

APPLICATION NO: 19/1068M & 19/1069M

**LOCATION: KINGS SCHOOL, CUMBERLAND STREET,
MACCLESFIELD, CHESHIRE, SK10 1DA**

PROPOSAL: Update following the resolution to approve planning application 19/1068M and listed building consent 19/1069M – The demolition of existing buildings and the residential redevelopment of The King's School Cumberland Street site to provide a mixture of conversion and new build dwellings and 'Later Living' apartments, with associated access, car parking, open space, landscaping and infrastructure.

REPRESENTATIONS

Since publication of the update report following the resolution to approve planning application 19/1068M and listed building consent 19/1069M, representations have been received from the Chairman of Macclesfield Civic Society and 1 objector. The following concerns are raised:

- Omission to consult the national amenity societies is a serious failure to comply with established consultation procedures, possibly amounting to maladministration
- Members of the Strategic Planning Board did not have full information before them as they reached a decision
- Delays in posting information on the website
- Objections by the 20th Century Society and Design and Conservation Officer warrant a full discussion of the planning application
- There are 4 new SPB members who have never considered this plan and 2 members who abstained from the previous vote
- The Design and Conservation Officer's comments have been misrepresented
- Members may reach different conclusions based on new information
- There will be financial implications of defending a Judicial Review and / or complaint to Local Government Ombudsman for maladministration
- There are strong grounds to support rejection as failing to find the optimal heritage use for the site and failing to meet major CEC planning policies, including on affordable housing and separation distances

OFFICER COMMENT

The update report at pages 53-54 of this agenda reports pack explains that the National Amenity Societies (which undertake listed building casework on a national basis) were not originally consulted on the applications. However, this exercise has now been undertaken hence the report to Members to update them. The Council is satisfied it has fulfilled its obligations in terms of consultation.

With regard to the heritage impacts of the scheme, these have been rehearsed and considered in some detail by both officers and members of the Strategic Planning Board (SPB). The comments of the Design and Conservation Officer were made clear in the most recent report (21 April 2021) considered by SPB, where it stated that (page 31):

“there is acknowledgment by officers (including the Council’s Design and Conservation Officer) that there will be harm to the designated heritage asset, primarily from the incursion of the later living block and loss of the cricket pavilion. However, it is confirmed that this harm is ‘less than substantial’. On the basis of this harm, the Council’s Design and Conservation Officer objects to the proposals. The various amendments to the scheme still do not resolve their concerns, save for most recent scheme, which now involves retention and relocation of the cricket pavilion within the site”.

Members reached their views in the knowledge that there will be harm to the heritage assets and that the Design and Conservation Officer raised objection to the scheme. It must be noted that the Design and Conservation Officer did not object to the scheme for the reasons now cited by the Twentieth Century Society i.e. loss of the Arts Block and Science Block. This is explained on page 54 of this agenda reports pack.

NPPF para 196 states that *“where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”.*

The previous officer report (page 31) clarifies that the harm to the setting of the designated heritage asset will be ‘less than substantial’. Accordingly, in their assessment, officers balanced the less substantial harm against the wider benefits of the scheme, which are:

- Improvements that would be realised from the Sainsbury’s roundabout producing a better relationship between built form and the designated heritage asset and opening up views
- Opening up of the site in terms of cycle pedestrian movement through assisting in sustainability and accessibility
- Benefits derived from ensuring a sustainable future use is secured for such an important and prominent site within Macclesfield
- High quality design credentials of the scheme

The further representations received do not raise new matters that would lead officers to conclude that the impact on the designated heritage assets would be unacceptable in this case.

RECOMMENDATION

That the Strategic Planning Board note the receipt and content of the comments made by the Twentieth Century Society and by representation but proceed with

the Committee resolutions made at the meeting of the Strategic Planning Board (SPB) on 21 April 2021.