



Northern Planning Committee

Agenda

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| Date: | Wednesday, 26th November, 2014 |
| Time: | 2.00 pm |
| Venue: | The Capesthorne Room - Town Hall, Macclesfield SK10 1EA |

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

Please note that members of the public are requested to check the Council's website the week the Planning/Board meeting is due to take place as Officers produce updates for some or all of the applications prior to the commencement of the meeting and after the agenda has been published.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. Apologies for Absence

To receive any apologies for absence.

2. Declarations of Interest/Pre Determination

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests and for Members to declare if they have a pre-determination in respect of any item on the agenda.

3. Minutes of the Meeting (Pages 1 - 10)

To approve the Minutes of the meeting held on 29 October 2014 as a correct record.

4. Public Speaking

Please Contact: Sarah Baxter 01270 686462
E-Mail: sarah.baxter@cheshireeast.gov.uk with any apologies or request for further information
Speakingatplanning@cheshireeast.gov.uk to arrange to speak at the meeting

A total period of 5 minutes is allocated for each of the planning applications for Ward Councillors who are not members of the Planning Committee.

A period of 3 minutes is allocated for each of the planning applications for the following individuals/groups:

- Members who are not members of the planning committee and are not the Ward Member
- The relevant Town/Parish Council
- Local Representative Groups/Civic Society
- Objectors
- Supporters
- Applicants

5. **14/2049C-Demolition of existing industrial building and redevelopment to provide residential development, new access, open space and reconfigured car park, Siemens House, Varey Road, Congleton for Siemens PLC (Pages 11 - 36)**

To consider the above application.

6. **14/3531M-Proposed demolition of existing building and erection of 6 apartments and 4 dwellings (resubmission 14/0111M), Ford House, The Village, Prestbury for Mr & Mrs J Elder (Pages 37 - 58)**

To consider the above application.

7. **14/3242M-Upper Garden: Redevelopment of the Upper Garden, including the restoration of the historic glasshouse and back sheds, including provision of an ancillary retail offer within one of the restored back sheds, the temporary provision of a structure for catering and landscape restoration works. Construction of a new Gardener's Building and compound. Quarry Bank House: Change of use of Quarry Bank House from C3 (Dwellinghouse) to D2 (Assembly & Leisure). Styal Village Properties: Change of use and Listed Building Consent for 13 Oak Cottages from C3 (Dwellinghouse) to D2 (Assembly and Leisure) and conversion and adaptation of existing Collection Store to use as an interpretation facility. Northern Woods: Restoration of paths and bridges including the removal of modern paths. Car Park: Reconfiguration and extension of the existing car park, with associated landscaping works. Welcome Building: Provision of a new single storey visitor welcome building, Quarry Bank Mill, Quarry Bank Road, Phyllis Bayley, National Trust (Pages 59 - 80)**

To consider the above application.

8. **14/3536M-Listed Building Consent for the restoration of the historic glasshouse and back sheds; change of use of number 13 Oak Cottages from C3 (Dwellinghouse) to D2 (Assembly and Leisure) and conversion and adaptation of existing Collection Store to use as an interpretation facility, Quarry Bank Mill, Quarry Bank Road for The National Trust (Pages 81 - 86)**

To consider the above application.

9. **14/3619M-Construction of new build three storey office block with ground floor retail use on part of the existing car park at King Edward House, Car Park, King Edward House, King Edward Street, Macclesfield for Nic Lewis, Cotton Estates Ltd (Pages 87 - 98)**

To consider the above application.

10. **14/2147M-Demolition of existing garages and erection of new three storey block of apartments and two storey houses, Garages and open land, Tenby Road, Macclesfield for Peaks and Plains (Pages 99 - 114)**

To consider the above application.

11. **14/3954M-Demolition of existing buildings and construction of 3no. two and a half storey terraced dwellings. (Resubmission of 14/1304M), 60, Jodrell Street, Macclesfield for Mr Kieran Vye & Nick Conway, Seletar Properties Ltd (Pages 115 - 124)**

To consider the above application.

12. **14/4806M-Prior approval of single storey kitchen extension to replace existing kitchen and outbuildings extending 5.2m beyond the rear wall, maximum height of 3.5m and eaves height of 2.5m, 7, Albert Street, Macclesfield for Mr Julian Broadhurst (Pages 125 - 128)**

To consider the above application.

13. **14/4535C-Single Storey Side Extension, 110, Bradwall Road, Sandbach for Peter Hulland (Pages 129 - 134)**

To consider the above application.

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Northern Planning Committee**
held on Wednesday, 29th October, 2014 at The Capesthorne Room - Town
Hall, Macclesfield SK10 1EA

PRESENT

Councillor R West (Chairman)
Councillor W Livesley (Vice-Chairman)

Councillors C Andrew, L Brown, B Burkhill, H Gaddum, S Gardiner,
A Harewood, O Hunter, L Jeuda, J Macrae, D Mahon, D Neilson, L Roberts
and A Thwaite

OFFICERS IN ATTENDANCE

Mrs N Folan (Planning Solicitor), Mr P Hooley (Planning and Enforcement
Manager), Mr N Jones (Principal Development Officer), Miss L Thompson
(Senior Planning Officer) and Mr J Williamson (Planning Officer)

57 APOLOGIES FOR ABSENCE

There were no apologies for absence.

58 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interest of openness in respect of application 14/4305M, Councillor
S Gardiner declared that he had met with the Planning Officer and the
Applicant some months ago on site to discuss the points raised by
Knutsford Town Council. He listened to the Planning Officer and the
Applicant but expressed no opinion. When the application was considered
by Knutsford Town Council he did not take part in consideration of the
application.

In the interest of openness in respect of application 14/3720M, Councillor
S Gardiner declared that whilst he was present at the Knutsford Town
Council meeting when the application was considered he did not take part
in the debate or vote on the application.

In the interest of openness in respect of application 14/4124M, Councillor
B Livesley declared that he had met with objectors and the Planning
Officer to look at the land issue and that whilst he had called in the
application, the reasons for the call-in outlined in the report were reasons
submitted on behalf of a resident and not his own personal reasons.

59 MINUTES OF THE MEETING

RESOLVED

That the minutes of the meeting held on 1 November 2014 be approved as a correct record and signed by the Chairman.

60 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

61 14/2475M-REPAIRS AND REBUILDING PART OF CHAPEL, REPLACEMENT WINDOWS AND DOORS, CONVERSION TO CREATE 7NO. APARTMENTS, TWO STOREY REAR EXTENSION TO CREATE ADDITIONAL ACCOMMODATION AND REMOVAL OF LISTED TREES, PINWOOD HOTEL, 180, WILMSLOW ROAD, HANDFORTH, CHESHIRE FOR MR ATIF RULAL

Consideration was given to the above application.

RESOLVED

That for the reasons set out in the report, the application be approved subject to the completion of a Section 106 Agreement securing the following:-

- £21,000 for off-site provision of Public Open Space for improvements, additions and enhancement of existing Public Open Space facilities in Handforth; and
- £3,000 for the off-site provision of recreation/outdoor sport (outdoor sports facilities and pitches, courts, greens and supporting facilities/infrastructure) for improvements, additions and enhancements of existing facilities in Handforth.

And subject to the following conditions:-

- | | |
|-----------|---|
| 1. A03FP | - Commencement of development (3 years) |
| 2. A01AP | - Development in accord with approved plans |
| 3. A02EX | - Submission of samples of building materials |
| 4. A10EX | - Rainwater goods |
| 5. A18EX | - Specification of window design / style |
| 6. A20EX | - Submission of details of windows |
| 7. A21EX | - Roof lights set flush |
| 8. A22EX | - Roofing material |
| 9. A01LS | - Landscaping - submission of details |
| 10. A04LS | - Landscaping (implementation) |

- 11.A22GR - Protection from noise during construction (hours of construction)
- 12.A08HA - Gates set back from footway/carriageway
- 13.A01HP - Provision of car and cycle parking
- 14. Schedule of existing and proposed windows to be submitted detailing the condition of existing windows and identifying those which can be reused and those which require replacement.
- 15. Submission of acoustic assessment and any required mitigation
- 16. Breeding birds survey to be submitted

In addition it was noted that there was a need for an informative to be included on the restoration of pavement / boundary wall.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Principal Planning Manager, in consultation with the Chairman (or in his absence the Vice Chairman) of the Northern Planning Committee, to correct any technical slip or omission in the resolved conditions, informatives, obligations or reasons for approval or refusal, before the issue of the decision notice.

62 14/2478M-LISTED BUILDING CONSENT FOR REPAIRS AND REBUILDING PART OF CHAPEL, REPLACEMENT WINDOWS AND DOORS, CONVERSION TO CREATE 7NO. APARTMENTS, TWO STOREY REAR EXTENSION TO CREATE ADDITIONAL ACCOMMODATION AND REMOVAL OF TREES SUBJECT TO TPO, PINWOOD HOTEL, 180, WILMSLOW ROAD, HANDFORTH, CHESHIRE FOR MR ATIF RULAL

Consideration was given to the above application.

RESOLVED

That for the reasons set out in the report the application be approved subject to the following conditions:-

- 1. A07LB - Standard Time Limit
- 2. A01AP - Development in accord with approved plans
- 3. A02EX - Submission of samples of building materials
- 4. A10EX - Rainwater goods
- 5. A18EX - Specification of window design / style
- 6. A20EX - Submission of details of windows
- 7. A21EX - Roof lights set flush
- 8. A22EX - Roofing material

9. Schedule of existing and proposed windows to be submitted detailing the condition of existing windows and identifying those which can be reused and those which require replacement.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Principal Planning Manager, in consultation with the Chairman (or in his absence the Vice Chairman) of the Northern Planning Committee, to correct any technical slip or omission in the resolved conditions, informatives, obligations or reasons for approval or refusal, before the issue of the decision notice.

63 14/4028M-PROPOSED ERECTION OF 15 DWELLINGS WITH ASSOCIATED VEHICULAR ACCESS AND FOOTPATH, LAND TO THE NORTH OF, CHELFORD ROAD, PRESTBURY, CHESHIRE FOR HARVEY WOOD INVESTMENTS LTD

Consideration was given to the above application.

(Councillor P Findlow, the Ward Councillor and Parish Councillor Mrs T Jackson, representing Prestbury Parish Council attended the meeting and spoke in respect of the application).

RESOLVED

That the application be refused for the following reasons:-

1. Inappropriate development in the Green Belt, adverse impact on openness and encroachment into the countryside. Very special circumstances put forward not sufficient to outweigh the significant harm identified to the Green Belt.
2. R01TR - Loss of protected trees
3. R02TR - Threat to protected trees
4. R03NC - Insufficient ecological information
5. Adverse visual impact and adverse impact on ASCV
6. Lack of visibility at the proposed access and resultant adverse impact on highway safety
7. Unsustainable form of development

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Principal Planning Manager, in consultation with the Chairman (or in his absence the Vice Chairman) of the Northern Planning Committee, to correct any technical slip or omission in the resolved conditions, informatives, obligations or reasons for approval or refusal, before the issue of the decision notice.

Should this application be the subject of an appeal, authority be delegated to the Planning and Enforcement Manager in consultation with the Chairman of the Northern Planning Committee to enter into a planning

agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

64 14/1964C-CONSTRUCTION OF NEW RESIDENTIAL DEVELOPMENT OF UP TO 26 DWELLINGS (RESUBMISSION OF PLANNING APPLICATION REFERENCE 14/0081C), LAND TO THE EAST OF HERMITAGE LANE, CRANAGE FOR ESTATE OF S.H DARLINGTON (DECEASED)

Consideration was given to the above application.

(Parish Councillor Cath McCubbin, the Vice Chairman of Goostrey Parish Council, Mr Walker, an objector and Mr Jay, the agent for the applicant attended the meeting and spoke in respect of the application. IN addition a statement was read out by the Principal Planning Officer on behalf of Councillor L Gilbert, the Ward Councillor).

RESOLVED

That the application be refused for the following reasons:-

1. Open Countryside
2. Jodrell Bank

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Principal Planning Manager, in consultation with the Chairman (or in his absence the Vice Chairman) of the Northern Planning Committee, to correct any technical slip or omission in the resolved conditions, informatives, obligations or reasons for approval or refusal, before the issue of the decision notice.

Should this application be the subject of an appeal, authority be delegated to the Planning and Enforcement Manager in consultation with the Chairman of the Northern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

Heads of terms;

1. A commuted payment of £31,941.00 for the maintenance over a 25 year period of on-site Amenity Green Space (including the footpath link).
2. A commuted payment of £5,677.34 for the upgrade of the Booth Bed Lane site which would be spent of upgrading the equipment and infrastructure.
3. A commuted payment of £18,507.00 for the maintenance over a 25 year period of off-site Children and Young Persons Provision.
4. 30% Affordable Housing provision – 8 units. Provided no later than 50% occupation. Transferred to registered provider. A

tenure split of 65% social rent (or affordable rent) and 35% intermediate tenure.

(Prior to consideration of the application, Councillor Miss C Andrew left the meeting and returned during consideration of the application. She did not take part in the debate or vote on the application).

65 14/4124M-PROPOSED CHANGE OF USE OF ANCILLARY ACCOMMODATION TO FORM NEW DWELLING WITH SINGLE & TWO STOREY EXTENSIONS & ALTERATIONS, STONEMILL COURT, WELLINGTON ROAD, BOLLINGTON, MACCLESFIELD FOR DAVID WHITTAKER

Consideration was given to the above application.

RESOLVED

That for the reasons set out in the report and in the update to Committee, the application be approved subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A06EX - Materials as application
4. A04TR - Tree pruning / felling specification
5. A23GR - Pile Driving
6. AHAC1 - submission of details of turning area(s)
7. AHP51 - submission of details of drainage
8. Dust control details
9. Hours restriction - noise generative activity
10. Phase I Contaminated Land Report
11. Garden areas for the existing and proposed dwellings to be shown on a plan to be submitted to and agreed in writing by the LPA (summary).
12. 4 parking spaces as shown on the approved site layout plan to be provided and made available prior to first occupation of the proposed dwelling (summary). They layout to be specific to the dwelling.
13. Submission of a Construction Method Statement

In addition it was noted that there was a need for an informative to be included on localized flood risk.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Principal Planning Manager, in consultation with the Chairman (or in his

absence the Vice Chairman) of the Northern Planning Committee, to correct any technical slip or omission in the resolved conditions, informatives, obligations or reasons for approval or refusal, before the issue of the decision notice.

(The meeting adjourned for a short break. Councillor Mrs O Hunter left the meeting and did not return).

66 14/4305M-DEMOLITION OF TWO BUILDINGS AND ERECTION OF 13 NO RESIDENTIAL DWELLINGS (RE-SUB OF REFUSED PLANNING APPLICATION 14/1480M), HEATH LODGE, PARKGATE LANE, KNUTSFORD, KNUTSFORD, CHESHIRE FOR THOMAS JONES, THOMAS JONES AND SONS

Consideration was given to the above application.

RESOLVED

That for the reasons set out in the report and in the update to Committee, the application be approved subject to the completion of a Section 106 Agreement requiring a financial contribution of £33,000 towards Public Open Space and a Recreational Open Space Contribution of £11,000. This money would be used at Shaw Heath Open Space and Play Area or projects within the vicinity of the site and subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A23GR - Pile Driving
3. A22GR - Protection from noise during construction (hours of construction)
4. A19MC - Refuse storage facilities to be approved
5. A17MC - Decontamination of land
6. A15LS - Submission of additional landscape details
7. A12LS - Landscaping to include details of boundary treatment
8. A12HA - Closure of access
9. A08MC - Lighting details to be approved
10. A07HA - No gates - new access
11. A06TR - Levels survey
12. A06NC - Protection for breeding birds
13. A06HP - Use of garage / carport
14. A02TR - Tree protection
15. A05TR - Arboricultural method statement
16. A04NC - Details of drainage

- 17.A30HA - bird boxes
- 18.A02NC - Implementation of ecological report
- 19.A02HA - Construction of access
- 20.A02EX - Submission of samples of building materials
- 21.A01TR - Tree retention
- 22.A01MC - Noise insulation
- 23.A01LS - Landscaping - submission of details
- 24.A01GR - Removal of permitted development rights
- 25.A01AP - Development in accord with approved plans
- 26. Dust control measures

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Principal Planning Manager, in consultation with the Chairman (or in his absence the Vice Chairman) of the Northern Planning Committee, to correct any technical slip or omission in the resolved conditions, informatives, obligations or reasons for approval or refusal, before the issue of the decision notice.

Should this application be the subject of an appeal, authority shall be delegated to the Planning and Enforcement Manager in consultation with the Chairman of the Northern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

67 14/3720M-DEMOLITION OF EXISTING PUBLIC HOUSE (FIVE OAKS) TO CREATE 13 NEW APARTMENTS AND ASSOCIATED PARKING AND LANDSCAPING, THE OAKS, MOBBERLEY ROAD, KNUTSFORD FOR MR DAVID LLOYD, OAK TREE DEVELOPMENTS

Consideration was given to the above application.

RESOLVED

That for the reasons set out in the report and in the update to Committee, the application be approved subject to the completion of a Section 106 Agreement requiring a financial contribution of £33,000 towards Public Open Space and a Recreational Open Space Contribution of £4500. This money would be used at Shaw Heath Open Space and Play Area or projects within the vicinity of the site and subject to the following conditions:-

- 1. A03FP - Commencement of development (3 years)
- 2. A23GR - Pile Driving
- 3. A22GR - Protection from noise during construction (hours of construction)

4. A19MC - Refuse storage facilities to be approved
5. A17MC - Decontamination of land
6. A15LS - Submission of additional landscape details
7. A12LS - Landscaping to include details of boundary treatment
8. A12HA - Closure of access
9. A08MC - Lighting details to be approved
10. A07HA - No gates - new access
11. A06TR - Levels survey
12. A06NC - Protection for breeding birds
13. A25GR - Obscure glazing requirement
14. A02TR - Tree protection
15. A05TR - Arboricultural method statement
16. A04NC - Details of drainage
17. A30HA - wheel washing facilities
18. A02HA - Construction of access
19. A02EX - Submission of samples of building materials
20. A01TR - Tree retention
21. A01MC - Noise insulation
22. A01LS - Landscaping - submission of details
23. A01AP - Development in accord with approved plans
24. bird box details to be submitted
25. dust control measures
26. Travel Planning
27. Noise Mitigation Scheme

In addition it was noted that there was a need for an informative to be included on consulting residents on boundary treatment.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Principal Planning Manager, in consultation with the Chairman (or in his absence the Vice Chairman) of the Northern Planning Committee, to correct any technical slip or omission in the resolved conditions, informatives, obligations or reasons for approval or refusal, before the issue of the decision notice.

Should this application be the subject of an appeal, authority shall be delegated to the Planning and Enforcement Manager in consultation with the Chairman of the Northern Planning Committee to enter into a planning

agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

68 14/3395M-WOOD CHIP BIOMASS BOILER, ROBINSON NURSERIES, BOLSHAW ROAD, HEALD GREEN FOR PETER ROBINSON, W ROBINSONS NURSERIES LTD

Consideration was given to the above application.

(During consideration of the application, Councillor J Macrae left the meeting and did not return).

(Mr Robinson, the applicant attended the meeting and spoke in respect of the application).

RESOLEVD

That the application be deferred for further information and for a site visit to take place.

(At the meeting the Officer changed the recommendation from one of refusal to one of deferral).

The meeting commenced at 2.00 pm and concluded at 5.43 pm

Councillor R West (Chairman)

Application No: 14/2049C

Location: SIEMENS HOUSE, VAREY ROAD, CONGLETON, CHESHIRE, CW12 1PH

Proposal: Demolition of existing industrial building and redevelopment to provide residential development, new access, open space and reconfigured car park

Applicant: Siemens plc

Expiry Date: 22-Jul-2014

Date report prepared: 14 November 2014

SUMMARY RECOMMENDATION

Approve subject to conditions and s106 agreement

MAIN ISSUES

- Planning Policy and Housing Land Supply
- Employment land
- Affordable Housing
- Highway Safety and Traffic Generation.
- Impact on nature conservation interests
- Air Quality
- Noise Impact
- Landscape Impact
- Amenity
- Impact upon the character of the area
- Sustainability

REASON FOR REPORT

The application has been referred to Northern Planning Committee because it is a major development, and a departure from policy.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a large area of undeveloped open land, an existing industrial building in the south east corner of the site and a car park serving the existing Siemens business opposite the application site. The site is located to the south of the junction of the A34 and A356 (Macclesfield Road). The site is bordered to the east by the River Dane, beyond which are residential properties in Havanna Street and open space. To the north there is a further area of open land, beyond which lies Eaton Bank Academy and its associated playing fields. To the south is the highway Eaton Bank, and the existing Siemens

facility and industrial buildings along Varey Road. There are residential properties to the west of the site on Jackson Road, and the roads leading from this.

The site is located within the settlement zone with the majority of the site (the area of open land) identified as an employment allocation in the Congleton Borough Local Plan 2005. The Havannah Wood Local Wildlife site is located to the north west of the application site and the River Dane LWS is located to the east.

DETAILS OF PROPOSAL

This application seeks outline planning permission with all matters reserved for the demolition of the existing industrial building and the redevelopment of the site to provide a residential development for up to 75 dwellings, new access, open space and a reconfigured car park.

The application initially sought approval for access, however, these matters have now been withdrawn from the proposal, and therefore outline planning permission is sought with all matters reserved.

RELEVANT HISTORY

There is no planning history relevant to the current proposal.

POLICIES

Congleton Borough Local Plan

DP1 (Employment allocation)
DP9 (Transport Assessments)
GR1 (New Development)
GR2 (Design)
GR3 (Residential Development)
GR4 (Landscaping)
GR5 (Landscaping)
GR6 (Amenity and Health)
GR7 (Amenity and Health)
GR8 (Amenity and Health - pollution impact)
GR9 (Accessibility, servicing and provision of parking)
GR10 (Accessibility for proposals with significant travel needs)
GR14 (Cycling Measures)
GR15 (Pedestrian Measures)
GR17 (Car parking)
GR18 (Traffic Generation)
GR19 (Infrastructure provision)
GR20 (Utilities infrastructure provision)
GR21 (Flood Prevention)
GR 22 (Open Space Provision)
NR1 (Trees and Woodland)

NR2 (Statutory Sites)
NR3 (Habitats)
NR4 (Non-statutory sites)
NR5 (Creation of habitats)
H1 (Provision of new housing development)
H6 (Residential development in the open countryside)
H13 (Affordable Housing and Low Cost Housing)

Other Material Considerations

National Planning Policy Framework (The Framework)

Other Material Considerations

National Planning Policy Framework (The Framework)
Interim Planning Statement: Affordable Housing
Employment Land Review 2012
Relevant legislation also includes the EC Habitats Directive and the Conservation (Natural Habitats &c.) Regulations 1994
5 Year Housing Supply Position Statement

Cheshire East Local Plan Strategy – Submission Version

MP1 Presumption in favour of sustainable development
PG1 Overall Development Strategy
PG2 Settlement hierarchy
PG6 Spatial Distribution of Development
SD1 Sustainable Development in Cheshire East
SD2 Sustainable Development Principles
IN1 Infrastructure
IN2 Developer contributions
EG3 Existing and allocated employment sites
EG5 Promoting a town centre first approach to retail and commerce
SC1 Leisure and Recreation
SC2 Outdoor sports facilities
SC3 Health and Well-being
SC4 Residential Mix
SC5 Affordable Homes
SE1 Design
SE2 Efficient use of land
SE3 Biodiversity and geodiversity
SE4 The Landscape
SE5 Trees, Hedgerows and Woodland
SE6 Green Infrastructure
SE9 Energy Efficient Development
SE12 Pollution, Land contamination and land instability
SE13 Flood risk and water management
CO1 Sustainable Travel and Transport
CO4 Travel plans and transport assessments

DP1 Employment Sites

CONSULTATIONS (External to Planning)

Environment Agency – No objections subject to a condition relating to surface water run off.

Natural England – No objections

United Utilities – No objection subject to a condition relating to disposal of foul and surface waters

Public Rights of Way – No objections and recommend contributions to allow replacement of footbridge over River Dane.

Cheshire Fire & Rescue – Make a number of recommendations that could be incorporated into final design

Environmental Health – No objections subject to conditions relating to travel planning, electric vehicle infrastructure, dust control, noise mitigation measures and a phase II contaminated land investigation.

Housing Strategy & Needs Manager – No objections

Strategic Highways Manager – No objections subject to contributions towards A34 corridor highway improvement scheme and bus shelters in the vicinity.

Archaeology – No objections subject to condition

Greenspaces – There is a requirement for new Children and Young Persons provision to meet the future needs arising from the development

Education – No objections

VIEWS OF THE TOWN COUNCIL

Congleton Town Council – Recommend refusal on the grounds that the application is contrary to the interests of highway safety as the development would result in additional traffic using the junction of Jackson Lane and Macclesfield Road, which is already used to unacceptable levels.

OTHER REPRESENTATIONS

11 letters of representation have been received objecting to the proposal on the following grounds:

- Unacceptable increase in traffic (policy GR18 of the Local Plan)
- Increased pollution and nuisance
- Too many houses being built in Congleton

- Land is allocated for employment uses
- Impact on air quality
- Disturbance to biodiversity
- Safety issue from cars parked on road
- Site is identified in SHLAA as “suitable with policy change”
- Emerging local plan does not identify it as an area to be developed
- Flood risk

APPLICANT’S SUPPORTING INFORMATION

The applicant has submitted the following documents with the application:

Archaeology Assessment; Marketing Report; Phase 1 Contaminated Land Survey; Transport Assessment; Statement of Community Involvement; Flood Risk Assessment; Tree Survey; Air Quality Assessment; Design & Access Statement; Planning Statement.

The planning statement concludes:

- No demand for future employment use of site
- Contribute towards 5 year housing supply
- Provision of affordable housing
- Well served by public transport with pedestrian links to town centre
- Reduction in number of HGVs that could use the site if in employment use
- High quality design in enhanced landscape setting
- Ecological mitigation will enhance qualitative habitat
- Overall proposals give rise to net economic, social and environmental gains and delivers a sustainable development

OFFICER APPRAISAL

HOUSING LAND SUPPLY

Paragraph 47 of the National Planning Policy Framework requires that Council’s identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements.

This calculation of five year housing supply has two components – the housing requirement – and then the supply of housing sites that will help meet it. In the absence of an adopted Local Plan the National Planning Practice Guidance indicates that information provided in the latest full assessment of housing needs should be considered as the benchmark for the housing requirement.

The current Housing Supply Position Statement prepared by the Council employs the figure of 1180 homes per year as the housing requirement, being the calculation of objectively assessed housing need used in the Cheshire East Local Plan Submission Draft.

The Local Plan Inspector has now published his interim views based on the first three weeks of Examination. He has concluded that the Council’s calculation of objectively assessed

housing need is too low. He has also concluded that following six years of not meeting housing targets a 20% buffer should also be applied.

Given the Inspector's Interim view that the assessment of 1180 homes per year is too low, it is no longer recommended that this figure be used in housing supply calculations. The Inspector has not provided any definitive steer as to the correct figure to employ, but has recommended that further work on housing need be carried out. The Council is currently considering its response to these interim views.

Any substantive increase of housing need above the figure of 1180 homes per year is likely to place the housing land supply calculation at or below five years. Consequently, at the present time, it is considered that the Council is unable to robustly demonstrate a five year supply of housing land.

The NPPF clearly states at paragraph 49 that:

“housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

This must be read in conjunction with the presumption in favour of sustainable development as set out in paragraph 14 of the NPPF which for decision taking means:

“where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or*
- specific policies in the Framework indicate development should be restricted.”*

The application site does not form part of the Council's most recent housing land supply position. Therefore, the application provides the opportunity for the Council to increase its housing land supply.

LOSS OF EMPLOYMENT LAND

The application site is allocated for employment in the Congleton Borough Local Plan.

Policy E10 of the Local Plan states:

“Proposals for the change of use or redevelopment of an existing employment site or premises to non-employment uses will not be permitted unless it can be shown that the site is no longer suitable for employment uses or there would be substantial planning benefit in permitting alternative uses that would outweigh the loss of the site for employment purposes.

In considering whether the site is no longer suitable for employment uses account will be taken of:

- A) *The location of the site or premises and the physical nature of any building*
- B) *The adequacy of supply of suitable employment sites and premises in the area*
- C) *Whether reasonable attempts have been made to let or sell the premises for employment uses*

In considering whether there would be a substantial planning benefit from an alternative use account will be taken of:

- A) *Any benefits in terms of traffic generation, noise or disturbance to amenity*
- A) *The impact the proposal would have on the environment and economy of the local area*
- B) *The need for the proposal and its potential contribution to the local area*
- C) *The requirements of other relevant policies of the local plan*

Paragraph 22 of the Framework advises that:

'Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.'

The Council's Employment Land Review 2012 (ELR) considers the need for employment land (for B1, B2 and B8 uses) over the period from 2009-2030, and forms part of the evidence base for developing the new Local Plan.

The application site was assessed in terms of its contribution towards the potential employment land supply sites in the Borough. The assessment concluded that although the site was opposite (Siemens) a prestigious user, the site is poorly located and that it is difficult to see any speculative development taking place. In addition environmental constraints could also impact on the viability of the redevelopment of the site for employment use.

Congleton Town Council also carried out an Employment Land Study in 2010. Their stage 1 report identifies the Eaton Bank site as one which should be retained for employment use but also notes that it would not be attractive to the broader commercial market, and is likely to only fulfil the role of expansion space for the neighbouring business park and industrial estate. In the summary for the site, the report states, *"market engagement flagged up a number of concerns regarding the site – flood risk; lack of credible accessibility, especially poor during school start and ending hours; and owners with no proactive plans for the site. It is expected they will retain the site in its undeveloped state pending any as yet unforeseen need to expand."*

Referring back to policy E10 of the Local Plan, in terms of whether the site is no longer suitable for employment uses, the applicant has provided details of the marketing of the site that has taken place since 2004. The marketing that has been carried out by the sales agent, Rapleys, includes:

- Initial mailing to local, regional and national property agents via the Estate Agents Clearing House.

- Particulars were also listed on Rapleys website;
- Details distributed to 1,200 contacts on the Developer/Investor database and to commercial developers specifically.
- Advertised in Estates Gazette
- For sale boards erected at the site
- Advertised in the Congleton Chronicle Series and the Manchester Evening News

The overwhelming feedback received from the marketing is that this is not a preferred location for commercial use given the availability of competing local sites which are better connected on arterial routes and do not have such varying levels topography or associated development constraints. Rapleys did however receive offers in 2005, some were industrial in nature, but were unsustainable in terms of achieving market value. Others were speculatively based on the prospect of achieving residential development. There is currently no current interest in the site for commercial development.

It is therefore clear that reasonable attempts have been made to sell the premises for employment purposes. The marketing feedback suggests that the main contributory factors to the unsuccessful marketing have been the location of the site and its physical nature. This feedback is consistent with the views expressed within the Council's ELR.

The ELR examines which sites should be retained for employment allocation and which should be allocated for non-employment uses. The application site is one which is recommended for a non-employment use. Taking these recommended reallocations of employment sites into account, the ELR indicates that Congleton will have a shortfall of employment land of between 1.38 and 1.89 hectares for the period 2009 to 2030. The ELR states that commercial agents feel that the western side of the town is under developed in commercial terms. Congleton Town Council's Employment Land Study also notes that allocating a significant new employment site on any location other than the west side of Congleton is unlikely to lead to a commercially deliverable scheme.

The emerging local plan seeks to address these issues and identifies two strategic sites to the west of Congleton at Back Lane / Radnor Park and Congleton Business Park to provide a total of 20 hectares of additional employment land.

Therefore whilst the ELR identifies an expected shortfall of employment land in Congleton between 2009 and 2030, and the loss of the application site as an employment allocation will contribute to this shortfall, the site is considered to be no longer suitable for employment uses. The emerging local plan acknowledges this shortfall and is seeking to provide more suitable employment provision to the west of the town. The loss of the application as an employment site is therefore accepted, and the proposal is considered to comply with the requirements of policy E10 of the local plan.

AFFORDABLE HOUSING

The site is located within the Congleton sub-area for the purposes of the Strategic Housing Market Assessment (SHMA) update 2013. This shows a net requirement for 58 affordable units per annum for the period 2013/14 – 2017/18. Broken down there is a need for 27x 1bd, 10x 3bd, 46x 4+bd general needs units and 37x 1bd older persons accommodation. The SHMA showed an oversupply of 2 bed units.

In addition to SHMA information, Cheshire Homechoice shows there are currently 564 applicants who have selected one of the Congleton lettings areas as their first choice. These applicants require 334x 1bd, 167x 2bd, 56x 3bd and 7x 4+bd units.

The application is for outline planning for 75 dwellings. The Interim Planning Statement: Affordable Housing (IPS) states that in areas with a population of more than 3,000 the Council will negotiate for the provision of an appropriate element of the total dwelling provision to be for affordable housing on all unidentified 'windfall' sites of 15 dwellings or more or than 0.4 hectare in size.

The IPS also states the exact level of provision will be determined by local need, site characteristics, general location, site suitability, economics of provision, proximity to local services and facilities, and other planning objectives. However, the general minimum proportion of affordable housing for any site will normally be 30%, in accordance with the recommendation of the 2010 Strategic Housing Market Assessment. The preferred tenure split for affordable housing identified in the SHMA 2010 was 65% social rented and 35% intermediate tenure.

Therefore there is a requirement for 23 affordable units on the site, with 15 to be provided as social or affordable rent and 8 to be provided as intermediate tenure. The applicant in their accompanying planning statement states the site will deliver 30% of dwellings as affordable. They go on to state that a s106 agreement will include provision for 30% affordable housing and a tenure split to be agreed. This should secure the 65% rented and 35% intermediate tenure split.

The IPS requires that the affordable units should be tenure blind and pepper potted within the development, the external design, comprising elevation, detail and materials should be compatible with the open market homes on the development thus achieving full visual integration.

The IPS also states that in order to ensure the proper integration of affordable housing with open market housing, the delivery of affordable units should be phased to ensure that they are delivered periodically throughout the construction period.

No objections are therefore raised to the affordable provision subject to the affordable housing being secured via the s106 agreement, which:

- requires them to transfer any rented affordable units to a Registered Provider
- provide details of when the affordable housing is required
- include provisions that require the affordable homes to be let or sold to people who are in housing need and have a local connection. The local connection criteria used in the agreement should match the Councils allocations policy.
- includes the requirement for an affordable housing scheme to be submitted prior to commencement of the development that includes full details of the affordable housing on site including location, type and size.
- Requires the affordable units to be constructed to HCA Design and Quality Standards (2007) and Level 3 of the Code for Sustainable Homes (2007).

ACCESSIBILITY

Part of the site is greenfield which would not be the first priority for development; however, it is acknowledged that some of the site is previously developed land. The site is also within 1 mile of Congleton town centre with its good transport links and local facilities.

Policies GR9 and GR10 of the local plan, and policy CO1 of the emerging local plan, seek to ensure that developments are accessible by a range of transport options. This is consistent with paragraphs 34 and 35 of the Framework, which require plans and decisions to take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site. Indeed one of the core planning principles of this document is to actively manage patterns of growth to make the fullest use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

Footways are provided adjacent to Eaton Bank on both sides of the carriageway providing access from the site onto the local pedestrian network, from where it is possible to access Congleton town centre to the south. There is a footbridge over the River Dane at the southern end of Eaton Bank providing a link to Havanna Street, local shops, schools and bus stops. As Eaton Bank benefits from street lighting and is flanked by residential and commercial properties, it is considered that the pedestrian facilities located on Eaton Bank provide a safe environment for pedestrian trips.

Eaton Bank forms part of National Cycle Route 55 (Biddulph Valley Way), which connects Macclesfield to the north with Stoke-on-Trent to the south via Congleton. In this regard, the site benefits from excellent access to the local cycle network and is therefore well placed to encourage cycling as an alternative to the private car. This is particularly evident given that Route 55 provides onward connections to Congleton town centre and Congleton railway station to the south via a network of local roads including Riverdane Road and Herbert Street. As these roads are relatively lightly trafficked, well lit and benefit from good levels of natural surveillance, it is considered that they provide safe and attractive cycling routes. The site is also approximately 400 metres from the nearest bus stop on Macclesfield Road. The site is therefore considered to be in a relatively sustainable location,

The public rights of way officer has stated that the developer should contribute towards the replacement of the footbridge over the River Dane to Havannah Street in order to bring it up to a standard suitable for shared use, cycling and walking, as the application documents note the importance of this route in providing access to local shops, schools and bus stops. Sustrans have made similar comments.

However, NCN55 runs in front of the site and provides reasonable cycle access towards the town centre. The existing bridge could be crossed by both bikes and pedestrians. As such contributions towards the bridge are not necessary to make the development acceptable in planning terms.

HIGHWAY SAFETY AND TRAFFIC GENERATION

Policy DP9 of the Local Plan requires a transport assessment to be submitted before planning permission is granted. However, this policy relates to the employment allocation of the site. The application is supported by a Transport Statement (TS) as the number of units does not breach the threshold for a full Transport Assessment under the Department for Transport document: *Guidance on Transport Assessments*.

The scope for the TS was agreed with the Strategic Highways Manager prior to the application being lodged. The TS is therefore considered to provide the appropriate level of highways detail to accompany the current proposal. The Strategic Highways Manager makes the following comments on the application:

Local Highway Infrastructure

Eaton Bank fronts the site and is an industrial estate road which is of significant width and is subject to a 30mph speed limit. The TS has provided speed surveys showing approach speeds so that the geometry and visibility requirements for the proposed junction into the site can be determined against standards. In this case approach speeds allow the use of Manual for Streets (MfS) visibility standards and the site can provide 2.4 x 59 metre splays in accordance with MfS guidance.

Eaton Bank becomes Jackson Road as it approaches the A536 Macclesfield Road and benefits in its operation from the fact that at this point Macclesfield Road is one-way only as it forms the entrance to the gyratory junction which serves the: A536/A34 route. From the gyratory, traffic distributes either east to Macclesfield on the A536 or north/south on the A34 to Manchester or Congleton.

The A34 corridor is identified by the Strategic Highways Manager as a traffic corridor which is heavily congested at a number of junctions along its length and the Highway Authority have a VISSIM model of the corridor which identifies the congested junctions. Financial contributions are required from development which has cumulative impact on the A34 corridor.

Transport Statement

The TS provides trip rates generated from the TRICS database and is able to provide traffic generation figures as a result. This is identified at approximately 40 trips in the peak hour.

The TS then looks at the traffic generation from the warehouse which is being removed from the site and deducts this from the residential traffic generation to provide a net traffic generation figure identified as the increase in traffic generation from the site in the event of the residential development being built out.

The result is that in total the net increase in traffic flow from the site will be under 30 trips which is defined in the Department for Transport document: *Guidance on Transport Assessments* as a level of impact which is a good point of discussion to decide whether it constitutes a detrimental impact.

This leaves the Strategic Highways Manager in a position where it is necessary to consider local road background flows and the nature of the network immediate to the site. In this instance the low background flows on Eaton Bank mean that there is plenty of available capacity to accept the development traffic at this level. In addition the traffic generation from a residential development would see arrival and dispersal traffic generally travelling in the

opposite direction to the incoming or outgoing employment traffic on this industrial estate. It is therefore considered that Eaton Bank has acceptable capacity.

Given the relatively low traffic generation from this development the main impact will be at the junction of Jackson Road and the A536 where all vehicles must turn left into the gyratory system and distribute from there.

Once on the gyratory the traffic will split via three routes and immediately the traffic impact on the A536 and north on the A34 will be non-material. However, the traffic impact on the A34 corridor towards Congleton is a material impact.

The Highway Authority VISSIM model shows the Rood Hill traffic signal junction, Barn Road roundabout, West Road roundabout and the Wagon and Horses junction to be over capacity in peak hours.

Traffic generation from this development will have a cumulative impact on this traffic corridor and it is therefore necessary and reasonable for the development to make financial contribution towards the highway improvement schemes which are costed and which have design drawings against them.

Precedent

There have been two other residential development proposals in the immediate vicinity of the A34/A536 gyratory recently which have both agreed contributions to the improvement of the A34 corridor. Both of these developments were of smaller scale than this current proposal so it is reasonable that a pro-rata contribution should be required from this development towards the A34 corridor improvements.

The two precedent sites were each of approximately 45 units totalling 90 and this site is for 75 units. The two precedent sites were agreed to provide £150,000 between them, either in contribution or value of provided facility. The calculation for this site would therefore see a sum of £125,000 as the equivalent required contribution.

In addition, the TS claims sustainability via a number of modes including bus services. However the bus frequency is no better than hourly and therefore it is considered that there should be a contribution to the provision of upgraded bus shelters at the nearest bus stops to the site which require this improvement.

To this end the Strategic Highways Manager requires a contributory sum of £25,000 towards the improvement of two local bus stops to quality partnership standard to satisfy the requirement of new development to encourage the use of sustainable transport choices from this development proposal.

Internal layout

Whilst this is an outline application a master plan is provided which demonstrates the design approach. It will be necessary that the internal layout for the site provides a quality Manual for Streets design when a reserved matters application comes forward.

Car park

The existing and the proposed car park serve the existing Siemens facility on the opposite side of Eaton Bank. Parking numbers will remain the same, and therefore there will be no loss of parking facilities for existing employees and visitors to Siemens as a result of the proposal.

Conclusion on highways

This development proposal would not have a material impact on the local road network other than for the A34 traffic corridor where the cumulative impact would be of concern. In order to mitigate against this impact the developer is required to contribute to the identified A34 improvements list and pro-rata with the contributions agreed on other local development sites. This has been discussed and agreed with the applicant's highway consultant.

No significant highway safety or traffic generation impacts are therefore raised subject to the contributions towards local highways infrastructure referred to above.

AIR QUALITY

The proposed development lies within 500m of the A34 Lower Heath Air Quality Management Area (AQMA) declared as a result of breaches of the air quality objective for nitrogen dioxide. There is also concern that the cumulative impact of developments in the area will lead to successive increases in pollution levels, thereby increased exposure.

The Environmental Health Officer (EHO) initially raised concern that the submitted air quality impact assessment did not adequately demonstrate that the proposed development would have a negligible air quality impact within the area/AQMA.

Additional information was therefore submitted to consider whether the development will result in increased exposure to airborne pollutants, particularly as a result of additional traffic movements. The assessment utilises DMRB (Design Manual for Roads and Bridges) to model NO₂ and PM₁₀ impacts from the predicted additional road traffic associated with this development and committed developments in the area.

The report identifies that there is likely to be increased exposure to airborne pollutants at all 7 receptors modelled. One of these receptors is within the AQMA. The EHO notes that any increase of concentrations in an AQMA is contrary to their local air quality management objectives. It is therefore considered that mitigation should be sought in the form of direct measures to reduce the impact of traffic associated with the development.

Modern Ultra Low Emission Vehicle technology (such as electric vehicles) are expected to increase in use over the coming years (the Government expects most new vehicles in the UK will be ultra low emission). As such it is considered appropriate to create infrastructure to allow charging of electric vehicles, in new modern properties.

Whilst raising no specific objections, the EHO recommends conditions relating to travel plans, electric car charging points and dust control in order to mitigate for the air quality impact of the development, and to comply with policy GR7 of the local plan.

NOISE IMPACTS

Night-time – Industrial/Commercial Noise Impact

The Environmental Health department has previously received two tonal industrial / commercial noise complaints from residents located a greater distance from the proposed application site consideration to the industrial estate. Therefore, they initially raised concerns regarding the quality of the noise monitoring survey and its conclusions. Subsequently, an evening subjective noise assessment was completed by the EHO on Monday 11th August 2014 to assess the conclusions of the noise report. At 10.10pm and 11.10pm broadband tonal industrial/ commercial noise was witnessed at the location of the proposed noise sensitive properties arising from activities from Siemens and another installation operating at the time of the subjective noise monitoring assessment. The industrial / commercial noise from these installations was the dominant noise source and would be a source of disturbance/ annoyance to future residents with windows open at night for ventilation or if using outdoor gardens or amenity areas.

To a lesser extent noise from the river weir was also evident. No mention of the river weir was made in the applicant's noise assessment as their evening noise monitoring survey was unmanned. Section 6.1 Noise Monitoring Results, bullet point 4 states: *constant generator noise from the building within the site to be demolished*. To check if the weir noise source had been masked by the operation of the generator during the consultants noise monitoring survey; KE Burgmann Expansion Joint Division (the proprietor of this premises) were questioned on this point, they advised that they close at 5pm and do not operate any plant on site out of hours. To this end, it appears that the weir noise IS actually the generator noise that is mentioned in the noise report.

Daytime - Industrial/Commercial Noise Impact

A subjective daytime noise assessment was also completed by the EHO on Wednesday 13th August 2014. During the daytime the background noise from traffic and industrial/commercial activities appears to mask the otherwise dominant industrial/ commercial noise at this location which is present at night-time.

Noise Summary

Noisy industrial uses are sited within industrial estates, because they rely heavily on separation distances to reduce noise impacts on noise sensitive development, thereby reducing the impact on residential amenity. The introduction of noise sensitive receptors at the proposed location may negatively impact existing industrial/commercial noise sources especially those that operate during the night-time period.

Although a noise survey has been carried out, no information was originally submitted to show what mitigation measures the applicant will provide to ensure an adequate level of protection against industrial / commercial night-time noise impacts.

As a result of the concerns raised above additional noise surveys were carried out by the applicant and this identified that a 12dB reduction in noise levels is required in order to have an acceptable impact upon the external areas of the nearest of the proposed dwellings. The applicants have demonstrated that this could be achieved by the erection of a 2 metre high acoustic fence along the boundary with Eaton Bank. The EHO advises that an alternative would be to re-site the car park to a position opposite Varey Road to allow it to act as a buffer for the industrial noise. Either of these solutions would overcome the EHO's previous concerns regarding industrial noise impact affecting the proposed external amenity areas of

the noise sensitive residential properties at this location. The preferred option for the applicant is to erect the acoustic fence. Furthermore, the EHO is satisfied that internal noise levels will achieve the appropriate standards set out in BS8223: 2014.

Subject to the provision of the acoustic fence, the proposed dwellings will not be subject to unacceptable levels of noise from nearby industrial units, and the proposal is therefore considered to be in accordance with policy GR7 of the Local Plan.

Didn't we discuss the unacceptable visual impact of this and that the preferred option would be to re-locate the car park?

CONTAMINATED LAND

The Contaminated Land officer notes that the application area has a history of use as agricultural land and is adjacent to industrial works and therefore the land may be contaminated. The application is also for new residential properties which are a sensitive end use and could be affected by any contamination present. Finally, the Report submitted in support of the application recommends that intrusive investigations are required. A condition requiring a phase II investigation is therefore recommended.

LANDSCAPE & TREES

There are a number of trees on the site which are mainly limited to the boundaries along the riverbank which form part of the SBI and will be retained, none of which are formally protected. The Forestry Officer has not raised any objection to the proposal noting that the inclusion of the majority of the existing tree cover within a green landscape infrastructure is a very suitable way of integrating the development into the landscape

The landscape officer advises that the site is allocated for business use, and considers that housing in this area would have less impact on the valley landscape. No significant landscape objections are therefore raised. However, the landscape officer raises the following matters that should be addressed in the reserved matters:

- Provision of cycleway route (ideally set within a wider open space corridor and not located at the rear of properties) with links from the proposed housing.
- The properties should face onto the Dane Valley woodland; informal amenity spaces and any equipped play areas should be located within the cycleway corridor in prominent locations with natural surveillance.
- Ensure adequate space is provided for the cycleway between the car park and the river
- Cross sections through the cycleway corridor, particularly between the car park and the river, to illustrate the character of the route.
- A screen buffer should be provided between the rear of the properties and the car park.
- A series of cross sections through the entire site to demonstrate the proposed levels and contours.

In addition a phasing plan should be submitted for the completion of the cycleway route/POS and a Landscape and Habitat Management Plan for the cycleway route and all areas not within private gardens. This document should form part of a s106 agreement in order to secure appropriate on-going management and public access in perpetuity. The L&HMP must establish the mechanism for management and maintenance (e.g. a management company).

ECOLOGY

The nature conservation officer has commented on the application and provides the following comments:

Habitats

A large area of the application site has been identified as supporting semi-improved grassland habitats with additional areas of marshy grassland. Restorable semi-improved grassland and marshy grassland habitats can potentially meet the criteria for selection as Local Wildlife Sites.

Further surveys undertaken during June 2014 have established that whilst a number of grassland species are present the botanical composition of the grassland habitats also shows signs of agricultural improvement which limits their nature conservation value.

The nature conservation officer advises that the grassland habitats on site are of relatively low value and do not present a significant constraint upon development. The development proposals however may still result in an overall loss of biodiversity. It is therefore recommended that the residual impacts of the development be off-set by means of a commuted sum that could be utilised to fund offsite habitat creation / enhancement potentially within the Meres and Mosses Nature Improvement Area.

The following method has been used to calculate an appropriate commuted sum. This is based on the Defra report 'Costing potential actions to offset the impact of development on biodiversity – Final Report 3rd March 2011':

The loss of habitat (Semi improved grassland) amounting to roughly 1.8ha.

- Cost of creation of Lowland Grassland - $1.8\text{ha} \times £11,293.00$ (cost per ha) = £20,327.40
(Source UK BAP habitat creation/restoration costing + admin costs)

The above calculation would be for the creation of species rich UK BAP grassland, however the habitat lost is species poor and so the impacts of this loss is obviously less. It is therefore recommended that half of this figure would be appropriate. A contribution of £10,163 is therefore required.

Local Wildlife sites (LWS)

The Havannah Wood Local Wildlife site is located to the north west of the proposed development site and the River Dane LWS is located to the east.

Havannah Wood Local Wildlife Site

The proposed development will not result in a direct loss of habitat from within the boundary of this LWS. However as a number of the proposed properties back onto the LWS there is potential for the development to affect the LWS in a number of ways, including: the tipping of garden waste, unauthorised garden extensions, pruning back of any adjacent trees, the introduction of non-native species either deliberately or accidentally and contamination by garden chemicals etc.

To avoid these impacts it is recommended that the reserved matters proposals avoid any of the proposed new dwellings backing onto the boundary of the LWS.

River Dane LWS

The indicative layout shows an area of retained habitat adjacent to the river. This area of retained habitat may not exactly reflect the boundary of the LWS site in this locality, however the nature conservation officer advises that any incursion into the boundary of this LWS is unlikely to be significant. For the reasons outlined above, none of the proposed properties should back directly onto the boundary of the LWS.

To assist with offsetting any residual impacts of the proposed development, and in line with the landscape officer's comments, the submission of a habitat management plan for the retained LWS should be required. In addition a condition is recommended which requires the submission of a method statement to safeguard the LWS during the construction process.

Congleton Wildlife Corridor

There does not appear to be any development proposed within the adjacent Congleton Wildlife Corridor which is protected by Local policies.

Hedgerows

Hedgerows are a Biodiversity action plan priority habitat and hence a material consideration. The proposed development is likely to result in the loss of existing hedgerows however it appears likely that there would be opportunities for additional hedgerows to be provided between the proposed houses and the open space area.

Badgers

No evidence of badger activity was recorded during the submitted survey. This species is therefore not reasonably likely to be present or affected by the proposed development.

Otter and water vole

No evidence of these species was recorded during the submitted survey however there is potential for otters to occur on the adjacent river Dane on at least a transitory basis. Given that the proposed development is set a considerable way back from the river the nature conservation officer advises that these species, if present, are unlikely to be significantly affected by the proposed development.

Bats

The buildings on site have been identified as offering moderate potential to support roosting bats, as well as a number of trees on the site that also provide opportunities for roosting bats.

The additional detailed bat surveys have identified no evidence of roosting bats within the buildings on site. The trees along the river and the river corridor itself which provides a valuable commuting and foraging habitat for bats will not be affected by the proposed development. The proposed development is therefore unlikely to significantly affect bats, however, a condition should be attached requiring any lighting scheme for the site to be agreed with the LPA.

Other priority species

A number of biodiversity action plan priority species, including polecat, hedgehog etc. have been recorded in the broad locality of the application site, although not from the application site itself. There is however potential for a number of these to occur on the application site on at least a transitory basis. The retention of the adjacent LWS site would assist in mitigating any potential impacts on these species. The nature conservation officer recommends a condition requiring the incorporation of gaps for hedgehogs in any boundary fencing.

Breeding Birds

The application site is likely to support a number of species of breeding bird including a number of the more widespread Biodiversity Action plan species which are a material consideration for planning. Standard conditions are therefore recommended to safeguard breeding birds and ensure additional features for nesting birds and roosting bats are incorporated into the proposed development.

LAYOUT & DESIGN

With all matters reserved for subsequent approval only an illustrative layout has been submitted. Excluding the reconfigured car park, and the ecological buffer zone to the River Dane LWS, the indicative site layout shows the provision of housing at a density of 32 dwellings per hectare. However, a number of fundamental alterations will need to be made to this indicative layout in order to protect the local wildlife sites. In addition, and as noted further below, some of the spacing between the dwellings shown on the indicative plan will need to be increased, as it currently falls short of relevant standards in the local plan. This may require the houses or the car park to be moved further up the slope to the north west of the site. There is nothing to indicate at this stage that this cannot be achieved. It is therefore considered that the site can accommodate up to 75 dwellings and the proposed 320 parking spaces for the adjacent industrial unit without have a significant impact upon the character of the area.

The indicative layout plan provides images of 2 and 2.5 storey properties as typical house types. The majority of properties within the immediate area are either single or two-storey. Due to the presence of the industrial estate on the opposite side of Eaton Bank, in terms of scale, a wide variety of buildings exist in the local area. Whilst, they cannot be ruled out at this stage, given the varied character of surrounding residential areas, the introduction of buildings greater than two-storeys will have to be carefully considered and much will depend on the specific form and design put forward in the reserved matters

The requirement for a 2 metre high acoustic fence will depend upon the final positioning of the housing and the car park. However, in the event that the fence is required, a position immediately adjacent to the highway would not be acceptable having regard to the existing hedge lined character of Eaton Bank. The existing hedge to Eaton Bank will need to be retained where possible in order to screen the fence, which will need to be located a minimum of 2 metres behind the hedge to ensure that the hedge has room to grow. In locations where the fence is erected and there is no existing hedge a landscape buffer of 2.5 metres will need to be retained to allow space to plant in front.

No issues are raised with regard to the demolition of the existing industrial building to the south of the site, as it is of no particular architectural merit. Similarly, the car park will remain at the same scale and provide the same number of parking spaces as existing.

AMENITY

New residential developments should generally achieve a distance of between 21m and 25m between principal windows and 13m to 14m between a principal window and a blank elevation. This is required to maintain an adequate standard of privacy and amenity between residential properties.

A number of separation distances on the indicative layout fall below the normal separation distances outlined above. Whether the sloping land to the west of the site can be more efficiently used remains to be seen. Other options would therefore be to reassess the mix of housing, providing smaller units to provide more space across the site, or reduce the number of houses.

The layout and design of the site are reserved matters and it is considered that up to 75 dwellings could be accommodated on the site, whilst maintaining the necessary separation distances between the proposed dwellings within the new estate and adequate amenity space for each new dwelling.

No residential properties adjoin the application site, therefore given the relationship with, and distance to, the nearest residential neighbour, there is not considered to be any significant impact upon the living conditions of existing residents. No further significant amenity issues are raised at this stage.

FLOODING / DRAINAGE

Flood Risk

The submitted Flood Risk Assessment (FRA) shows that the developable area of the site is located Flood Zone 1 as shown on the Environment Agency's Flood Map, which is low probability of river/tidal flooding. The FRA states that the rate of surface water run-off from the proposed site will not exceed greenfield run-off rates from the existing undeveloped site. This would comply with the requirements within the Council's Strategic Flood Risk Assessment (SFRA).

The Environment Agency raises no objections to the proposal subject to a condition relating to the submission of a scheme to limit surface water run-off.

Contaminated Land

The submitted Phase I Desk Study indicate that the site is not likely to pose a significant risk to controlled waters receptors and therefore the Environment Agency has no requirements for further works at this time. However, they request a condition is added that requires them to be contacted if any additional evidence of contamination is identified during the development of the site to ensure that risks to controlled waters receptors are appropriately managed.

Drainage

United Utilities raise no objection to the proposed development subject to a condition requiring a scheme for the disposal of foul and surface waters for the entire site to be submitted.

OPEN SPACE

Paragraph 73 of the Framework places an emphasis on the need to provide high quality open spaces and opportunities for sport and recreation as they can make an important contribution to the health and well-being of communities.

Policy GR22 of the Local Plan and SPG1: Provision of Public Open Space in New Residential Development requires the provision of Public Open Space. Policy GR22 requires that this public open space is of *'an extent, quality, design and location in accordance with the Borough Council's currently adopted standards and having regard to existing levels of provision'*. SPG1 states that *'the requirement for public open space will normally apply to all developments of 7 or more dwellings'*. The Interim Policy Guidance on Public Open Space Provision provides details in relation to the level and types of provision which will be required for the development.

Amenity Greenspace

Following an assessment of the existing provision of Amenity Greenspace accessible to the proposed development, if the development were to be granted planning permission there would be a surplus in the quantity of provision, having regard to the local standards set out in the Council's Open Space Study.

The illustrative layout and the Design and Access statement show that there are 3 separate areas of open space including a LAP 16m in diameter and a large area of open space identified as a site of Biodiversity Interest. Due to the specialist nature of maintenance of a site of Biodiversity Interest it is recommended that the maintenance is transferred to a management and maintenance company with the relevant specialist skills.

Children and Young Persons Play Provision

Following an assessment of the existing provision of Children and Young Persons Provision accessible to the proposed development, if the development were to be granted planning permission there would be a deficiency in the quantity of provision, having regard to the local standards set out in the Council's Open Space Study.

Consequently there is a requirement for new Children and Young Persons provision to meet the future needs arising from the development. A NEAP (Neighbourhood Equipped Area for Play) standard play facility is required in accordance with the SPG1, clause 3.6. in accordance with the size of the development and should be suitable for all ages.

The play facility should include at least 8 items/activities incorporating DDA inclusive equipment and be in line with the standards set out by Fields In Trust Planning and Design for Outdoor Sport and Play. **Ansa request** that the final layout and choice of play equipment is agreed with CEC, the construction should be to BSEN standards.

Full plans showing the design must be submitted prior to the play area being installed and this must be approved, in writing prior to the commencement of any works. A buffer zone of a least 30m from residential properties facing the play area should be allowed for with low level planting to assist in the safety of the site.

As with the Amenity Greenspace it is recommended that future maintenance of the play area be carried out by a Management company.

It may not be possible to accommodate the required NEAP within the site, therefore options for off site provision may need to be explored. Further consultation with open space officers is currently taking place and will be reported to members in an update.

EDUCATION

A development of 75 dwellings is expected to generate 14 primary aged children and 10 secondary aged children. Given that there is forecast to be availability in local schools, no education contributions are required from this development.

ARCHAEOLOGY

The application is supported by an archaeological desk-based assessment that has been prepared by CgMs Consulting on behalf of the applicant. The report considers data held in the Cheshire Historic Environment Record and also benefits from an examination of the historic mapping, aerial photographs, and readily-available secondary sources. It concludes that the area has a limited archaeological potential and there are no significant archaeological constraints on the re-development of the area.

The Council's archaeologist advises that, broadly speaking, these conclusions are correct and that across the bulk of the area no further archaeological mitigation will be required. There is one possible exception to this pattern in the area at the southern extremity of the site adjacent to the river Dane, which was formerly occupied by a mill. This building is depicted on the tithe map and the 19th-century editions of the ordnance Survey 25" maps but has now been demolished. The mapping also depicts a leat leading from the river and a possible wheel pit. Traces of these features may survive below ground and could be damaged by the proposed development.

Unfortunately, it is not possible for the Council's Archaeologist to offer definitive advice on this matter at present as information on the nature of below-ground disturbance is not yet available. The area will form part of the re-configured car park and it may be that construction will not seriously affect any remains of the mill. In this case, the submission of detailed information on groundworks in this area might be sufficient to mitigate the effects of the development. It may prove, however, that groundworks associated with demolition of the existing building and construction of the car park will damage and destroy surviving elements of the mill complex. In these circumstances, a targeted developer funded watching brief would be appropriate in order to identify and record important features. These would consist of the leat, wheel pit and any other exposed elements of the mill's power system. A report on the work would be required and the mitigation could be secured by condition.

AGRICULTURAL LAND

Paragraph 112 of the Framework states that Local Planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

The proposal involves the loss of grade 3 agricultural land, which is good to moderate quality land. Given that the site has been allocated for employment development for some time, the development of the site and the loss of this lower quality agricultural land has been accepted through the local plan process, the loss of the agricultural land can be accepted in this case.

HEADS OF TERMS

If the application is approved a Section 106 Agreement will be required to secure the following heads of terms:

- The provision of a NEAP facility (comprising a minimum of 8 items of equipment) or financial contribution in lieu of on site provision
- Management details for the maintenance of all amenity greenspace / public open space, public footpaths and greenways within the site, play areas, and other areas of incidental open space not forming private gardens or part of the adopted highway in perpetuity.
- Submission of landscape and habitat management plan
- Provision of 30% affordable housing with 65% to be provided as social/affordable rent and 35% provided as intermediate tenure
- Phasing of affordable housing
- The payment of £10,163 for habitat creation/enhancement works in the locality, to offset loss of biodiversity
- Financial contribution of £125,000 towards highway improvement works along A34 corridor
- Financial contribution of £25,000 towards bus stop improvements

Community Infrastructure Levy (CIL) Regulations

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The provision of affordable housing, public open space provision, financial contributions for highways improvements and bus stop improvements, and the financial contribution to offset the loss of biodiversity is necessary to mitigate for the impact of the development, is fair and reasonable in order to provide a sustainable form of development, to contribute towards sustainable, inclusive and mixed communities and to comply with local and national planning policy.

All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of the development

CONCLUSIONS AND REASON(S) FOR THE DECISION

The site is allocated as employment land within Congleton Borough Local Plan where, under policy E10 there is a presumption against non-employment uses. However, it is considered that the site is no longer suitable for employment uses. Furthermore, the Council is currently unable to robustly demonstrate a five year supply of housing land. Therefore, the presumption in favour of sustainable development applies in this case, and in accordance with paragraph 14 of the Framework, planning permission should be granted unless any

adverse impact of doing so would significantly and demonstrably outweigh the benefits from it, when assessed against the Framework as a whole.

The proposed development would make an important contribution in terms of affordable housing provision and this would be a significant benefit. Matters relating to the detailed design, amenity, landscape, trees, air quality and noise impact can be adequately addressed through the use of conditions or at the reserved matters stage. Although there would be some visual impact resulting from the loss of the greenfield part of the site, it is considered that due to the relationship with existing urban form, this would not be so significantly adverse to justify a refusal of planning permission. With regard to ecological impacts, provision of a commuted sum to offset any loss in biodiversity is considered to be acceptable. It is also acknowledged that there will be some additional impact upon existing congestion along the A34 corridor, however this is minimal and cannot be identified as a significant adverse impact that would justify a refusal of planning permission in this case. Mitigation is also provided in the form of financial contributions towards planned highway improvements along the A34 corridor.

The proposal is a sustainable form of development, and in the absence of any identified significant adverse impacts a recommendation of approval is made.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his 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.

Application for Outline Planning

RECOMMENDATION:

1. A01OP Submission of reserved matters
2. A02OP Implementation of reserved matters
3. A03OP Time limit for submission of reserved matters
4. A06OP Commencement of development
5. A08OP Ground levels / sections to be submitted with reserved matters application
6. A32HA Submission of construction method statement (including hours of construction)
7. A19MC Refuse storage facilities to be approved
8. Foul and surface water drainage details to be submitted
9. Submission of remediation strategy if contamination is found during construction
10. Hedgerow to Eaton Bank boundary to be retained



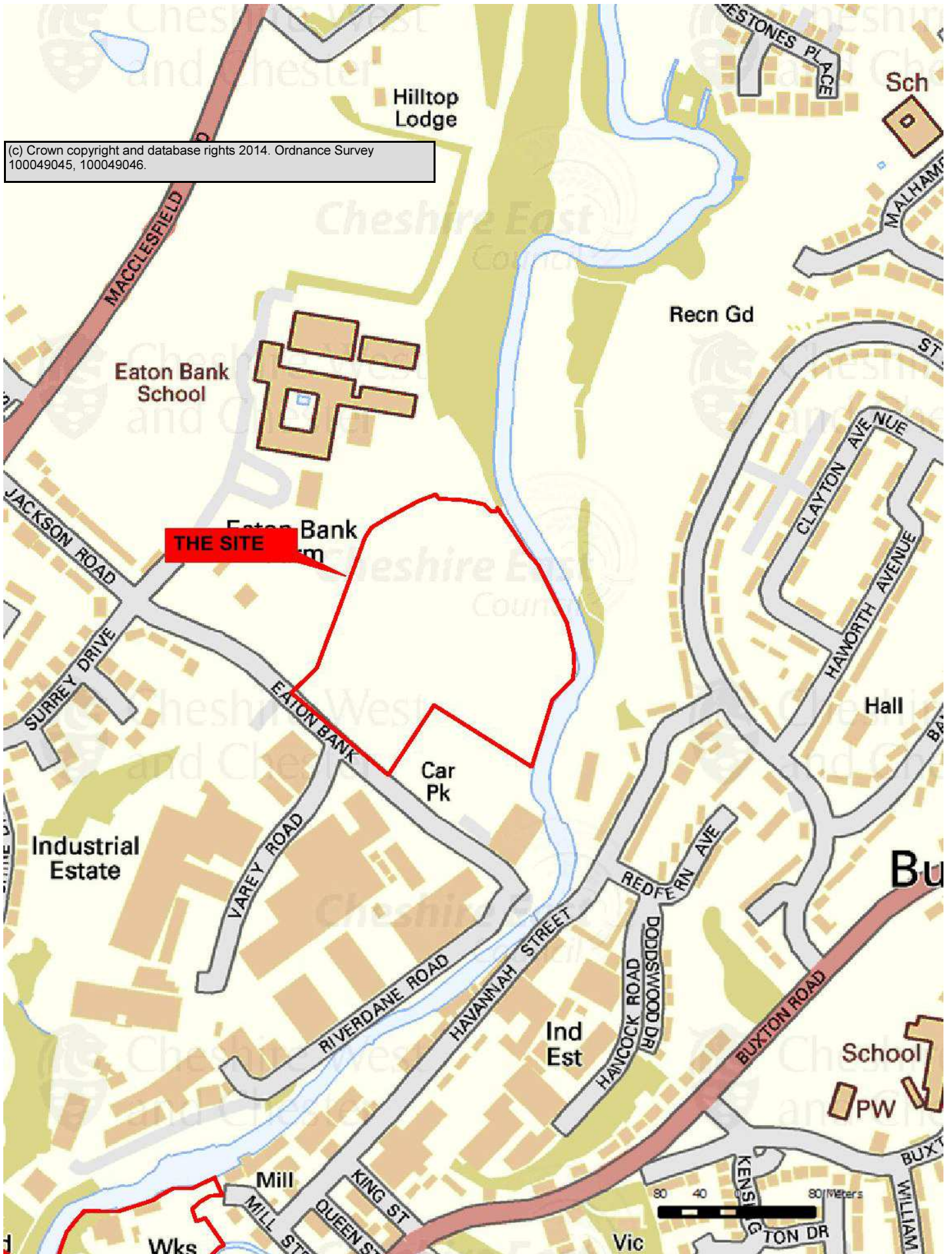
11. Submission of a method statement to safeguard the Local Wildlife Sites during the construction process

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- 12. Lighting scheme for the site to be submitted
- 13. Submission of details for safeguarding

hedgehogs

- 14. Breeding birds survey to be submitted
- 15. Features for nesting birds and roosting bats to be incorporated into the proposed development.
- 16. Arboricultural Impact Assessment to accompany the reserved matters application
- 17. Phase II contaminated land investigation to be submitted
- 18. Travel plan to be submitted
- 19. Electric vehicle charging points to be provided
- 20. Environmental Management Plan (dust control) to be submitted
- 21. Noise mitigation details to be submitted
- 22. Reserved matters to include provision for pedestrians and cyclists through the site
- 23. Written scheme of archaeological investigation to be submitted
- 24. The residential properties shall not back on to the boundaries shared with the Local Wildlife Sites



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Application No: 14/3531M

Location: FORD HOUSE, THE VILLAGE, PRESTBURY, MACCLESFIELD, CHESHIRE, SK10 4DG

Proposal: Proposed demolition of existing building and erection of 6 apartments and 4 dwellings (resubmission 14/0111M).

Applicant: Mr & Mrs J Elder

Expiry Date: 24-Oct-2014

Date Report Prepared: 14 November 2014

SUMMARY RECOMMENDATION

Approve subject to conditions and s106 agreement

MAIN ISSUES

- Principle of housing on the site
- The demolition of a locally listed building
- The impact upon the Conservation Area
- The impact upon trees of amenity value
- The impact upon highway safety
- The impact upon the amenity of neighbouring property

REASON FOR REPORT

The application is for the erection of 10 residential units and under the Council's Constitution, is required to be determined by the Northern Planning Committee.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a detached two-storey locally listed building dating from the 19th century, most recently used as meeting rooms and other supporting activities to St Peter's church. Over the years there have been a number of external extensions and internal alterations, but recently the condition of the building has deteriorated to the extent that it was closed for health & safety reasons in 2007.

The site occupies a prominent position at the north eastern end of The Village, within a Predominantly Residential Area and within the Prestbury Conservation Area as identified in the Macclesfield Borough Local Plan.

The site contains a number of mature trees. The River Bollin forms the eastern site boundary, and Spencer Brook forms the northern boundary.

DETAILS OF PROPOSAL

This application seeks full planning permission to demolish Ford House and erect 6 apartments and 4 dwellings.

The apartment block would be three storeys high (comprising 3 x 3 bed units and 3 x 2 bed units) and located on the footprint of Ford House, with two pairs of semi-detached properties (also three storeys with 4 beds) to the rear of the site.

PLANNING HISTORY

14/0111M - Proposed demolition of existing building and erection of 6 apartments and 4 dwellings – Withdrawn 26.03.14

11/0108M - Demolition of Ford House (Conservation Area Consent) - Refused 07.02.12

11/0107M - Demolition of Ford House and construction of replacement building for parish offices, three associated apartments and construction of seven townhouses within the grounds of Ford House - Refused 07.02.12

POLICIES

Macclesfield Borough Local Plan – Saved Policies

NE11 – Nature Conservation

BE1 – Design Guidance

BE2 – Preservation of Historic Fabric

BE3 – Conservation Areas

BE4 – Demolition Criteria in Conservation Areas

BE16– Setting of Listed Buildings

BE20 – Locally Important Buildings

BE24 – Development of sites of Archaeological Importance

H1 – Phasing Policy

H2 – Environmental Quality in Housing Developments

H5 – Windfall Housing Sites

DC1 – Design: New Build

DC3 – Amenity

DC6 – Circulation and Access

DC8 - Landscaping

DC9 – Tree Protection

DC38 – Space, Light and Privacy

DC63 – Contaminated Land

Other Material Considerations

Prestbury Supplementary Planning Document (2011)

Prestbury Conservation Area Appraisal (2006)

Prestbury Village Design Statement (2007)

Local List of Historic Buildings SPD (2010)

National Planning Policy Framework (2012) (The Framework)

Cheshire East Local Plan Strategy – Submission Version

MP1 – Presumption in Favour of Sustainable Development

PG2 – Settlement Hierarchy

SD1 – Sustainable Development in Cheshire East

SD2 – Sustainable Development Principles

SC4 – Residential Mix

SE1 – Design

SE2 – Efficient Use of Land

SE3 – Biodiversity and Geodiversity

SE4 – The Landscape

SE5 – Trees, Hedgerow and Woodland

SE7 – The Historic Environment

SE9 – Energy Efficient Development

SE12 – Pollution, Land Contamination and Land Instability

SE13 – Flood Risk and Water Management

CO1 – Sustainable Travel and Transport

CONSULTATIONS (External to Planning)

Cheshire Archaeology Planning Advisory Service – No objections subject to condition relating to a programme of archaeological investigation being implemented.

Environment Agency – No objections subject to conditions relating to finished floor levels and ground levels, surface water run off and the provision and management of a buffer alongside the River Bollin.

Environmental Health – No objections subject to conditions relating to hours of construction, dust control and contaminated land.

Strategic Highways Manager – No objections

Prestbury Amenity Society – Strongly object as the building should be conserved as part of Prestbury's heritage. This is overdevelopment of the site and will dominate the surrounding listed buildings. Contrary to village design statement and Plan for Prestbury. Policy BE11 of local plan should be adhered to. Contrary to policies BE2, BE3 and BE4 of the local plan. Concern over loss of protected trees. Question whether bat / great crested newt survey has been carried out. Should be renovated as a single dwelling as it was originally with landscaped gardens.

United Utilities – No objections subject to conditions relating to drainage

Natural England – No objections

English Heritage – Regretful that Ford House has been left to deteriorate to an extent where the integrity and potential authenticity of the building, if a repair scheme was put in place, would be greatly compromised. Note that the height of the proposed development towards the high street is still proposed to be three storeys. Recommend the building height step down at this end of the high street, near the River Bollin in order to respect the character in this part

of the conservation area and the transition between the taller buildings on the west side of the high street and the lower dwellings on the east side of the river. The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice

VIEWS OF THE PARISH COUNCIL

The Committee were split about this application but an objection was carried by the Chairman's vote on the grounds that it is an overdevelopment. It contravenes the Village Design Statement, Plan for Prestbury, Buildings of historical interest, DC9, BE20, BE11, BE2, BE3, BE4, BE5, Prestbury Conservation Area Appraisal and Para 133 of the NPPF.

OTHER REPRESENTATIONS

Approximately 90 letters of representation had been received. 69 of these letters support the proposal for the following reasons:

- In keeping with heritage of Prestbury
- Currently blight on the village
- Bring new families / life into village
- Requirement for new houses in Prestbury
- Sensible to use brownfield site
- Efficient use of land
- Will support existing businesses
- Jobs through construction
- Design is sympathetic
- Loss of trees is minimal and proportionate
- Need for apartments in the village
- Regeneration of village is essential – suffering from empty shops and restaurants
- Parish Council undertook a postal vote of Prestbury residents and there were 535 in favour of the development of Ford House and 161 against
- Development of site has to be commercially viable
- Layout and density is appropriate
- Vast majority of people do not want to conserve the asset in question
- Does not appear to be any parties willing to renovate the building
- Further delay will be damaging to character of village

20 letters either raise concern or object to the proposal on the following grounds:

- Overdevelopment
- Out of character
- Increase in traffic on awkward bend
- Too close to River Bollin
- Building should be restored
- Loss of TPO trees
- Openness of area will be lost
- Additional building on streetscene will have a detrimental impact
- Extra height and additional storey will be overwhelming and oppressive

- Flood Risk Assessment is confused
- Loss of locally listed building
- Contradicts whole philosophy of conservation
- Site is a green area in the centre of the village and must be preserved
- Impact upon conservation area
- Lack of any community accommodation
- Contrary to Prestbury Village Design Statement
- Density too high
- Frontage should remain as it is now
- Flood risk to properties
- Deliberately allowed to fall into disrepair.

1 letter makes a general observation that some space could be used to provide more parking for visitors, tradesmen, deliveries, etc.

APPLICANT'S SUPPORTING INFORMATION

The following documents have been submitted on behalf of the applicant:

- Heritage Assessment
- Design & Access Statement
- Arboricultural Assessment
- Protected Species Survey
- Structural Report – Ford House
- Flood Risk Assessment
- Highways Report
- Development Appraisal and Valuation Letter
- Contaminated Land Report
- Planning Statement

The planning statement concludes:

- Condition of Ford House has deteriorated over time, and is now closed on health and safety grounds
- On local list but has been harmed by modern extensions
- Redevelopment of site would enhance character of the village and the Conservation Area
- Will deliver much needed housing and bring benefits to the village
- Harm to the significance of the conservation area is less than substantial harm, therefore public benefits should weigh against the level of harm
- Principle of housing on the site is in accordance with local plan and the NPPF
- Proposal represents sustainable development.

OFFICER APPRAISAL

Housing

Paragraph 47 of the National Planning Policy Framework requires that Council's identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements.

This calculation of five year housing supply has two components – the housing requirement – and then the supply of housing sites that will help meet it. In the absence of an adopted Local Plan the National Planning Practice Guidance indicates that information provided in the latest full assessment of housing needs should be considered as the benchmark for the housing requirement.

The current Housing Supply Position Statement prepared by the Council employs the figure of 1180 homes per year as the housing requirement, being the calculation of objectively assessed housing need used in the Cheshire East Local Plan Submission Draft.

The Local Plan Inspector has now published his interim views based on the first three weeks of Examination. He has concluded that the Council's calculation of objectively assessed housing need is too low. He has also concluded that following six years of not meeting housing targets a 20% buffer should also be applied.

Given the Inspector's Interim view that the assessment of 1180 homes per year is too low, it is no longer recommended that this figure be used in housing supply calculations. The Inspector has not provided any definitive steer as to the correct figure to employ, but has recommended that further work on housing need be carried out. The Council is currently considering its response to these interim views.

Any substantive increase of housing need above the figure of 1180 homes per year is likely to place the housing land supply calculation at or below five years. Consequently, at the present time, it is considered that the Council is unable to robustly demonstrate a five year supply of housing land.

The NPPF clearly states at paragraph 49 that:

“housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

This must be read in conjunction with the presumption in favour of sustainable development as set out in paragraph 14 of the NPPF which for decision taking means:

“where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or*
- specific policies in the Framework indicate development should be restricted.”*

The proposals relate to the construction of new dwellings within a Predominantly Residential Area. The site is a previously developed site, within walking distance of public transport and local services, as well as recreational open space. The site is considered to be in a suitable and sustainable location, and the principle of housing on the site is accepted as it was under application 11/0107M.

The scale of the development and site is below the trigger for any affordable housing requirements.

Heritage Assets

The main heritage issue is the impact of the proposals upon the significance of heritage assets. In this case, the main heritage assets affected are: Ford House itself, which is on the Council's local list of historic buildings and is therefore a non designated heritage asset as defined in the Framework; and the Prestbury Conservation Area, which is a designated heritage asset.

Locally Listed Building – Non designated Heritage Asset

Ford House is identified in the adopted Local List of Historical Buildings SPD (2010) as:

Nineteenth century reconstruction of an earlier building, rebuilt circa 1850-1875. Owned by Parochial Church Council and employed for a variety of church and community uses until closure in 2007.

Very prominent position in the village streetscene and a valuable contribution to the Conservation Area.

The building is an undesigned heritage asset. The application is supported by the submission of a Heritage Assessment which describes the significance of the asset and identifies how the proposals would affect it.

Para 135 of the Framework suggests that harm or loss to an undesigned heritage asset should be taken into consideration, when determining a planning application, and that a balanced judgement will be required. Policy SE7 within the emerging Local Plan suggests that harm to undesigned heritage assets would need to be outweighed by the benefits of the development.

Policy BE20 of the Macclesfield Borough Local Plan relates to locally listed buildings and states that “*development which would adversely affect their architectural or historic character will only be allowed if the borough council is satisfied that the building or structure is beyond reasonable repair.*”

As with the previous applications, the applicant has submitted a Structural Report. Detailed costings have also been submitted, which indicate that it would be significantly more costly to partially demolish and refurbish the existing building to their requirements than demolish the entire building and construct a replacement. The cost of this repair is clearly a limiting factor to the future of the building and the potential of the site.

In addition, the works that would be required to bring the existing building back to a useable condition would have a significant effect upon the existing historic fabric. The evidence would suggest that only the shell of the brickwork walls would remain, which would undermine the historic integrity of the building significantly.

At the time of the application in 2011 there was considered to be sufficient evidence to show that the building was beyond reasonable repair. Since this time, the case has been compounded by the further deterioration of the building. English Heritage's own structural

engineer has visited the building and does not disagree with the observations within the structural report and considers the building to be in danger of immediate collapse. They also note that the integrity and potential authenticity of the building, if a repair scheme was put in place, would be greatly compromised.

Whilst it is noted in paragraph 130 of the Framework that the deteriorated state of a heritage asset that has been caused by deliberate neglect or damage should not be a consideration when assessing development proposals, there is no specific evidence in this case to suggest that the condition of the building has arisen through the deliberate actions (or inaction) of the site owners.

Impact on Nearby Listed Buildings – Designated Heritage Asset

The site lies close to Manor House and Bridge Hotel, both of which are Grade II Listed Buildings.

The proposed development would result in some change to the setting of these buildings given their relative proximity. However given the particular relationships between the buildings, the extent of change to their settings is not considered to affect the significance of these designated heritage assets.

This would accord with policy BE16 within the MBLP 2004 and policy SE7 within the emerging Local Plan and guidance within the Framework.

Impact on Prestbury Conservation Area – Designated Heritage Asset

There are a number of issues that contribute to the overall impact upon the Conservation Area - the loss of the locally listed building, the scale and design of the proposed new development, and the impact upon trees and landscaping of the site.

Loss of locally listed building

English Heritage notes that Ford House does make a positive contribution to the Conservation area. The two aspects of Ford House that are considered to contribute to the character and appearance of the Conservation Area are its historic fabric and its visual function due to its prominent position at the end of The Village. As indicated above, the condition of the building is now such that if it was repaired, the integrity and potential authenticity of the building would be greatly compromised. Limited weight is therefore given to the harm arising from the loss of historic fabric as a result of demolition. Similarly, its visual function, terminating views from The Village, will be retained through the presence of a replacement building.

Scale and design of new development

The replacement Ford House building will have a similar appearance to the existing building with projecting gable and bay window and rendered walls, albeit over three storeys, rather than the existing two. Bridge House, which will adjoin the replacement Ford House will reflect the existing properties at Ravenstone House, Church House and Prestbury Cottage. Its brick finish and lower ridge height will provide a visual break and allow the replacement Ford House to be the dominant structure.

Similarly, the semi-detached dwellings to the rear have been designed to reference the gables and bays on the proposed Ford House building. Overall, the design of the properties is considered to be in keeping with the area.

In terms of their visual impact, some concern has been raised by English Heritage, and previously by officers, over the height of the proposed buildings which front onto The Village. They have suggested that the building height should step down at this end of the high street (The Village), near the River Bollin in order to respect the character in this part of the conservation area and the transition between the taller buildings on the west side of the high street and the lower dwellings on the east side of the river.

The proposed Ford House building will be 2 metres higher than the existing, which will undoubtedly increase its physical presence. However, three-storey properties are characteristic of The Village, and are also present on New Road on the East side of the river, and therefore will by no means be out of keeping. Bridge House (the brick built section fronting onto the highway), will be set down and back from the replaced Ford House building, which will ensure that the new Ford House is the dominant structure. The step down will help to facilitate the transition onto New Road, sought by English Heritage.

The concern previously raised by officers was in terms of how the height of the replacement building related to the listed Bridge Hotel on the opposite side of the road. The Bridge Hotel is a relatively low two-storey building. However, the proposed Bridge House has now been set back into the site when compared to the previous (withdrawn) submission, which will help to reduce the dominance of the new buildings, and when also having regard to other examples of two storey properties sitting adjacent to three storey properties in the conservation area, such a relationship will not be out of keeping.

The visual impact of the new buildings to the rear of the site will be much less, and are not considered to have a significant impact upon the conservation area.

Trees and landscaping

The impact upon the trees within the site has always been a very significant issue when assessing applications on this site.

In its recommendations for development within the Conservation Area, The Village Design Statement (2007) also states that *'trees should be retained and enhanced as a predominant feature of the area'*.

The Council's arboricultural officer has made the following comments on the application:

Selected trees within the application site are protected by the Cheshire East Borough Council (Prestbury – Ford House) Tree Preservation Order 2012, which comprises of three groups of trees (scheduled as G1; G2 and G3).

The proposal involves the removal of two Category A trees (Copper Beech -T15 and Horse Chestnut – T16); four Category B trees (2 Yew, Ash and Holly) and seven Category C trees. A further three unprotected Cypress are also proposed to be removed.

The eastern elevation of the two pairs of semi detached properties provides a slightly improved relationship to retained protected trees along the River Bollin than previous proposals, although the same number of protected trees are proposed to be removed

Encroachment into the RPA of the Corsican Pine (T32) by Bridge House (apartments) is shown to be not substantially different from the previous submission, although less root spanning foundation is shown on the plan. Whilst this area is already hard standing, it would appear that a small area of the rooting environment of this tree will now be soft landscaped.

The position and social proximity of Bridge House to the Corsican Pine (T32) remains fundamentally the same as the previous application and whilst the report refers to some pruning of the tree to remove the overhang; the tree's lean to the south and proximity to the building with principle aspects from Bridge House looking directly at the tree could lead to future requests to fell the tree.

Some new trees will be planted in the proposed Courtyard between Ford House and Bollin Edge Mews (the semi-detached properties), however given the nature of this area, this is likely to be very few, and will not be visible from outside of the site.

Whilst there some minor improvements over previous proposals on the site, the loss of protected trees remains the same as the previous scheme with no substantial provision for replacement planting in mitigation. In this regard the arboricultural officer considers this to be a net loss in arboricultural terms.

The comments from the arboricultural officer are noted, and it is acknowledged that the part of the site along the River Bollin and to the rear of Ford House has a strong woodland character.

The Prestbury Conservation Area Appraisal (August 2006) identifies that '*substantial areas of deciduous woodland are located beyond Spencer Brook to the west of Prestbury, in the churchyard, and in the area contained by Spencer Brook*'. This area is characterised as, '*an important 'green lung' is provided by the River Bollin with its water meadows and woodlands*', and that in contrast to the principal commercial street – The Village, that this area, '*the churchyard, the water meadows, and the woodlands, provide a marked contrast with mature trees, privacy and peace*'.

The areas on either side of the River Bollin, including the area to the rear of Ford House make an important contribution to the character of the conservation area. The area to the rear of Ford House is specifically identified as being of merit, '*these buildings back on to an area of overgrown woodland which provides Prestbury with an important link to the surrounding countryside*'.

In its recommendations for development within the Conservation Area, The Village Design Statement (2007) also states that '*trees should be retained and enhanced as a predominant feature of the area*'.

Previous concerns have centred around the loss of protected trees and the social proximity of trees to the habitable room windows within the proposed development, which would be expected to lead to further requests for additional felling. On previous proposals there were many habitable room windows facing towards the river and the tree belt adjacent to it.

The eastern most semi-detached property comprises windows to its east elevation which serve the ground and first floor accommodation. Importantly though, the habitable rooms are also served by windows to the front or rear aspects as well. Therefore, pressure to fell trees from these properties in the future should not be so great.

The east facing apartments in Bridge House do comprise their main habitable room windows serving their lounge / dining rooms on their east elevation. These windows are approximately 8 metres from the stem of tree T32 at the nearest point, with the canopy even closer. The applicants are proposing some pruning of this tree which will include some crown lifting, and its lower branches could be lifted to provide an improved vista to the River Bollin without diminishing its landscape presence.

This would improve the relationship with the windows, but it does have to be acknowledged that there could be requests to further prune or fell the tree in the future.

Notwithstanding the relationship with Bridge House above and potential future issues, the proposed scheme is now considered to be in a format that maximises the development potential of the site, whilst retaining the majority of trees on the site. There will be losses of some substantial and high grade, formally protected trees, which will result in a net loss in arboricultural terms. Consequently the proposal will be contrary to policy DC9 of the Local Plan. However, given the extent of tree cover remaining to the east and north of the site, it is considered that the site will still provide *'Prestbury with an important link to the surrounding countryside'* as referred to in the conservation area appraisal. It is therefore necessary to consider whether there are other material considerations that would outweigh the policy presumption against the loss of the trees. This is explored further below in the context of the impact upon the Conservation Area.

Conclusions on impact upon Conservation Area

The Framework differentiates between *substantial harm* and *less than substantial harm* to designated heritage assets.

On this issue, the National Planning Practice Guidance notes that:

'Whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases... It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting'.

In this case, for the reasons set out above, it is considered that the proposal will result in less than substantial harm to the Conservation Area, and will result in the direct loss of protected trees.

Paragraph 134 of the Framework 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 securing its optimum viable use'*.

Similarly, paragraph 135 relates to the effects of an application on the significance of a non-designated heritage asset, which requires a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset.

Paragraph 138 refers to site specific harm within conservation areas being treated as either substantial harm under paragraph 133 or less than substantial harm under paragraph 134.

The applicant puts forward the following public benefits of the proposal:

- Provision of much needed residential development in a sustainable location;
- Bringing the site back into active use;
- Enhancing both the character and appearance of the conservation area;
- Creating high quality architect designed development
- Extensive retention of tree cover;
- Improved vehicular access to the site;
- Generation of New Homes Bonus and council tax revenues for the Council as well as developer contributions towards open space and recreation with the locality.
- Further financial contribution to benefit the wider community.

Of these, the high quality development and relevant contributions are required to ensure compliance with planning policies, as is the new access. The retention of tree cover cannot really be identified as a benefit as significant trees are being removed from the site. This leaves the following benefits:

- Provision of housing

The Council cannot currently demonstrate a 5 year housing supply. This is a significant material consideration that weighs in favour of the development. The proposed development will help to boost the Council's housing land supply.

- Brings the site into active use

This is perhaps the most significant benefit. The site has been vacant since 2007, and any vacant properties do not help the vitality of the village centre. It is also notable that a number of local business owners have submitted letters of support for the proposals. Redevelopment will bring more people into the village.

- Enhance character and appearance of conservation area

Due to its condition Ford House is currently providing little benefit to the character and appearance of the conservation area. The redevelopment of the site will allow the site to once again make a positive contribution to the area.

In terms of securing its optimum viable use (as referred to in paragraph 134 of the Framework), the submitted development appraisal sets out the following options:

- A – Repair and fit out existing building
- B – Demolish, re-build and fit out existing building
- C – Demolish and rebuild 6 apartments, 3 mews, 1 detached (previously withdrawn scheme)
- D – Demolish and rebuild existing building and single new build detached to rear
- E – Demolish and rebuild 6 apartments and 4 semi-detached (current proposal)

The only options to realise a profit by some margin are options C and E. Option C is the previously withdrawn scheme, and has therefore been discounted, and Option E is the current proposal.

The appraisal has been independently validated by an external consultant. From this a number of queries were raised relating to the elemental build costs associated with the development, the level and application of contingencies, and the level of professional fees. However, the external consultant ran their own development appraisal based on their opinions of relevant costs and fees, and the conclusions were the same. Out of the various development options put forward, on the basis of purchase price of the land or on the basis of viability based on a 20% profit on cost level, only Option E (the proposed development) would appear to be viable. A late option was also presented that looked at the viability of just building the apartments at the front of the site, and again this was identified not to be a viable option.

It should be noted that the elemental build costs are at the top end of the anticipated range for development of this type. However, the external consultant accepts that for a scheme of this nature that the build costs would be at the upper end of the scale. The applicant has also stated that the bespoke nature of the current proposal makes comparisons with BCIS (Building Cost Information Service) indices difficult to assess, and refer to other schemes that use similar rates.

As noted above, there is some, limited, harm to the conservation area arising from the loss of historic fabric following the demolition of Ford House, and additional harm arising from the loss of protected trees, which combine to result in less than substantial harm to the designated heritage asset.

The submitted development appraisal serves to demonstrate that the current proposal is the optimum viable use for the site, and the benefits of the proposal identified above are, on balance, considered to outweigh the identified harm in this case.

Archaeology

The site of the proposed development lies within the historic core of Prestbury, approximately 100m to the north west of the medieval parish church and overlooking the River Bollin. The Council's archaeologist advises that it is likely that this particular location would have attracted early settlement and that such settlement will have left below-ground evidence, including traces of buildings, rubbish pits, and boundaries. Any such evidence would be vulnerable to disturbance during any re-development of the site.

In these circumstances, it is recommended that in the event that planning permission is granted relevant aspects of the development should be subject to a developer-funded watching brief in order to identify and record any exposed archaeological deposits. Relevant aspects of the development may be defined as any initial ground clearance and topsoil stripping, the digging of foundations, and the insertion of major services. A report will be required and the mitigation may be secured by condition.

Leisure / Public Open Space

The proposed housing development triggers a requirement for public open space (POS), recreation and outdoor sport facilities as identified in the SPG on S106 (Planning)

Agreements (May 2004). The SPG also states that developments above the trigger of 6 dwellings and where there is an identified shortfall (or in this case loss of previous facilities) the council will / may seek contributions for the provision of community centre space or services to address local youth needs.

In the absence of on-site provision the development will be required to provide a commuted sum for the provision of offsite POS and amenity of £34,500, which would be used to make additions, improvements and enhancements to open space and amenity facilities in Prestbury. In addition, and again in the absence of on-site provision, the development will be required to provide a commuted sum for the provision of offsite recreation / outdoor sports facilities of £7,000, which would be used to make additions, improvements and enhancements to recreation and open space facilities in Prestbury.

Community Facilities

Amongst other community uses, Ford House was previously utilised as a community facility for young people by providing accommodation for a youth club. When Ford House fell into disrepair the youth club was required to leave.

Whilst the building has been vacant since 2007, under the last application, a financial contribution was required for the loss of the community facility. Officers continue to require a contribution towards the provision and support of youth opportunities; this is required through the SPG due to the loss of the previous community facility and lack of an alternative opportunity as a result of the development. A contribution of £15,000 (based on ten family dwellings / apartments) is required (as per previous applications) to provide support and opportunities for young people and youth clubs and organisations in and around Prestbury who would have previously benefitted from access to village facilities or could do so in the future. Such a contribution would also be supported by paragraph 70 of the Framework which seeks to safeguard the loss of valued community facilities such as these.

Ecology

Bats

The submitted bat survey identifies evidence of bat activity in the form of minor roosts of two relatively common bat species within Ford House. The usage of the building by bats is likely to be limited to small numbers of animals using the buildings for relatively short periods of time during the year and there is no evidence to suggest a significant maternity roost is present.

Article 12 (1) of the EC Habitats Directive requires Member states to take requisite measures to establish a system of strict protection of certain animal species prohibiting the deterioration or destruction of breeding sites and resting places.

In the UK, the Habitats Directive is transposed as The Conservation of Habitats and Species Regulations 2010. This requires the local planning authority to have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions.

It should be noted that since a European Protected Species has been recorded on site and is likely to be adversely affected by the proposed development, the planning authority must consider the three tests in respect of the Habitats Directive, i.e. (i) that there is no satisfactory

alternative, (ii) maintenance of the favourable conservation status of the species and (iii) that the development is of overriding public interest. Evidence of how the LPA has considered these issues will be required by Natural England prior to them issuing a protected species license.

Current case law instructs that if it is considered clear, or very likely, that the requirements of the Directive cannot be met because there is a satisfactory alternative or because there are no conceivable “other imperative reasons of overriding public interest” then planning permission should be refused. Conversely if it seems that the requirements are likely to be met, then there would be no impediment to planning permission in this regard. If it is unclear whether the requirements would be met or not, a balanced view taking into account the particular circumstances of the application should be taken.

The loss of the buildings on this site in the absence of mitigation is likely to have low-medium impact upon on bats at the local level and a low impact upon the conservation status of the species concerned as a whole.

The submitted report recommends the installation of bat boxes and a replacement ‘bat loft’ as a means of compensating for the loss of the roosts and also recommends the timing and supervision of the works to reduce the risk posed to any bats that may be present when the works are completed.

The proposal to demolish Ford House and construct a replacement apartment building and 4 semi detached houses will add to the existing housing stock in the area, and bring the site back into active use, which is in the public interest.

The alternative to the demolition would be to refurbish the existing building. However, the extent of works required in the renewal of the building is likely to have an equal impact upon bats as its complete demolition.

The proposed mitigation is acceptable and provided the proposed mitigation is implemented in full the residual impacts of the proposed developments on bats is likely to be very minor. The benefits of the mitigation will provide a new appropriate roost for the bats which will provide a new habitat and will allow the future protection of the bats in perpetuity. It is considered that the mitigation put forward is a material consideration which if implemented will further conserve and enhance the existing protected species in line with Local Plan policy NE11 and is therefore on balance, considered to be acceptable.

The Council’s Ecologist has been consulted on this application and raises no objection to the proposed mitigation subject to a condition to ensure work is carried out in accordance within the submitted scheme.

River Bollin and Spencer Brook

In order to safeguard the ecological interest of these two watercourses and avoid any potential impacts on protected species associated with them the nature conservation officer also recommends that an undeveloped ‘buffer zone’ of 5m is provided adjacent to the two water courses.

Breeding Birds

Given the nature of the site and the identified loss of vegetation, a condition requiring a breeding birds survey is also recommended.

Amenity

Local Plan policies H13, DC3 and DC38 seek to protect the amenity of residential occupiers. Policy DC3 states that development should not significantly injure the amenities of adjoining or nearby residential property and sensitive uses due to matters such as loss of privacy, overbearing effect, loss of sunlight and daylight and traffic generation and car parking. Policy DC38 sets out guidelines for space between buildings.

The separation distances between the proposed apartment building and the semi-detached properties to the rear range between 14 and 21 metres. This is below the distance guidelines outlined in policy DC38 of the Local Plan. However, these guidelines can be varied if the design and layout of the scheme and its relationship to the site and its characteristics provides a commensurate degree of light and privacy between buildings. In this case, the 14 metre separation distance applies to a habitable room window in one of the semi-detached properties (plot 4) looking primarily towards non habitable and obscurely glazed windows on the apartment building, which is considered to be acceptable.

The separation distance of most concern is between semi-detached plots 1 and 2 and the proposed apartment building, which achieves a distance of 20 metres. This is well below the recommended distance of 35 metres.

On this issue page 16 of the Design and Access Statement notes:

“The courtyard approach suggests a series of outbuildings that have intensified over time and are characteristic of an evolved development on a site such as this. The arrangement seeks to replicate existing and successful relationships seen within the village in terms of distances and enclosure to space. A distance of 20m separates the proposed Ford House and the semi-detached dwellings; this is similar to that along the Village between the two and a half storey Bollin Cafe Red House and the three storey Post Office/ Spindles/ Unicorn House. The recently approved and built development at Spencer Mews measures only 16.5m interface distance from OS Data”.

Lower separation distances are therefore evident throughout the village and the proposed spacing would not be out of keeping with the area. Furthermore, the rear facing rooms in the apartments will have an alternative outlook other than to the rear from their side elevations, and their main living / dining room will be to the front with an open outlook and a view along The Village. Similarly, the lounge / dining rooms and the master bedrooms to the semi-detached dwellings will benefit from a relatively open outlook to the rear and a view across the open (glebe) land. On balance therefore, the distances between the proposed dwellings can be accepted.

The nearest neighbouring dwelling is Glebe House, which is located to the west of the site. The nearest of the proposed residential properties will be located 5 metres from the boundary shared with Glebe House. The side facing habitable room windows will need to be obscurely glazed to prevent any overlooking of this neighbour's rear garden area. In addition, the simple presence of the dwellings may also have some impact upon the amenity of this nearest neighbour. However, there are some mature trees on the boundary, which will help to filter

views from, and to, the new dwellings. No further amenity issues are raised with regard to the relationship with the neighbouring properties.

Therefore whilst it is acknowledged that the separation distances between the proposed buildings are below the guidelines set out in policy DC38, the relationship between the proposed and existing buildings maintains a satisfactory standard of space, light and privacy. As with much of the proposal a balanced approach is required in terms of considering the future living conditions of existing and in particular future occupiers of the development. Given the particular circumstances of the application, and the details above, the standards of amenity for existing and future occupiers is considered to be acceptable.

Highways

The existing site access to Ford House is not suitable for two way vehicular movements. The proposal will widen the existing access to 5.5 metres, which will also allow for refuse and service vehicles to enter and turn within the site. The Strategic Highways Manager raises no objections to the proposed access arrangements.

The parking standards with the submission version of the Local Plan, recommend 2 spaces for 2/3 bed dwellings and 3 spaces for 4+ bed dwellings. The semi detached properties all comprise 4 bedrooms, and the apartments comprise 3 x 3 beds and 3 x 2 beds. Using these figures, the parking demand for the development would be 24 spaces. A total of 22 off street parking spaces are being provided to serve the development. The emerging local plan notes that reduced provision can be negotiated by site. Having regard to the location of the site in the centre of the village and proximity to public transport, this level of car parking is considered to be justified. No highway safety issues are therefore raised and the proposal complies with policy DC6 of the Local Plan.

Flood Risk

The Environment Agency has no objections to the proposed development but note that the proposed development will only be acceptable if conditions are imposed to require:

- finished floor levels of the buildings set at a minimum of 101.78m AOD,
- no alteration of existing ground levels within the 1% flood outline
- a scheme to limit the surface water runoff generated by the proposed development.
- provision and management of a buffer zone alongside the River Bollin

In terms of the sequential approach, it is acknowledged that the land is identified as a potential site for development within the Council's Strategic Housing Land Availability Assessment. There is also a wide acceptance that the site does need improving, and is a brownfield site that has been used for purposes with a similar vulnerability to flooding as the proposed use.

In this instance the developed footprint of the housing and car parking lies outside floodzone 3 with ecological enhancements proposed for the river corridor that lies on the flood plain. The development is therefore both appropriate and suitable for the site in terms of the sequential test as set out in the NPPF. Additionally as the site is already developed and therefore largely covered with tarmac and/or the developed footprint of the existing building much of the run-off from the site will reach the river unattenuated. Although modest, the wetland proposed has therefore been designed to both balance surface water flows and reduce run off rates to the river and provide ecological enhancements. The wider social

benefits of the scheme should also be considered although in term of the sequential test it is the fact the land being developed is 'off' the flood plain that needs to be the primary consideration.

Subject to the conditions recommended above, it is considered that the applicant has demonstrated that the flood risk at this site can be appropriately managed, relative to the vulnerability of the land use in accordance with the Framework.

Other Considerations

The Contaminated Land Officer has noted that since the application is for new residential properties which are a sensitive end use and could be affected by any contamination present, a condition is recommended requiring a further survey work to be submitted.

Heads of Terms

A s106 legal agreement will therefore be required to include the following heads of terms:

- £34,500 for off-site provision of Public Open Space for improvements, additions and enhancement of existing Public Open Space and amenity facilities in Prestbury; and
- £7,000 for the off-site provision of recreation/outdoor sport (outdoor sports facilities and pitches, courts, greens and supporting facilities/infrastructure) for improvements, additions and enhancements of existing recreation / outdoor sports facilities in Prestbury.
- £15,000 to provide support and opportunities for young people and youth clubs and organisations in and around Prestbury.

Community Infrastructure Levy (CIL) Regulations

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The commuted sum in lieu of public open space and recreation / outdoor sport is necessary, fair and reasonable, as the proposed development will provide 10 dwellings. The occupiers of which will use local facilities as there is no open space on site, as such, there is a need to upgrade / enhance existing facilities. The contribution towards young people and youth club facilities is required to mitigate for the loss of the previous community facility. The contributions are in accordance with the Council's Supplementary Planning Guidance on Planning Obligations.

All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of the development.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The Council is currently unable to robustly demonstrate a five year supply of housing land. Therefore, the presumption in favour of sustainable development applies in this case, and in

accordance with paragraph 14 of the Framework, planning permission should be granted unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits from it, when assessed against the Framework as a whole, or specific policies in the Framework indicate development should be restricted (such as policies relating to designated heritage assets).

The proposed development would result in less than substantial harm to the designated heritage asset that is Prestbury Conservation Area and will result in the direct loss of some protected trees. However the identified harm is considered to be outweighed by the public benefits of the proposal, which include providing much needed housing on a brownfield site in a sustainable location, bringing the site into active use and improving the appearance of the site and wider area. The proposal therefore accords with the requirements of the Framework. The design of the buildings is considered to be in keeping with the character and appearance of the Conservation Area, and there would be no significant highway safety or amenity issues arising from the proposal. Appropriate mitigation is also provided for protected species, together with an undeveloped ecological buffer zone along the two watercourses within the site.

The proposal is, on balance, considered to be a sustainable form of development, and in the absence of any identified significant adverse impacts a recommendation of approval is made.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his 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.

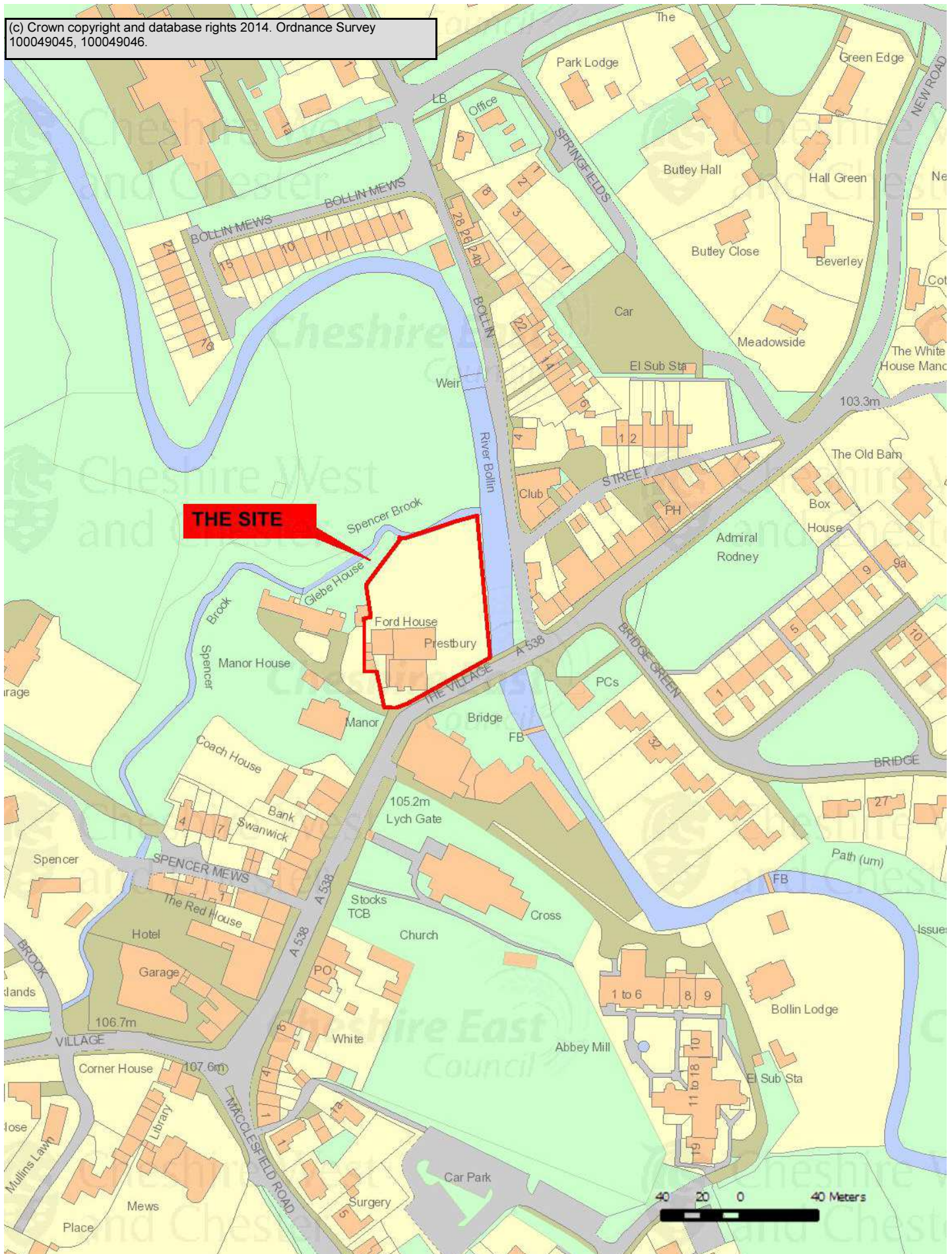
Application for Full Planning

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

- | | |
|----------|--|
| 1. A03FP | Commencement of development (3 years) |
| 2. A01AP | Development in accord with approved plans |
| 3. A02EX | Submission of samples of building materials |
| 4. A01GR | Removal of permitted development rights |
| 5. A07EX | Sample panel of brickwork to be made available |
| 6. A10EX | Rainwater goods |
| 7. A12EX | Fenestration to be set behind reveals |
| 8. A17EX | Specification of window design / style |
| 9. A20EX | Submission of details of windows |

- | | |
|----------|--|
| 10.A21EX | Roof lights set flush |
| 11.A22GR | Protection from noise during construction (hours of construction |
| 12.A23GR | Pile Driving |
| 13.A25GR | Obscure glazing requirement |
| 14.A02HA | Construction of access |
| 15.A01HP | Provision of car parking |
| 16.A07HA | No gates - new access |
| 17.A32HA | Submission of construction method statement |
| 18.A01LS | Landscaping - submission of details |
| 19.A04LS | Landscaping (implementation) |
| 20.A12LS | Landscaping to include details of boundary treatment |
| 21.A01TR | Tree retention |
| 22.A02TR | Tree protection |
| 23.A04TR | Tree pruning / felling specification |
| 24.A19MC | Refuse storage facilities to be approved |
| 25.A02CA | Demolition as precursor of redevelopment |
26. Bat mitigation (including bat loft) to be provided
 27. Breeding Bird Survey to be submitted
 28. Provision and management of undeveloped ecological buffer zone
 29. Scheme to minimise dust emissions arising from demolition / construction activities to be submitted
 30. Phase II contaminated land survey to be submitted
 31. Details of foul and surface water drainage to be submitted
 32. Written scheme of archaeological investigation to be submitted
 33. Details of existing and proposed ground levels to be submitted with finished floor levels of the buildings set at a minimum of 101.78 m AOD, and no alteration of existing ground levels within the 1% flood outline

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Application No: 14/3242M

Location: QUARRY BANK MILL, QUARRY BANK ROAD, STYAL, CHESHIRE, SK9 4LA

Proposal: Upper Garden: Redevelopment of the Upper Garden, including the restoration of the historic glasshouse and back sheds, including provision of an ancillary retail offer within one of the restored back sheds, the temporary provision of a structure for catering and landscape restoration works. Construction of a new Gardener's Building and compound. Quarry Bank House: Change of use of Quarry Bank House from C3 (Dwellinghouse) to D2 (Assembly & Leisure). Styal Village Properties: Change of use and Listed Building Consent for 13 Oak Cottages from C3 (Dwellinghouse) to D2 (Assembly and Leisure) and conversion and adaptation of existing Collection Store to use as an interpretation facility. Northern Woods: Restoration of paths and bridges including the removal of modern paths. Car Park: Reconfiguration and extension of the existing car park, with associated landscaping works. Welcome Building: Provision of a new single storey visitor welcome building.

Applicant: Phyllis Bayley, National Trust

Expiry Date: 27-Oct-2014

Date Report Prepared: 14 November 2014

SUMMARY RECOMMENDATION

Approve subject to conditions

MAIN ISSUES

- Whether the proposal is acceptable in the Green Belt
- The impact on the character and appearance of the Conservation Area
- The impact upon the Listed Buildings and their setting
- The impact on the amenity of adjoining residents
- Whether access and parking arrangements are suitable
- The impact of the proposal on existing trees and landscaping
- Ecological impact

REASON FOR REPORT

The application is a major development and a departure from the development plan and under the Council's Constitution is required to be determined by planning committee.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises parts of the Quarry Bank Mill and Styal Estate. The whole of this estate covers an area of 172 hectares along the valley of the River Bollin, at the heart of which lies the Cotton Mill surrounded by other elements of this early industrial site. These other elements include the Mill Owner's house (Quarry Bank House), the Mill Manager's House, the Apprentice House and an entire worker's village as well as the agricultural land, a farmstead, allotments, walled garden, and picturesque gardens and woodland which complemented and helped to sustain this early industrial community.

A number of the buildings across the site are listed and the site is located within the Styal Conservation Area, the Green Belt and an Area of Special County Value as identified in the Macclesfield Borough Local Plan.

DETAILS OF PROPOSAL

This application seeks full planning permission for:

Upper garden – Redevelopment of the upper garden, including the restoration of the historic glasshouse and back sheds, including provision of an ancillary retail offer within one of the restored back sheds, the temporary provision of a structure for catering, and landscape restoration works. Construction of a new gardeners building and compound.

Quarry Bank House – Change of use of Quarry Bank House from C3 (dwellinghouse) to D2 (Assembly & Leisure).

Styal Village properties – Change of use of 13 Oak Cottages from C3 (dwellinghouse) to D2 (Assembly & Leisure) and conversion and adaptation of existing Collection Store to use as an interpretation facility, provision of additional car parking.

Northern Woods – Restoration of paths and bridges including the removal of modern paths.

Car park – Reconfiguration and extension of the existing car park, with associated landscape works.

Welcome Building – Provision of a new single-storey visitor welcome building.

RELEVANT HISTORY

There is a range of planning history across the site, but none is specifically relevant to the current proposals.

POLICIES

Macclesfield Borough Local Plan Policy

- NE1 Areas of Special County Value
- NE2 Landscape Character Areas
- NE5 Parkland Landscapes
- NE7 Woodlands

NE9 River Corridors
NE11 Nature Conservation
BE1 Design Guidance
BE2 Historic Fabric
BE3 Conservation Areas
BE15 Listed Buildings
BE16 Setting of Listed Buildings
BE24 Archaeology
GC1 Green Belt New Buildings
GC8 Reuse of Buildings in the Green Belt
RT13 Tourism
RT17 Reuse of Rural Buildings for Tourism Purposes
DC1 New Build
DC2 Extensions and Alterations
DC3 Amenity
DC6 Circulation and Access
DC8 Landscaping
DC9 Tree Protection
DC54 Restaurants, Cafes, Takeaways

Other Material Considerations

National Planning Policy Framework (The Framework)

Cheshire East Local Plan Strategy – Submission Version

MP1 – Presumption in Favour of Sustainable Development
PG2 – Settlement Hierarchy
SD1 – Sustainable Development in Cheshire East
SD2 – Sustainable Development Principles
EG4 - Tourism
SC1 – Leisure and Recreation
SE1 – Design
SE2 – Efficient Use of Land
SE3 – Biodiversity and Geodiversity
SE4 – The Landscape
SE5 – Trees, Hedgerow and Woodland
SE7 – The Historic Environment
SE9 – Energy Efficient Development
SE12 – Pollution, Land Contamination and Land Instability
SE13 – Flood Risk and Water Management
CO1 – Sustainable Travel and Transport

CONSULTATIONS (External to Planning)

Manchester Airport – No objections subject to an informative relating to the use of cranes.

Natural England – No objections

Environment Agency – No objections

English Heritage – Restorative aspects of the proposals constitute a positive impact upon the significance of this valuable collection of heritage assets and are welcomed in principle. No objection to the introduction of a temporary marquee structure for a period of 5 years. The LPA will need to satisfy itself that clear and convincing justification for the car park extension has been provided to a satisfactory degree.

Environmental Health – No objections, but recommend hours of construction

Public Rights of Way – Any changes to the public rights of way must be agreed with the Public Rights of Way Unit prior to any works being carried out.

Archaeology – No objection subject to condition requiring a programme of archaeological mitigation.

Strategic Highways Manager – No objections, the proposed access and parking arrangements will benefit the site.

Visitor Economy Manager – Proposals would enhance an already popular attraction and would be a welcome development in Cheshire East.

VIEWS OF THE PARISH COUNCIL

Styal Parish Council – fully appreciate that the National Trust has taken steps to minimise the impact of the proposal upon Styal Village, the Council has the following serious concerns about the application:

1. **Loss of Green Belt to car park growth** – this is yet another incursion into the ever shrinking Green Belt. Increasing loss from airport parking and construction of A6 relief road. The Parish Council looks for consistency in the approach to requests for an increase in car parking in the area, and would urge that further consideration be given to the impact upon prime farming land.
2. **Risk Assessment** – No reference to any risk assessment in the plans
3. **Over development** – Concerns that the overall size of the project is out of proportion to the size of Styal village.
4. **Visitor numbers** – the proposal to double visitor numbers to 300,000 is a concern for a number of reasons:
 - Road safety
 - Congestion
 - Noise and pollution
 - Loss of privacy for existing residents

REPRESENTATIONS

One letter of representation has been received from the tenant farmer of the neighbouring land who is also a resident of Styal Village objecting to the proposal on the following grounds:

- No reference in the submission of the impact of the development upon the farm
- No risk assessment carried out for additional visitors using paths
- Over development in the Green Belt and Styal Conservation Area
- Spoil peace and tranquillity for residents

- Additional noise and pollution
- Farm will suffer land loss and division of an already fragmented holding. The extended car park will isolate about 30 acres from the rest of the farm. Access will be along a tortuous track which will make the day to day farm work more complicated and time consuming

APPLICANT'S SUPPORTING INFORMATION

The following information has been submitted with the application:

- i) Planning Statement
- ii) Design & Access Statement
- iii) Conservation Management Plan
- iv) Transport Statement
- v) Biodiversity and Geodiversity Statement
- vi) Arboricultural Report

In summary the application seeks to address the following issues across the Quarry Bank Mill estate:

- a. The current inability to tell the full and complete story of the history and heritage of the site given false constraints imposed by the 20th Century dissemblance of the estate. This has only become possible relatively recently with the National Trust's acquisition of firstly Quarry Bank House, the home of the Greg family, and then the Upper Garden, where produce was grown for the Greg family in contrast to the food available to the workers and apprentices.
- b. The difficulty of physical access around the entirety of the site caused by its topography and access to buildings which were not built with access for all' in mind.
- c. The management of large numbers of visitors to the site. The current infrastructure is at capacity and there is a requirement to enhance visitor facilities such as car parking, catering and toilets for them to be compatible with the expanding and expected visitor numbers.
- d. The site encompasses a number of different and disparate environments which all form the basis of the story at Quarry Bank, but which need elements of interpretation and orientation in order to appreciate the connections. The current visitor journey is disjointed and is difficult to interpret; there is now the opportunity to make significant improvements to this, not least by welcoming people at a more logical point.

OFFICER APPRAISAL

Sustainable development

At the heart of the Framework is a presumption in favour of sustainable development. At paragraph 25 it states that local plans should *"support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and*

expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.”

The site is approximately 900 metres from Styal railway station, and has its own bus stop within the site. Visitors to the site are therefore not wholly reliant on the private car. The existing site protects and enhances the natural and historic environment, contributes to the local economy and support's health, social and cultural well being. Given that the proposals seek to enhance the experience for visitors and increase visitor numbers, it is considered that the proposal is a sustainable form of development.

Therefore, the key question is whether there are any significant adverse impacts arising from the proposals that would weigh against the presumption in favour of sustainable development.

Heritage Assets

The main heritage issue is the impact of the proposals upon the significance of heritage assets. Whilst other listed buildings exist across the estate, in this case, the main heritage assets that could be affected are:

- The Grade II* listed Mill Building (setting)
- The Grade II listed Mill Cottage (setting)
- The Grade II listed Packhorse Bridge (setting)
- The Grade II listed Quarry Bank House
- The Grade II* listed Apprentice House (setting)
- The Grade II listed Oak Cottages
- The Grade II listed Styal Shop
- Styal Conservation Area

Upper Garden

The Upper Garden was in very poor condition following acquisition by the National Trust. Whilst considerable work has been undertaken to restore the garden, much work remains to be done, particularly to the back sheds and the glasshouse. The glasshouse was truncated by the construction of a later garage with the glass and secondary structure having largely been lost. The Upper Garden presently has no facilities for visitors. The intention is to restore the Upper Garden to its earlier condition and produce plants as the Greg family would have done, telling an important part of the story of Quarry Bank.

The works within the Upper Garden include the restoration of the historic glasshouse and back sheds to their original footprint, size and symmetry as existed on 1872 Ordnance survey mapping. This includes the creation of an ancillary retail unit within one of the restored back sheds, with the remainder being used for interpretation purposes, including activity based interpretation. The glasshouse will be restored to its full length, re-glazed and ultimately planted with vines to the two vinery wings and exotic fruits and plants to the curvilinear central section. Heating will be provided by a biomass boiler using hot water flowing through large pipes to transmit heat. This approach is apparently a modern version of the later approaches to heating used in the glasshouse.

The works also include the reinstatement of the wall to the walled garden on its original line and to its original height. The modern garage that serves the existing Gardeners Cottage will be demolished to accommodate this.

The café was originally intended to be housed within the Gardeners Cottage, but the viability for this proved challenging and so the proposal is now to site a temporary building outside of the walled garden. This will allow the National Trust to assess whether a more permanent catering facility within the Gardeners Cottage is a viable option for the future. Sited within an area of open land, adjacent to the walled garden, the lightweight form, scale and position of the temporary structure has been chosen to minimise its visual impact.

Similarly, the gardener's building will be sited within an area utilised for external storage, bordered by woodland. It is low level and timber clad and will not be a prominent feature within the site. It is considered to be in keeping with the "rear of house" nature of the area to the rear of the walled garden.

Overall, the restoration works will have a positive impact upon the heritage significance of the site and upon the Conservation Area. There will also be no significant impact upon the setting of any of the listed buildings, and the gardener's building will sit comfortably in its setting, whilst removing an existing area of external storage. The temporary café building will however result in some limited harm to the significance of the Conservation Area.

Quarry Bank House

Quarry Bank House is a Grade II listed building. At present it is a well maintained domestic dwelling with a very fine historic interior. The intention for this building is to interpret the way the site was developed from the Greg family's perspective by converting to visitor use.

The proposals for this building are relatively simple, in that they are for a change of use only, with any works required, such as roof repairs, repairs to decorative finishes and repairs to the render externally not requiring Listed Building Consent or planning permission.

The primary spaces at ground and first floor will be opened to the public with access via the front door, which is a level access. Each of these spaces will contain interpretation focusing on the character and stories within Quarry Bank House. At the first floor, the master bedroom will be opened to the public. Access to the first floor is limited as it can only be achieved by the existing staircase due to the constraints of the listed building.

In an attempt to overcome this, the ground floor space below being of similar configuration and interpretable in the same way, the experience at first floor can be recreated at ground floor level thus permitting access for all to the stories wishing to be told within the building. The remaining bedrooms and ancillary spaces at first floor will be used by the staff and volunteers operating the building for changing facilities, WCs, storage and offices.

As there are no physical alterations proposed to this listed building, and the use seeks to maximise the significance of the building within the context of the site, the impact upon the significance of the heritage asset is considered to be a positive one.

Styal Village Properties

The two properties within Styal Village, 13 Oak Cottages and the Village Store Rooms are to become accessible to the public in order to tell the stories about the workers in the place where they lived.

For 13 Oak Cottages this will mean minimal adaptation, amounting to repairs and alterations to a handrail on the stairs to the basement. The reason for minimising change, apart from the obvious issues around conserving the historic significance of the building, is that there is much character in its slightly dilapidated condition, having the feeling of a well lived in dwelling with a great deal of history. Access into the building is via steps, both to the ground floor and the basement level.

The Village Store Rooms requires greater adaptation in order to provide the functionality required. The building will provide the visitor hub for the Styal Village part of the visitor experience and whilst it is anticipated that the number of visitors coming to this part of the site will be modest, the National Trust are keen to ensure that there is a strong presence of staff and volunteers to carefully manage visitors.

Due to the constraints of the access into 13 Oak Cottages, the Village Store Rooms will provide interpretation space and provision for staff and volunteers in the form of WCs, storage and some office facilities. Visitors with access needs who might be unable to physically enter 13 Oak Cottages can access its stories from the Village Store Rooms.

The building was rebuilt in 1985 and despite the quality of the rebuilding it has lost much of its historic significance in the process. The building is currently in use as a Collection Store, but has a small change in level within its ground floor of approximately 100mm. This area of floor will be raised to provide level access throughout. The existing WC provision at ground floor level will be reconfigured to provide an accessible WC and maintain a fire escape route.

The first floor spaces will retain their current configuration but will be converted from storage to a break room for staff and volunteers, which will also have a computer point to provide some office functionality. It is intended that the Village Store Rooms are the first port of call for visitors to Styal Village who will then be escorted in small groups to 13 Oak Cottages by National Trust staff and volunteers.

The Village Store Rooms part of the development was initially intended to take up the whole of the historic Village Shop, but the need to retain accommodation for volunteers and challenges around alterations to the tenanted property above meant that the scheme needed to be scaled back and is now focused on the building adjacent the Village Shop which is currently used for Collection storage. This building is intended to house interpretation focusing on Styal Village.

The car park that is proposed within Styal Village seeks to formalise parking arrangements. Currently vehicles are parked on the road, and the proposal cuts into an existing grassed area to provide hardstanding and a repositioned hedgerow. Whilst the grassed area will be reduced, the parking will benefit existing residents and visitors. There is not considered to be a significant impact upon the Conservation Area arising from the car park.

Once again, given the limited extent of the physical alterations proposed to these listed buildings, and the fact that the uses seek to maximise the significance of the building within the context of the site, the impact upon the significance of the heritage assets is considered to be a positive one.

Northern Woods

The Northern Woods will be renamed 'Chapel Woods' in reference to its historical name. All paths are generally worn and uneven, with stones and roots protruding above the surface which provide challenging walking conditions. The intention is to improve paths for all users and as part of this making it clear what the woods contain and the nature of the environment so that people can make informed choices on whether to enter. This will be done through the use of improved signage, but also by making the threshold points where there is a transition from less rugged environments into the more natural Woods as clear as possible.

The proposed improvements generally include:

- Blocking off unsafe path routes;
- Restoration of suitable historic pathways;
- Improved connection between Northern Woods and Quarry Bank Mill;
- Creation of an accessible route (connection from Lower Gardens);
- Redressing of paths;
- Resetting of steps and provision of stringer edging;
- Creation of seating areas; and
- Creation of a picnic area.

The overall intention is to restore the Woods, reinstating their original character and improving access. These repairs and maintenance works are not considered to have any harmful effect upon the significance of the Conservation Area or the setting of any of the listed buildings.

Car Park and Welcome Building

Since the broadcasting of the television series 'The Mill', interest in Quarry Bank Mill has significantly increased with visitor numbers increasing by 20%. Use of the site's overflow car park has increased as a result. Access into the current car park, with each car stopping at the existing kiosk, is not ideal, particularly at busier times. The surfacing to the car parking spaces also generates some management and maintenance issues. The car park provides facilities for coaches, management of waste on the site and also provision for the local bus service to stop and turn around.

The proposed new car park will be created in the field to the east of the existing car park. The car park design attempts to maximise the retention of trees and hedgerows and the use of the existing ponds as landscape and ecological features, adding to the overall visitor experience.

The new car park will create 367 additional parking spaces, provide pedestrian routes towards the Welcome Building and incorporate landscaping to break down the areas of hard standing and filter views from adjacent land. The new car park will be unlit, with the exception of the bus stop and accessible parking area. However, the path routes linking with the Welcome Building will have low level bollard lighting.

The applicant's aim for the Welcome Building is to broaden the visitor experience of Quarry Bank. Building upon the opportunities offered by the wider context, taking in existing routes to the Village, the Northern Woods, the Upper Garden and the Apprentice House, the site for the building becomes a gathering point from where initial orientation of the whole estate occurs. From this point, visitors make choices and are able to plan their visit to the site effectively.

The applicant states that the building itself aims to be a gateway into the site, with a low roof profile so as not to dominate. Its primary functions are to sell tickets, exchange information

and orientate visitors. In order to achieve this aim, the central public space is transparent, encouraging movement through the building into the site beyond. This is achieved by the fully glazed screens and continuous floor finishes drawing visitors through, blurring the thresholds between inside and outside spaces. The building will be located within an existing mature landscape setting.

Having regard to the scale, form and positioning of the welcome building, it is not considered to have a significant impact upon the setting of any of the listed buildings within the site, the nearest of these being the Apprentice House. The contemporary, glazed design contrasts well with the solid form of the historic buildings across the site. The established vegetation will help to soften the impact of this new building within the site. Consequently, there is not considered to be any detrimental impact upon the significance of the heritage assets.

English Heritage has noted that the introduction of the car park within the distinctly rural setting of the site and within the Styal Conservation Area will have some harmful impact upon their setting and significance. Any harm to heritage assets requires clear and convincing justification (paragraph 132 of the Framework). They advise that if the local planning authority is minded to approve the new car park provision, it will be important to ensure that great weight is given to the conservation of the valuable heritage assets in question, minimising harm through screening, placement and landscaping measures.

It is accepted that the proposed car park extension will have a negative impact upon the Conservation Area. However, it is also noted that the car park is not known to impact on any historic features. Marl pits and field boundaries are retained and there are no known archaeological features in the vicinity. It is proposed to use resin bound gravel for the majority of parking bays, and a reinforced grassland surface for the spaces, which are anticipated to be less frequently used (being further away from the visitor centre), on the perimeter of the site, which will help to minimise the overall visual impact. With the additional landscaping proposed, it is intended to give the car park as natural an appearance as possible. The car park is located away from the historic buildings as far as possible with the existing landscape and topography serving to limit locations where the setting of listed buildings might be affected by the car park.

It is therefore concluded that there is less than substantial harm to the Styal Conservation Area arising from the proposed car park extension.

Conclusions on heritage impact

The only identified harm to the heritage assets within the Quarry Bank estate arises from the temporary catering facility and the proposed car park extension in terms of their impact upon the Styal Conservation Area. This harm is considered to result in less than substantial harm to the significance of this designated heritage asset. Paragraph 134 of the Framework states that less than substantial harm arising from a development should be weighed against the public benefits of the proposal, including securing its optimum viable use.

In terms of public benefits, English Heritage has noted that the restorative aspects of the proposal constitute a positive impact upon the significance of this valuable collection of heritage assets. The conversion of key buildings such as Quarry Bank House and the Styal Village properties to promote public access allows for an enhanced understanding and appreciation of the site and is also a positive aspect of the scheme.

The viability of converting the Gardeners Cottage to a catering facility has been explored by the applicants, but was not established. The temporary structure is proposed for a five year period, after which time the National Trust expect to understand the viability of a permanent catering facility and ultimately prove that the Gardeners Cottage conversion is a viable proposition.

The background to the scale of the car park is outlined further in the Green Belt section of this report. The conclusion being that this is required to accommodate the anticipated number of visitors to the site. The National Trust envisages that visitor numbers will increase from 167,466 to 300, 000 in 2020/21. Following increased visitor attendance during the past 12 months, in part due to the success of the recent television drama series, strain has been placed on the existing parking facilities and the use of the overflow car park and village has been more regularly required. In order to accommodate the increased numbers and reduce the reliance on the overflow car park, a traffic assessment has identified that 542 car parking spaces should be provided.

Having regard to the above circumstances it is considered that the less than substantial harm that has been identified is outweighed by the public benefits of the proposal.

Green Belt

Paragraph 89 and 90 of the Framework identify the exceptions to inappropriate development in the Green Belt. Included within the paragraph 90 exceptions are engineering operations provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt.

Upper Garden

Whilst the glasshouse and the back sheds are currently in a poor state of repair, and will require some rebuilding the intention is to restore and re-use them. The glasshouse and sheds would also be extended to the west, replacing the existing modern garage that currently serves "Gardeners Cottage". This limited extension is aimed at restoring the building to its original form. These elements would not be an inappropriate form of development in the Green Belt.

A new building for the use of the gardeners will be erected behind the sheds in an area currently used for open storage. The building will provide storage for machinery and tools and well as a rest area for the gardeners. This would be an inappropriate form of development in the Green Belt, which would reduce openness to a limited degree.

Finally in the Upper Garden, to the west of the walled section there would be the provision of a temporary structure to provide a café. This would also be an inappropriate form of development in the Green Belt, which would reduce openness.

The reuse of Quarry Bank House.

The re-use of Quarry Bank House would not be an inappropriate form of development in the Green Belt.

Styal Village Properties

The re-use of 13 Oak Cottages and the Village Store Rooms would not be an inappropriate form of development in the Green Belt. The provision of a more formal car parking arrangement within the village is not considered to encroach into the countryside, or conflict with any of the other purposes of including land within the Green Belt, and does not reduce openness as it seeks to reposition the cars that currently park in front of this grassed area. This aspect of the proposal is also not considered to be inappropriate in the Green Belt.

Northern Woods

The works to the Northern Woods amount to repair and maintenance, and are not inappropriate in the Green Belt.

Car Park and Welcome Building

The car park extension is the aspect of the proposals that will have the most significant impact upon the Green Belt. The proposals will change the use of an existing agricultural field to provide an additional 367 car parking spaces. This will reduce the openness of the Green Belt and conflict with one of the purposes of including land within the Green Belt by encroaching into the countryside. The new Welcome Building is considered to be an appropriate facility for outdoor recreation, and is therefore not inappropriate in the Green Belt. It will provide a focal point for visitors in as central a position as possible within the site to allow people to plan their visit effectively.

Summary

The proposed new buildings to provide the gardener's accommodation and, the café, and the engineering works to provide the car park extension are all inappropriate forms of development, which reduce openness, and additional harm arises from the car park by encroaching into the countryside. Inappropriate development should not be approved except in very special circumstances.

Paragraph 88 of the Framework advises that substantial weight should be given to any harm to the Green Belt. Other material considerations will need to clearly outweigh the potential harm to the Green Belt by reason of inappropriateness, and any other harm, for very special circumstances to exist.

Material Considerations in favour of the development

Within their planning statement, the applicant has put forward the following material considerations in favour of the development:

- Unique experience provided by Quarry Bank Mill.
- Potential to become a world class tourist attraction.
- Visitor welcome building will significantly improve the introduction to the site.
- Heritage enhancements to three principal areas - the Upper Garden, Quarry Bank House and Styal Village.
- Cumulative heritage benefit arising from interpretation of the whole site.
- Improvements to facilities – reception, toilets and catering facilities are currently limited in number and location

Further justification for the proposed car park has also been submitted within the Transport Assessment. This includes:

- Anticipated increase in visitor number from the present 167,466 per year to 300,000, which will have a corresponding parking demand.
- Existing parking provision does not accommodate parking demand on all days of the year.
- Necessity to utilise overflow parking will vary from year to year, but based on 2013 data, it is assumed to be between 11% and 15% of days.
- Inappropriate and uneconomic to provide permanent car parking sufficient to meet the parking demand on all days of the year.
- Parking provision therefore based on 85th percentile and 90th percentile days for visitor numbers.
- Any shortfall in parking provision relative to demand would be met by using the same overflow parking field that is currently used.
- Dwell time at the site is expected to remain the same. National Trust experience indicates that expanding the visitor offer tends to lead to people making repeat visits in order to experience those parts of the site that were not visited on previous occasions.
- Therefore an assessment of future car park occupancy can be based on the current pattern of arrivals.
- Anticipated visitor numbers at 300,000 - predicted maximum car park occupancy on 90th percentile day would be 624 and on the 85th percentile day it would be 392.
- Proposed permanent car parking provision would be exceeded on the 90th percentile day. This suggests that overflow car parking would be needed on between 11% and 15% of days, as is the existing case.
- Sensitivity test also carried out in the event dwell time increased on the site. This found that the overflow parking use would still fall within the 11% and 15% of days as existing.
- It is therefore concluded that the extended car park would continue to provide sufficient capacity to accommodate parking demand on between 85% and 90% of days, with the overflow car park being used on a similar number of days as is presently the case.

Very Special Circumstances

Since the release of the television series 'The Mill,' interest in Quarry Bank Mill has significantly increased with visitor numbers jumping upwards by 20%. Use of the site's overflow car park has increased as a result. This increased popularity will be compounded by the proposed works, which are anticipated to result in an increase in visitor numbers to 300,000 per year, almost double the existing number.

Policy EG4 of the Submission Version of the Local Plan relates to the protection of Cheshire East's tourist assets, including Quarry Bank Mill, and allows for the expansion and enhancement of existing visitor attractions in sustainable and appropriate locations. In this regard, the Visitor Economy Manager notes that within the Council's Visitor Economy Strategy, there is a commitment to '*Help to increase visitor numbers and improve the overall customer experience*'; to '*Support the development of key projects to enhance the tourism product*' and to '*Support the development of tourism infrastructure, an improved environment and a focus on customer service to ensure a quality visitor experience*'.

The Visitor Economy Strategy makes it clear that 'anchor institutions' are important for the local cultural and Visitor Economy in creating a high quality of place with potential to support the resilience of the local economy. The prospect of substantially adding to and improving an

already high quality establishment family attraction into the locality could lead to increase of visitors either staying in local accommodation or/and spending more time within the local towns, in particular Styal and Wilmslow. Quarry Bank Mill has the potential to be a 'destination level' attraction. The proposal will bring an increase in visitors to the region and would significantly increase the profile for the visitor economy of Cheshire East and surrounding areas. Added to this is the trend for families to 'holiday' in the UK, and in a lot of cases take days out.

Quarry Bank Mill is clearly a unique cultural and heritage asset within the Borough, and the alterations that are proposed as part of this development will only serve to increase the significance of this site and its understanding. Given the nature of the site experience, the many assets of interest are spread across a significant area, whereas the ancillary facilities are currently primarily located within the Mill yard at the southern end of the site. The increased number of visitors will need to be accommodated as they arrive at the site (car parking and visitor centre), and during their visit within the site in terms of the facilities that are available to them across the site, given the geographical spread of the various attractions.

In the Upper Garden, the proposed gardener's building will provide much needed storage for machinery and tools and will provide a rest area for staff and volunteers. The estate has approximately 100 garden volunteers who are crucial to the maintenance of the gardens and landscape. The proposed café will be a temporary feature but will enhance the experience for visitors. The entrance improvements are also a fundamental part of the enhancements to the site. The car park extension is required to accommodate the anticipated increase in visitor numbers.

Overall, there is harm to the Green Belt by reason of inappropriateness, loss of openness and encroachment. Substantial weight should be afforded to any harm to the Green Belt. However, having regard to the considerations put forward by the applicant in favour of the proposal, and the positive impact upon the significance of the heritage assets and the interpretation of the site as a whole is a substantial public benefit that clearly outweighs the identified harm the Green Belt in this case. Very special circumstances are therefore considered to exist.

In the event that Members are minded to approve the development, it will be necessary to refer the application to the Secretary of State due to the significant impact upon the openness of the Green Belt.

Amenity

Local Plan policies H13, DC3 and DC38 seek to protect the amenity of residential occupiers. Policy DC3 states that development should not significantly injure the amenities of adjoining or nearby residential property due to matters such as loss of privacy, overbearing effect, loss of sunlight and daylight and traffic generation and car parking.

The only development proposed within the vicinity of residential properties is the change of use of the properties within Styal Village. The scale of the buildings will limit visitor numbers in terms of noise arising from within the buildings themselves. With regard to the comments from the Parish Council about loss of privacy, it is accepted that there is expected to be an increase in visitor numbers. However the cottages already form part of the historical context

of the site, part of the experience that visitors come to see. The proposal will not significantly alter this situation and therefore no significant amenity issues are anticipated.

Highways

The Highways issues relate to the reconfiguration and extension of the car park and access details.

It is proposed to provide a total of 542 car parking spaces on the site, this represents an increase of 367 spaces above the existing provision. Not all the car parking spaces are to be permanent surfaced spaces, 92 spaces are semi – permanent construction.

| Location | Type | Number |
|--|----------------------|-----------------------------------|
| Existing Car Park | | |
| Southerly end | Staff (General) | 53 |
| | Staff (Accessible) | 2 |
| | Staff (Designated) | 1 |
| Southerly end | Coaches | 8 |
| Northerly end | Visitor | 94 |
| | Visitor (Disabled) | 17 |
| Total | | 175 |
| Car Park Extension | | |
| South of access road | Visitor | 329 (including 92 semi-permanent) |
| North of access road (south of Welcome Building) | Visitor (Designated) | 22 |
| North of access road (east of Welcome Building) | Visitor (Accessible) | 16 |
| Total | | 367 |
| TOTAL | | 542 |

The location and type of car parking spaces are indicated in the above Table.

The Strategic Highways Manager raises no objections to the proposal, and makes the following comments. Given the mixed nature of the site there is no specific car parking standard relating to the specific use. In support of the application, the applicant has indicated that visitor numbers are likely to increase significantly and therefore car parking demand would increase correspondingly. The amount of parking provision can accommodate the predicted maximum demand on the busiest day without causing parking problems on the site and access roads.

The existing ticket office at the car park entrance will be removed from the site as part of the redevelopment proposals, which will allow vehicles to go directly into the car park without stopping to buy a ticket. This removes the possibility of vehicle queues forming at the entrance and back along the access road. It is now proposed that tickets for the site will be purchased from the welcome building after visitors have parked their car.

The reconfiguration of the main access will be a benefit with an improved alignment into the car park, which eases access into the site.

There are no changes proposed to the main access with the B5166 Styal Road. The junction will continue to operate within capacity even with the additional visitor numbers as the trips to the site are normally outside the usual peak hours and are at their highest at weekends and school holidays where background traffic is lower. As a result the increased numbers can be accommodated on the local highway network.

Overall the improved access arrangements and car parking provision will be a benefit to the site in highways terms and no significant highway safety issues are therefore raised.

Trees

The arboricultural impacts of the proposals for the Upper Garden, the change of use of Quarry Bank House and the Styal Village properties will be negligible. The improvements to paths and bridges within the Northern Woods may involve some localised removal or pruning of vegetation where it currently interferes with safe passage or where space is required to allow for the implementation of access improvements (surface dressing etc). Any such vegetation removal will not include any significant 'high forest' trees. Some removal of invasive Rhododendron and/or Holly may be necessary as part of ongoing management works.

The proposed Welcome Building will be situated at the eastern edge of the car park and will require the direct loss of a mature B Category Oak (T29) and the western section (approx 10 trees) of a group of trees immediately south of the entrance to the Car Park (G16). The position of the building and associated infrastructure (connecting footpaths and realignments of roads) will also impact upon the Root Protection Areas of other trees.

The vegetation removals plan also identifies that the reconfiguration of the existing car park will necessitate the removal of the majority of plantings of semi mature Oak and Red Oak and a section of the plantation located on the raised mound to the east of the car park to facilitate the link between the existing and proposed car park in the eastern field.

The loss of trees to accommodate the Welcome Building will result in some opening up of views of the building and part of the existing car park along the existing vehicular access. Whilst the loss of the mature Oak will have a moderate impact in terms of amenity, the wider impact on landscape and amenity is considered to be less significant. The partial loss of the group G16 comprises mainly of more recent plantings (probably late 1970s). The loss of these trees in terms of the integrity of the remaining group is not considered to be significant in terms of the wider amenity and landscape character, although there is a slightly moderate impact within the immediate vicinity.

Some small sections of hedgerow are also proposed to be removed to accommodate footpaths/reconfigured roads. These are understood to be relatively recent plantings carried out less than 30 years ago and are therefore not deemed 'Important' under the Hedgerow Regulations 1997.

The application is supported by a detailed planting plan that makes provision for 'New Native Planting across the site'. The plan shows proposed plantings within the new car park including Field Maple, Oak, Alder, Hornbeam and a mixed native hedgerow. Similar plantings are also proposed around the new Welcome Building and within the reconfigured existing car

park. Such plantings will provide a reasonable degree of mitigation in the longer term for the anticipated direct losses that have been identified.

No significant landscape impact is identified, given the retention of existing field boundaries and the extent of proposed landscaping. The impact upon the Area of Special County Value is therefore considered to be acceptable. However, the landscape officer notes that the proposed trees should be locally native and where possible large species – rather than small ornamental species. There is also scope for additional tree planting (and possibly some shrubs at the ends of the car park bays). A higher specification for the hedging around the bin store area is recommended for instant screening. Landscape conditions are therefore recommended.

Ecology

The nature conservation officer has made the following comments on the application:

SBI/RIGS

The application site is located partly within the Styal (Regionally Important geological Site) RIGS and Styal Woods Local Wildlife Sites (LWS).

The proposed works within the boundary of the LWS and RIGS are unlikely to have a significant impact on the features for which these sites were designated.

Great Crested Newts

A small population of great crested newts has been identified as breeding at a pond associated with the Upper Garden area. In the absence of mitigation the proposed development would result in an adverse impact upon this species through the loss of the existing pond and associated terrestrial habitat. The works would also pose the risk of killing or injuring any newts present on site when the proposed works were undertaken.

To compensate for the loss of the existing pond and associated habitat the applicant proposes to create a new pond to the north of the upper garden. The new pond would be associated with an area of enhanced terrestrial habitat. To mitigate the risk of great crested newts being killed or injured during the construction phase it is proposed to remove and exclude amphibians from the footprint of the proposed development. This work would be completed under the terms of a natural England license.

Article 12 (1) of the EC Habitats Directive requires Member states to take requisite measures to establish a system of strict protection of certain animal species prohibiting the deterioration or destruction of breeding sites and resting places.

In the UK, the Habitats Directive is transposed as The Conservation of Habitats and Species Regulations 2010. This requires the local planning authority to have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions.

It should be noted that since a European Protected Species has been recorded on site and is likely to be adversely affected by the proposed development, the planning authority must consider the tests in respect of the Habitats Directive, i.e. (i) that there is no satisfactory

alternative, (ii) that the development is of overriding public interest, and (iii) that the favourable conservation status of the species will be maintained. Evidence of how the LPA has considered these issues will be required by Natural England prior to them issuing a protected species license.

Current case law instructs that if it is considered clear, or very likely, that the requirements of the Directive cannot be met because there is a satisfactory alternative or because there are no conceivable “other imperative reasons of overriding public interest” then planning permission should be refused. Conversely if it seems that the requirements are likely to be met, then there would be no impediment to planning permission in this regard. If it is unclear whether the requirements would be met or not, a balanced view taking into account the particular circumstances of the application should be taken.

Alternatives

As noted above, the proposals seek to enhance the heritage significance of the site. The improvement works relate to existing buildings and structures and provide facilities to support the anticipated increase in visitor numbers where there are currently none. It is therefore reasonable to conclude that there are no satisfactory alternatives.

Overriding public Interest

The development is required to enhance the heritage significance of the site which will have significant educational and cultural benefits, which are considered to be of overriding public interest.

Mitigation

The nature conservation officer advises that the proposed great crested newt mitigation/compensation is acceptable, and will maintain the favourable conservation status of the species.

On the basis of the above it is considered reasonably likely that the requirements of the Habitats Directive would be met.

Bats

Bat surveys have been undertaken of a number of properties at Quarry Bank Mill these include ‘the mill managers house’, ‘retort and stable buildings’, ‘upper garden house and garage’, ‘13 Oak Cottages’ and ‘old village shop’. Pipistrelle bats were recorded emerging from the Mill building opposite the café. However the Mill building is not included within the current application.

No evidence of roosting bats was recorded associated within the buildings subject to this application. The survey was undertaken in 2013 and is so in excess of 12 months old. However, in this instance as the location of bat roosts at Quarry Bank Mill are well known the nature conservation officer is satisfied that sufficient survey information is available for the Council to be satisfied that roosting bats are unlikely to be present or affected by the proposed development.

Reptiles

Grass snakes are known to be present at Quarry Bank Mill. The proposed development is unlikely to result in the loss of any habitat known to be utilised by this species and no

breeding habitat would be lost. The proposed development is therefore not likely to have a significant adverse impact upon grass snakes however there is a low risk that any animals present on the development site may be killed or injured. It is advised that this risk could be mitigated through the implementation of Reasonable Avoidance Measures.

If planning consent is granted it is recommended that the submission of method statement of reptile mitigation measures prior to the commencement of development be secured by condition.

Hedgerows

Hedgerows are a priority habitat and hence a material consideration. A number of hedgerows will be affected by the proposed development. The hedgerows potentially affected by the proposed development however appear to have relatively limited ecological value. It is therefore recommended that suitable replacement planting be secured to compensate for the loss of hedgerows. This matter may be dealt with through a landscaping condition if planning consent is granted.

Breeding Birds

Conditions are also recommended to safeguard breeding birds.

Overall, the proposal is considered to have an acceptable impact upon nature conservation interests. The proposal therefore complies with policy NE11 of the Local Plan and the Framework

Public Rights of Way

The proposed development affects Wilmslow Public Footpath Nos. 16 and 21 (which run north to south through the site) and Wilmslow Restricted Byway Nos. 18 and 22 (which run east to west through the site). The proposed works may affect the surfaces of part of these routes. If the development will permanently affect the right of way, then the developer must apply for a diversion of the route under the TCPA 90 as part of the planning application. If the development will temporarily affect the right of way then the developer must apply for a temporary closure of the route (preferably providing a suitable alternative route).

Archaeology

Quarry Bank Mill is recorded in the Cheshire Historic Environment Record (CHER 2617/1/1) where it is noted that the site was established alongside the River Bollin in 1784 by Samuel Greg. The complex, much of which is Listed as Grade II* and Grade II, saw further development and expansion during the 19th century. The estate is now owned by the National Trust.

The application is supported by a Design and Access Statement, which has been prepared by Buttress Architects and includes an archaeological report (Section 10.1). This has been written by the National Trust's own archaeological staff and assesses the impact of the proposals on known archaeological remains. This is judged to be limited, as is the potential for significant new archaeological deposits to be present, and proposals for a limited programme of archaeological mitigation are included in the report (Table 4).

The Council's Archaeologist advises that the archaeological proposals outline an appropriate programme of archaeological mitigation, which can be secured by condition. Such a condition would also be sufficient to ensure that adequate procedures were in place to deal with any unexpected archaeological discoveries.

Agricultural land

Agricultural land across the application site is classified as grades 3 and 4, which is at the lower end of the land quality spectrum. Grade 3 land is good to moderate quality agricultural land.

The Framework states that:

"Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of higher quality."

The car park extension into an existing agricultural field is required to accommodate the parking demand from the anticipated increase in visitor numbers arising from the proposed works to widen the visitor offer at Quarry Bank Mill. The proposed location is considered to be the optimum position for an extended car park given the position of the access and the existing car park, and the relationship with the many heritage assets within the application site. The proposed development as a whole is considered to result in a positive impact upon the significance of the collection of heritage assets within the site, which allows for enhanced understanding of the site. This is considered to be a substantial benefit that is considered to outweigh the loss of agricultural land in this case.

Other matters

With regard to the comments raised in representation not addressed above, a risk assessment of the proposals is not something that is required for the purposes of a planning application. Similarly, the impact of the development upon the existing tenanted farm is not a material planning consideration in this case.

CONCLUSIONS AND REASONS FOR THE DECISION

The proposals overall are considered to be an inappropriate form of development in the Green Belt, which reduce openness and encroach into the countryside. The only identified harm to heritage assets arises from the temporary catering facility and the proposed car park extension in terms of their impact upon the Styal Conservation Area. This harm is considered to result in less than substantial harm to the significance of this designated heritage asset, and should therefore be weighed against the public benefits of the proposal.

In terms of public benefits, the restorative aspects of the proposal constitute a positive impact upon the significance of this valuable collection of heritage assets. The conversion of key buildings such as Quarry Bank House and the Styal Village properties to promote public access allows for an enhanced understanding and appreciation of the site and is also a positive aspect of the scheme. The proposal will serve to increase visitor numbers to

approximately 300,000 per year, which will be a benefit to the visitor economy of Cheshire East as a whole.

The considerations in favour of the proposal, including the identified public benefits are considered to clearly outweigh the less than substantial harm to the Styal Conservation Area, and the identified harm to the Green Belt.

The visual amenity of the Green Belt and Area of Special County Value will be adequately maintained. The proposal will not result in any significant injury to the amenity of nearby residential properties. The impacts on ecology have been satisfactorily addressed, and in some cases enhanced. The proposal is not considered to generate any adverse traffic or highway safety issues. The visual and landscape impacts of the development are acceptable. No significant environmental effects have been identified.

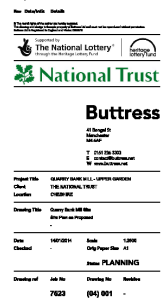
The proposal is considered to be a sustainable form of development under the definition of The Framework.

Consequently, for the reasons outlined above, there are not considered to be any significant adverse impacts that would outweigh the presumption in favour of sustainable development in this case. Therefore, the application is recommended for approval subject to consultation with the Secretary of State (due to the scale of the proposal in the Green Belt), and conditions. A full list of conditions will be provided as an update.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his 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.

Application for Full Planning: Approve subject to conditions and referral to Secretary of State.

(Note: full list of conditions to be circulated in the update report)



Application No: 14/3536M

Location: QUARRY BANK MILL, QUARRY BANK ROAD, STYAL, CHESHIRE, SK9 4LA

Proposal: Listed Building Consent for the restoration of the historic glasshouse and back sheds; change of use of number 13 Oak Cottages from C3 (Dwellinghouse) to D2 (Assembly and Leisure) and conversion and adaptation of existing Collection Store to use as an interpretation facility.

Applicant: National Trust

Expiry Date: 06-Oct-2014

Date Report Prepared: 14 November 2014

SUMMARY RECOMMENDATION

Approve subject to conditions

MAIN ISSUES

- The impact upon the Listed Buildings

REASON FOR REPORT

The application accompanies a full planning application (14/3242M) which appears elsewhere on the agenda. As this current application covers the listed building aspects of the proposal, it is considered that the two applications should be considered together by the planning committee.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises parts of the Quarry Bank Mill and Styal Estate. The whole of this estate covers an area of 172 hectares along the valley of the River Bollin, at the heart of which lies the Cotton Mill surrounded by other elements of this early industrial site. The latter include the Mill Owner's house (Quarry Bank House), the Mill Manager's House, the Apprentice House and an entire worker's village as well as the agricultural land, a farmstead, allotments, walled garden, and picturesque gardens and woodland which complemented and helped to sustain this early industrial community.

A number of the buildings across the site are listed and the site is located within the Styal Conservation Area, the Green Belt and an Area of Special County Value as identified in the Macclesfield Borough Local Plan.

The two buildings that are the subject of this application, 13 Oak Cottages and the Village Store Rooms, are both Grade II listed.

DETAILS OF PROPOSAL

This application seeks Listed Building Consent for the physical works associated with the change of use of number 13 Oak Cottages from C3 (Dwellinghouse) to D2 (Assembly and Leisure) and conversion and adaptation of the existing Collection Store to use as an interpretation facility. The proposed works include:

- Handrail to basement stairs of 13 Oak Cottages
- Raising part of floor of Village Store Rooms to provide level access throughout
- Reconfigure existing WC to provide a fully accessible WC and maintain a fire escape route.
- Glass doors added behind the existing large doors to allow the visitor offer to be 'open' during operating hours

RELEVANT HISTORY

There is a range of planning history across the site, but none is specifically relevant to the current proposals.

POLICIES

Macclesfield Borough Local Plan Policy

BE18 Listed Building Consent

Other Material Considerations

National Planning Policy Framework (The Framework)

Cheshire East Local Plan Strategy – Submission Version

CONSULTATIONS (External to Planning)

English Heritage – Restorative aspects of the proposals constitute a positive impact upon the significance of this valuable collection of heritage assets and are welcomed in principle. No objection to the introduction of a temporary marquee structure for a period of 5 years. The LPA will need to satisfy itself that clear and convincing justification for the car park extension has been provided to a satisfactory degree.

This is a combined response with the planning application; therefore not all comments are relevant to this LBC application.

VIEWS OF THE PARISH COUNCIL

Styal Parish Council – fully appreciate that the National Trust has taken steps to minimise the impact of the proposal upon Styal Village, the Council has the following serious concerns about the application:

1. **Loss of Green Belt to car park growth** – this is yet another incursion into the ever shrinking Green Belt. Increasing loss from airport parking and construction of A6 relief

road. The Parish Council looks for consistency in the approach to requests for an increase in car parking in the area, and would urge that further consideration be given to the impact upon prime farming land.

2. **Risk Assessment** – No reference to any risk assessment in the plans
3. **Over development** – Concerns that the overall size of the project is out of proportion to the size of Styal village.
4. **Visitor numbers** – the proposal to double visitor numbers to 300,000 is a concern for a number of reasons:
 - Road safety
 - Congestion
 - Noise and pollution
 - Loss of privacy for existing residents

This is a combined response with the planning application; therefore not all comments are relevant to this LBC application.

REPRESENTATIONS

One letter of representation has been received from the tenant farmer of the neighbouring land who is also a resident of Styal Village objecting to the proposal on the following grounds:

- No reference in the submission of the impact of the development upon the farm
- No risk assessment carried out for additional visitors using paths
- Over development in the Green Belt and Styal Conservation Area
- Spoil peace and tranquillity for residents
- Additional noise and pollution
- Farm will suffer land loss and division of an already fragmented holding. The extended car park will isolate about 30 acres from the rest of the farm. Access will be along a tortuous track which will make the day to day farm work more complicated and time consuming

This is a combined response with the planning application; therefore not all comments are relevant to this LBC application.

APPLICANT'S SUPPORTING INFORMATION

The following information has been submitted with the application:

- i) Planning Statement
- ii) Design & Access Statement
- iii) Conservation Management Plan
- iv) Transport Statement
- v) Biodiversity and Geodiversity Statement
- vi) Arboricultural Report

OFFICER APPRAISAL

The two properties within Styal Village, 13 Oak Cottages and the Village Store Rooms are to become accessible to the public in order to tell the stories about the workers in the place where they lived.

For 13 Oak Cottages this will mean minimal adaptation, amounting to repairs and alterations to a handrail on the stairs to the basement. The reason for minimising change, apart from conserving the historic significance of the building, is that much character is found in its slightly dilapidated condition, having the feeling of a well lived in dwelling with a great deal of history. Access into the building is via steps, both to the ground floor and the basement level.

The Village Store Rooms requires greater adaptation in order to provide the functionality required. Due to the constraints of the access into 13 Oak Cottages, the Village Store Rooms will provide interpretation space and provision for staff and volunteers in the form of WCs, storage and some office facilities. Visitors with access needs who might be unable to physically enter 13 Oak Cottages can access its stories from the Village Store Rooms.

The building was rebuilt in 1985 and despite the quality of the rebuilding it has lost much of its historic significance in the process. The building is currently in use as a Collection Store, but has a small change in level within its ground floor of approximately 100mm. This area of floor will be raised to provide level access throughout. The existing WC provision at ground floor level will be reconfigured to provide an accessible WC and maintain a fire escape route. The 1st floor spaces will retain their current configuration but will be converted from storage to a break room for staff and volunteers, which will also have a computer point to provide some office functionality. Glass doors will be added behind the existing large doors to allow the visitor offer to be 'open' during operating hours, with the timber doors held open, but secure outside of those hours by closing them. It is intended that the Village Store Rooms are the first port of call for visitors to Styal Village who will then be escorted in small groups to 13 Oak Cottages by National Trust staff and volunteers.

The Village Store Rooms part of the development was initially intended to take up the whole of the historic Village Shop, but the need to retain accommodation for volunteers and challenges around alterations to the tenanted property above meant that the scheme needed to be scaled back and is now focused on the building adjacent the Village Shop which is currently used for Collection storage. This building is intended to house interpretation facilities focusing on Styal Village.

CONCLUSIONS AND REASONS FOR THE DECISION

Given the limited extent of the physical alterations proposed to these listed buildings, and the fact that the use seeks to maximise the significance of the building within the context of the site, the impact upon the significance of the heritage asset is considered to be a positive one.

The comments received from the Parish Council and the tenant farmer relate to issues that are addressed within the accompanying planning application (14/3242M).

A recommendation of approval is therefore made.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager,

in consultation with the Chairman (or in his 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.

Application for Listed Building Consent

RECOMMENDATION: Approve subject to following conditions

1. A07LB Standard Time Limit
2. A01AP Development in accord with approved plans
3. A05EX Details of materials to be submitted



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Application No: 14/3619M

Location: CAR PARK, King Edward House, KING EDWARD STREET, MACCLESFIELD

Proposal: Construction of new build three storey office block with ground floor retail use on part of the existing car park at King Edward House

Applicant: Nic Lewis, Cotton Estates Ltd

Expiry Date: 24-Oct-2014

Date report prepared: 13 November 2014

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| SUMMARY RECOMMENDATION | Approve subject to conditions |
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MAIN ISSUES

- Whether the principle and scale of the proposed uses in this location are acceptable given the sites existing use as a car park
- Whether the proposed design and appearance of the development is acceptable and whether its impact on the adjoining and nearby listed buildings and on the wider Conservation Area is acceptable and compliant with relevant policies
- Whether the changes proposed to the car park numbers are acceptable and whether the proposed access and parking arrangements for the proposed development are adequate
- The impact of the proposal on the amenity of any nearby residents
- The potential archaeological impact of the proposal
- Other matters e.g. the economic benefits of the proposal

REASON FOR REPORT

The floor area of the proposed building means that it is a small scale major application and under the Council's scheme of delegation is required to be determined by the Northern Planning Committee.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a privately operated car park located within Macclesfield Town Centre. Listed buildings are located to either side of the application site. King Edward House to the south is in commercial use, with No. 3-5 Jordangate to the north currently vacant but

previously used as offices. Macclesfield library is located on the opposite side of Jordangate. Modern commercial premises are located to the rear (west) with residential premises (Cumberland Court and Cumberland House) located to the north.

The site is located within the Macclesfield Town Centre Conservation Area. As stated, the buildings located either side of the proposed development (King Edward House - Grade II* & 3-5 Jordangate - Grade II) are both listed buildings. Other listed buildings are located within proximity of the site. The site also falls within an area of archaeological potential. The site is shown as an existing car park on the Local Plan where policy MTC24 applies within a mixed use regeneration area.

DETAILS OF PROPOSAL

Planning permission is sought for the erection of a three storey building to be located between King Edward House and 3-5 Jordangate. The building would provide retail use at ground floor with office use at first and second floor.

The building would be slightly separated from King Edward House and separate from 3-5 Jordangate with a ginnel proposed between the two buildings. As such, listed building consent would not be required for the proposal.

The proposed building is of a contemporary design, is flat roofed and would be constructed from a combination of materials including red brick, metal panels, rendered panels, glass blocks and large glazed windows and doors. Amendments have been sought and secured to the proposal during the course of the application due to officer and consultee concerns. In particular the front elevation has been amended to remove the originally proposed recessed terrace at second floor and to make the front elevation appear more symmetrical.

The building would provide 346 sq metres retail floorspace and 662 sq metres office floorspace. A total of 40 parking spaces would be retained for the proposed building, including 4 disabled spaces. 19 parking spaces, including 2 disabled spaces would be retained for King Edward House.

RELEVANT HISTORY

King Edward House (formerly known as the Macclesfield Arms) has an extensive planning history, none of which is of particular relevance to this application.

PRE/0150/12 – pre application enquiry for new residential and commercial development comprising 8 no. apartments (1 and 2 bed), 320 sq metres of flexible commercial space at street level fronting Jordangate, 198 sq metres of flexible commercial space at first floor level and associated car and cycle parking. Advice letter issued April 2013.

POLICIES

Local Plan Policy

- BE1 Design Guidance
- BE2 Historic Fabric

BE3 Conservation Areas
BE16 Development affecting the setting of listed buildings
BE21 Sites of archaeological importance
BE24 Requirement for archaeological evaluation
S1 Shopping developments
MTC12 Mixed Use Areas
MTC15 King Edward Street Area
MTC17 Jordangate and the Market Place
MTC22 Offices
MTC24 Car parking
MTC26 Car parking in accordance with Council's standards
DC1 Design guidance for new build
DC3 Amenity
DC5 Designing out crime
DC6 Circulation and access
DC38 Space, Light and Privacy

Cheshire East Local Plan Strategy – Submission Version (CELP)

Paragraph 216 of the National Planning Policy Framework (NPPF) states that, unless other material considerations indicate otherwise, decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

In view of the level of consultation already afforded to the plan-making process, together with the degree of consistency with national planning guidance, it is appropriate to attach enhanced weight to the Cheshire East Local Plan Strategy - Submission Version in the decision-making process.

At its meeting on the 28 February 2014, the Council resolved to approve the *Cheshire East Local Plan Strategy – Submission Version* for publication and submission to the Secretary of State. It was also resolved that this document be given weight as a material consideration for Development Management purposes with immediate effect.

The following policies are relevant:

MP1 Presumption in Favour of Sustainable Development
SD1 Sustainable Development in Cheshire East
SD2 Sustainable Development Principles
EG1 Economic Prosperity
EG5 Promoting a Town Centre First Approach to Retail and Commerce
SE1 Design

SE7 The Historic Environment

Other Material Considerations

National Planning Policy Framework

National Planning Policy Guidance

CONSULTATIONS (External to Planning)

Highways: no objections.

Environmental Health: no objections subject to conditions/informatives relating to piling, dust control, floor floating, hours of construction and contaminated land.

English Heritage: support the proposal in principle but recommend a number of amendments to it in order for it to be acceptable with regard to the impact on the Conservation Area and on the setting of nearby listed buildings.

Archaeology: no objections subject to the imposition of appropriate conditions.

Environment Agency: no comment.

United Utilities: no objection.

The Georgian Group: no comments received to date.

The Victorian Society: no comments received to date.

Regeneration: supportive of the proposal.

VIEWS OF THE PARISH / TOWN COUNCIL

Not applicable.

OTHER REPRESENTATIONS

Macclesfield Civic Society:

- disappointed that no residential element within the scheme;
- disappointed in the design approach and consider that a major re-design should be sought though no objection in principle to a mixed use building of suitable design;
- parking provision appears over dependent on double bays which could give rise to management problems;
- current proposals do not preserve or enhance the Conservation Area or protect the setting of adjacent listed buildings

11 representations have been received in support of the proposal, including 2 from prospective tenants (PEAK Cyclesport and Mammut UK Ltd) and are summarised below:

- scheme would revitalise/regenerate the town centre
- will have knock on effect of attracting high quality tenants
- nice contrast to other buildings in the area, not pastiche
- Jordangate is an important gateway, development will regenerate this part of town
- Not too big in scale
- Design excellent, high quality modern design that fits in
- Will enable business to stay in Macclesfield town centre (PEAK cyclesport)
- Knock on impact for local businesses
- Will not result in any loss of public car parking
- Proposal has to be a landmark building due to prominent position and proposed development is
- Mammut UK Ltd propose to use the building as their new head office

1 representation has been received objecting to the proposal for the following reason:

- Concern if there is open access to the proposed ginnel between proposed building and rear of Cumberland Court – though stating that no objection to the application as a whole.

APPLICANT'S SUPPORTING INFORMATION

A number of supporting documents have been submitted with the application. These can be viewed on the application file and include:

- Design & Access Statement
- Archaeological Heritage Assessment

OFFICER APPRAISAL

Principle of Development

As the site is located within the town centre, there is no objection in principle to the erection of a new building subject to compliance with relevant policies.

Local Plan policy MTC24 states that town centre car parks as shown on the proposals map will be retained for car parking. However, as the existing car park is not currently available for public use, given that the proposal will only partially cover the car park and given that 57 parking spaces would remain to serve the proposal and King Edward House, there is no objection in principle to the proposal with regards to the impact on the car park.

With regard to the proposed uses, Local Plan policy MTC17 states that in Jordangate, Class A1, A2 and A3 uses and other uses appropriate to a town centre will be permitted at ground floor level. MTC22 states that office development will be permitted in the town centre in mixed areas providing residential amenity and the character of the area is not adversely affected. Therefore, there is no objection to the proposed retail and office uses.

There is no objection in principle to development in Conservation Areas and adjoining/adjacent to listed buildings, provided that the character or appearance of the

Conservation Area is preserved or enhanced and provided that historic fabric and that the setting of listed buildings is not adversely affected (Local Plan policies BE2, BE3 and BE16). These Local Plan policies are consistent with the NPPF.

Design, Appearance & Impact on Listed Buildings and Conservation Area

The proposal is for a contemporary three storey, flat roofed building. It would be constructed from a combination of materials including red brick, metal panels, rendered panels, glass blocks and large glazed windows and doors. The height of the proposed building would be lower than the ridge height of the adjacent buildings King Edward House and 3-5 Jordanate, with the exception of the flat roofed section of King Edward House which the proposed building would be set slightly away from. The submitted Design & Access Statement explains how the design of the proposed building has evolved and how the architect has sought to respect and reflect the scale, massing and detailing of the surrounding listed buildings.

The Council's Conservation and Design officers have been consulted on the proposal and whilst there is no objection in principle to the scheme, as originally submitted, concerns were raised with regard to the appearance of the front and rear elevations. In its originally submitted format, the scheme was not considered to respect the existing architectural rhythm of the area. Similarly concerns have been raised by English Heritage who state that the original proposal to introduce a three storey building of contextual design is welcomed in principle, provided that the visual dominance of the proposed design is mitigated in order to conserve and enhance the distinctive hierarchy of the Conservation Area and setting of the adjoining King Edward House (Grade II* Listed).

Macclesfield Civic Society also raised concerns regarding the originally submitted proposal and in particular the proposed flat roof, about the detailing which does not reflect the "good mannered" appearance of adjacent listed buildings with particular concern regarding the west and south elevations with the rear part of the building appearing "boxy". The Civic Society concludes that a major re-design should be sought albeit they have no objection in principle to a mixed use building of suitable design.

In contrast, a number of the representations received have been supportive of the design of the building proposed.

Officers need to be satisfied that any new development not only respects the setting of adjoining, adjacent and nearby listed buildings but also conserves or enhances the character or appearance of the Conservation Area. In this case the proposal would be adjacent to Grade II* and Grade II Listed Buildings and is located in a prominent position within a Conservation Area i.e. designated heritage assets.

Section 12 of the NPPF deals specifically with the historic environment. Paragraph 133 of the NPPF states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss or the listed criteria apply (criteria not relevant in this case). 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 securing its optimal viable use

(paragraph 134). The public benefits offered by the proposal are considered later in the report.

With regard to design more generally, paragraph 60, Section 7 of the NPPF states that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness. Local Plan policies BE1 and DC1 are broadly consistent with this advice and require new development to, amongst other things, reflect local character, respect form, layout, siting, scale and design of surrounding buildings and their setting, use appropriate materials (Local Plan policies BE1 and DC1).

In this case, as originally submitted, it was considered that the proposal failed to comply with relevant policy relating to listed buildings, Conservation Areas and design. However, it is considered that the amendments to the front elevation secured during the course of the application have overcome previous officer concerns relating to the proposal. Whilst no amendments have been made to the rear elevation, further discussions with the applicant and his architect have reassured officers regarding the visual impact of this element of the scheme.

The re-introduction of a building between King Edward House and 3-5 Jordangate is welcomed as it will re-instate the historic building line at this point. Additionally the proposed building which is considered to be of a high quality will serve to screen the existing, poor quality buildings located to the rear of the car park. The siting, scale and massing of the proposed building are considered to be acceptable given the site context. This includes the introduction of a flat roof which whilst not generally in keeping with surrounding buildings, reflects the contemporary style of the building proposed. Whilst the proposed flat roof would be visible when viewed from King Edward Street, it would not be perceived from street level to the front due to the buildings overall height and position relative to the pavement. In any event, in this instance it is considered more appropriate to follow a contemporary approach rather than to seek to imitate and replicate the more traditional design of surrounding buildings. Unless exceptionally executed, replication or pastiche can often result in poor quality imitation. By contrast it is considered that the amended scheme proposed, whilst respecting and reflecting surrounding buildings, would introduce a high quality, contemporary building into the townscape. However, a crucial aspect of the buildings success will be the choice of materials to be used. Discussions have been taking place regarding proposed materials with the applicant and his architect in order that should the application be approved, a clear idea of what specific materials are to be used is known at the outset. Ideally the materials to be used would be specified by condition. At this stage, no final decision has been made regarding materials and as such, the standard submission of materials condition has been specified. However, should an agreement be reached on materials prior to the meeting, an update will be provided to Members and the materials condition amended accordingly.

To conclude, the amended proposal is considered to respect the setting of nearby listed buildings and to conserve the character and appearance of the Conservation Area. Whilst a number of concerns were raised in relation to the originally submitted scheme, it is considered that the amended scheme has overcome officer concerns and some of the concerns raised by third parties. Any further comments received in relation to the amended proposal will be provided in an update.

Highways and parking

As stated, the application site comprises part of an existing, privately operated car park. 40 car parking spaces would be provided for the development including 4 disabled spaces. 4 cycle spaces are also proposed. Vehicular access to the site will be via the existing vehicular access off King Edward Street. 17 car parking spaces, including 2 disabled spaces would be retained for King Edward House.

The Strategic Highways Manager has been consulted on the application and raises no objections noting that the site is located in a sustainable location and that the car parking provision proposed accords with Cheshire East standards.

With regard to the concerns raised in representation regarding the proposed layout of the parking area, this “end to end” parking only affects 12 out of 40 spaces for the proposal and 6 out of 19 spaces for King Edward House. As such it is considered likely that these spaces would be used by office/retail staff rather than by visitors with other, more accessible spaces being used for visitor parking. In any event, as the car parks would remain privately operated, the management of these spaces would be a matter for the managers of the respective buildings.

Amenity

Residential properties are located to the north of the site, within Cumberland Court, a conversion scheme. The rear elevation of Cumberland Court located adjacent to the northern boundary of the application site does not contain any windows, however there are 3 rooflights located in the roofslope facing the site. There is a gap between the rear elevation of 3-5 Jordangate and the side elevation of the converted building. It appears that the land to the rear of 3-5 Jordangate between that property and the converted building is associated with the use of 3-5 Jordangate.

The proposed building would be higher than the ridge height of Cumberland Court and as stated, the rear roofslope of the conversion contains three rooflights. The proposed building would partially overlap the rear elevation of the Cumberland Court and it appears that two of the rooflights would be affected. However, notwithstanding the fact that the use of the rooms that the rooflights serve are unknown at this stage, given the relative distance and angle between the rooflights and the side of the proposed building, it is not considered that a significant adverse impact on these rooflights would result from the proposal.

With regard to comments raised in representation in relation to the proposed ginnel, the ginnel would be accessible to the wider public and is intended to provide a pedestrian walkway from the rear of the site onto Jordangate and vice versa. This type of passageway is not unusual within the town centre and given that the rear elevation of Cumberland Court is a blank wall, it is not considered that the provision of a ginnel in this location would result in any adverse impact on the residential amenity of occupiers of Cumberland Court.

No other residential properties would be affected by the proposal.

Archaeology

Due to the archaeological potential of the site, trial trenching has taken place in advance of the determination of the application. The trenching has demonstrated that within the footprint of the proposed building there was some disturbance from recent activity but that this was not extensive enough to have destroyed the archaeological interest of the site. In particular, a substantial stone wall was detected in one of the trenches. It is not closely dated at present but is clearly not recent. It is similar to some of the late medieval and early post-medieval wall footings excavated in advance of the construction of the town hall extension in the 1980s and it seems likely that it represents the remains of a structure of this date on the Jordangate street frontage. Pottery dating to the 17th or 18th centuries has been found in association with the wall and is thought dates to the period of the building's demolition. A number of pits have also been recognised and have produced post-medieval pottery.

The remains described above are not of sufficient importance to generate an archaeological objection to the development but they do justify further archaeological mitigation in the event that planning permission is granted, which may be secured by condition. Briefly, this should consist of a controlled strip of the footprint of the new building and the formal excavation and recording of the archaeological deposits present. A report on the work will also be required. Beyond the new building, formal excavation will not be required but any significant intrusions for services should be subject to an archaeological watching brief. Again, this matter can be controlled by condition.

Other Matters

As it is not considered that the proposal will result in harm to designated heritage assets it is not necessary to consider whether the harm identified is outweighed by the public benefits of the proposal.

However, it is still considered appropriate to consider the wider public benefits that the proposal would offer and these are listed below:

- Would provide employment both during and after the construction phase. The application form states that it is anticipated that the proposal would generate a need for 29.5 FTE employees;
- Would help to support the wider economic regeneration of the town centre in line with the Town Centre Vision;
- Mixed retail/office use development would increase activity on this corridor of the town centre;
- Redevelopment of gap sites will contribute to the retention of businesses and retailers in the town centre;
- Proposal will provide modern facilities which will be attractive to businesses/retailers

CONCLUSIONS AND REASON(S) FOR THE DECISION

There is no objection in principle to the proposed development and no objections in respect of highways, amenity and archaeology. The proposal has been amended during the course of the application in order to overcome officer concerns and in an attempt to overcome concerns raised by English Heritage and Macclesfield Civic Society. The amended scheme would see the introduction of a contemporary building into the townscape, located within the

Conservation Area and between and amongst listed buildings. The building has been designed having regard to and in response to its setting and it is considered that there would be no adverse impact on the setting of nearby listed buildings or on the character and appearance of the Conservation Area. The proposal re-introduces a building into the streetscape which would serve to fill the existing gap between buildings and to screen the existing poor quality buildings located to the rear of the car park. Additionally the proposal offers a number of wider public benefits including job creation, regeneration and provision of town centre business facilities. The proposal is therefore considered to be in accordance with all relevant national and local planning policies.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his 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.

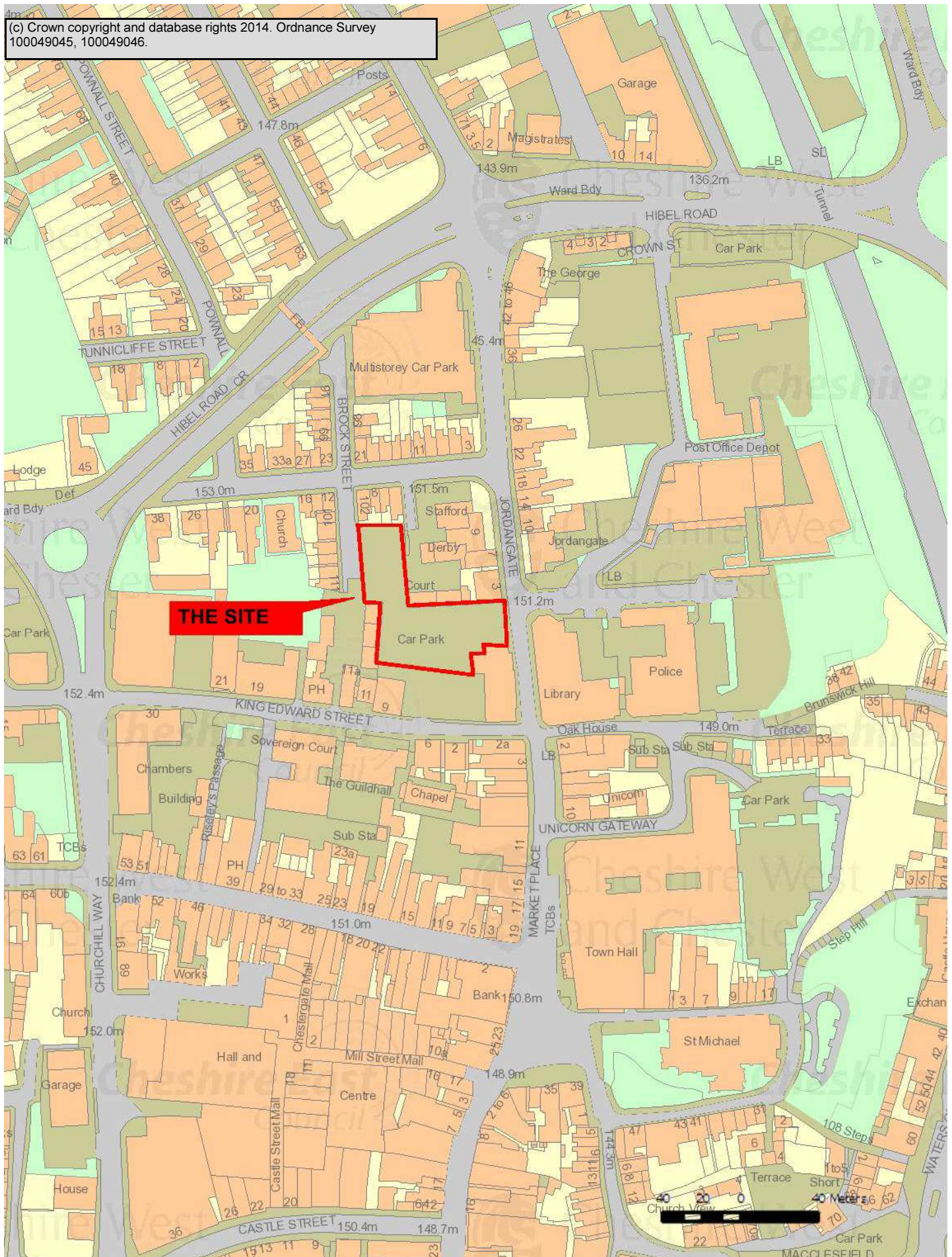
SUBJECT TO

The expiry of the additional publicity period and the receipt of any additional consultation/representation responses.

RECOMMENDATION: Approve subject to following conditions

1. A03FP Commencement of development (3 years)
2. A01AP Development in accord with approved plans
3. A06EX Materials as application
4. A07EX Sample panel of brickwork to be made available
5. A11EX Details to be approved (railings)
6. A20EX Submission of details of windows
7. A32HA Submission of construction method statement
8. A17MC Decontamination of land
9. Details of piling
10. Dust Contro
11. IFloor Floating
12. Archaeological works
13. Method statement to ensure protection of adjacent listed buildings during construction works

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Application No: 14/2147M

Location: Garages and open land , TENBY ROAD, MACCLESFIELD

Proposal: Demolition of existing garages and erection of new three storey block of apartments and two storey houses

Applicant: Peaks and Plains

Expiry Date: 13-Aug-2014

Date Report Prepared: 17 November 2014

SUMMARY RECOMMENDATION

Approval is recommended subject to conditions and completion of a S.106 Agreement.

MAIN ISSUES

- Principle of the Development (*Windfall Housing Sites*);;
- Principle of the Development (*Need for Affordable Housing*);
- Impact on open space;
- Design, Layout and Visual impact;
- Landscape/Trees;
- Highways;
- Residential Amenity;
- Nature Conservation;
- Environmental Health; and
- Other Material consideration or matters raised by third parties.

REASON FOR REPORT

The proposal is a major development as defined by The Town and Country Planning (Development Management Procedure) Order 2010. Under the Council's constitution such applications are required to be considered by Committee. Subject to the recommended conditions and Legal agreement, the proposal is considered to be acceptable for the reasons set out in the appraisal section of this report.

DESCRIPTION OF SITE AND CONTEXT

The application site consists of 2 no. blocks of garages and a car park area to the rear of properties on Wentworth Avenue, Tenby Road and Chilham Place. In addition, the proposals include areas of open space and a block of garages on Wilton Crescent. The site is located within a post war Local Authority built housing estate.

The site area is 0.424 hectares.

The garages are owned by Peaks and Plains Housing Trust. Approximately 19 out of the 44 no. of garages are currently occupied.

The site falls within a Predominantly Residential Area as outlined in the Macclesfield Borough Local Plan 2004.

The area around where the new residential block would be sited is bound to the north by mature trees Beach hedge and to the east and south by closed board timber fences

Access to the site is taken from Wilton Crescent. Current access to the site is from Tenby Road. The area comprises of rows of two storey terraced properties which are relatively uniform in character.

The rear gardens of properties fronting Tenby Road, Wentworth Avenue and Chilham Place and Beeston Terrace adjoin the application site.

DETAILS OF PROPOSAL

Full Planning Approval is sought for the construction of a residential housing development comprising a total of 10 units in one apartment block. The application is made by Peaks and Plains Housing Trust for development comprising 100% affordable housing for rent.

The proposal includes 4 no 1 bed and 6 no 2 bed apartments within a 2 storey block. A new access road would also be provided from Wilton Crescent giving pedestrian and vehicular access to the dwellings.

All properties would be provided with off street parking spaces (21 no. in the vicinity of the new apartment block) and the apartments would be surrounded by a shared amenity space. In addition, parking would be provided (7 no.) for other residents of the estate on Wilton Crescent.

It should be noted that originally, the proposal was to develop 2 houses and 11 flats dwellings on the site. The 2 dwellings would have fallen on an open space area. Following consultation with neighbours and discussions with Officers the scheme now consists of 10 flats.

Funding for the scheme will be secured via the Home and Communities Agency with full support from Cheshire East Housing Strategy Department. The mix of housing is in accordance with housing needs. All dwellings will be let for affordable rent.

RELEVANT HISTORY

There is no site history relevant to the determination of this application.

POLICIES

By virtue of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application should be determined in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan for Cheshire East currently comprises the saved policies from the Congleton Borough (January 2005), Crewe and Nantwich (February 2005) and Macclesfield Local Plan (January 2004).

Local Plan Policy:

The site is located within a predominantly residential area on the Macclesfield Borough Local Plan.

Therefore, the relevant Macclesfield Local Plan Saved Policies are considered to be: -

- NE11 Nature Conservation;
- BE1 Design Guidance;
- RT1 Open Space;
- H2 Environmental Quality in Housing Developments;
- H5 Windfall Housing Sites;
- T2 Provision of public transport;
- DC1 New Build;
- DC3 Amenity;
- DC6 Circulation and Access;
- DC8 Landscaping;
- DC9 Tree Protection;
- DC35 Materials and Finishes; DC36 Road layouts and Circulation;
- DC37 Landscaping; and
- DC38 Space, Light and Privacy.

Cheshire East Local Plan Strategy – Submission Version (CELP)

Paragraph 216 of the National Planning Policy Framework (NPPF) states that, unless other material considerations indicate otherwise, decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

In view of the level of consultation already afforded to the plan-making process, together with the degree of consistency with national planning guidance, it is appropriate to attach enhanced weight to the Cheshire East Local Plan Strategy - Submission Version in the decision-making process.

At its meeting on the 28 February 2014, the Council resolved to approve the *Cheshire East Local Plan Strategy – Submission Version* for publication and submission to the Secretary of State. It was also resolved that this document be given weight as a material consideration for Development Management purposes with immediate effect.

Replacing MBLP policies NE11, BE1, H4, and H13 (CELP) policies SE3, SE1, SD2, SE1, EG3 and CO1, which are summarised below: -

- Policy SE3: which seeks to protect and enhance biodiversity and geodiversity;
- Policy SE1: sets out requirements for design;
- Policy SE12: Pollution and Unstable Land ensures that development protects amenity;
- Policy SD2: sets out sustainable development principles; and
- Policy CO1: deals with sustainable travel and transport including public transport.

Other Material Considerations:

National Policy:

The National Planning Policy Framework came into effect on 27 March 2012, and replaces the advice provided in Planning Policy Guidance Notes and Statements. The aim of this document is to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. Local planning authorities are expected to “plan positively” and that there should be a presumption in favour of sustainable development. Since the NPPF was published, the saved policies within the Macclesfield Borough Council Local Plan are still applicable but should be weighted according to their degree of consistency with the NPPF. The Local Plan policies outlined above are consistent with the NPPF and therefore should be given full weight.

Supplementary Planning Documents:

The following Supplementary Planning Documents (SPD) has been adopted and is a material consideration in planning decisions (within the identified former Local Authority areas):-

- SPG on Section 106 Agreements (Macclesfield Borough Council)
- Interim Planning Statement: Affordable Housing (Feb 2011)
- Relevant legislation also includes the EC Habitats Directive and the Conservation (Natural Habitats &c.) Regulations 1994
- North West Sustainability Checklist

CONSULTATIONS (External to Planning)

HIGHWAYS:

The Strategic Highways Engineer raises no objections to the design of the new access, detailed internal layout of the site and the parking provided accords with the standards. Given

than a number of garages are not used for parking of vehicles, the loss of the garages is unlikely to cause a material on-street parking problem. No objections are raised subject to satisfactory arrangements being made for refuse collection.

ENVIRONMENTAL HEALTH:

No objection subject to conditions relating to hours of operation, dust control, floor floating, pile driving and contaminated land.

UNITED UTILITIES:

No objection subject to a condition relating to site drainage.

HOUSING:

Supports the Scheme as there is an urgent demand for Affordable Housing in Macclesfield.

OPEN SPACE:

Raises no objections. The application for 10 apartments also generates the requirement for additional POS provision of 40sqm per family dwelling. In the absence of this additional POS to cater for the new demand being provided on site, a com sum of £24,000 would be required for offsite provision.

REPRESENTATIONS

The planning application was originally advertised by the Council through neighbour notification letters that were sent to all adjoining land owners and by the erection of a site notice.

A petition with approximately 60 signatures from local residents was received from local residents. The petition notes that whilst the signatories of the petition are not objecting to the application from Peaks and Plains Housing in principle, the writer would like members of the planning committee to take into account the following objections when considering the application, and reduce the number of new properties and especially the height of the buildings to a maximum of two stories. The objections are made on the grounds of: -

- 1) Loss of privacy
- 2) Over-development
- 3) Loss of parking/inadequate parking
- 4) Loss of amenity
- 5) Unsympathetic to the local area.

In addition, 6 letters of representation were received from residents with the following comments: -

By getting rid of this garage area and several others in the surrounding area the housing trust are showing a complete lack of sympathy and consideration with local residents feelings.

The development will be totally out of character as there are no three storey buildings in the area.

Too many units on such a small site.

The existing houses will be overlooked and this will be an invasion of privacy.

Getting rid of the garages will force more cars to be parked on the already over crowded roads as there is a lack of parking spaces already.

This development is going to have a detrimental effect to the local area with the large amount of traffic and parking that it will create.

Access to one of the residents back garden.

The area is in need of regeneration, members of the planning committee should consider reducing the height and number of the proposed development, also to be sympathetic and consider the planting of new trees which may help with privacy and overlooking, and finally and above all request a solution to the parking problem and not add to it!!

Macclesfield Civic Society commented that the proposal seeks to make more intensive use of previously developed land within an established residential area in accordance with both national and local policies.

The design appears consistent with the character of the locality. The space between buildings (particularly with the 3 storey blocks) needs careful evaluation to ensure that existing and proposed residents achieve a reasonable standard of amenity and overlooking is avoided.

The above comments were received prior to the receipt of revised plans, which reduces the apartment scheme to two storeys in height. The two semi-detached dwellings have been removed from the scheme and 23 parking spaces have not been provided.

Further neighbour notification letters have been sent to neighbours and the last date for comments expires on 14th November 2014. No further comments had been received at the time of report preparation.

APPLICANT'S SUPPORTING INFORMATION

The following detailed reports were submitted with the application:-

- Design & Access Statement;
- Arboricultural Report
- Ecology Survey and Report;
- PPS3 Housing Self Assessment Checklist.

OFFICER APPRAISAL

Principle of the Development (Windfall Housing Sites):

The site lies within the settlement boundary of Macclesfield and within a Predominantly

Residential Area where policies within the Local Plan indicate that there is a presumption in favour of development.

Para 14 of The Framework indicates that there is a presumption in favour of development except where policies indicate that development ought to be restricted.

Policy H5 within the Local Plan seeks to direct residential development to sustainable locations – this policy accords with guidance within the NPPF and therefore carries full weight. The site constitutes a sustainable location as it is located within the settlement boundary of Macclesfield and by virtue of its proximity to shops and services within Macclesfield.

It is considered that this development on this site would make effective use of the land with a higher density scheme and make a contribution to the Council's 5 year land supply.

Therefore, permission should only be withheld where any adverse impacts would significantly and demonstrably outweigh the benefits as noted above.

Principle of the Development (Need for Affordable Housing):

This application is for 10 Affordable Rented units made up of 4 no. 1 bed apartments and 6 no. 2 bed apartments. The applicant is Peaks and Plains Housing Trust who are a Registered Provider of Social Housing registered with the Homes and Communities Agency (HCA). They have also secured funding with the HCA to support delivery of this scheme.

The site falls within the Macclesfield Sub-Area for the purposes of the Strategic Housing Market Assessment (SHMA 2013). This identifies a net annual requirement of 180 units for the period 2013/14 to 2017/18. In addition to this, information taken from Cheshire Homechoice, shows there are currently 1,183 applicants who have selected one of the Macclesfield lettings areas as their first choice. These applicants require 693x 1bd, 372x 2bd, 100x 3bd and 18 x 4+ bd units.

The mix of types of dwelling proposed for the affordable homes would meet the identified need for the Macclesfield. It is considered appropriate that the affordable housing can be secured by an appropriately worded condition, due to the fact that the application has been submitted by a Registered Social Landlord and would provide 100% affordable dwellings.

Housing Land Supply

Paragraph 47 of the National Planning Policy Framework requires that Council's identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements.

This calculation of Five year Housing supply has two components – the housing requirement – and then the supply of housing sites that will help meet it. In the absence of an adopted Local Plan the National Planning Practice Guidance indicates that information provided in the

latest full assessment of housing needs should be considered as the benchmark for the housing requirement.

The current Housing Supply Position Statement prepared by the Council employs the figure of 1180 homes per year as the housing requirement, being the calculation of Objectively Assessed Housing Need used in the Cheshire East Local Plan Submission Draft.

The Local Plan Inspector has now published his interim views based on the first three weeks of Examination. He has concluded that the council's calculation of objectively assessed housing need is too low. He has also concluded that following six years of not meeting housing targets a 20% buffer should also be applied.

Given the Inspector's Interim view that the assessment of 1180 homes per year is too low, we no longer recommend that this figure be used in housing supply calculations. The Inspector has not provided any definitive steer as to the correct figure to employ, but has recommended that further work on housing need be carried out. The Council is currently considering its response to these interim views.

Any substantive increase of housing need above the figure of 1180 homes per year is likely to place the housing land supply calculation at or below five years. Consequently, at the present time, our advice is that the Council is unable to robustly demonstrate a five year supply of housing land. Accordingly recommendations on planning applications will now reflect this position.

If this application were to be approved, it would relieve pressure on other edge of settlement sites and the Green Belt as part of the provision of housing and strengthen the Councils 5 year land supply position.

Developer Contributions:

The Weston Estate is an established area of dense housing of approximately 5,100 population to the west / south-west of Macclesfield. The Weston Estate has long been identified as having major deficiencies in the provision of POS, with little or no opportunity to expand provision with new POS and where opportunities to improve existing facilities are limited due to their size, capacity, location and proximity.

The Open Space assessment of 2012 identified that residents in this area of Macclesfield have a poor standard of accessibility to open spaces and are at a distance of more than 1km from a park, have no access to natural and semi natural open spaces, have more limited access to green corridors compared to residents in the east, required an increased provision of amenity green space and that there is a shortage of play facilities within this area and Macclesfield generally and issues of quality. It went on to recommend securing appropriate sites to address the shortage in play in the south-west area generally where there is often only one facility serving wide area and upgrades to poor quality sites

The two pieces of open space identified within the application are included within the councils Open Space Assessment and provide some relief in an area of otherwise dense housing. The Open Space Officer is pleased to see from the amended plans that the applicant has

responded to previous comments and concerns about the loss of any existing POS as a result of the development. Furthermore, that there is an opportunity to improve the retained POS as a result of the development.

The application site currently contains 2,325sqm of POS, using the applicants own figures. The application proposes the retention of 2,219sqm of POS. Therefore there is a small loss of POS.

The application for 10 apartments also generates the requirement for additional POS provision of 40sqm per family dwelling. In the absence of this additional POS to cater for the new demand being provided on site, a commuted sum of £24,000 would be required for offsite provision. Being 100% affordable the requirement for ROS provision is waived, as is the council practice.

A detailed design is required for the retained open spaces and will need to address the following points: -

1. The footpath shown leading directly into a car parking space is not acceptable and needs amending. Pedestrians should have clear and defined access points with good visibility and where conflict with cars is avoided. This is a particularly poor element of the scheme submitted
1. Car parking bays within the open spaces are a potential source of conflict and risk and where possible should always be avoided. Could the three shown on Tenby Road open space be moved to the opposite side into the verge on the access road?
2. Ensuring good views in and across the open spaces, especially around traffic areas is crucial
3. Retention of existing tree stock, tree works as required and additional tree and hedge planting
4. Quality enclosures around the two main open spaces with clear gateways and access points to ensure safety of users
5. Hard surfaced all weather footpaths, minimum, width of 1.8m
6. A small Local Area for Play on the Tenby open space, focused on social / interactive play

The above points have been forwarded on to the applicants agent to see if the changes can be worked in to the scheme. It is considered that if a plan is not provided prior to the committee meeting, then the above can be appropriately conditioned.

Requiring good design and character and appearance of the area:

The application proposes an apartment block which would be enclosed by residential properties on three sides and not prominent from public vantage points. The main public view would be from Wilton Crescent. The apartments would have a communal garden. The dwellings are two storey constructed predominantly in brick and tile. Render is proposed in two areas on the front elevation.

Whilst a number of objections have been raised to the number of dwellings and height of the development, this was prior to the submission of revised plans, which have reduced the number of dwellings and height to two storeys. It is considered that the proposal would

improve the character of the area given the state of the current site. It should also be noted that the demolition of the unsightly garages on Wilton Crescent also forms part of the proposal and this will create 7 no. parking spaces for all residents to use, in addition to providing a greater area of public open space, thus providing both a visual and functional benefit to the local area.

Highways access, parking, servicing and highway safety:

A new access to the development will be created onto Wilton Crescent.

With regard to the internal layout of the site there no highway design issues although details of bin storage and collection is required. The amount of parking provided for the proposed number of units accords with standards.

The issue regarding the loss of the garages needs to be considered and whether this loss would result in inappropriate on-street parking occurring on the local road infrastructure. The applicant has stated that the vast majority of the garages are not used for the parking of vehicles and more for storage purposes. In these circumstances, the loss of the garages is unlikely to cause a material on-street parking problem.

Over the two sites there is a total of 44 garages with 19 being occupied and 25 void. To accompany the consultation event (prior to submission of the planning application) all customers who rent garages at either Tenby Road, or Wilton Crescent were sent information about the proposed development and a survey relating to their use of the garages. Over the two sites the response rate was 48% (9 users). The main use of the garages (7 users) was car storage followed by item storage (2 customers). On average garage tenant's live approximately 0.3 miles from the garage that they rent. It is also noted that the width of the opening to a garage is 2115mm and the overall width internally is at greatest 2.44m. This would have been ample space when these garages were first built (probably around the late 1970's of early 1980's), however car widths have increased significantly since then. A typical new car is far wider than its 1980's/1990's counterpart, coming in at over 2m wide, which leaves less very little space each side to get into the garage and about 160mm to open the car door at each side once inside the garage.

Therefore, as there are no highway concerns regarding the design of the new access and that sufficient parking is being provided for the proposed new residential units, the Strategic Highways Manager raises no objections subject to satisfactory arrangements being made for refuse collection.

A Construction Management Plan condition is suggested to ensure that all construction traffic can be accommodated within the site.

Residential Amenity:

Policy DC3 seeks to prevent development which would cause a significant injury to amenity through issues such as overbearing impact, loss of light and loss of privacy. Policy H13 seeks to retain existing high standards of amenity. Policy DC41 seeks to prevent the overlooking of

existing private gardens in a housing redevelopment. Policy DC38 sets out the standards for space, light and privacy in new housing development.

The site is located within a well established residential area and can be classified as an infill development. The site is bounded on three sides by existing residential properties.

The front elevation of the apartment block would front the rear of properties on Tenby Road and the distance between the properties would be approximately 23m. The rear elevation would face the rear elevation of properties on Chilham Place and this distance would be 21m. The side elevation to the east would face the rear of properties on Wentworth Avenue and this distance would be approximately 34m. The side elevation facing west would face the rear of the properties on Beeston Terrace and this distance would be approximately 22m. These distances are in excess of the minimum separation standards in the Local Plan.

Overall it is considered that the application proposals would not have a detrimental impact on residential amenity to the surrounding properties through overlooking, loss of privacy or overbearing. A final levels and boundary treatment conditions are proposed to ensure continued protection of the amenity of surrounding residents.

Other material planning considerations:

ARBORICULTURAL IMPLICATIONS:

The application is supported by an Arboricultural Report and Arboricultural Impact Assessment. The report indicates that the assessment has been carried out in accordance with the recommendations of British Standard BS5837:2012 Trees in relation to design, demolition and construction. The report has been carried out to assess the environmental and amenity values of all trees on or adjacent to the development area and the arboricultural implications of retaining trees with a satisfactory juxtaposition to the new development.

The submitted plans and particulars illustrate which trees are suggested for retention and are cross referenced with their Root Protection Areas and respective Tree protection details onto the proposed Master Plan. As a consequence it is possible to determine the direct or indirect impact of the proposed layout on retained trees.

The Arboricultural Officer is therefore of the view that the submitted arboricultural detail does provide the level of detail required to adequately assess the impact of development on existing trees.

The trees and shrubs identified for removal are all considered to be low value specimen, which only contribute moderately to the amenity of the area and the wider landscape in terms of their collective presence.

In terms of those trees being retained the linear group identified as G35 stand directly to the rear of the existing garage block, and to the south of an existing residential block. Whilst the garages are scheduled to be removed the impact on the adjacent dwellings in terms of social proximity and light is considered to be less than desirable, precluding their consideration for

formal protection. It is anticipated that selective removal or at least some targeted pruning will be required in the short to medium term.

In visual prominence terms the Copper Beech T21 is considered to be a high value trees within the street scene, but structurally the significant included fork union it presents suggests retention cannot be considered beyond the short to medium term.

The removal of garages and hardstanding to form a larger area of open space on the western site would provide reasonable mitigation for the loss of open space on the eastern site if the hard and soft landscape works are to a satisfactory standard.

Responsibility for the future management of the open spaces needs to be agreed to ensure they become attractive, well maintained areas and that the recreation and amenity benefits for the local residents are maximised.

The retained trees can be protected in accordance with current best practice BS5837:2012; and a method statement will be required to accompany the removal of any hard standing and the garages from within the identified RPA's. These issues can be dealt with by condition.

ECOLOGICAL IMPLICATIONS:

The Council's Ecologist has confirmed that there are unlikely to be any significant ecological issues associated with the proposed development. A condition is suggested to safeguard breeding birds during construction and to ensure some additional provision is made for breeding birds following completion of the development.

ENVIRONMENTAL HEALTH:

Whilst other legislation exists to restrict the noise impact from construction and demolition activities, this is not adequate to control all construction noise, which may have a detrimental impact on residential amenity in the area. Therefore, a condition is suggested to control hours of demolition and construction works in the interest of residential amenity. A condition has also been suggested by the Council's Environmental Health Section in the event that piled foundations are used. A condition to control dust from the construction is suggested to reduce the impacts of dust disturbance from the site on the local environment. Details of waste and refuse provision would also be conditioned.

LAND CONTAMINATION:

This site is currently used for garages and vehicle parking and therefore there is the potential for contamination of the site and the wider environment to have occurred. The application is for new residential properties which are a sensitive end use and could be affected by any contamination present on the site. The Site Investigation report submitted in support of the application recommended that a further investigation is required. As stated above, the Council's Contaminated Land officer has no objection to the application subject to the imposition of a condition to require an additional site investigation survey and any subsequent remediation required.

DRAINAGE MATTERS:

The site is not at risk of flooding as it is within Flood Risk Zone 1. A water supply can be provided and a separate metered supply to each unit will be required. The culverted watercourse that crosses the site is not a United Utilities Asset and contact should be made with the riparian owner who is responsible for the watercourse. United Utilities have raised no objection to the application subject to an informative being attached to secure that foul and surface water details are covered (by virtue of the Building Regulations).

Responses to issues raised by third parties:

The comments provided by consultees and neighbours in relation to infrastructure issues, highways issues, environmental issues, neighbouring amenity, housing need and affordable housing, design and built environment issues and loss of employment land are noted. These issues are addressed with this report and it is not considered that any of the above potential impacts would be significant or would demonstrably outweigh the benefits of the proposed development.

Revised plans have been received in response to the residents concerns by reducing the height of the building to two stories, decreasing the number of units proposed and the provision of more parking. Any further representations on the revised plans will be reported to committee in an update.

One of the residents queries whether they would be able to get access to their back garden if the development were to go ahead. This is not a material planning issue and if the writer has a private right of way over the application site, then this would be a civil matter.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposed scheme is a sustainable form of development for which there is a presumption in favour. The provision of 100% affordable housing is a significant benefit of the scheme and should be viewed in the context of wider social sustainability, as well as the development being located in a sustainable location.

At the heart of the National Planning Policy Framework is a **presumption in favour** of sustainable development. Paragraph 14 of NPPF states that decision takers should be approving development proposals that accord with the development plan without delay; and

- Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole

The proposal is, on the whole, compliant with the relevant Development Plan policies set out in the report. Revisions to the original proposal have responded to concerns of local residents. It is considered that the benefits of the proposal are not outweighed by potential

adverse impacts and that planning permission should be granted, subject to conditions and the completion of a s111 agreement.

HEADS OF TERMS

The application site is currently owned by Cheshire East Council. Consequently a S.106 agreement cannot be entered into at this time because as a matter of law, no Council can enter into an agreement as landowner and Local Planning Authority.

Instead the applicant will be required to enter into an agreement under S.111 of the Local Government Act 1972, in which the applicant will covenant to enter into a S.106 agreement as soon as the land is transferred from the Council to the applicant.

- Commuted sums of £24,000 for POS in lieu of onsite provision

Community Infrastructure Levy (CIL) Regulations:

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.

The commuted sum in lieu for recreation / outdoor sport is necessary, fair and reasonable, as the proposed development will provide 10 dwellings, the occupiers of which will use local facilities, and there is a necessity to upgrade/enhance existing facilities. The contribution is in accordance with the Council's Supplementary Planning Guidance.

All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Planning and Enforcement Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority shall be delegated to the Planning and Enforcement Manager in consultation with the Chairman of the Northern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A03FP Commencement of development (3 years)
2. A03AP Development in accord with revised plans (unnumbered)
3. A02EX Submission of samples of building materials
4. A01LS Landscaping - submission of details
5. A05LS Landscaping – implementation
6. A12LS Landscaping to include details of boundary treatment
7. A02TR Tree protection
8. A06NC Protection for breeding birds
9. A23MC Details of ground levels to be submitted
- 10.A22GR Protection from noise during construction (hours of construction)
- 11.A23GR Pile Driving
- 12.A13HA Construction of junction/highways
- 13.A19MC Refuse storage facilities to be approved
- 14.A22GR_1 Protection from noise during construction (hours of construction)
- 15.A23GR_1 Pile Driving
- 16.A32HA Submission of construction method statement
- 17.Tree method statement for the removal of the existing garages and hard standing within the identified retained trees Root Protection Areas
- 18.Floor floating
- 19.A scheme to minimise dust emissions
- 20.Bin and cycle store

Application No: 14/3954M

Location: 60, JODRELL STREET, MACCLESFIELD, SK11 7BB

Proposal: Demolition of existing buildings and construction of 3no. two and a half storey terraced dwellings. (Resubmission of 14/1304M)

Applicant: Mr Kieran Vye & Nick Conway, Seletar Properties Ltd

Expiry Date: 14-Oct-2014

Date Report Prepared: 17th November 2014

SUMMARY RECOMMENDATION

APPROVE subject to conditions

MAIN ISSUES

- Sustainability of the site
- Design/ Scale
- Impact on neighbouring amenity
- Nature Conservation issues
- Environmental Health
- Landscaping Issues
- Highway issues

REASON FOR REPORT

The application has been called in by Councillor Nielsen due to concerns that the development would be overbearing to neighbours and that the development would be out of keeping with the character and appearance of the street scene.

As such, the application is to be determined by the Northern Planning Committee.

DESCRIPTION OF SITE AND CONTEXT

The application site relates to a vacant detached bungalow located on a large plot, on an area of hardstanding, within a predominantly residential area of Macclesfield. A large mature sycamore tree on the site has recently been removed. Three storey flats lie to the east of the site, two storey semi detached dwellings to the front of the site across Jodrell Street and a two storey semi detached dwelling lies to the west of the site. Directly to the east and south of the site are car parks reserved for occupants of the nearby flats. The site lies within 1 mile of the Town Centre.

DETAILS OF PROPOSAL

The application is for full planning permission for the demolition of the existing bungalow and the redevelopment of the site with 3no. dwellings and integral garages, and associated hardstanding to accommodate 3no. parking spaces; hence creating 2no. off street parking spaces per dwelling. The existing non protected sycamore tree on the site has recently been removed. Landscaping of the site is also proposed.

Each dwelling comprises 3 No bedrooms.

Revised plans have been received following initial concerns regarding the size of the proposed integral garaging and these have now been increased in size so that they can each accommodate 1no vehicle.

Revisions were also sought due to concerns regarding the impact of the development on the bedroom window of 6A Alderley Walk, in terms of an overbearing impact. The southeastern part of the building (dwelling 1) has now been stepped back by 1.7m at first and second floor level at the rear to address these concerns.

This application is a resubmission of application reference 14/1304M, which was for 4no dwelling units and was refused at Northern Committee due to concerns regarding amenity, design and highways. The main differences of this application compared to the previous application are as follows:

- Reduction in number of units from 4 to 3
- Increase in off street parking per dwelling from 1 to 2
- 2.5 storey element of the building moved circa 0.5m further towards Jodrell Street, with no change in the depth of the 2.5 storey element
- Addition of 1.6m projecting single storey rear lean to extension to the building, thereby increasing its depth at ground floor level
- Alterations to the design of the building including fenestration details and removal of chimneys, although no change in the eaves and ridge heights.
- Stepping back of dwelling 1 by circa 1.7m at first and second floor level, reducing its size and altering the design of the rear elevation

Planning History

14/1304M

Demotion of existing buildings and construction of 4no. 2 and a half storey terraced dwellings.

REFUSED

21/07/14

POLICIES

Macclesfield Borough Local Plan – Saved Policies

H1- Phasing Policy

H2- Environmental Quality in Housing Developments

H5- Windfall Housing

H13 – Protecting Residential Areas
BE1- Design Guidance
DC1- New Build
DC3- Amenity
DC6- Circulation and Access
DC8- Landscaping
DC9- Tree Protection
DC35- Materials and Finishes
DC38- Space, Light and Privacy
DC41- Infill Housing Development or Redevelopment
NE11- Nature Conservation

Cheshire East Local Plan Strategy 2014 – Submission Version

Paragraph 216 of the National Planning Policy Framework (NPPF) states that, unless other material considerations indicate otherwise, decision-takers may give weight to relevant policies in emerging plans according to:

-The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);

-The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

-The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

In view of the level of consultation already afforded to the plan-making process, together with the degree of consistency with national planning guidance, it is appropriate to attach enhanced weight to the Cheshire East Local Plan Strategy - Submission Version in the decision-making process.

At its meeting on the 28th February 2014, the Council resolved to approve the *Cheshire East Local Plan Strategy – Submission Version* for publication and submission to the Secretary of State. It was also resolved that this document be given weight as a material consideration for Development Management purposes with immediate effect.

The relevant policies are as follows:

MP1- Presumption in Favour of Sustainable Development
PG2 - Settlement Hierarchy
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE1 - Design
SE2 - Efficient Use of Land
SE4 - The Landscape
SE5- Trees, Hedgerow and Woodland
CO1- Sustainable Travel and Transport
CO4- Travel Plans and Transport Assessments

The National Planning Policy Framework (NPPF) sets out the government's planning policies for England and how these are to be applied.

The National Planning Policy Framework reinforces the system of statutory development plans. When considering the weight to be attached to development plan policies, paragraphs 214 and 215 enable 'full weight' to be given to Development Plan policies adopted under the 2004 Act. The Macclesfield Local Plan policies, although saved in accordance with the 2004 Act are not adopted under it. Consequently, following the guidance in paragraph 215, "*due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the framework, the greater the weight that may be given)*".

The Local Plan policies outlined below are all consistent with the NPPF and should therefore be given full weight.

Other Material Considerations

Ministerial Statement – Planning for Growth
National Planning Policy Framework
Planning Practice Guidance

CONSULTATIONS (External to Planning)

Canal River Trust- No Objection.

Strategic Highways Manager- No Objection.

United Utilities- No Objection.

Macclesfield Civic Society- Make the following general observation on the originally submitted, superseded plans:

The scheme appears unduly cramped on the site. If the intent is to provide 3 storey accommodation and parking/garaging at a ratio of 2:1 then a reduction to a pair of semis would appear appropriate.

VIEWS OF THE TOWN COUNCIL

N/A.

OTHER REPRESENTATIONS

6no representations have been made objecting to the development. These objections relate to the originally submitted plans, not the revised plans. The planning related comments can be summarised as follows:

-Adverse impact on neighbouring property to the side and front in terms of overlooking, overbearing impact and loss of light

- Development out of keeping with the character and appearance of the street scene
- Would constitute overdevelopment of the plot
- Adverse impact in terms of on street parking on a road which already has congestion problems

1no representation has been made in support of the development, stating the view that the development would be a good reuse of the site and would be in keeping with the character and appearance of the area.

APPLICANT'S SUPPORTING INFORMATION

Planning/ Design and Access Statement

OFFICER APPRAISAL

Principle of Development

The principle of development on the site is considered acceptable, subject to the sustainability of the site, design, amenity, highways, environmental health, landscaping, nature conservation issues as examined below.

Sustainability

Paragraph 14 of the National Planning Policy Framework (NPPF) states that at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. This previously developed brownfield site is less than 1 mile from the Town Centre and public transport routes. Amenity space is provided within the site, and the site is close to local open space and overall the site is considered to be in a sustainable location. The scheme is therefore considered to accord with the main thrust of the NPPF in terms of constituting sustainable development.

Design/ Character

Local Plan policies BE1, H13 and DC1 address matters of design and appearance. Policy BE1 states that the Council will promote high standards of design and new development should reflect local character, use appropriate materials and respect form, layout, siting, scale and design of surrounding buildings and their setting. Policy DC1 states that the overall scale, density, height, mass and materials of new development must normally be sympathetic to the character of the local environment, street scene, adjoining buildings and the site itself. The National Planning Policy Framework also notes that "good design is a key aspect of sustainable development".

The objections have been carefully considered. However, the development is considered to be of a design and scale that is in keeping with surrounding properties on the street, in

particular on this side of the street. The ridge and eaves heights of the building would be similar to the nearby apartments on Alderley Walk and further down on Jodrell Street. The building would be substantially set back from the neighbouring property, which would ensure that whilst it is still a tall building at circa 8.87m in height, it would not over-dominate the street scene. It is not considered to constitute overdevelopment of the plot.

Subject to the materials being acceptable, which can be controlled via condition, the revised scheme is considered to accord with all design objectives.

Amenity

Local Plan policies H13, DC3 and DC38 seek to protect the amenity of residential occupiers. Policy DC3 states that development should not significantly injure the amenities of adjoining or nearby residential property due to matters such as loss of privacy, overbearing effect, loss of sunlight and daylight and traffic generation and car parking. Policy DC38 sets out guidelines for space between buildings.

Policy DC41 states that infill housing or redevelopment must not result in the overlooking of existing private gardens, nor excessive overshadowing of existing habitable rooms. Sufficient amenity space should exist for any new infill development.

In this case sufficient garden space for each property would exist, in accordance with policy DC41.

The objections have been carefully considered. The revised development would be sited circa 4.2m from the side elevation of no 58 Jodrell Street, some 0.1m closer than under the previous application. This property has no windows to habitable rooms on the side facing elevation. There is a ground floor side kitchen window, but this also has a window to the rear. There are 2no side hall windows. There is an obscurely glazed first floor side bathroom window and first floor side window to a landing area. Whilst it is noted that the development would have an impact on this property in terms of loss of light, bearing in mind the orientation of the properties in relation to the sun's path, and the presence of other windows on the front and rear, this is not considered to be sufficient to warrant refusal, nor is the proximity of the building to this property and its height and bulk.

Policy DC38 states that principal windows to habitable rooms should normally be a minimum of 21m front to front, unless the design and layout of the scheme and its relationship to the site and its characteristics, provides a commensurate degree of light and privacy between buildings.

The proposed dwellings would be circa 18m away from the properties opposite and hence would be below the standard guidelines. However, the first floor level windows are at a similar height to the other properties on the street, and no second floor windows are proposed, only rooflights. The building is significantly further set back from the street scene than neighbouring property and hence more than commensurate with other properties on this side of the street in terms of its distance to the properties opposite. The space either side of the proposed building would help to ensure a commensurate degree of open space would remain to ensure that the building is not unduly overbearing.

The building would be over 35m away from the nearest property to the rear and overall the development is considered to comply with policy DC38.

The development would not have a significant adverse impact on 6c Alderley Walk in terms of overlooking or overshadowing due to the orientation of the properties and the distances involved, with the nearest window to a habitable room lying some 25m away to the southeast of the proposed building.

The property that it is considered would be most affected by the development is 6a Alderley Walk. This property contains a ground floor window in the rear elevation that is the sole window to a bedroom. A large sycamore tree close to the site boundary that this window originally faced has since been removed prior to the submission of this application. No representations have been received from this property, though it is understood that it is currently vacant.

Following the submission of revised plans, the bedroom window would now be circa 7.9m from the rear corner of the 2.5 storey element of the proposed building compared to 6.2m under the previous application, as the building has been set circa 0.5m further forward towards Jodrell Street and the first and second floor part of dwelling 1 has been stepped in circa 1.7m away from this window.

It is noted that the 2.5 storey element would still cross a 45 degree line when drawn from the centre of the bedroom window. However it is also noted that as this window faces westwards there would not be an adverse impact on the window in terms of overshadowing. The window would retain an open outlook to the west.

On balance, the revised proposal is not considered to not have a significant detrimental impact on the residential amenity of nearby occupiers. Whilst there will be some impact resulting from the development, as outlined above, this impact is not considered to be harmful enough to warrant refusal of the application.

Overall, the development would accord with local plan policies H13, DC3, DC38.

Highways

Appendix C of the Cheshire East Borough Local Plan Submission Version lists the parking standards that the Council applies to new developments. It states that for 3 bedroom properties, 2no parking spaces should be provided in principal towns and key service centres, such as Macclesfield.

The Strategic Highways Manager raises no objection, stating the following:

In terms of off street parking spaces the proposed parking provision is consistent with Cheshire East Parking Standards for three bedroom dwellings.

Since the original submission the developer has submitted a revised site layout drawing No AD2112.02 revG Proposed Planning Scheme, this layout provides longer driveways, to reduce the possibility of a parked vehicle partially obstructing the footway, furthermore, the originally submitted layout featured garages with dimensions of 2.4m x 5.0m which is below

the minimum recommended dimensions of 2.7m x 5.5m; the revised layout illustrates garage dimensions of 2.5m x 5.5m, whilst not ideal, the short fall in garage width of 20cm is considered acceptable to the SHTM.

The increase in the number of dwellings from one unit to three units is likely to result in a minor increase in traffic which would have a negligible impact on the wider highway network.

The site lies in a relatively sustainable location, within close walking distance to regular bus routes and circa 700m from the Town Centre.

Overall, the development is considered to accord with local plan policy DC6.

Trees/ Landscaping

The Tree Officer has been consulted and does not object. They state:

There are no arboricultural implications associated with this site.

A single large mature Sycamore located within the space between the south eastern corner of the existing building and number 8 Alderley Walk has been felled within the last few months. The tree is clearly visible on Google streetview but its location and poor relationship to adjacent properties would have precluded its consideration for formal protection under a Tree Preservation Order.

The Landscape Officer raises no objections. A landscaping scheme would be conditioned on any subsequent approved application, in order to mitigate the impact of the development. Subject to this, the development would accord with policies DC8, DC9.

Nature Conservation

The Nature Conservation Officer raises no objections to the development and considers that it would not adversely impact on protected species, in accordance with policy NE11.

Environmental Health

The Environmental Health Officer raises no objections, subject to conditions relating to the control of dust, noise and bin storage on the site. A condition should be attached for the submission of a method statement for the demolition, to ensure neighbouring amenity and safety is not compromised.

CONCLUSIONS AND REASON(S) FOR THE DECISION

To conclude, whilst the objections have been carefully considered, the revised proposals are, on balance considered to be acceptable.

The Framework indicates that proposals should only be refused where the level of harm would significantly and demonstrably outweigh the benefits of the proposals. Given that the

adverse impacts identified are on balance considered to be outweighed by the benefits of the scheme, the development would not conflict with those policies within the MBLP which are consistent with The Framework, and it is considered that planning permission should be granted as the proposals accord with policies BE1 Design Guidance, DC1 New Build, DC3 Amenity, DC6 Circulation and Access, DC8 Landscaping, DC9 Tree Protection, DC38 Space Light and Privacy, DC41 Infill Housing Development or Redevelopment, NE11 Nature Conservation, H1- Phasing Policy H2- Environmental Quality in Housing Developments, H5- Windfall Housing, H13 – Protecting Residential Areas of the Macclesfield Local Plan 2004, policies in the Cheshire East Borough Council Submission Version 2014 and guidance within The Framework.

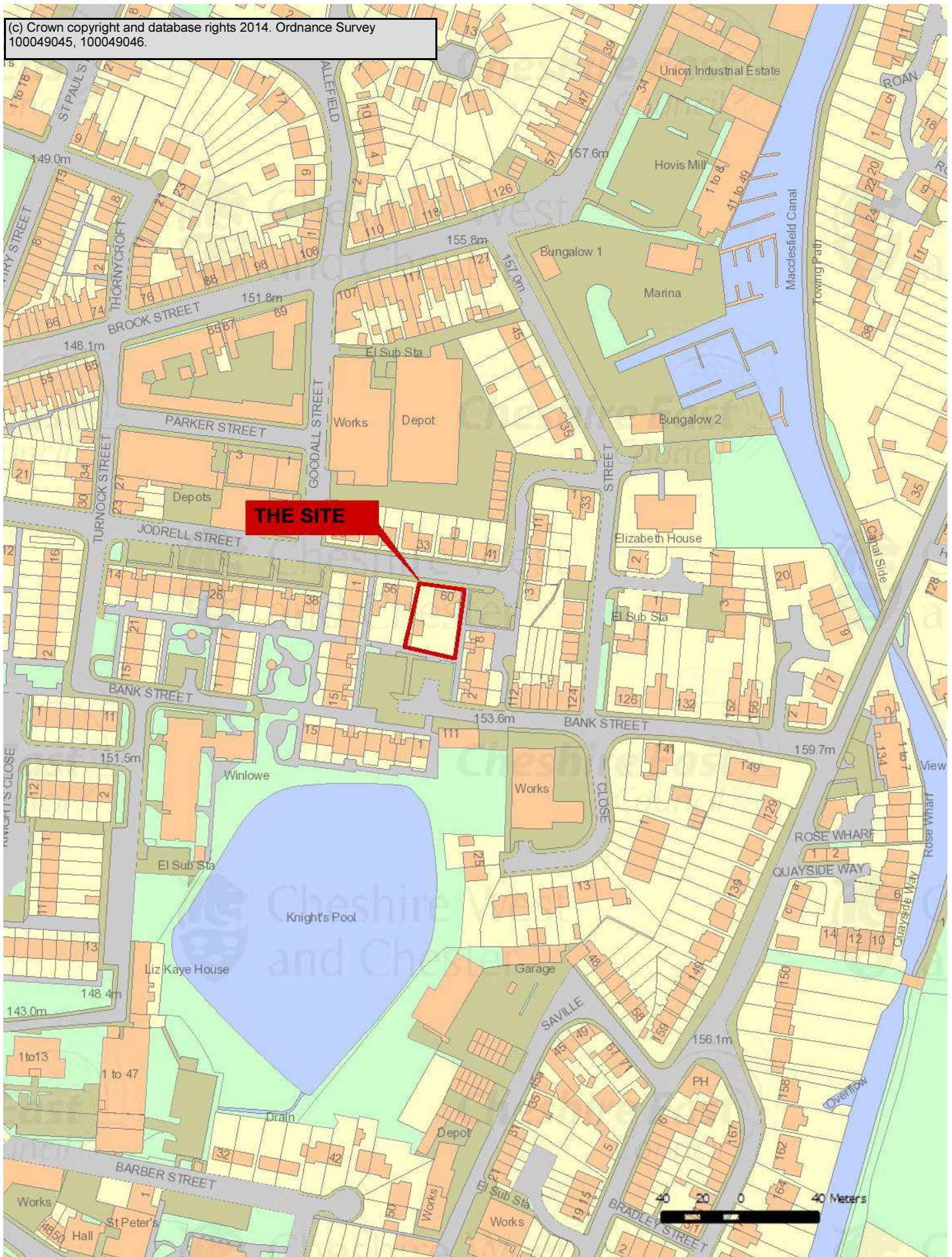
For these reasons, this application is recommended for approval, subject to conditions.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his 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.

CONDITIONS

- 1) Commencement of development (3 years)
- 2) Development in accord with revised plans
- 3) Details of materials to be submitted
- 4) Removal of permitted development rights (A-E)
- 5) Landscaping - submission of details
- 6) Landscaping (implementation)
- 7) Removal of permitted development rights (First floor and second floor level windows)
- 8) Obscure glazing requirement (Ground floor wc/ cloaks, first floor bathroom)
- 9) Method Statement prior to commencement (Construction)
- 10) Drainage and surfacing of hardstanding areas
- 11) Hours of construction
- 12) Pile Foundations
- 13) Dust Control (Method Statement)
- 14) Garages to be retained for the parking of motor vehicles

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Application No: 14/4806M

Location: 7, ALBERT STREET, MACCLESFIELD, SK11 6PT

Proposal: Prior approval of single storey kitchen extension to replace existing kitchen and outbuildings extending 5.2m beyond the rear wall, maximum height of 3.5m and eaves height of 2.5m

Applicant: Mr Julian Broadhurst

Expiry Date: 01-Dec-2014

Date Report Prepared: 12th November 2014

SUMMARY RECOMMENDATION

The recommendation will be provided within the Committee Update Report after the consultation period has expired.

MAIN ISSUES

Whether there have been any objections from the owners/occupiers of adjoining/neighbouring properties and if so, whether the prior approval of the Local Planning Authority as to the impact of the proposed development on amenity of any adjoining / neighbouring premises is granted or not.

REASON FOR REPORT

The application has been submitted by an employee of the Development Management Team and therefore has to be determined by the Northern Planning Committee.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a two-storey semi-detached cottage located on the western side of Albert Street, within the predominantly residential area of Macclesfield. The site is not located within a Conservation Area.

DETAILS OF PROPOSAL

This application is for prior approval of householder development submitted under Condition A.4 of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

It is proposed to erect a single-storey rear extension, measuring 5.2m in depth.

REPRESENTATIONS

The owners/occupiers of adjoining/neighbouring properties were notified of the proposed development in accordance with A.4 (3) of the GPDO (as amended). The consultation period does not expire until 19th November 2014.

OFFICER APPRAISAL

On 9 May 2013, secondary legislation was laid before Parliament which increased the size of single-storey rear extensions which can be built under permitted development, and brought into force the associated neighbour consultation scheme.

For a period of three years, between 30th May 2013 and 30th May 2016, householders will be able to build larger single-storey rear extensions under permitted development. The size limitation on depth has doubled from 4 metres to 8 metres for detached houses, and from 3 metres to 6 metres for all other houses. These new larger extensions (i.e. if they extend between 4 and 8 metres or between 3 and 6 metres) must go through the process of submitting a prior approval application to the Local Planning Authority for consideration.

As part of the prior approval process, the Local Authority serves a notice on adjoining owners or occupiers (i.e. those who share a boundary, including to the rear). If any adjoining neighbour raises an objection within the 21-day period, the Local Authority will take this into account and make a decision about whether the impact on the amenity of all adjoining properties is acceptable. No other issues are considered.

The development can go ahead if the Local Authority notifies the developer in writing either:

1. That as no objections were received from adjoining neighbours it has not been necessary to consider the impact on amenity, or
2. That following consideration, it has decided that the effect on the amenity of adjoining properties is acceptable.

If the Local Authority does not notify the developer of its decision within the 42-day determination period, the development may go ahead.

The decision as to whether prior approval is required for the proposed development depends on the outcome of the consultation period and whether the Local Planning Authority receives any objections from neighbouring properties.

The consultation period does not expire until 19th November 2014 (after the deadline for committee reports has expired) and the decision cannot be delayed until the next committee meeting as the applicant can then assume that prior approval is not required if they do not receive a decision to the contrary by the determination date of 1st December 2014.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The recommendation of the Local Planning Authority will therefore be included within the Update Report after the consultation period has expired.

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|-----------------------------------|-----------------------|---------------------------------|-------------------------|
| H.M. LAND REGISTRY | | TITLE NUMBER CH258846 | |
| ORDNANCE SURVEY PLAN REFERENCE | SJ9173 | SECTION C | Genl 1:1250 |
| COUNTY CHESHIRE | DISTRICT MACCLESFIELD | | 83 Ordnance Survey 1966 |



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Application No: 14/4535C
Location: 110, BRADWALL ROAD, SANDBACH, CHESHIRE, CW11 1AW
Proposal: Single Storey Side Extension.
Applicant: Peter Hulland
Expiry Date: 25-Nov-2014

SUMMARY RECOMMENDATION:

APPROVE subject to conditions.

MAIN ISSUES:

- Principle of Development
- Design, Character & Appearance
- Residential Amenity
- Highways & Parking

REASON FOR REFERRAL

The application has been brought to the Northern Planning Committee as the applicant is an immediate family member of an officer of the Council working within Development Management.

DESCRIPTION AND SITE CONTEXT

This application relates to a detached two-storey property occupying a position on the eastern side of Bradwall Road in Sandbach. The site occupies a slightly elevated position and is located directly opposite the junction where Bradwall Road meets with Sweettooth Lane. The area is predominantly residential in character and hosts a number of architectural styles. The site falls within the Sandbach Settlement Zone Line as designated in the adopted Congleton Borough Local Plan First Review (2005).

DETAILS OF PROPOSAL

This application seeks householder planning permission for the erection of a single storey extension to the south-eastern side facing elevation of no. 110 Bradwall Road, Sandbach.

The proposed extension would measure 5.2 metres in width, 4.4 metres in depth and the roof would measure 2.5 metres to the eaves and 5 metres to the ridge of the roof.

RELEVANT HISTORY

35958/3 - Proposed conservatory extension to dwelling – Approved 16-Jul-2003

27520/3 – Extension to lounge – Approved 12-Sep-1995

POLICIES

Congleton Local Plan:

PS4 Towns
GR1 General Requirements for New Development
GR2 Design
GR6 Amenity and Health
GR9 Accessibility, Servicing and Parking Provision

Cheshire East Local Plan Strategy Submission Version:

SE1 Design

Other Material Considerations

National Planning Policy Framework 2012
Planning Practice Guidance 2014

CONSIDERATIONS (External to Planning)

None

VIEWS OF SANDBACH TOWN COUNCIL

No objection

OTHER REPRESENTATIONS

None

OFFICER APPRAISAL

Principle of Development

The application site is located within the settlement zone line for Sandbach, where according to Local Plan Policy PS4, there is a general presumption in favour of development provided that it is in keeping with the town's scale and character and does not conflict with other policies.

The proposed development would comprise of an extension to an existing dwelling within a predominantly residential area. Consequently, the principle of the development in land use

terms is acceptable. The key issues for Members to consider relate to the impact that the proposed extension would have on the character and appearance of the area and any impacts on neighbouring residential amenity.

Design, Character & Appearance

Local Plan Policies GR1 and GR2 of the Congleton Local Plan seek to ensure that the scale and design of proposed development is in keeping with the character of the existing area.

The proposed extension would comprise of a modest single storey extension to the side of the property. It would have a pitched roof with a gable end travelling in the same direction and at the same pitch as the roof of the main dwellinghouse. Owing to its modest size and scale, it would appear subordinate to the main house and would respect its proportions.

With respect to detail, the extension would be constructed using facing brickwork and plain roof tile to match those used on the existing property and as such, the design of the extension would have an acceptable impact on the character and appearance of the property.

With respect to the street scene, the extension would be visible from the road, however, it would appear as a modest addition in keeping with the general style and appearance of the main house and would not therefore harm the character or appearance of the area. As such the development is found to be in accordance with Policies GR1, GR2 and GR6.

Residential Amenity

Local Plan Policy GR6 within the Congleton Borough Local Plan 2005 seeks to ensure that residential amenity is not adversely affected by development.

The adjoining property to the south, no. 108 Bradwall Road would enjoy a separation of 5 metres with the side elevation of the proposed extension. There are no primary windows within the side elevation of this neighbouring property and the common boundary is well screened by vegetation. As such, the proposed extension would not materially harm this neighbour's residential amenity either by reason of loss of light, visual intrusion or direct overlooking.

The proposal would enjoy ample separation with other neighbouring properties and as such, the scheme is found to comply with Local Plan Policy GR6 and SPG2.

Highways and Parking

The proposal would not result in a change to the existing parking or access arrangements. These would be able to support the proposed development and as such the scheme is in compliance with Local Plan Policy GR9.

CONCLUSIONS AND REASONS FOR THE DECISION

The proposed development is acceptable in principle and would not be detrimental to the character or appearance of the surrounding area, the existing dwellinghouse, the amenity of

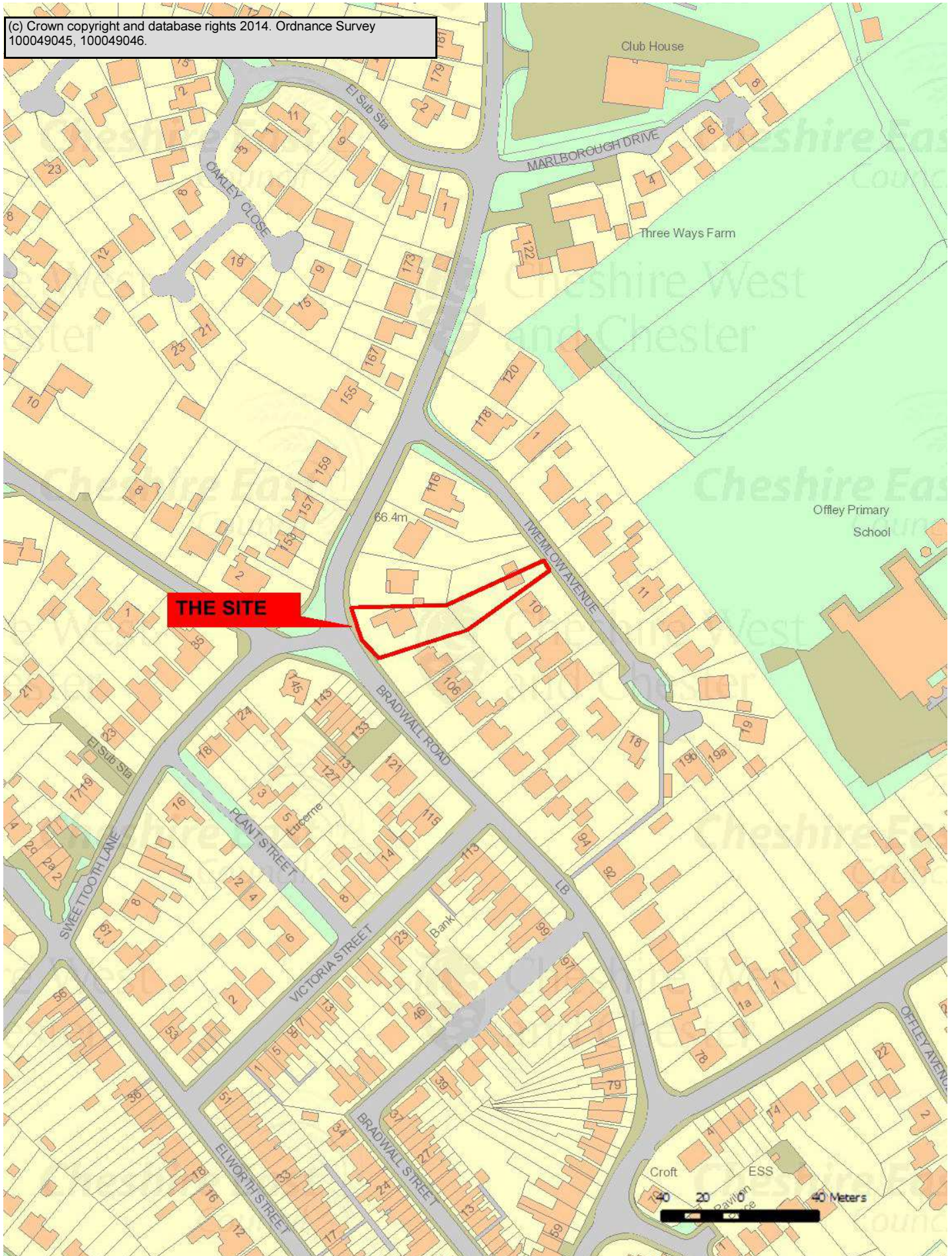
the neighbouring properties, or highway safety. The development is therefore considered to comply with the relevant policies in the Local Plan and a recommendation of approval is made.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his 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.

RECOMMENDATION: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A06EX - Materials as application
4. nppf

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