

Application No: 08/2670P

Location: DALE STREET MILL, DALE STREET, MACCLESFIELD, CHESHIRE, SK10 1NH

Proposal: OUTLINE APPLICATION FOR 2 NO BLOCKS OF 3 NO TERRACE COTTAGES (6 NO RESIDENTIAL UNITS IN TOTAL)

For MRS M SLATER

Registered 20-Jan-2009

Policy Item No

Grid Reference 392298 373498

Date Report Prepared: 08.05.09

SUMMARY RECOMMENDATION: Refuse on the grounds that the development would result in the demolition of a building which is on the Council's 'Local List' of historically important buildings.

MAIN ISSUES:

- Impact on the character and appearance of the area;
- Loss of a locally important building
- Impact upon highway safety;
- Impact upon residential amenity

This application was registered prior to 01.04.09 and therefore needs to be determined under Macclesfield Borough Council's criteria for assessing planning applications. Due to the number of dwellings, the application is required to be determined by a committee. The application was considered at the Northern Planning Committee on 08.04.09. Members deferred the application for a site visit which was undertaken on 24.04.09.

DESCRIPTION OF SITE AND CONTEXT

The site is located on Dale Street, which is a relatively quiet back street which runs parallel to Buxton Road in Macclesfield. The site is visible from Fountain Street to the south. The site measures approximately 0.1 hectares. The site is presently occupied by Dale Street Mill, which is a two storey mill building which dates back to the nineteenth/early twentieth century.

The site is within a predominantly residential area.

DETAILS OF PROPOSAL

This application seeks permission to demolish the existing building which is on the 'Local List' of historically important buildings and replace it with 2 blocks of 3 no. two storey dwellings. The proposed dwellings are generally sympathetic to the character of the surrounding dwellings in terms of their design and scale. Each unit would comprise a living kitchen, sitting room, and

wc on the ground floor, with 3 no. bedrooms and a bathroom on the first floor. Each dwelling would have a private garden to the rear.

The building has been designed to minimise the impact on the dwellings to each side (no. 12 and no. 28). The dwellings fronting Dale Street would not satisfy front to front distances as contained within the local plan. However, the pattern of development would generally be commensurate with that of the area.

The elevations would be faced in brick with slate roofs.

A total of 10 parking spaces would be included within the site with the access taken off Dale Street. A parking space for no. 12 Dale St is shown within the development.

RELEVANT HISTORY

08/2042P - Outline application for 2no. block of 3no. terrace cottages (6no. residential units in total on 0.106 hectares) - Withdrawn

POLICIES

Regional Spatial Strategy

DP1, DP5, DP6, DP7

Local Plan Policy

NE11, BE1, BE20, H1-H3, H13, DC1-DC6, DC8

CONSULTATIONS (External to Planning)

Highways –

No highway objection in principle to the outline scheme, but points are raised in respect of the layout which will need to be addressed.

Environmental Health – The Head of Environmental Health supports this application as it removes an industrial use from a predominantly residential area. If an industrial use was resurrected on the site then such use would have high potential to cause environmental problems to residents of neighbouring dwellings such as noise, dust and odour nuisance. The construction of dwellings on the application site would therefore harmonise with the adjoining land uses.

In order to minimise noise and disturbance associated with the demolition and construction work on the site to residents within the locality an hours of working during construction condition is recommended.

In addition, the **Head of Environmental Health** notes that the application area has a history of use as a Chemical Works and Textile Works and therefore the land may be contaminated. The application is for new residential

properties which are a sensitive end use and could be affected by any contamination present. The report submitted in support of the planning application indicates that there is significant potential for contamination to exist and recommends a phase 2 site investigation be carried out. The Phase 2 report recommends that remedial measures are carried out and reported. If contaminants are found then a remediation statement will be required, followed by a site Completion Report which details the conclusions and actions taken at each stage.

The Historic Environment Officer comments that the mill and its associated structures will be demolished as part of the proposed redevelopment of the site. In order to ensure this aspect of Macclesfield's Industrial Archaeology is recorded prior to demolition and determine the history of this site it is advised that a full Level 2 survey, as defined in English Heritage's *Understanding Historic Buildings: a guide to good practice*, (2006) would be appropriate in this instance.

United Utilities – raise no objections to the proposal. United Utilities comment that the site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the soakaway/watercourse/surface water sewer and may require the consent of the Environment Agency. If surface water is allowed to be discharged to the public surface water sewerage system United Utilities may require the flow to be attenuated to a maximum discharge rate determined by United Utilities.

Manchester Airport - raise no aerodrome safeguarding objection to the proposal.

The Ministry of Defence - raise no safeguarding objections to this application.

OTHER REPRESENTATIONS

A letter has been received from a resident whose property adjoins Dale Street Mill. The neighbour is concerned about what damage may occur to the side of the property; if pile driving is necessary; the start/finishing times of any works on site; and, that access to their property will be maintained at all times.

APPLICANT'S SUPPORTING INFORMATION

The following documents were submitted with the application: -

- A Design and Access Statement
- A Bat Survey Report
- An Environmental Desk top study

They are available for Member's information on the application file.

OFFICER APPRAISAL

Principle of Development

The main issues to consider in determining this application are:

- 1) Design and impact on the character and appearance of the area, including the street-scene.
- 2) The loss of a locally important building
- 3) Impact on the amenity of neighbouring properties
- 4) Highways safety
- 5) Landscaping and nature conservation
- 6) The desirability of maximising the use of previously developed land.

Policy

The site lies within a Predominantly Residential Area on the adopted Macclesfield Borough Local Plan where residential uses are acceptable in principle. The application needs to be assessed against Local Plan Policy BE1 (Design Guidance), BE20 (Locally Important Buildings), H2, (Environmental Quality in Housing Developments), H13 (Protecting Residential Areas), and Development Control Policies DC1, DC3, and DC38, which relate to the standard of design, amenity and space standards. Policy DC6 relates to circulation and access. Policy DC8 relates to landscape issues.

Policy BE20 relates to Locally Important buildings. These are buildings of historic interest which do not enjoy the full protection of statutory listing. Development which would normally affect their architectural or historic character will only be allowed if the Council is satisfied that the building is beyond reasonable repair. Dale Street Mill is on this local list.

A report on the supply of housing has been approved by the Environment Policy Development Committee and the Cabinet of MBC, which effectively replaced the former SPG on Restricting the Supply of Housing with the new guidance "PPS3 Housing and Saved Policies Advice Note".

The Advice Note is based on a list of 5 criteria outlined in PPS3 which planning authorities should have regard to when deciding planning applications for new housing and on the Council's saved policies and other guidance in PPS3. In summary, the Advice Note states that planning applications for new housing should meet the following criteria.

1. Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in the area and does not undermine wider policy objectives (*does the application accord with the housing objectives of the Borough and wider policy objectives e.g. affordable housing and urban regeneration*)
2. Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people (*does the application meet the housing needs of the area and/or provide affordable housing*)

3. The suitability of a site for housing, including its environmental sustainability (*is the site in a suitable and sustainable location, is it previously developed land, what constraints exist*)
4. Using land effectively and efficiently (*is the density at least 30 dwellings per hectare*)
5. Achieving high quality housing (*is the site accessible to public transport and services, is the development well laid out, safe, accessible and user friendly, is there adequate open space and/or access to recreational open space, does the design complement/improve the character of the area, is the car parking well designed and integrated, does the development enhance biodiversity*)

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 an area surrounded by housing, which is within walking distance of public transport links and to services. The scheme achieves high quality housing in a town centre location.

Highways

The Highways Engineer raises no objections to the proposal subject to a revised layout plan which resolves the following issues: -

The parking bays on the access road are of insufficient length to allow them to be used effectively. This could lead to vehicles being parked on the highway, or having to reverse out onto the highway. The disabled space would be located below a tree which would impair accessibility for both able bodied and disabled people. Whilst not a highway issue the footpath inside the site is not practical. If vehicles were parking in the bay residents could not readily access/egress the footpath which would pose difficulty particularly when it comes to taking a bin in and out. The junction with Dale Street would need to be improved to demonstrate that two cars can utilize the access safely. The footpath either side of the access should be extended into the bellmouth to at least 2 metres past the identified rumble strip, to match the width of those within the existing adopted highway. The visibility splay is considered to be acceptable. In relation to parking standards the applicant is proposing 9 spaces when in fact the current standards are 2 spaces per dwelling equating to 12 overall. 9 spaces is however 1.5 spaces per dwelling reflecting the standards for communal parking. In light of the fact the applicant is also providing cycle parking facilities and the development is located in a sustainable location the parking provision is acceptable. If the development is approved then the junction will need to be constructed to highway standards, which will form part of a Section 106 and 278 agreements.

Design

The properties within the area are a mixture of traditional terraced properties and semi detached of differing styles and sizes. It is considered that the immediate area around the site does not have a particular distinctive character or appearance. Some of the dwellings on Buxton Road have access to garages and gardens on Dale Street.

The plot is currently occupied by a disused mill which fronts the back edge of the highway. The front wall is rendered. The new dwellings would be sited approximately 1.8 metres back from the pavement. The design is traditional with arched headers over the windows and each dwelling would have a chimney. The height is in scale with the properties either side. It is considered that the overall design of the proposed in respect of style, size, scale and bulk is in keeping with the properties within the area and, as such, is sympathetic to the street-scene.

Amenity

The properties immediately adjacent to the application site – Nos. 7 and 9 (opposite) and Nos. 12 and 28 Dale Street (either side) are ones that have been closely considered in respect of the potential impact of the proposed on residential amenity. The dwellings across the road would be approximately 13 metres away which is considered to fall below the space between dwellings standards contained within the Local Plan. However, it is considered that as the relationship is similar to the existing and that the distance is broadly commensurate with the pattern of development on Dale Street, that this relationship is acceptable. The impact on nos. 12 and 28 is undoubtedly better than the existing relationship.

There would be some overlooking of rear gardens from the units to the rear of the site, however, this would generally be an improvement over the existing relationship if the building were brought back into use.

Ecology

The Nature Conservation Officer raises no objections to the proposal. The submitted survey is acceptable and no evidence of protected species other than breeding birds was recorded. Whilst the presence of bats appears unlikely a condition is recommended to safeguard any small numbers or individual animals that may use the building. A condition is also requested to protect any birds which may be nesting in the site between 1 March and 31 August.

OTHER MATERIAL CONSIDERATIONS

As the building is on the list of locally important buildings it is necessary to consider whether the building is beyond reasonable repair. A Structural Report has been submitted which concludes that the property is in a poor condition and it has been poorly maintained for a considerable number of years. The design of the structure is flawed, the roof has failed in part and the main roof beams have deflected to an unacceptable degree. The first floor structure has settled and is seriously distorted. It is the Agents surveyors' view that the building is unstable and it is likely to deteriorate further in time and is beyond sensible structural repair. The Council's Structural Engineer has carried out an external visual inspection of the property and in general concurs with the engineer's report. Due to the failures and movement within

the structure it is the Structural Engineers view that considerable sections of all external walls would have to be demolished along with complete replacement of the roof and first floor of the building if it were to be considered for conversion.

At the time of the committee meeting on 08.04.09 the formal comments of the Conservation Officer were awaited. The Conservation Officer has now commented on the proposal due to it being on the 'Local' List of historically important buildings. The structural reports on this building suggest that it would be difficult to retain the original fabric without considerable expense; this however should not be the prime consideration when considering the reuse of this building.

It is the "local distinctiveness" of the building that is important to maintain in considering any proposals for change. While there may well be structural problems with the building that should not in itself exclude the refurbishment and reuse of this structure. The building has long been established in the street scene, the proposal to demolish and construct modern terraced cottages would remove a vital historical link to Macclesfield's past. This building has enough features of local architectural and historic merit to justify its retention as a characterful and interesting element (rows of windows on the South West for example) of the industrial past of this area. The Council should be sympathetic to the concept of retention of "local distinctiveness". As such the Conservation Officer strongly advises that this proposal to demolish this building be rethought and amended to retain elements of the industrial past. If any demolition of the building were to be considered then an Archaeological study would need to be carried out.

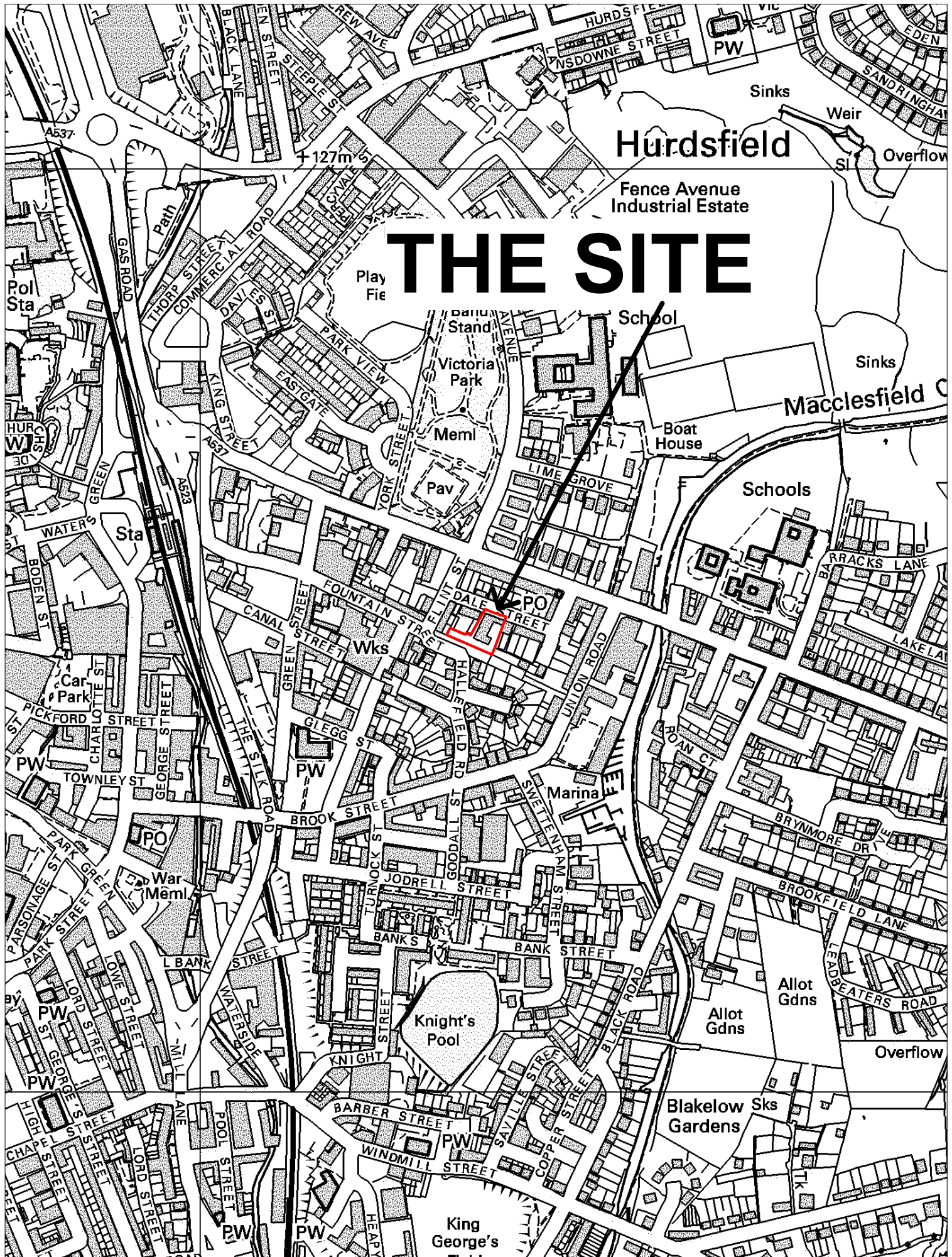
CONCLUSIONS AND REASON(S) FOR THE DECISION

On the basis that the building is on the list of locally important buildings, it is considered that it is necessary for the applicant to substantiate the claim that the building is beyond reasonable repair. It is considered that there is considerable merit in the Conservation Officers argument to retain a substantial portion of this historic building. Any scheme to retain the building would necessitate consideration of how the access/egress would work.

That is not to say that the site cannot be re-used. The submitted reports identify the building's rear portion as exhibiting the most severe structural issues. In this context, officers consider that it would be possible to devise a scheme which would incorporate the retention of part of the building. For example, the narrow eastern part of the building (which fronts Dale Street) could be demolished in order to provide a new access adjacent to no. 28 Dale Street and the rear part of the building could also be demolished. These are the less important parts in terms of their 'local distinctiveness'. This would retain the part of the structure which is considered to be the most capable of restoration and architecturally interesting. It may then be possible to devise a scheme to include the retention/re-use of the largest part of the building, development land to the rear of the site together with an 'in-out' service arrangement. An indicative proposal of this nature has been discussed with

the applicants' agent. However, at the time of report's preparation the applicant wishes the scheme to progress as originally submitted.

Officers are aware of buildings of far worse condition which have been saved and converted. There would appear to be options which would result in a good proportion of the historic building being converted and the financing of this would be aided by the new dwellings. In the absence of proper justification for the building's complete demolition, a recommendation of refusal is made.



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NGR: 392,300m - 373,490m

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Application for **Outline Planning**

RECOMMENDATION : Refuse for the following reasons

1. The Council is not satisfied that the existing building is beyond reasonable repair