

Application No: 23/3363M

Location: 6A, BARTON STREET, MACCLESFIELD, SK11 6RX

Proposal: Demolition of an existing vacant car garage and the construction of two residential units.

Applicant: Mr Simon Green, Greenacre Developments

Expiry Date: 06-Nov-2023

SUMMARY

The principle of residential development within Principal Towns such as Macclesfield is supported subject to its adherence with other relevant policies of the development plan. The loss of an existing employment site is considered to be acceptable in this case.

The proposals would be of an acceptable design, that would not result in any significant neighbouring amenity issues.

Although no off-street parking is proposed, this is also the situation with the existing use. In addition, the site is located not far from the Macclesfield town centre so is within walking & cycling distance to all public amenities.

For the above reasons, the application is recommended for approval.

SUMMARY RECOMMENDATION

APPROVE subject to conditions

REASON FOR REPORT

The application is to be presented at Northern Planning Committee because it has been 'called-in' to committee at the request of Cllr Liz Braithwaite for the following reasons:

"I have significant concerns about the impact of this development for the following reasons: Overdevelopment - the proposal for 2 3-storey 4-bedroom terraced houses is out of keeping with the surrounding area. The proposal lacks any parking in an area which already suffers from on-street parking and does not meet the required CEC parking standards. Public transport has diminished greatly in Macclesfield and is no longer relevant when citing it as a reason to avoid parking provision.

The internal design lends itself to multiple occupancy, which again worsens car parking.

There does not appear to be any external amenity space. Representations from a neighbour indicate that the land may not even belong to the applicant.

The previous use of the land may indicate contamination.

Loss of employment land.

Adverse impact on the residential amenity of neighbours, including overlooking and increased parking pressure.

For the above reasons I feel that the application warrants the consideration of the planning committee."

DESCRIPTION OF SITE AND CONTEXT

The application site consists of an existing workshop situated in a terraced street within the settlement boundary of Macclesfield, close to the town centre.

The surrounding properties are all fairly uniform, consisting of brick built, two storey terraced dwellings.

DETAILS OF PROPOSAL

Full planning permission is sought for the demolition of the existing car garage and the erection of two terraced dwellings.

Amended plans have been received during the course of the application removing the dormers within the rear roof plane.

RELEVANT HISTORY

None.

POLICIES

Cheshire East Local Plan Strategy 2017 (CELPS)

MP1 Presumption in Favour of Sustainable Development
PG2 Settlement Hierarchy
PG7 Spatial Distribution of Development
SD1 Sustainable Development in Cheshire East
SD2 Sustainable Development Principles
IN1 Infrastructure
SC3 Health and Well-Being
SC4 Residential Mix
SE1 Design
SE2 Efficient Use of Land
SE9 Energy Efficient Development

SE11 Sustainable Management of Waste
SE12 Pollution, Land Contamination and Land Instability
SE13 Flood Risk and Water Management
CO1 Sustainable Travel and Transport
CO3 Digital Connections
Appendix C – Parking Standards

Site Allocations and Policies Document 2022 (SADPD)

PG9 Settlement boundaries
GEN1 Design principles
ENV7 Climate Change
ENV16 Surface Water Management and Flood Risk
HER8 Archaeology
HOU1 Housing Mix
HOU8 Space, Accessibility and Wheelchair Housing Standards
HOU12 Amenity
HOU13 Residential Standards
HOU14 Housing Density
HOU15 Housing Delivery
INF3 Highway Safety and Access
INF9 Utilities

Other material considerations

National Planning Policy Framework 2021 (NPPF)
National Planning Practice Guidance
Cheshire East Borough Design Guide 2017

CONSULTATIONS (External to Planning)

United Utilities: no objections

Environmental Protection: no objections subject to conditions related to contaminated land works

Strategic Transport Manager: no objections

Macclesfield Town Council:

“Macclesfield Town Council planning committee would like the planning officer to check this isn’t contaminated land, that there is no asbestos in the garage and that this isn’t an infill development.

The committee also ask that the following polices from the Cheshire East Local Plan- Site Allocations and Development Policies Document- are checked:

- *Policy HOU12- Amenity relating to:*
 - *Loss of sunlight or daylight,*
 - *Traffic generation, access and parking*

- *Policy HOU13- Residential standards.”*

OTHER REPRESENTATIONS

Representations from 11no. different properties have been received with 10no. objections and 1no. in support. A summary of the relevant points can be viewed below:

Objections

- Loss of natural light to the shared area.
- No parking provision would add to the existing traffic problems.
- Potential contamination from commercial use.
- Loss of employment site.
- Would lead to loss of light to bathroom window.
- Out of character.
- Too much needed homes that would look better than the existing garage.
- The proposal would lead to a loss of privacy to opposite neighbours to the rear.

Support

- The removal of the garage would be positive as it causes a blight on the neighbourhood and causes traffic disruption when in use.

OFFICER APPRAISAL

Principle of Development

The application site falls within the Macclesfield Settlement boundary.

Macclesfield is defined as a 'Principal Town' by Policy PG2 of the CELPS. Within such locations significant development will be encouraged to support their revitalisation, recognising their roles as the most important settlements in the borough. Policy PG2 goes on to state that development will maximise the use of existing infrastructure and resources to allow jobs, homes and other facilities to be located close to each other and accessible by public transport.

Policy PG7 of the CELPS sets out that it is expected that Macclesfield accommodate in the order to 4,240 new homes (over the plan period 2010-2030).

SADPD Policy PG9 states that within settlement boundaries, development proposals (including change of use), will be supported where they are in keeping with the scale, role and function of that settlement and do not conflict with any other relevant policy in the local plan.

Policy EG3 of the CELPS states that "Existing employment sites will be protected for employment use unless:

- i. Premises are causing significant nuisance or environmental problems that could not be mitigated; or
- ii. The site is no longer suitable or viable for employment use; and
 - a. There is no potential for modernisation or alternate employment uses; and
 - b. No other occupiers can be found."

The property has been vacant for a number of years and is situated in a residential neighbourhood, where residential uses would be preferable, given the close-knit positioning of surrounding dwellings. The property has been marketed by Barkers Macclesfield with no

interest and was eventually sold at auction to the applicant, who was the only bidder. The property is in a poor state of repair and would require considerable works to upgrade which would not be viable considering the size and location of the plot. Whilst some letters of representation refer to how good the former occupants were as neighbours, another neighbour refers to the former garage causing a lot of disruption. The surrounding properties are all residential and it is deemed the proposed replacement would be in keeping with the role and function of the area. The proposal is therefore considered to comply with policy EG3.

Adherence of the proposals to other relevant policies of the development plan is considered below.

Design and Impact on Character of the Area

Policies SE 1 and SD 2 of the CELPS and GEN 1 of the SADPD between them set out design criteria for new development which is underpinned by achieving high quality design. Design matters that should be considered include height, scale, form and grouping of development, choice of materials, external design features, massing of development and impact upon the street scene. Policy SE7 of the CELPS seeks to protect heritage assets and their setting.

The proposed dwellings as amended follow a very similar design approach to the existing terraced dwellings along Barton Street. Dwellings along Barton Street step up as the levels increase from east to west. This is displayed in the proposed design with a slight step up in the ridge from number 6 and a slightly lower ridge than number 8. The width of the two properties would be commensurate to other properties nearby and the design features would not be out of character to the street.

The Conservation officer initially raised some concern regarding the impact of the proposal on the streetscene due to its full three-storey height and overbearing impact upon the street, also noting that the site is close to the Listed Building at 187 Park Lane. Whilst accommodation remains in the roofspace, this is served by rooflights on the front elevation, and the dwellings now appear as two-storey buildings, more in keeping with surrounding properties. The Listed Building is some distance from the application site, and there is not considered to be any impact significant upon its setting.

The proposal raises no significant issues relating to the character and appearance of the area, and is considered to comply with policies SE1, SE7, SD2, and GEN1 of the Local Plan.

Living Conditions

Policies HOU12 (amenity), HOU13 (Residential Standards) and SE1 (Design) set out that development should ensure an appropriate level of privacy for new and existing residential properties and convey that proposed development shouldn't generally result in any unacceptable impact to neighbouring residential amenity.

The objections have been carefully considered and following discussions with the applicant the rear dormers have been removed. The distance to the rear of the proposed dwellings on Park Lane would measure approximately 16m. While this would be under the recommendations in HOU13 which recommends 21m back to back the relationship would be commensurate to the

relationship of the other dwellings nearby and would be characteristic of this type of terraced development.

The dwellings would be positioned to the north of the shared space so would not lead to any significant loss of direct light to this space. Policy HOU13 states that proposals for housing development should generally include an appropriate quantity and quality of outdoor private amenity space, having regard to the type and size of the proposed development. In this case the shared space would also be the outdoor amenity space for the proposed dwellings. Whilst not private, the shared space is commensurate with the neighbouring properties and is considered to be acceptable in this case.

There are no habitable side facing windows on the adjoining dwellings. Number 6 has an obscurely glazed first floor bathroom window facing towards the application site, and the new building will come in close proximity to it, but this is not classed as a habitable room. The impact is therefore considered to be acceptable.

The proposal is therefore considered to meet the stipulations of policies HOU12, HOU13 and SE1 of the Local Plan and guidance contained within the NPPF.

Highways

There are no material highway implications associated with this proposal, for the demolition of a vacant commercial car garage and its replacement with two residential units, as any traffic generation or on-street car parking that may be associated with the proposed use would be offset by that associated with the lawful commercial use, thus there would likely be no detriment to nearby highways arising.

Furthermore, it is noted that the site is located within an established residential area close to the commercial centre of Macclesfield, with local Bus services and Macclesfield Railway Station also nearby. It is therefore concluded that the site is well placed to encourage trips by walking, cycling and public transport.

The Head of Strategic Transport has no objection to the planning application. No significant highways issues are therefore raised.

Nature Conservation

Ecological Enhancement

Local Plan Policies SE3 and ENV2 require all developments to aim to positively contribute to the conservation of biodiversity. This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with this policy. The Council's Nature Conservation Officer therefore recommends that if planning permission is granted a condition should be attached which requires the submission of an ecological enhancement strategy.

Subject to this condition, the proposal is considered to comply with policies SE3 and ENV2 of the Local Plan.

Other Matters

Policy SE12 of the CELPS seeks to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality, surface water and groundwater, noise, smell, dust, vibration, soil contamination, light pollution or any other pollution which would unacceptably affect the natural and built environment, or detrimentally affect amenity or cause harm.

The contaminated land officer has noted that the application is for a proposed use that would be particularly vulnerable any contamination present or brought onto the site; the application area has a history of vehicle maintenance use and therefore the land may be contaminated; and no information relating to contaminated land was submitted in support of the application. Conditions relating to contaminated land are therefore recommended.

Environmental Protection have also recommended a condition relating to the installation of low emission boilers. However, such a condition is not considered to be necessary or reasonable in this case.

Subject to conditions the proposal will comply with policy SE12 of the CELPS.

The site is located within flood zone 1 and no flood risk concerns are raised.

CONCLUSIONS

The principle of residential development within Principal Towns such as Macclesfield is supported subject to its adherence with other relevant policies of the development plan. The loss of an existing employment site is considered to be acceptable in this case.

The proposals would be of an acceptable design, that would not result in any significant neighbouring amenity issues.

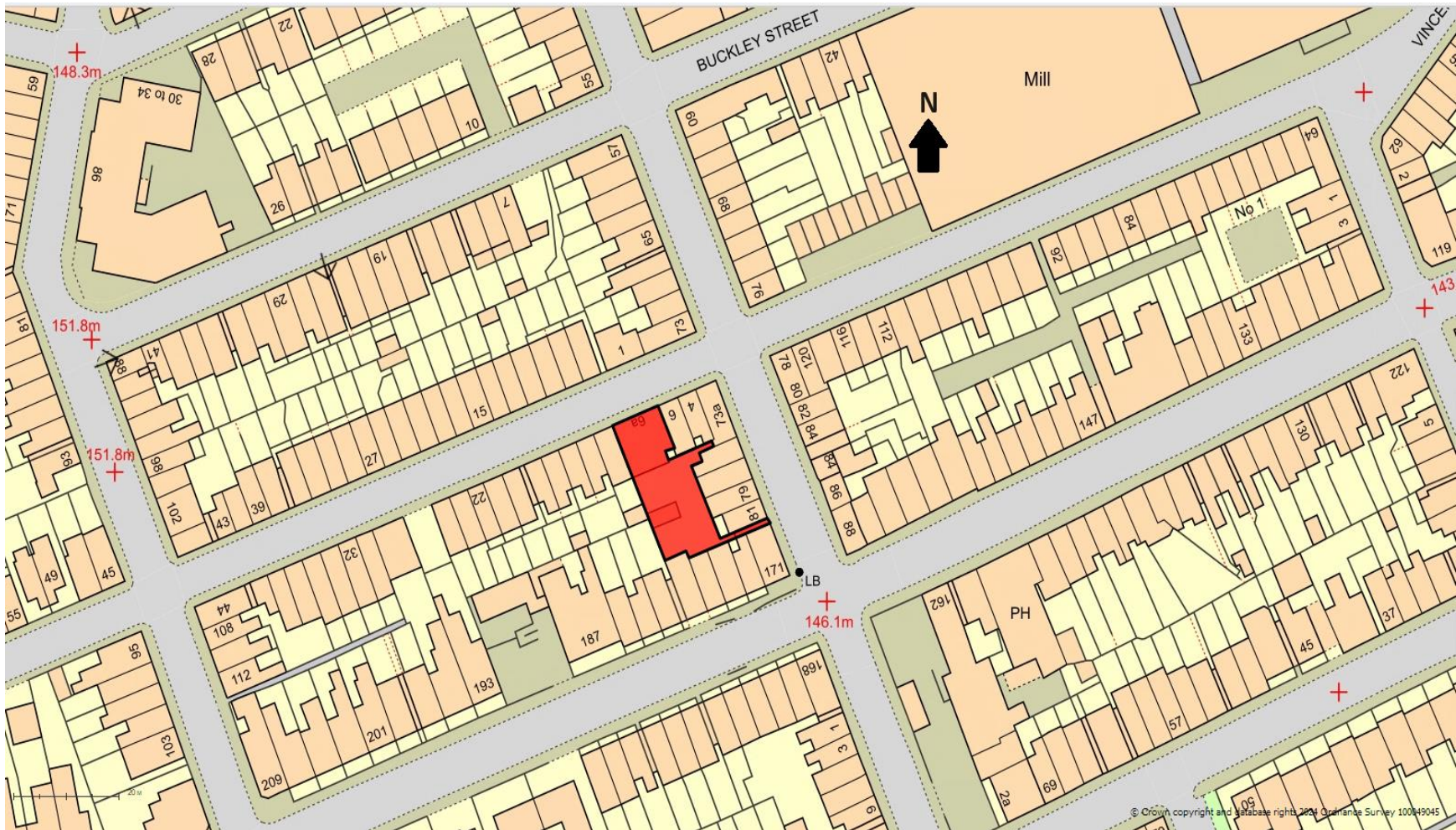
Although no off-street parking is proposed, this is also the situation with the existing use. In addition, the site is located not far from the Macclesfield town centre so is within walking & cycling distance to all public amenities.

For the above reasons, the application is recommended for approval.

RECOMMENDATION: Approve subject to the following conditions:

- 1. Commencement of development (3 years)**
- 2. Development in accordance with approved plans**
- 3. Materials to be submitted and approved**
- 4. Ecological enhancement strategy to be submitted**
- 5. Phase 1 risk assessment to be submitted**
- 6. Verification report to be submitted (contamination)**
- 7. Soils brought to site to be tested**
- 8. Requirements in the event of unexpected contamination**

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning, in consultation with the Chair (or in their absence the Vice Chair) of Northern Planning Committee to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.



OFFICIAL