at the time of report preparation.

## **APPLICANT'S SUPPORTING INFORMATION**

See report for application 10/3545M.

In addition, the developer would like to demolish the buildings as soon as possible as a result of ongoing significant anti social behaviour and health and safety concerns. Due to the economic climate, the developer is not in a position to enter into a contract committing to the replacement of the buildings. Therefore, the developer request that the "contract" conditions referred to on the original Conservation Area Consent and Listed Building Consent decision notices are replaced with a condition which requires a scheme to be submitted to the Local Planning Authority for approval to ensure the sites remain tidy following demolition. The developer would like to provide hoardings to the same standard as the Key Worker Hoardings at the hospital site which can be maintained to a standard acceptable to the Local Planning Authority.

## **OFFICER APPRAISAL**

### **MATERIAL CHANGES IN POLICY AND MATERIAL CHANGES IN CIRCUMSTANCES SINCE THE SCHEME WAS ORIGINALLY GRANTED PERMISSION**

There are not considered to be fundamental changes in policy or other important material considerations since the original application was determined in 2007.

The National Guidance in PPS5 states that Conservation Area Consent should only normally be granted if an acceptable scheme of replacement exists. This is to prevent the creation of derelict sites. In the event that planning application 10/3545M were to be refused, it would be appropriate to change the recommendation on this application to one of refusal.

## **OTHER CONSIDERATIONS**

It is noted that no comments have been received from any local residents. The scheme which was approved under application 06/0234P was considered to be acceptable on its merits and full consideration to all the relevant planning matters. It is not considered that it would be appropriate to re-open the debate about the principles of the proposal as material circumstances do not appear to have significantly changed.

Officers have considered the request from the developer to demolish the non-listed buildings prior to a contract for the carrying out of the works for redevelopment of the site has been made in accordance with the proposals which have received planning permission under reference 10/03545M (or any other relevant planning permissions for this site). However, officers are of the view that this request should be denied, as the demolition should only occur as a precursor to redevelopment. The anti-social behavioural and health and safety concerns could possibly still be an issue, even after demolishing the

building, and there is no guarantee that a hoarding would be sufficient to keep intruders out of the site. Given that the site is in a prominent location in a Conservation Area, it is not considered that leaving a vacant site would be acceptable. The existing buildings at least relate to Macclesfield historic setting, whereas an empty site could be difficult to keep tidy and could result in a number of other planning related difficulties in due course. It is due to this lack of uncertainty, that this request should be declined and the 'normal' condition requiring a contract of works to be in place should be attached.

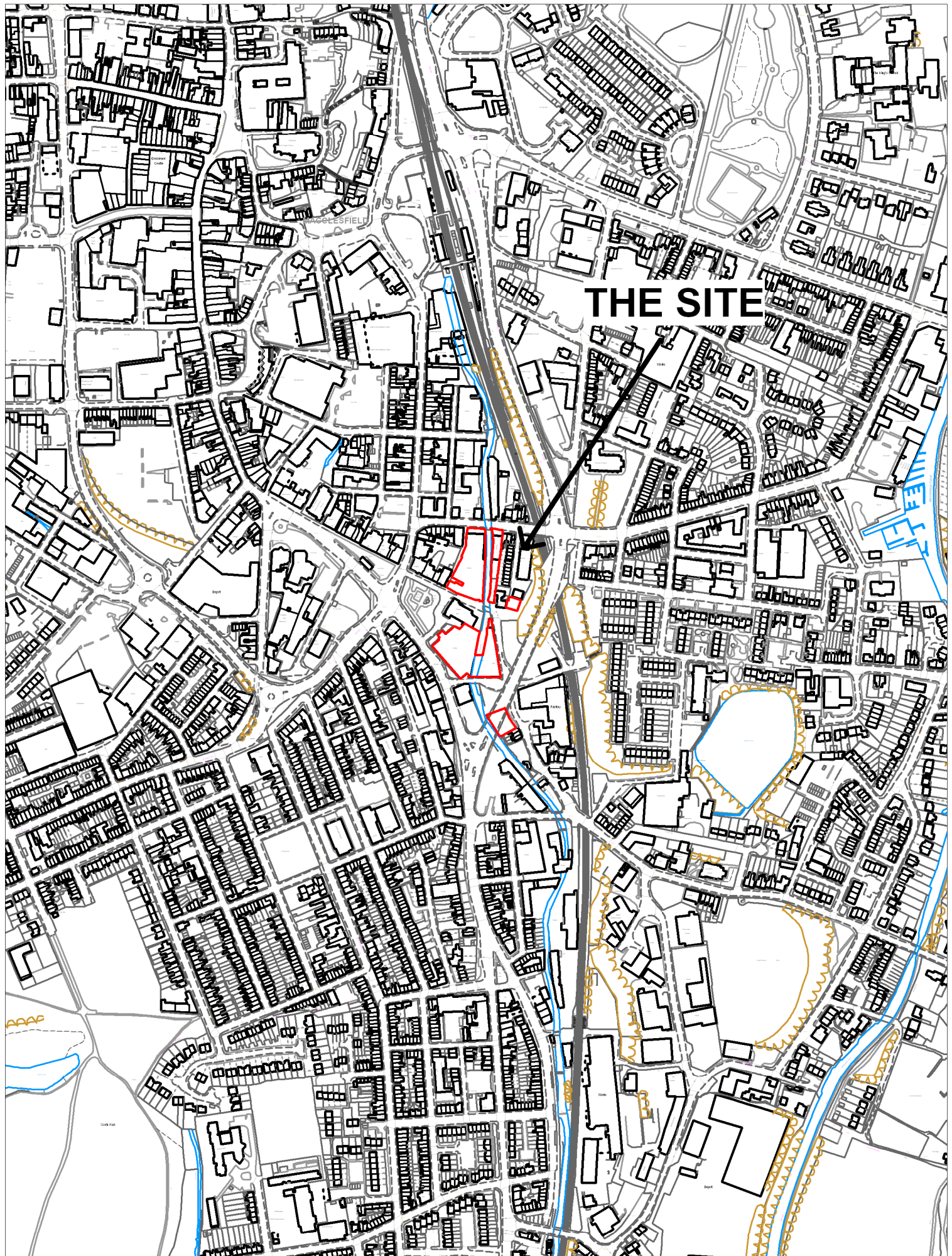
### **CONCLUSIONS AND REASON(S) FOR THE DECISION**

There are no objections to an extension of time for the implementation of this permission for a further three years. There have been no material changes in circumstances since application 06/0234P was granted which would warrant a refusal of this application for an extension in time for the implementation of the permission.

Application for **Extension to Time Limit**

### **RECOMMENDATION : Approve subject to following conditions**

1. A03CA - Commencement of development
2. A02CA - Demolition as precursor of redevelopment



10/3614M LAND AND BUILDINGS AT, PARK GREEN, MACCLESFIELD

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