

Application No: 12/0290M

Location: VINCENT MILL, VINCENT STREET, MACCLESFIELD, SK11 6UJ

Proposal: (OUTLINE) DEMOLITION OF THE EXISTING BUILDINGS AND REDEVELOPMENT OF THE SITE TO PROVIDE 10 NO. 2 TO 4 BEDROOM TERRACED HOUSES AND 1 NO. 2/3 STOREY APARTMENT BLOCK WITH 7 NO. 2 BEDROOM UNITS WITH ANCILLARY CAR PARKING, OPEN SPACE AND ACCESS OFF VINCENT STREET

Applicant: MR TWIGG

Expiry Date: 19-Apr-2012

Date Report Prepared: 22.03.2012

SUMMARY RECOMMENDATION

**APPROVE, SUBJECT TO
CONDITIONS**

MAIN ISSUES

- The scale of the proposed (impact of height, mass, bulk, density on the character and appearance of the area & street-scene)
- Highways safety (in respect of the proposed access and indicative parking arrangements)
- Impact on residential amenity
- Impact on neighbouring Grade II Listed Building
- Environmental issues
- Landscape and nature conservation issues
- Housing policy and supply
- Heads of Terms for a Legal Agreement

REASON FOR REPORT

The proposed is an outline application with an indicative layout comprising 17 No. 2-4 bedroom dwellings. As such the Council's scheme of delegation requires the application to be determined by the Northern Planning Committee.

EXECUTIVE SUMMARY

Members are informed that this application is a resubmission of an application which was approved by Committee on 29/09/2010 (10/1842M), following a site visit. The reason the application has had to be resubmitted is that a technical land ownership issue arose during the process of drafting a Section 106 agreement. The application had to be made invalid for purely technical reasons. This resubmitted application remains exactly the same as the scheme approved by Committee in September 2010. The site circumstances remain the same. The National Planning Policy Framework (Draft) is the main additional policy to

consider, the key tenet of which is a presumption in favour of sustainable development. The application site is located within a sustainable location. As there are no reasons to do otherwise, the Officer recommendation will be the same as the recommendation on application 10/1842M, i.e. a recommendation of approval.

The report presented below is a copy of the original report presented to Committee but updated in respect of representations received and consultee responses.

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### **Description of site**

The site to which the application relates is located on the edge of Macclesfield Town Centre on the north-western side of Vincent Street.

The site itself has an industrial land use comprising a two-storey building and associated vehicle parking and turning area (part of the building is currently used as a manufacturing joinery workshop and a small area is used by an engineering company) There is a telecommunications mast and associated equipment located in the western corner of the site. It is noted that the Agent has previously indicated that the applicant could terminate the contract for the mast located on site at any time.

There is a variation in ground levels within the site. The site generally slopes down from its southern corner and eastern side on Vincent Street towards its northern corner and western side adjacent to the B & Q car park. The change in levels between the southern and northern corners of the site is approx. 2m.

More generally, the site is located within a Mixed Use Area as designated in the Local Plan. There is range of commercial and retail units in the area and mainly residential properties to the north-east, east and south of the site. The residential properties are mainly terraced; there is variation in design, ridge and eaves heights, materials and the number of storeys. Though mainly two-storey, there are some traditional three-storey weavers cottages in the area and there is a residential development (approx. 20 years old) north-east of the site comprising three- storey terraced town houses around a courtyard.

The site is bounded specifically by residential properties along the south-eastern boundary on Vincent Street (one of which is a three-storey Grade II Listed Building), a garage repair workshop along the north-eastern boundary, the B & Q store and car park along the south-western and north-western boundaries respectively.

Vehicles currently access the site from Vincent Street, at the southern end of the south-eastern boundary.

One of the development constraints on the site is the existence of a culvert (taking overflow water from Ryles Pool in South Park) running in a northerly direction close to the centre of the site.

## **DETAILS OF PROPOSAL**

The proposed seeks outline planning permission to demolish existing buildings (old mill buildings, approximately 100 years old) and erect 10 No. 2-4 bedroom terraced houses, 1 No. 2/3 storey apartment block consisting of 7 No. 2 bedroom apartments, plus ancillary car parking, open space and access off Vincent Street.

More specifically, this is an outline application for which permission for scale and access is being sought with layout, appearance and landscaping being left for a reserved matters application.

## **RELEVANT HISTORY**

10/1842M Outline application to demolish existing buildings and redevelop the site to provide 10 No. 2 & 4 bed terraced houses, 1 No. 2/3 storey apartment block consisting of 7 No. 2 bed units and ancillary car parking, open space and access off Vincent Street. Invalid, 21.07.2011

10/3096M Telecommunications determination. Approved, October 2010

## **POLICIES**

### **Macclesfield Borough Local Plan – saved policies**

BE1 Design Guidance  
BE16 Listed Building Setting  
E11 Mixed Use Areas  
H1 Phasing Policy (Housing)  
H2 Environmental Quality in Housing Developments  
H5 Windfall Housing Sites  
H13 Protecting Residential Areas  
DC1 Design  
DC3 Amenity  
DC6 Circulation & Access  
DC8 & DC37 Landscape  
DC38 Space, Light & Privacy  
DC63 Contaminated Land Including Landfill Gas

‘PPS3 Housing and Saved Policies Advice Note’ and the associated ‘PPS3 Housing Self Assessment Checklist’

### **North West of England Plan Regional Spatial Strategy to 2021**

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  
DP7 Promote Environmental Quality  
L2 Understanding Housing Markets

L4 Regional Housing Provision  
L5 Affordable Housing  
RT2 Managing Travel Demand

### **National Planning Policy Guidance**

Planning Policy Statement 1: Delivering Sustainable Development  
Planning Policy Statement 3: Housing  
Planning Policy Statement 5: Planning for the Historic Environment  
Planning Policy Statement 9: Biodiversity and Geological Conservation  
Planning Policy Statement 25: Development and Flood Risk  
Planning Policy Guidance Note 13: Transport  
National Planning Policy Framework (Draft)

### **CONSULTATIONS**

#### **Highways:**

Awaiting comments. However, it is noted that no objections were raised on the previously approved application, subject to conditions (including a requirement for an increase in parking provision within the site as part of a reserved matters application). The Highways Officer has noted verbally that the same comments provided on the previously approved application will be submitted for the current application.

#### **Environmental Health:**

Awaiting comments. However, it is noted that no objections were raised on the previously approved application, subject to conditions.

The Environmental Health Officer previously stated that, as the indicative layout does not show a telecommunications mast it is assumed that this would be removed from the site and wouldn't form part of the site layout at reserved matters stage. Should a mast remain on site, then the relationship with proposed dwellings could be assessed as part of the reserved matters application. Mitigation measures/conditions could be applied at this stage if necessary.

#### **Conservation/Listed Building and Design:**

No objections

#### **ESU – Landscape:**

No objections

#### **ESU – Nature Conservation:**

No objections

**Leisure Services:**

No objections, subject to provision of commuted sum for off site outdoor space and sport & recreation.

**Housing Strategy and Needs:**

Awaiting comments. However, it is noted that no objections were raised on the previously approved application, subject to provision of some affordable housing as part of the scheme (4 No. units, based on the No. of units, 17, outlined on the indicative layout).

**United Utilities:**

No objections, subject to conditions & recommendations related to foul drainage and discharge of surface water and adequate methods for provision of water to supply the properties.

**Cheshire Fire Authority:**

It is noted that no objections were raised on the previously approved application but comments were provided which the Authority wished the applicant to be aware of in respect of access to the site for the fire service, water supplies and means of escape. A recommendation was made that the applicant considers the inclusion of an automatic water suppression system in the eventual design. Such information has previously been forwarded to the agent/applicant for information.

**Sustrans**

Recommend the following if approved:

*The site lies close to the town centre, but surrounded by busy roads, Churchill Way and Park Lane. We would like to see the development make a contribution to improving the walking/cycling route to the town centre.*

*The design of all the properties should include conveniently located storage areas for any residents' buggies/bicycles.*

**VIEWS OF THE PARISH / TOWN COUNCIL**

Not applicable

**OTHER REPRESENTATIONS**

5 No. representations have been received. 4 No. from occupants of neighbouring properties and 1 No. from a tenant of the industrial unit on site (manufacturing joiners). Details can be read on file. The planning objections raised are summarised below:

**Neighbours: -**

- Highways safety - insufficient parking in the area, increase in traffic and vehicle movement around the area would be hindered.
- Potential problems with the sewerage network in the area.
- Residential amenity - loss of light and privacy to numbers 42 and 44 Vincent Street and detrimental impact on outlook.

**Tenant: -**

- Loss of an industrial unit and the implications for the business (having to find new premises, seeking to retain staff, not wanting an increase in rental costs, etc.).

It is noted that the author of the letter objecting to the loss of the industrial unit asserts that the letter he submitted in respect of the previous application (10/1842M) had not been presented. However, the Officer can confirm that the objections raised were covered in the report presented to Committee (under the heading of 'representations').

**APPLICANT'S SUPPORTING INFORMATION**

The applicant has submitted the following additional information:

- 'Design and Access Statement'
- An 'Affordable Housing Statement'
- A 'PPS3 Housing Self-Assessment Checklist'
- Land Registry Information
- 'Phase 1 Desk Study' (Contaminated Land)
- Historical Maps

Details of each of the documents can be read on file.

**OFFICER APPRAISAL****Principle of Development**

The principle of the proposed is acceptable, subject to being in accordance with relevant Development Plan policies. Indeed, as noted above, not only has the principle already been accepted but an identical outline application has recently been approved by Committee (10/1842M).

**Policy**

The relevant policies are listed above and relate to the issues identified. As noted above, the site falls within a Mixed Use Area (Policy E11) as designated in the Local Plan. Policy E11 allows for housing in the area provided the new use does not a) conflict with other proposals of the plan, b) materially harm adjoining or nearby uses or c) in the case of housing, a satisfactory housing environment can be created. It is considered that the industrial unit on site and its location is not required to be retained for employment purposes in the Local Plan.

The applicant notes in the 'Design and Access Statement' that deliveries to the site have proved difficult over the years with access to the building being restricted through the surrounding residential streets. On occasions, it is claimed, fork lift trucks have been required to transport supplies from delivery vehicles parked on Park Lane. Thus, the building and its location is not ideal for present day industrial requirements. It is considered that use of the site for residential purposes would not materially harm adjoining or nearby uses and that a satisfactory housing environment could be created.

### **Highways safety (in respect of the proposed access and indicative parking arrangements)**

The access is one of the specific aspects that have been applied for as part of this outline application. As noted above, the Strategic Highways Manager raised no objections in principle on the previous application to the re-siting of the access (subject to conditions). Indeed, it was considered by the Strategic Highways Manager that the re-siting of the access would improve visibility compared with the existing access.

As regards the number of parking spaces provided on the 'indicative layout' submitted with the application (i.e. 1 No. space per unit [100%] and 3 No. visitor spaces), as noted above, the Strategic Highways Manager previously raised concerns, being of the view that this would lead to overspill parking which would have a detrimental impact on the surrounding network. Therefore, the minimum level of parking sought within this site would be 150% (to be dealt with under a reserved matters application).

### **Impact on residential amenity**

The indicative layout illustrates that a separation distance of approx. 10m can be achieved between the existing houses on, and fronting, Vincent Street and the dwellings that are likely to front Vincent Street as part of the eventual site layout. It is considered that such a separation distance is commensurate with the area, so long as the properties that front the properties on Vincent Street are two-storey.

It is considered that the change of use of the site from industrial to residential would improve the amenity for residents of properties within the vicinity of the site.

Hence, it is considered a) that the access as applied for is acceptable as regards impact on residential amenity and b) that restricting the scale of properties fronting Vincent Street to two-storey would ensure commensurate distance standards are achieved on a future reserved matters application, which would have an acceptable impact on residential amenity.

### **Scale of the proposed (impact of height, mass, bulk, density on the character and appearance of the area & street-scene)**

The scale of the proposed is one of the specific aspects that have been applied for in this outline application. The scale (i.e. no. of dwellings, density, and eaves and ridge heights as shown on the 'indicative scale' plan and the 'indicative layout' plan) has been considered in the context of the surrounding area, i.e. existing buildings, (dwellings and commercial properties) and views from key public vantage points around the site (Vincent Street, Buckley Street, Statham Street and Churchill Way).

Details of the scale of existing buildings in the area are provided below along with details of the scale of buildings as shown on the indicative plans and the scaled parameters that the Officer considers appropriate to the site given its location.

### **Scale of buildings/properties on, and within the vicinity of, the site**

The buildings on site are mainly old mill buildings, with a max. eaves height of approx. 5.4m and a max. ridge height of approx. 7.4m - when measured from the ground level outside the north-eastern corner of the mill buildings, opposite No. 32 Vincent Street.

There are a range of properties within the vicinity of the site, two and three-storey, with varying eaves and ridge heights. The residential properties are mainly terraced arranged in a relatively dense grid layout.

The nearest residential properties to the site are those located on Vincent Street, with the front elevations of Nos 30 to 50 Vincent Street and the side elevations of Nos 1 and 2 Nelson Street being directly opposite the south-eastern boundary of the site. Apart from No. 46 (which is a three-storey Listed Building) the eaves height of these properties ranges from approx. 4.7m to 5.7m and the ridge heights range from approx. 7.0m to 8.2m. The eaves and ridge heights of the three-storey Listed Building (No. 46) are approx. 7.9m and 10.1m respectively.

The residential development north-east of No. 30 Vincent Street (Town Houses around a court-yard) are three-storey, the eaves and ridge heights of the town house attached to No. 30 Vincent Street are approx. 8.2m and 10m respectively.

Nos 46 to 50 Vincent Street face the corner of the B & Q building located at the southern tip of the application site. The eaves height of the B & Q building at this corner is approx. 4.5m.

The building on the north-western side of the site that faces the B & Q car park sits on a ground level ranging between approx. 1-2m lower than the car park ground level. The elevation of this building that faces the car park has a max. flat-roof height of approx. 9m.

In summary, the area comprises two and three-storey buildings which are mainly terraced arranged in a relatively dense grid layout. The eaves and ridge heights of these buildings varies, eaves heights from 4.7 to 8.2m and ridge heights from 7m to 10m.

### **Scale of buildings proposed**

The 'indicative scale' and 'indicative layout' plans illustrate the following: i) 17 No. dwellings, comprised of 1 No. terrace of for two-storey apartments, 1 No. terrace of 2/3-storey houses and 1 No. terrace having a mix of 2/3-storey and 3/4 storey houses; ii) the eaves heights of the buildings fronting Vincent Street range between 5.4m and 6m and the ridge heights range between 6.8m and 9.2m; the max. eaves and ridge heights of the terrace on the north-western side/corner of the site are approx. 7.4m and 11.2m respectively (measured from the existing ground level on this part of the site).

## **Scaled parameters**

Bearing in mind a) the scale of the buildings that currently exist on site, b) the scale of the buildings within the vicinity of the site (particularly the dwellings opposite the site on Vincent Street and Nelson Street), c) the change in ground levels within the site and d) factors such as distance standards, amenity and outlook (which will have to be satisfied on a reserved matters application), it is considered that the scale of the buildings as illustrated on the 'indicative scale' plans are a little higher (eaves and ridge heights) than can comfortably be accommodated within the site. Therefore, the following parameters are recommended:

- For properties opposite Nos 46-50 Vincent Street the eaves height shall be between 4.8-5.4m and the ridge height between 7.2-7.6m and shall be no more than two-storey.
- For properties opposite Nos 30 and 32 Vincent Street the eaves height shall be between 5-5.5m and the ridge height between 7.5-8m and shall be no more than two-storey.
- All other buildings within the site shall not project above the heights of any of the buildings fronting Vincent Street and none shall be more than three-storey.

It is noted that the space required within the site for car parking (150% recommended by highways) is more than has been allowed for on the 'indicative layout'. This will have an implication for the number of units that can be accommodated within the site. However, it is not possible for the Council to conclude how many units can actually be accommodated within the site, as this could vary according to design and layout details.

It is considered that the scaled parameters as defined would allow for a residential scheme to be designed of a scale that would be acceptable within the character and appearance of the area and the street-scene of Vincent Street, whilst also allowing for a satisfactory layout to be achieved in a reserved matters application in respect of distance standards, outdoor amenity space and outlook.

## **Impact on neighbouring Grade II Listed Building**

The Conservation Officer is of the opinion that the proposal would be acceptable in the context of the setting of the Grade II Listed Building located on the eastern side of Vincent Street opposite the south-eastern corner of the site, subject to satisfactory materials forming part of the reserved matters application.

## **Environmental issues**

As noted above, the Environmental Health Officers raised no objections on the previously approved application, subject to conditions requiring: i) a phase II contaminated land investigation and ii) noise and dust levels to be controlled to protect residential amenity. The proposed residential use is considered to be a sensitive end use. The Phase 1 Report submitted with the application identified potential contamination and recommends further investigation.

As noted above, as there is no telecommunications mast shown on the indicative layout, it is assumed that the mast will be removed from the site within a reserved matters application

(having noted that the Agent has stated that the contract could be terminated by the applicant). Should this not be the case, the matter could be addressed at the reserved matters stage.

### **Landscape and nature conservation issues**

As the current application is identical to one that has been approved, the Landscape Officer notes that the same comments apply, i.e. change of use to residential would be a suitable long term use of the site provided the details of design are in keeping with the tight urban grain of the area. It is suggested that relocating the existing telecommunications mast would create a more attractive setting for dwellings.

It is suggested that the reserved matters application, either detailed on the layout or required as conditions, should include screen planting along the south-western boundary next to the large, blank brick wall that forms part of the B & Q building and also along the north-eastern boundary adjacent to the repair garage. The desire to strike a balance between open, amenity space and car parking is also expressed.

The Nature Conservation Officer does not consider there to be any significant ecological issues associated with the proposed development.

### **Housing policy and supply**

The Housing Strategy and Needs Manager noted previously that 4 No. of the units (based on the indicative figures) should be provided as affordable units. To assist in meeting the housing needs of the area there should be 2 No. social rented properties and 2 No. intermediate tenure properties. The 2 No. socially rented should be 2 or 3 bed-roomed and the intermediate tenure properties could be either 2 No. houses or 2 No. apartments. Although the Housing Strategy and Needs Manager would have preferred a Registered Social Landlord to sign up to a s106 to provide the Social Rented properties, it is considered that this arrangement could not be stipulated at this stage.

It is considered that the proposal would contribute to the housing needs of the area and provide a mix of properties. This brownfield site is located within a very sustainable location, close to the main public transport stations, local amenities and facilities. The density is at least 30 dwellings per hectare, thereby making efficient use of land. The details of a reserved matters application could secure a scheme which is acceptable in respect of design/appearance, layout, landscaping, relationship with neighbouring properties and level of parking provision. The proposed accords with current housing policy.

### **Heads of Terms:**

Leisure Services have stated that the commuted sum required for provision of Outdoor Space is £51,000; the figure required for Recreation / Outdoor Sport is £10,500 (which includes discount of £3,000 for affordable housing based on 2 houses and 2 apartments being the affordable element).

Both commuted sums would be used to make improvements, additions and enhancements to the facilities at the three town centre parks (West Park, Victoria Park and South Park, including the allotment provision at South park) and St Georges Play area.

It is noted that the commuted sums required for open space and outdoor recreation would form part of a s106 agreement, as would the details for the affordable housing provision.

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

In summary, it is considered that the principle of residential use on the site is acceptable (indeed has already been accepted) and complies with policy. The site is adjacent to an existing residential area in a sustainable location. The scale of the proposal, as recommended within the scaled parameters, would make efficient use of this brownfield site and provide a residential scheme that would contribute to the housing needs of the area. The scale, as defined, would have an acceptable impact on the character of the area and distance standards between properties could be achieved to be commensurate with the area. It is considered that the extent to which the proposed would impact on neighbouring residential amenity is of an acceptable degree. The access, as proposed, is considered to be acceptable. It is recommended a condition be attached, should the application be approved, to ensure provision of car parking spaces within the site at a level of 150%, detailed as part of the reserved matters application.

The objections submitted have been borne in mind. The Officer acknowledges the concerns of the current tenant of the industrial unit on site and the issues raised by neighbours. However, the proposed adheres to the relevant policies of the Development Plan, which allows for development as proposed on the site. The Strategic Highways Manager has previously considered the proposed not to have any detrimental impact on highways safety (subject to conditions and appropriate levels of parking being provided within the site), and the level of impact on the amenities of the occupants of neighbouring properties (subject to the detail in a reserved matters application) is considered to not be significantly detrimental. For the reasons outlined above it is recommended the application be approved, subject to conditions and a s106.

Application for Outline Planning

**RECOMMENDATION:** Approve subject to a Section 106 Agreement and the following conditions

1. A01OP - Submission of reserved matters
2. A02OP - Implementation of reserved matters
3. A03OP - Time limit for submission of reserved matters
4. A23MC - Details of ground levels to be submitted
5. A02AP - Detail on plan overridden by condition
6. A12HA - Closure of access
7. A05HA - Pedestrian visibility at access (dimensions)
8. Contaminated land

9. Commencement

10. Scaled parameters

11. Details of layout to include parking provision of 150%

