

# Northern Planning Committee

## Agenda

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<b>Date:</b>	<b>Wednesday, 17th June, 2015</b>
<b>Time:</b>	<b>10.00 am</b>
<b>Venue:</b>	<b>The Capesthorne Room - Town Hall, Macclesfield SK10 1EA</b>

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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 - 4)**

To approve the Minutes of the meeting held on 29 April 2015 as a correct record.

**4. Public Speaking**

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**Please Contact:** Sarah Baxter 01270 686462  
**E-Mail:** [sarah.baxter@cheshireeast.gov.uk](mailto:sarah.baxter@cheshireeast.gov.uk) with any apologies or request for further information  
[Speakingatplanning@cheshireeast.gov.uk](mailto: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. **Introduction to the Work of the Committee** (Pages 5 - 6)

For Members' information, the Committee's terms of reference are attached.

6. **15/0283M-Proposed Erection of Hotel Comprising 35 Bedrooms and associated facilities including 37 Car Parking Spaces, Landscaped gardens, Driveway, Boundary Enhancement Measures and Gated Access, Lode Hill, Altrincham Road, Styal for Mr Lee Brown** (Pages 7 - 20)

To consider the above application.

7. **14/5471M-Demolition of the former Council office buildings and associated car parking and erection of an assisted living development (Use Class C2) comprising 57 assisted living apartments integrated with communal wellbeing and support facilities and care provision tailored to individual resident needs, set in attractive landscaping with associated car parking and construction of additional vehicular access from Alderley Road, County Offices, Chapel Lane, Wilmslow for PegasusLife** (Pages 21 - 36)

To consider the above application.

8. **14/3183M-Full planning permission for the partial redevelopment of site comprising - Regularisation of changes to the external appearance of existing offices constructed under planning permission 12/1839M, new office extension and glazed link, demolition of existing former dwelling building to be replaced with new office building and staff canteen/customer hospitality suite, erection of freestanding pod display unit, creation of ancillary car parking area and new site-wide landscaping and tree planting, Horseshoe farm, Horseshoe Lane, Alderley Edge, Wilmslow, Cheshire for Select Property Ltd** (Pages 37 - 48)

To consider the above application.

9. **15/0646M-Change of use from existing Fermain Centre (sui generis) to a new Free School (Use Class D1), Fermain Youth Club, Beswick Street, Macclesfield for East Cheshire Youth Achievement Free School** (Pages 49 - 54)

To consider the above application.

10. **15/1581M-Demolition of redundant Nursing Home known as "Cypress House" and erection of 13No. 2 bedroom houses and associated highway and landscaping works,, Cypress House, South Acre Drive, Handforth, Cheshire for Nick Gornall, Equity Housing Group (Pages 55 - 68)**

To consider the above application.

11. **15/1128C-Proposed two storey rear extension, 25, Chapel Lane, Rode Heath, Stoke-on-Trent, Cheshire for Gary & Morag Stanley (Pages 69 - 74)**

To consider the above application.

12. **15/0334M-Listed Building Consent for Alterations, Refurbishment, Repair Work and Extension to Butter Market and Former Borough Police Station parts of the Town Hall, Town Hall, Market Place, Macclesfield for Mr Tom Fletcher, Cheshire East Council (Pages 75 - 86)**

To consider the above application.

13. **15/0335M-Alterations, refurbishment, repair work and extension to Butter Market and Former Borough Police Station parts of the Town Hall, Town Hall, Market Place, Macclesfield for Mr Tom Fletcher, Cheshire East Council (Pages 87 - 98)**

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 April, 2015 at Meeting Room, Macclesfield Library,  
Jordangate, Macclesfield

**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, D Mahon, D Neilson and L Smetham  
(Substitute)

**Officers**

Peter Hooley, Planning and Enforcement Manager  
Paul Wakefield, Principal Planning Officer  
Paul Hurdus, Highways Development Manager  
Charlotte McKay, Locum Planning Lawyer  
Rachel Graves, Democratic Services Officer

**123 APOLOGIES FOR ABSENCE**

Apologies were received from Councillors J Macrae, L Roberts and A Thwaite.

**124 DECLARATIONS OF INTEREST/PRE DETERMINATION**

It was noted that Members had received email correspondence in respect of application 14/5471M.

In respect of 15/0036M and 15/0037M, Councillor Gardiner declared that he had represented neighbours to this development and would leave the room during consideration of these applications.

In the interest of openness, Councillor Mahon declared he was registered at the Health Centre located next to the site for application 14/5471M.

**125 MINUTES OF THE MEETING****RESOLVED:**

That the minutes of the meeting held on 1 April 2015 be confirmed as a correct record and signed by the Chairman.

126      **PUBLIC SPEAKING**

**RESOLVED:**

That the public speaking procedure be noted.

- 127      **14/5471M-DEMOLITION OF THE FORMER COUNCIL OFFICE BUILDINGS AND ASSOCIATED CAR PARKING AND ERECTION OF AN ASSISTED LIVING DEVELOPMENT (USE CLASS C2) COMPRISING 67 ASSISTED LIVING APARTMENTS INTEGRATED WITH A WIDE RANGE OF WELLBEING AND SUPPORT FACILITIES (INCLUDING A HYDROTHERAPY POOL, PHYSIOTHERAPY ROOM, TREATMENT ROOM, GYM, LIBRARY AND HOBBY ROOM, RESIDENTS LOUNGE, RESTAURANT, GUEST SUITE, HAIR AND NAIL SALON, SAUNA, STEAM ROOM, AND STAFF ACCOMMODATION) AND CARE PROVISION TAILORED TO INDIVIDUAL RESIDENT NEEDS, SET IN ATTRACTIVE LANDSCAPING WITH ASSOCIATED CAR PARKING AND CONSTRUCTION OF ADDITIONAL VEHICULAR ACCESS FROM ALDERLEY ROAD, COUNTY OFFICES, CHAPEL LANE, WILMSLOW FOR PEGASUSLIFE**

Consideration was given to the above application.

Councillor R Menlove, neighbouring Ward Councillor, and Guy Flintoft, agent for the applicant, attended the meeting and spoke in respect of the application.

**RESOLVED:**

That the application be DEFERRED for more information on car parking provision.

- 128      **15/0036M-VARIATION OF CONDITION 12 (CARAVAN OCCUPANCY) ON APPLICATION 06/2254P (APPEAL DECISION APP/C0630/A/07/2033939) - CHANGE OF USE TO ALLOW SITING OF 32 TIMBER CLAD TWIN UNIT CARAVANS, ACCESS WORK AND LANDSCAPING, RODE HEATH WOOD, BACK LANE, EATON FOR MRS YVETTE JOHNSON**

*Having previously declared an interest, Councillor Gardiner left the room prior to consideration of this item and the following item.*

Consideration was given to the above application.

Rachel Whaley, Agent for the applicant, attended the meeting and spoke in respect of the application.

**RESOLVED:**

That the application be REFUSED for the following reason:

- 1 The close season condition is required in conjunction with holiday occupancy conditions to prevent caravans being occupied as a main place of residence. In the absence of this condition the proposals would be contrary to policy GC5 of the Macclesfield Borough Local Plan 2004 and the National Planning Policy Framework.

129 **15/0037M-VARIATION OF CONDITION 3 (CARAVAN OCCUPANCY) ON APPROVED 14/0408M - CHANGE OF USE TO ALLOW THE SITING OF 23 TIMBER-CLAD TWIN-UNIT CARAVANS (RESUBMISSION OF SCHEME ALLOWED ON APPEAL UNDER PLANNING PERMISSION 09/3544M), RODE HEATH WOOD, BACK LANE, EATON FOR MRS YVETTE JOHNSON**

Consideration was given to the above application.

Rachel Whaley, Agent for the applicant, attended the meeting and spoke in respect of the application.

**RESOLVED:**

That the application be REFUSED for the following reason:

- 1 The close season condition is required in conjunction with holiday occupancy conditions to prevent caravans being occupied as a main place of residence. In the absence of this condition the proposal would be contrary to policy GC5 of the Macclesfield Borough Local Plan 2004 and the National Planning Policy Framework.

*Following consideration of this item, Councillor Gardiner returned to the room.*

(The meeting adjourned for a short break)

130 **WITHDRAWN - 15/0283M-PROPOSED ERECTION OF HOTEL COMPRISING 35 BEDROOMS AND ASSOCIATED FACILITIES INCLUDING 37 CAR PARKING SPACES, LANDSCAPED GARDENS, DRIVEWAY, BOUNDARY ENHANCEMENT MEASURES AND GATED ACCESS, LODE HILL, ALTRINCHAM ROAD, STYAL FOR MR LEE BROWN**

The Chairman announced that this application had been withdrawn from the agenda prior to the meeting.

- 131      **15/1057C-FIRST FLOOR FRONT BUILD OVER EXISTING GARAGE AND PORCH. REAR SINGLE STOREY GARDEN ROOM, 42, PRIMROSE CHASE, GOOSTREY, CREWE FOR MR & MRS KOLKER**

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      A03FP – Commencement of development (3 years)
- 2      A01AP – Development in accord with approved plans
- 3      A06EX – Materials as application
- 4      A25GR – Obscure glazing requirement

The meeting commenced at 2.00 pm and concluded at 4.10 pm

Councillor R West (Chairman)



**NORTHERN PLANNING COMMITTEE****Terms of Reference**

**1.** To exercise the Council's functions relating to town and country planning and development control, the protection of important hedgerows, the preservation of trees and the regulation of high hedges, set out in the Local Authorities (Functions and Responsibilities)(England) Regulations 2000. Some applications have been reserved to the Strategic Planning Board: others are delegated on to the Head of Policy and Planning: the following are retained for the Planning Committees,

applications for Small Scale Major Development, defined from time to time by DCLG. Currently this includes

- residential developments of 10-199 dwellings or between 0.5 and 4ha
- retail or commercial/industrial or other floor space of between 1,000 -9,999 square metres. or between 1ha – 2 ha.

**2.** To determine any other planning & development control matters

- (a) advertised as a departure from policy, which the Head of Planning & Policy is minded to approve.
- (b) submitted by a councillor, senior Council officer (tier 2 or above) or a member of staff employed within the Development Management and Policy service area; or by an immediate family member or partner of these.
- (c) involving the Council either as applicant or land owner. Unless the Head of Planning & Policy identifies some significant factor, this category will not normally include minor developments which accord with planning policy and to which no objection has been made.
- (d) referred up to them by a councillor in accordance with the Committees' call-in procedure.
- (e) referred up to them at the discretion of the Head of Planning & Policy.

The Committees will refer up to the Strategic Planning Board matters involving a significant departure from policy which they are minded to approve.

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Application No: 15/0283M

Location: LODGE HILL, ALTRINCHAM ROAD, STYAL, SK9 4LH

Proposal: Proposed Erection of Hotel Comprising 35 Bedrooms and associated facilities including 37 Car Parking Spaces, Landscaped gardens, Driveway, Boundary Enhancement Measures and Gated Access

Applicant: Mr Lee Brown

Expiry Date: 27-Apr-2015

### REASON FOR REPORT

The application is a major development that requires a committee decision.

#### SUMMARY

The proposal is inappropriate development in the Green Belt. Additional harm would be caused to the Green Belt due to the adverse impact on openness.

Whilst it is acknowledged that there would be some economic benefits associated with the proposal, these together with the other considerations put forward by the applicant are not considered to clearly outweigh the harm identified. Very special circumstances do not exist to justify the grant of planning permission.

Accordingly, the proposal is not considered to be a sustainable form of development and the application is recommended for refusal.

#### RECOMMENDATION

**Refuse**

### PROPOSAL

Full planning permission is being sought for a 35 bedroom hotel and associated facilities, including a restaurant and leisure suite. The hotel building is of a contemporary design, is flat roofed and comprises two rectangular elements, positioned at an angle to each other, with a glazed link and enclosed courtyard between. The eastern element is three storey, with the western element being three storey to the south and two storey to the north. A single storey restaurant is proposed to the west of the main hotel building. The three storey elements are 11.2m high, the two storey element is 8.3m high and the single storey element is 5m high. The building is to be constructed from a mixture of natural stone, glass and brick.

The existing vehicular access point off Altrincham Road is to be retained and altered slightly. 37 parking spaces are proposed, 11 for staff and 26 for guests.

## **SITE DESCRIPTION**

The application site measures 1.72 hectares and comprises an existing residential property and associated outbuildings. The dwelling is located to the north of the site, with vehicular access off Altrincham Road. The dwelling is a relatively modern, single storey flat roofed building (maximum height of 4.8m) constructed from brick. It is linked to the remnants of the original building that stood on the site, including an entrance arch containing the crest of the Greg family coat of arms. The site also contains a number of areas of hardstanding, with a large area located to the west of the dwelling. These areas are used for airport car parking in connection with the sites lawful use as a mixed use for residential purposes and commercial parking.

Two residential properties, The Stables and Styal House are located to the north of the site. These properties historically formed the servants quarters buildings to the original 15 bed mansion house which sat on the site.

The site is located within the Green Belt, within an Area of Special County Value (ASCV) and within Styal Conservation Area as identified in the Macclesfield Borough Local Plan. A public footpath is located to the east of the site.

## **RELEVANT HISTORY**

15/0028M – CONSERVATION AREA CONSENT – not considered to be required as demolition covered by this application. Applicant advised to withdraw.

10/1524M - CERTIFICATE OF LAWFULNESS FOR THE EXISTING HARDSTANDING – Positive certificate February 2011.

10/1509M - APPLICATION FOR A CERTIFICATE OF LAWFUL DEVELOPMENT HARDSTANDING (F & G) – Negative certificate February 2011.

09/0484M - PROPOSED RETENTION OF HARDSTANDING WITHIN AREAS D, E, F AND G – Refused August 2009. Appeal dismissed.

06/00495E – Enforcement Notice served relating to an unauthorised material change of use of land to a mixed use for residential purposes and commercial parking – January 2008. Notice appealed and varied.

06/3016P - ERECTION OF FENCING TO SOUTH & WEST BOUNDARY (RETROSPECTIVE) – Refused April 2007.

58557P - SINGLE STOREY DWELLING HOUSE TWO FLATS SWIMMING POOL AND TWO CAR GARAGES – Refused June 1989.

## **NATIONAL & LOCAL POLICY**

## **National Policy**

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs:

- 14. Presumption in favour of sustainable development.
- 17. Core planning principles
- 28. Supporting a prosperous rural economy
- 56-68. Requiring good design
- 79-92. Green Belt
- 109 – 125. Conserving and enhancing the natural environment
- 126-141. Conserving and enhancing the historic environment

## **Development Plan**

The Development Plan for this area is the 2004 Macclesfield Borough Local Plan, which allocates the site as Green Belt, an Area of Special County Value (ASCV) and a Conservation Area.

The relevant Saved Policies are:

- NE1 Landscape protection and enhancement
- NE11 Nature Conservation
- BE1 Design Guidance
- BE3 Conservation Areas
- BE4 Demolition in Conservation Areas
- GC1 New buildings in the Green Belt
- RT13 Tourism
- T2 Public Transport
- DC1 New build
- DC3 Amenity
- DC6 Circulation and Access
- DC38 Space Light and Privacy

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

## **Cheshire East Local Plan Strategy – Submission Version (CELP)**

The following are considered relevant material considerations as indications of the emerging strategy:

- MP1 Presumption in favour of sustainable development
- PG1 Overall Development Strategy
- PG2 Settlement hierarchy
- PG3 Green Belt
- PG6 Spatial Distribution of Development
- SD1 Sustainable Development in Cheshire East
- SD2 Sustainable Development Principles
- IN1 Infrastructure

IN2 Developer contributions  
EG1 Economic Prosperity  
EG2 Rural Economy  
EG4 Tourism  
SE1 Design  
SE2 Efficient use of land  
SE3 Biodiversity and Geodiversity  
SE4 The Landscape  
SE5 Trees, Hedgerows and Woodland  
SE6 Green Infrastructure  
SE7 The Historic Environment  
SE9 Energy Efficient Development  
SE13 Flood risk and water management  
CO1 Sustainable Travel and Transport  
CO2 Enabling Business Growth Through Transport Infrastructure

## **CONSULTATIONS**

**Highways** – no objections subject to the imposition of conditions controlling the use of the hotel, gym and restaurant, travel plan and cycle stands.

**Environmental Health** – no objections subject to conditions.

**Manchester Airport** – no objections. Comments made in relation to the choice of landscaping so as to avoid the use of pine which attract rooks.

**National Trust (Styal)** – no objections.

**Cheshire East Visitor Economy Development Manager** – supportive of the proposal.

**United Utilities** - No objections.

## **TOWN/PARISH COUNCIL**

**Styal Parish Council** – object on grounds of inadequate parking for the proposed number of bedrooms, the number of staff given that the location has poor transport links and the size of restaurant and leisure facilities - and the likely impact that all this will have on Altrincham Road in terms of roadside parking which could not safely be accommodated around the entrance to the property.

The application has some strong merit in terms of the demand for such a hotel near to the airport, the employment benefit, and the benefit of the ceasing of airport parking.

Some strong views against it have been expressed in terms of it being inappropriate in green belt, in a conservation area, in terms of light pollution, and it not being in keeping with the locality and its surroundings.

## **REPRESENTATIONS**

Neighbour notification letters were sent to all adjoining occupants, a site notice erected and a press advert was placed in the local paper.

To date, 61 representations have been received in relation to the application, 26 in support and 35 objecting. The main points raised are summarised below:

### **Support**

- Benefit to businesses
- Removal of busy car park
- Reduction in traffic
- Employment opportunities
- Visual improvement
- Beautiful addition to the village
- Less impact on the Green Belt
- Improved landscaping and wildlife
- Facility for local residents
- Eco friendly

### **Object**

- Size, height and light of new building
- Noise pollution
- Design
- Insufficient parking
- Traffic
- Inappropriate in the Green Belt
- Adverse impact on Conservation Area
- Detrimental impact on neighbours
- Congestion
- Lack of public transport
- Airport parking for guests?
- Too big for Styal
- No need for it
- Not all of the existing parking spaces are utilised throughout the year
- Concern about it being a park and stay hotel
- Not appropriate in ASCV
- Smells
- Would set precedent
- Adverse impact of construction traffic
- Loss of privacy to neighbours
- Concern about proposed materials
- Impact on wildlife
- Increased carbon footprint
- Adverse impact on nearby properties
- Affect on cycleways and bridleways
- Query where air conditioning units would be located
- Contrary to the emerging plan

Additionally a petition in support of the proposal with 16 signatories has been submitted.

Further neighbour consultation has been carried out due to the receipt of revised plans and additional information. Any additional representations received in response to the additional consultation will be reported in an update report or directly to committee.

## **APPRAISAL**

The key issues are considered to be:

- Whether the proposal is acceptable in the Green Belt
- Impact upon the Conservation Area
- Impact upon character of the area, including on the ASCV
- Impact on the amenity of neighbouring properties
- Parking
- Impact upon nature conservation interests

## **ENVIRONMENTAL SUSTAINABILITY**

### **Green Belt**

#### Inappropriate Development

Local Plan policy GC1 and paragraph 89 of the NPPF state that the construction of new buildings within the Green Belt is inappropriate unless it is for one of the listed exceptions. The proposed development is not for one of the identified exceptions. Paragraph 89 of the NPPF also allows for limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

In this case, as stated above, the site contains a number of existing buildings, together with a number of areas of hardstanding, used in connection with the sites mixed use as a residential dwelling and for commercial parking. In order to assess whether the proposal constitutes inappropriate development it is therefore necessary to assess the relative impact of the proposal against the existing development on site including its lawful use for commercial parking.

Figures submitted with the application state that the total floor area of the proposed hotel is 4405 sq metres compared to a floor area of 855.6 sq metres for the existing dwelling and outbuildings. The maximum height of the proposed building is 11.2m, albeit with lower sections as outlined above, with the height of the existing dwelling being 4.8m. It is stated that the lawful areas of hardstanding on the site measure 4255 sq metres and can accommodate up to 393 vehicles at any one time.

It is acknowledged that the existing buildings and large areas of hardstanding on site have an impact on the openness of the Green Belt and involve conflict with Green Belt purposes, particularly when the areas of hardstanding are being used for parking. This involves both the physical development on site and the comings and goings associated with the existing use.



With regard to Green Belt purposes, and specifically encroachment in the countryside, it is considered that any reduction in hardstanding would be offset by the increased footprint of the proposed building. As such it is considered that the proposal would have no greater conflict with the purposes of including land in the Green Belt than the existing land use.

However, when compared with existing development on site, it is considered that the proposal would have a significantly greater impact on the openness of the Green Belt. The proposed hotel building is significantly larger and higher than existing buildings on the site and whilst some existing areas of hardstanding are to be removed, this is not considered to outweigh the additional impact resulting from the proposed building. When reaching this conclusion regard has also been had to the likely comings and goings associated with both the existing and proposed uses. The proposal is contrary to paragraph 89 of the NPPF and constitutes inappropriate development in the Green Belt.

Very special circumstances are therefore required to justify permitted the development. Very special circumstance will only exist if the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Substantial weight must be given to the harm to the Green Belt, both through inappropriateness and loss of openness. Any other harm resulting from the proposed development must be added to the substantial weight against the proposal before considering whether other considerations exist that clearly outweigh this harm.

#### Very Special Circumstances

The applicant considers that the proposal is not inappropriate development in the Green Belt. However, they state that if the Council does not accept this view they consider that there are very special circumstances which outweigh any harm to the Green Belt. These mainly revolve around the issues associated with the fall back position and are summarised below:

- Removal of an airport parking business and the potential to park up to 393 vehicles at the busiest time of the year
- Opportunity to introduce controls over the development on site through conditions
- Introduction of a high quality development including enhanced landscaping and boundary treatment resulting in enhancement of the Conservation Area and ASCV
- Removal of existing boundary treatment which detracts from its surroundings e.g. razor wire
- Creation of a scheme which has been designed to take account of the amenities of the residents of surrounding residential properties
- Creation of a scheme that removes the likelihood of domestic clutter
- Protection and enhancement of existing trees on site which are not dead or dying
- Preservation and opportunity to relocate the Greg Crest for the benefit of the community of Styal
- The opportunity for a hotel facility within walking distance of Quarry Bank Mill. There is no such facility at present.
- Employment opportunities arising from the proposed hotel for the benefit of local people who could walk or cycle to the site

These matters are considered below in the Planning Balance section of this report.

### **Impact on the Conservation Area**

The site is located within Styal Conservation Area where policies seek to preserve or enhance the character or appearance of Conservation Areas (Local Plan Policy BE3). The proposal involves the demolition of existing buildings and structures on the site including historic buildings and structures previously associated with the original dwelling on the site. A Heritage, Design & Access Statement has been submitted with the application and concludes that the proposal would enhance the site.

There is no objection to the demolition of the existing buildings on the site. The loss of the buildings would not affect the character or historic integrity of the Conservation Area, subject to the reclamation of the Greg Crest. It would also have been preferable for a scheme to retain the archway at the rear of the site, however the Conservation Officer has not raised an objection to its demolition. Notwithstanding this, should permission be granted for the proposal, it is considered that a condition should be attached requiring a scheme to be submitted for the re-use/retention of the archway.

The Council's Conservation Officer has been consulted on the application and is satisfied with the proposal in respect of impact on the Styal Conservation Area. The Conservation Officer considers that the principle of a new single building on this site could make a positive contribution and has no objection.

However, notwithstanding the view of the Conservation Officer, it is considered that the scale and design of this proposal, and its position relative to adjoining property, is not reflective of the character of the Styal Conservation Area. As such, it is considered that the proposal, at best, has a neutral impact on the character of the Conservation Area.

Should permission be granted for the proposal, a number of other conditions regarding materials, windows and rooflights are proposed.

### **Visual impact**

A Landscape and Visual Assessment and a Landscape Design Strategy have been submitted with the application. The Council's Landscape Officer has been consulted on the proposal and has provided the following comments:

*The site is approximately 1.7 Ha and is located on the northern side of Altrincham Road in Style village. It's a sensitive location within the Green Belt, the Bollin Valley ASCV and the Styal Conservation Area.*

*There are mature tree and shrub belts around the eastern, western and southern site boundaries which generally provide good screening. The lawn area and the top of the bungalow are however visible from a stretch of Altrincham Road (about 50 metres in length), just west of the site entrance where there are large gaps between trees and few understorey shrubs. There's also a glimpsed view of the site and the bungalow through a gap in the boundary vegetation from public footpath Styal FP14 located about 160 metres to the east of the site.*

*The proposed hotel would have a much larger footprint than the existing buildings and the two storey elements would be higher than the bungalow with a height of about 11 metres. The hotel would also extend closer to Altrincham Road (55 metres at the closest point) and would be more prominent in views from the road than the existing bungalow. These views would be partially screened or filtered by a group of pine trees in the lawn.*

*The proposed landscape scheme would replace a large area of hardstanding with soft landscaping and would provide an attractive setting for the proposed hotel. The scheme also proposes additional planting around the site boundaries and if the application were approved a planting scheme could be agreed that would, when established, screen the proposed development from Altrincham Road and also from public footpath FP16. A higher fence or wall plus screen planting could also be secured along the northern boundary to improve screening for Styal House.*

Noting the comments outlined above, it is considered that, notwithstanding the comments made in the Green Belt section of this report regarding openness, the visual impact of the proposal is acceptable subject to the imposition of appropriate conditions regarding landscaping, boundary treatments and a 10 year landscape management plan.

## **Residential Amenity**

Local Plan policies 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.

Two residential properties are located to the rear of the site and have habitable windows facing towards it. The existing boundary between the site and these properties is marked by a combination of a 3m high brick wall, timber panelled fencing and planting. Commercial parking currently takes place on some areas of land immediately adjacent to the boundary with these residential properties. There is evidence that this has resulted in noise and disturbance being experienced by these properties.

The nearest point of the proposed hotel building to these properties would be 4m further away than the existing dwelling but would be significantly higher (8.4m high compared with 4m). Whilst there would be no windows in these elevations facing towards the properties to the rear, as originally submitted the ground floor would have contained delivery doors and doors to a plant room, linen and stores and the staff entrance. Revised plans have recently been received which have amended the floor plans and elevations to mean that all deliveries and staff movements are to be via the east elevation i.e. not directly facing residential property. Whilst two doors have been retained on the north elevation, these are for emergency use only. Further information has also been submitted regarding the frequency and nature of deliveries. This states that it is expected that not more than 12 vehicles would serve the site on a weekly basis.

Additionally staff parking areas are proposed to the rear of the site, though the proposed site layout has been amended slightly during the course of the application in an attempt to address neighbour concerns. This has resulted in 5 spaces that were located adjacent to the garden of The Old Stables being relocated elsewhere, albeit still towards the rear of the site.

A number of amenity concerns have been raised by the occupiers of the properties located to the rear including: noise and light pollution, disturbance from operation of the

hotel/restaurant/spa facility, noise from staff arriving, leaving and parking, smells, plant rooms, service vehicles, overbearing, increased traffic flow and loss of privacy.

As initially submitted there was concern regarding the noise and disturbance associated with the proposed hotel and the impact of this on residents located to the rear of the site/hotel. However, subject to the imposition of appropriate conditions, it is considered that the revised plans together with the additional information received has overcome these concerns. It is not now considered that the impact of the proposed use on the amenity of nearby occupiers would be significantly adverse, particularly when compared with the existing lawful use of the site.

The comments made in objection regarding the overbearing nature of the building are noted. However whilst the building will increase significantly in scale, given the position of the higher elements of the building relative to nearby property, it is not considered that it would be significantly overbearing.

No objections have been raised to the application by the Council's Environmental Health department.

### **Trees**

An arboricultural assessment has been submitted with the application and the Council's forestry officer has been consulted and has provided the following comments:

*In terms of any impact upon the amenity and character of the Conservation Area only the loss of the mature Lime, a moderate category tree merits consideration. The tree is visible as a filtered view from the road, but visibility is restricted to fleeting views through the existing group of trees along Altrincham Road. The tree is not visible from any wider public vantage points and whilst it presents some contribution to the sylvan character of the Conservation Area, I consider that given the opportunities for restorative landscaping within the site, the tree and other low category losses can be adequately mitigated by suitable planting scheme that would form part of a larger more comprehensive landscape proposals.*

He concludes that there are no significant objections from an arboricultural perspective and recommends a number of conditions should permission be granted.

### **Ecology**

An extended Phase 1 Habitat Survey together with a Great Crested Newt Impact Assessment and Mitigation Proposals report has been submitted with the application. The Council's Nature Conservation Officer has been consulted and has provided the following comments:

#### Great Crested Newts

*Satisfied that on balance great crested newts are unlikely to be affected by the proposed development.*

#### Nesting Birds

*If planning consent is granted conditions would be required to safeguard nesting birds:*

#### Pond

*A small ornamental pond would be lost as a result of the proposed development. The applicant is proposing to compensate for the loss of the pond through the provision of a wetland scape. I advise that the loss of the pond should instead be compensated for by the*

*provision of an open water pond which provides similar habitat to that lost. I recommend that the submitted plans be amended to reflect this.*

### **Highways**

Access to the site would be via the existing access off Altrincham Road, with the entrance gate moved further north to allow space for vehicles to pull off the highway before approaching the access gate which would be controlled by an entry system. The existing driveway would be retained and provide access to the rear of the hotel for servicing and staff parking. 11 staff spaces are proposed. Guests of the hotel would follow a new driveway to a courtyard adjoining the entrance to the hotel where they would drop their vehicle off to be parked in the 26 space guest parking area located to the side of the proposed restaurant. It is stated that the number of car parking spaces has been kept to a minimum given the highly sustainable location of the site.

The Strategic Highways Manager (SHM) has been consulted on the application and raises no objections to the proposal subject to the imposition of conditions controlling the use of the hotel, gym and restaurant, submission of a travel plan and provision of cycle stands. The SHM comments as follows:

*The Transport Statement has assessed the accessibility, parking and traffic impacts of the proposed site, the main highway concern is the parking availability on the site for residents and staff. It has been confirmed by the applicant that the on-site facilities will not be open to the general public.*

*A travel plan has been offered to promote sustainable access to the site and also to provide a taxi service for staff and for residents if required.*

*In regards to parking provision on the site the use of the hotel purely for the use of residents will help reduce the parking demand on the site and also if there is a specific peak demand in parking requirement then there are areas within the site where vehicles could park and this would have to be managed internally but there be would no overspill on the public highway.*

*Therefore, I would not raise objections to the application subject to a number of conditions to control the usage of the site.*

Whilst it is noted that the initial concerns of the SHM regarding parking have been overcome, given the sites location in the Green Belt, it would not be acceptable for overspill parking to take place other than under exceptional circumstances.

### **Flood Risk**

As the application site area is greater than 1 hectare, the application should be supported by a Flood Risk Assessment. An FRA has been submitted during the course of the application and is currently being considered by the Council's Flood Risk Team. Any update in relation to this issue will be provided either by way of an update report or at committee.

### **Contaminated land/Environmental Impacts**

The contaminated land officer notes that the existing use of the site for commercial parking means that it could be affected by any contamination present. Should permission be granted a condition requiring a phase 1 contaminated land survey is therefore recommended.

Additional conditions regarding pile foundations, dust control, floor floating, fixed plant and equipment, construction hours and air quality are also recommended by the Environmental Health department having regard to the nature of the proposal and the site location.

## **SOCIAL SUSTAINABILITY**

### **Open Space**

The Council's SPG on Planning Obligations generally requires Public Open Space and Recreation/Outdoor Sports Facilities on hotel developments with a floorspace of over 1000 sq metres. In the absence of on site facilities a contribution of £600 per bedroom is required for POS/ROS. In this case that equates to a financial contribution of £600 x 35 i.e. £21,000.

Comments on the application are being sought from the Council's Greenspace Officer. Any received prior to committee will be provided in an update report.

## **ECONOMIC SUSTAINABILITY**

With regard to the economic role of sustainable development, the proposed development will help to enhance visitor accommodation facilities as well as bringing direct and indirect economic benefits to Styal and the surrounding area including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

## **PLANNING BALANCE**

The proposal is an inappropriate form of development in the Green Belt, which reduces openness. Substantial weight should be given to this harm to the Green Belt.

With regard to the applicant's suggested very special circumstances, whilst these are noted, it is not considered that either individually or cumulatively, they clearly outweigh the harm identified. It is accepted that the proposal may bring economic benefits and provide additional tourism accommodation. However, these benefits are not considered to outweigh the harm resulting from the proposal.

The proposal is therefore contrary to policy GC1 of the Macclesfield Borough Local Plan and the National Planning Policy Framework.

## **SUBJECT TO**

No further issues being raised in representation that have not already been considered within the report:

## **RECOMMENDATION**

**The application is recommended for refusal for the following reason:**

1. The proposal is an inappropriate form of development within the Green Belt which would also impact on openness. The development is therefore contrary to policy GC1

of the Macclesfield Borough Local Plan and would cause harm to the objectives of that policy. The development is similarly contrary to national policy guidance relating to development within the Green Belt. It is not considered that very special circumstances exist to justify the approval of inappropriate development in the Green Belt.

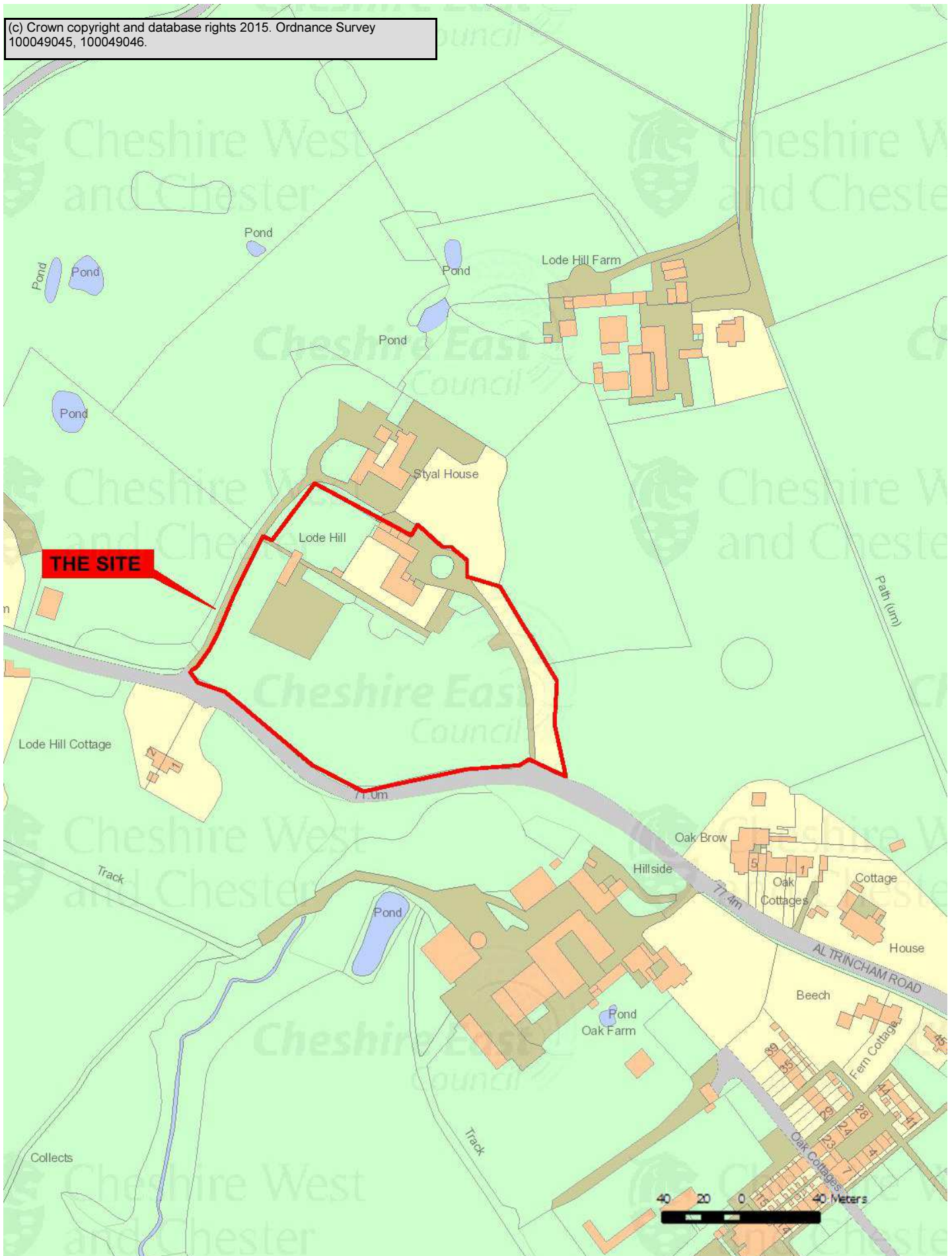
In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his absence the Vice Chair) of Northern Planning Committee to correct any technical 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: Refuse for the following reasons

1. Inappropriate development in the Green Belt and adverse impact on the openness of the Green Belt contrary to Local Plan policy GC1 and the NPPF

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Application No: 14/5471M

Location: COUNTY OFFICES, CHAPEL LANE, WILMSLOW, SK9 1PU

Proposal: Demolition of the former Council office buildings and associated car parking and erection of an assisted living development (Use Class C2) comprising 57 assisted living apartments integrated with communal wellbeing and support facilities and care provision tailored to individual resident needs, set in attractive landscaping with associated car parking and construction of additional vehicular access from Alderley Road

Applicant: PegasusLife

Expiry Date: 03-Mar-2015

## **SUMMARY**

The site is identified as a Housing Allocation in the Macclesfield Borough Local Plan. The principle of elderly person's accommodation is therefore considered to be acceptable.

As the proposal is not classified as use class C3 (dwellinghouses) there is no affordable housing requirement. However, the development will provide suitable accommodation to enable an ageing population within Cheshire East to live full independent lives for as long as possible. It is considered that the proposal would make a valuable contribution towards meeting an identified housing need for elderly people within the Borough, as well as continuity in their care, which is a material consideration of significant weight. Contributions towards off site provision of open space will also be secured, which is a further benefit of the proposal.

The revised plans have overcome initial concerns regarding the scale and massing of the proposal, and the extent of car parking that will be available to serve the development will meet the Council's own parking standards. In addition the development is in a highly sustainable location and will have an acceptable impact upon protected trees and the living conditions of neighbouring properties.

A number of economic benefits will also arise from the development including additional trade for local business and the creation of employment. The proposal is a sustainable form of development, and a recommendation of approval is therefore made subject to conditions and a s106 agreement.

## **RECOMMENDATION**

Approve subject to conditions and a s106 agreement

## **REASON FOR REPORT**

The application was deferred from the Northern Planning Committee on 29 April to give the applicants further opportunity to look at the car parking provision within the site.

## **APPLICANT'S SUBMISSION SINCE DEFERRAL**

The applicant has submitted a supplementary parking note, which covers

- Site travel plan;
- Sustainable transport;
- Parking provision within other similar schemes
- Local parking opportunities;
- On-site car parking; and
- Internal traffic circulation.

### **On-Site Parking**

The applicants have looked at all potential on-site parking arrangement options taking into account constraints including the existing trees and scheme viability. The general arrangement providing 59 parking spaces represents the best option for delivering the Council's parking standards whilst minimising on-site impacts. Therefore, there is no change to the on-site parking provision to that presented to Members at the previous committee meeting.

However, the parking standards (for C2 use class - extra care accommodation) within the submission version of the local plan require:

- Residents – 0.5 spaces per unit and 1 per 3 units (for visitors)
- Staff – 1 space per resident staff and 1 space per 2 non-resident staff
- Facilities (open to non residents) 1 space per 4sqm of floorspace used for this purpose.

57 apartments are now proposed, and 59 parking spaces are being provided to serve the development.

Using the Council's parking requirements (as above), residents would require 29 spaces, and visitors would require 19 spaces. This would then leave 11 spaces for staff, none of which would be resident staff. This level would accommodate up to 22 non resident staff, whereas it is anticipated that the number of staff would be closer to 12. The communal facilities will not be open to non residents, which could be controlled by condition to ensure adequate parking is provided to serve the development.

The following information is also relevant to the car parking situation.

### **Residential Car Park Control**

Within the proposed development, parking bays for residents will be clearly marked in designated car parking areas, and residents will purchase residential parking permits. These permits will not exceed the number of car parking spaces. Signage would be erected identifying spaces for permit holders only, and bays marked with a distinctive surface treatment.

### **Internal Circulation**

Traffic from the medical centre will be prohibited from travelling through the proposed development onto Alderley Road. Signage would make it clear that the exit onto Alderley Road would not be available to non-residents / non-permit holders. A barrier control system with intercom could formalise this arrangement. The position of the barrier would be designed to prevent traffic backing onto the highway.

### **Joint Car Parking Management Strategy**

The applicants do appreciate Members concerns about the potential impacts of the scheme on the Wilmslow Health Centre car park which has an open boundary with the site. Whilst the Health Centre has its own private car parking enforcement system, operated by Excel Parking, it is understood that there continues to be instances of people abusing the free parking provision.

As such the applicants are discussing with adjoining landowners about the potential of developing a joint car parking management system across all three land ownerships (PegasusLife, Wilmslow Health Centre and the United Reform Church).

### **Public Car Parks**

The following public car parks are all within 400m/1km walking distance of the site:

- 1) South Drive, Parkway – providing 430 spaces, including 10 disabled spaces (400m/4 minutes walk);
  - 2) Hoopers, Alderley Road – providing 40 spaces, including 1 disabled space (550m/6 minutes walk);
  - 3) Spring Street multi-storey – providing 308 spaces, including 22 disabled spaces (750m/9 minutes walk);
  - 4) Broadway Meadow – providing 264 spaces, including 10 disabled spaces (900m/11 minutes walk);
  - 5) Rex Parkway – providing 92 spaces, but no disabled spaces (900m/11 minutes walk); and
  - 6) Leisure Centre – providing 100 spaces, including 1 disabled space (1km/12 minutes walk).
- Total – 1,234 spaces including 44 disabled spaces.

### **Time Restricted Free On-Street Parking**

In addition to the above there are a number of areas where people can park for free for a limited period of time in the vicinity of the site. These areas include:

- Chapel Lane – adjacent the site.
- Victoria Road – Monday to Saturday 8am to 6.30pm 45 mins no return within 2 hours
- Located on the side street parade, stretching from Sainsbury's down to Costa Coffee (parallel to Alderley Road)

### **Travel plan / Sustainable Transport**

A travel plan was submitted with the planning application which encourages and promotes sustainable transport use. As noted in the original report, the site is very close to Wilmslow town centre, which lends itself favourable to sustainable transport options. A condition is recommended to ensure that the travel plan is provided, implemented and monitored throughout the life of the development.

### **Parking Provision within Other Schemes**

From their experience the applicants state that car ownership in their schemes is relatively low. During the previous committee meeting Members raised concerns about perceived parking problems at similar accommodation at Warford Park, Mobberley and Belong, Kennedy Avenue, Macclesfield.

It should be noted that the Warford Park site is located in a relatively inaccessible location outside of Mobberley, over 2 miles from the nearest bus stop, 4 miles from a post office and 4 miles from a GP surgery. As such the rate of resident car ownership may be higher as residents simply do not have a viable transport alternative or nearby facilities.

Belong in Macclesfield is an extra care facility comprising 18 flats and 6 supported households (each with 10-12 residents) which equates to 72 suites. The scheme has on-site care staff (24 hours/ 7 days), resident management staff and visiting management staff. On-site facilities include a restaurant, community centre, hobby room, activities room, café, hairdressing salon, bar and library. New residents are accepted from 55 years of age. There is gated on-site parking of circa 20 spaces for customers, with remote entry via fob or access control system.

This parking ratio of 0.277 spaces per unit falls far below the Council's own parking standards and far below level of provision proposed by the current application.

## **PROPOSAL**

This application seeks full planning permission to demolish the former Council office buildings and associated car parking and erect an assisted living development comprising 65 assisted living apartments integrated with a wide range of communal and support facilities including a reception/concierge area, restaurant, lounge, library and hobby room, wellbeing facilities including physiotherapy suite, treatment room, hair and nail salon, salt inhalation suite, sauna, steam room, and gym set in attractive landscaping with associated car parking and construction of additional vehicular access from Alderley Road.

## **SITE DESCRIPTION**

The application site comprises 2 former Council office buildings. One is an attractive 3 to 3.5 storey Victorian building and the other is a two-storey flat roof 1960/70s building. The remainder of the site comprises a car park and grassed area with substantial tree cover protected by Tree Preservation Order. The site is allocated for Housing in the Macclesfield Borough Local Plan, and is surrounded by a Predominantly Residential Area.

## **RELEVANT HISTORY**

None relevant

## **NATIONAL & LOCAL POLICY**

### **National Policy**

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs:

14. Presumption in favour of sustainable development.

56-68 Requiring good design

### **Development Plan**

The relevant Saved Policies of the Macclesfield Borough Local Plan are:

NE11 Nature conservation;

BE1 Design Guidance;

H2 Environmental Quality in Housing Developments

H4 Housing sites in urban areas

H9 Affordable Housing;

H13 Protecting Residential Areas;

DC1 and DC5 Design;

DC3 Residential Amenity;

DC6 Circulation and Access;

DC8 Landscaping;

DC9 Tree Protection;

DC35, DC36, DC37, DC38 relating to the layout of residential development;

DC40 Children's Play Provision and Amenity Space

T3 Pedestrians;

T4 Access for people with restricted mobility;

T5 Provision for Cyclists.

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

### **Cheshire East Local Plan Strategy – Submission Version (CELP)**

The following are considered relevant material considerations as indications of the emerging strategy:

MP1 Presumption in favour of sustainable development

PG1 Overall Development Strategy

PG2 Settlement hierarchy

PG3 Green Belt

PG6 Spatial Distribution of Development

SD1 Sustainable Development in Cheshire East

SD2 Sustainable Development Principles

IN1 Infrastructure

IN2 Developer contributions

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

## CONSULTATIONS

**Highways** – No objections to access or traffic generation. Clarification required on car parking.

**Environmental Health** - No objections subject to conditions relating to dust control, piled foundations, floor floating, travel plans and contaminated land.

**Environment Agency** - No objections subject to conditions relating to contaminated land and groundwater

**United Utilities** – No objections subject to conditions relating to ground and surface water

**Wilmslow Town Council** – Broadly in favour of the development but expressed concerns about the aesthetics of this important gateway site in terms the overall height and design quality. Recommend that it should be entrance only from Alderley Road and exit only to Bedells Lane. Medical Centre traffic should also continue to be allowed to use the Bedells Lane exit.

Request that capital receipts from the sale of the site be utilised for public realm improvements in Wilmslow and that S106 agreements be put in place to improve pavement surfaces around the development and along Alderley Road into the Town Centre and also to enhance the pedestrian crossing on Bedells Lane.

## REPRESENTATIONS

Neighbour notification letters were sent to all adjoining occupants, a site notice erected and a press advert was placed in the Wilmslow Express.

5 letters of representation has been received making the following general comments:

- Definite need for this type of accommodation
- Concern about appearance and height at this important gateway site
- Concern about traffic impact
- Parking restrictions will be necessary on Bedells Lane
- Consideration should be give to re-siting pedestrian crossing on Bedells Lane
- Assurance needed that there is no damage to Chruch's drainage pipe
- No trees should be planted that will cause damage to Church buildings
- Height is unacceptable
- Architecturally bland
- Car parking inadequate
- Entry and exit should be one way
- Site cannot justify more than 4 storeys

1 letter of support has been received noting:

- Allows downsizing for aging population, freeing up family homes

- Short walk to town centre
- Good use of Council site
- Supports NPPF guidelines for accommodation of the elderly

## **APPRAISAL**

The key issues are:

- Impact upon amenity of neighbouring property
- Impact upon nature conservation interests
- Protected trees
- Impact upon character of the area
- Highway safety

## **ENVIRONMENTAL SUSTAINABILITY**

### **Design / character**

Paragraph 56 of the NPPF notes that “the Government attach great importance to the design of the built environment. Good Design is a key aspect of sustainable development, indivisible from good planning”.

Policy BE1 of the local plan requires new development to achieve the following design principles:

- Reflect local character
- Respect form, layout, siting, scale and design of surrounding buildings and their setting
- Contribute to a rich environment and add to the vitality of the area
- Be human in scale and not normally exceed 3 storeys
- Use appropriate facilities

The local area is characterised by a variety of buildings, which are predominantly two or three storeys. There are some larger buildings, such as the Wilmslow Unified Church and a relatively recent four storey building on Chapel Lane, but these are the exception rather than the norm. The buildings generally have a very domestic scale about them, even the four-storey building, which is not a substantial or particularly prominent structure.

The largest buildings along Alderley Road as you approach the town centre are three-storey, with one exception that uses its roof space to provide a fourth floor.

The design and access statement references the predominantly domestic scale of the buildings and points to examples of other buildings that have influenced the design of the proposal. Colshaw Hall, Hawthorne Hall and the existing Remenham building (on the application site) are all buildings with attractive features and detailing, but the extent to which this is carried through to the current proposal is limited.

As originally submitted, the proposed elevations of the five-storey building were rather monotonous, with little variation or depth to any aspect. This was compounded by the sheer scale of the building, which was way beyond the size of anything else in the area. Negotiations with the applicant have since taken place, and the building has gradually been reduced in size, and additional detailing added to the elevations.

Revised plans have now been received, which reduce the height of the entire building to four storeys. The effect of this reduction is to reduce the number of apartments to 57, and reduce the extent of communal facilities. The communal facilities now include a dining area, swimming pool, sauna, gym, and studio.

The proposed four-storey building now has a height of 16.3 metres, compared to the 19.7 metres as originally submitted. By way of comparison, the terraced properties on the opposite side of Bedells Lane have a height of 9 metres, and the four-storey apartment building on Chapel Lane has a height of approximately 14 metres.

The building will of course be largely surrounded by substantial trees, which have heights up to 16 metres. Views of the building will therefore be filtered by these trees, which will serve to reduce the impact the development. It is considered that the site can accommodate a larger building, having regard to the particular location of the site, the higher level of buildings on Chapel Lane and the fairly substantial boundary screening. The building will be visible, but at four storeys, it will not be unduly out of keeping with the area. The proposal is now considered to have an acceptable impact upon the character of the area.

### **Trees / landscape**

The application is supported by an Arboricultural Impact Assessment (AIA) which has been carried out in accordance with the recommendations of British Standard BS5837:2012 Trees in relation to design, demolition and construction.

The footprint of the southern elevation facing onto the roundabout broadly follows the existing commercial build line rather than improving the less than desirable existing relationship. Whilst the usage of the existing building in terms of a commercial entity has been acceptable over the preceding years, a change to residential establishes a requirement to design out problems of social proximity, light attenuation, and apprehension to occupiers of adjacent proposed apartments especially during windy conditions.

The inclusion of a hydrotherapy pool and plant room on the southern elevation of the ground floor in relation to the mature Beech T18, and the adjacent Yews negates the issues in terms of residential setting, but the relationship of the remaining apartments over all four floors is less than desirable mainly on the southern elevation but also the western aspect, especially when taking into consideration the individual balcony orientations of the respective apartments, some of which will be located very close to the distal tips of the adjacent trees, residents will be looking into a green wall. This is also reflected in the tree shadow constraints drawing. At the point of inspection on a relatively clear day in January light attenuation along the southern aspect was moderately poor, this will be further exacerbated once the deciduous trees come into leaf. With the build footprint and form as originally submitted it is anticipated that in order to improve the situation for residents the Council will be left in an un-defendable position in terms of receiving applications for inappropriate or unreasonable pruning intervention, or the worst case scenario felling of trees on the southern boundary. The proposal also includes the removal of a protected Yew on the western side of the southern elevation of the building which is not acceptable.



A revised plan has been submitted which moves the building back away from the trees on the southern boundary by approximately 3.6m. This establishes a better relationship in terms of the large mature Beech (T18) and the Yew located to the west which must be retained.

The building still stands within the root protection area (RPA) of T18 as does the eastern corner in the RPA of T14. This raises concern in terms of how construction will be facilitated whilst adequately protecting the trees. Due to the above conflict, protective fencing cannot be erected in accordance with the BS and the respective RPAs. The level changes associated with T18 between the trees stem and the proposed build footprint also adds another dimension and problem. A method statement relating to the protection of trees during construction has now been submitted and the arboricultural officer advises that the details do demonstrate that the trees will be appropriately protected during the construction process. A condition is recommended requiring the development to be carried out in accordance with the arboricultural information.

The AIA identifies T18 as a B category tree, however, the arboricultural officer considers that this under values the specimen as it should be classified as an A category specimen.

The introduction of a bat house into the scheme requires the removal of two trees in order to facilitate the construction. Whilst these stand within G1 of the 1993 TPO none are considered significant in terms of amenity value or screening of the site. Similarly, the trees identified for removal to facilitate the revised point of access are also accepted.

Overall, the proposal will have an acceptable impact upon the trees of amenity value, including those protected by TPO. Further details will be provided in an update.

In landscape terms, the development would retain a large number of the mature protected trees and boundary hedgerows which would provide an attractive wooded setting. The landscape proposals are generally appropriate and acceptable and include nine new semi-mature trees, ornamental shrub beds near to the building and in the car park, grassed areas with bulbs, woodland flora beneath mature trees and additional boundary shrubs and hedges. There may be some scope for further tree planting to mitigate for losses but this has to be balanced against the need for open recreation areas for residents. The scheme could be fully detailed and agreed at the conditions stage.

## **Ecology**

The application is supported by a protected species survey report. The nature conservation officer makes the following comments

Evidence of what is likely to be a maternity colony of a widespread bat species was recorded during the submitted survey. The roost is considered to be of substantial nature conservation value.

In the absence of mitigation the proposed development would pose the risk of killing or injuring any bats present and would result in the loss of the roost. The nature conservation officer advises that the loss of the roost would have a 'High' severity of impact on the local scale and a 'Moderate' impact on the species concerned at the regional scale.

To mitigate for the risk of killing or injuring bats during the construction phase the submitted report recommends to the timing and supervision of the works. The provision of a bat loft area is also proposed to compensate for the loss of the existing roost.

Whilst one bat roost has been identified on site there remains the possibility that the buildings may support roosts of additional bat species. The bat survey report identifies that dusk emergence / pre-dawn re-entry surveys are required to establish the presence/absence of other bat species. A number of trees have also been identified on site that have the potential to support roosting bats. It appears likely that a number of these trees may be lost as a result of the proposed development. The further bat surveys of the site must also therefore include any trees identified as having potential to support roosting bats that would be lost as a result of the proposed development.

The additional ecological surveys have now been carried out and have just been submitted to the Council. Comments on these surveys are awaited from the nature conservation officer. Further details and an assessment against the tests of the Habitats Regulations will be provided in a written update to Members.

Conditions are also recommended to safeguard nesting birds.

### **Residential Amenity**

Local Plan policy DC3 seeks 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 closest relationship between the proposed building and neighbouring residential properties appears to be where the western elevation will face existing properties on Bedells Lane, which are three-storey. 42 metres will be retained between these buildings, which meet the recommended distance outlined in policy DC38 of the local plan.

Environmental Health advise that the cumulative impact of a number of developments in the area (regardless of their individual scale) has the potential to significantly increase traffic emissions / change the character of traffic in an area / increase HGV movements / and as such adversely affect local air quality for existing residents by virtue of additional road traffic emissions. Consequently, they recommend a condition requiring individual Travel Plans for the site with the aim of promoting alternative / low carbon transport options for staff, and patrons.

No further amenity issues are raised, and overall the proposal is considered to comply with policies Dc3 and DC38 of the local plan.

### **Highways**

The Head of Strategic Infrastructure has provided the following comments:

#### Site access

The main access to the site will be via a new priority junction with Alderley Road located just north of Cavendish Mews. The existing accesses are also proposed to be retained from Chapel Lane and the exit only access to Bedells Lane.

The design of the proposed access from Alderley Road is acceptable to serve the proposed level of development without causing any capacity problems, and the visibility provided at the junction is acceptable for the vehicle speeds using Alderley Road.

The access through the Health Centre is retained as is the access onto Bedells Lane which is an exit only. A condition will be required for the applicant to submit details of the measures to be installed that will ensure that this access is exit only.

#### Traffic generation

The existing lawful use of the site is office use, which needs to be taken into account when considering traffic impact of the proposal. The predicted traffic generation for the 65 units has been taken from the Trics database and is between 10-15 trips in the peak hours. The existing use of the site generates more traffic than the current proposal so there will be a net benefit in terms of traffic generation on the road network as a result of the development.

#### Parking

57 apartments are now proposed, and 59 parking spaces are being provided to serve the development.

The parking standards for the proposed use set out within the emerging local plan are:

Residents – 0.5 per unit and 1 per 3 units (for visitors)

Staff – 1 per resident staff and 1 per 2 non-resident staff

Facilities (open to non residents) 1 per 4sqm of floorspace used for this purpose

Residents and visitors would require 48 spaces, which leaves 11 spaces for staff, none of which would be resident staff. This level would accommodate up to 22 non resident staff, whereas it is anticipated that the number of staff would be 12. The communal facilities will not be open to non residents. This could be controlled by condition to ensure adequate parking is provided to serve the development. Similarly the provision of car parking should be conditioned to be provided prior to occupation.

The application site currently provides free public parking, which will be lost as a result of the development. The neighbouring Health Centre has their own pay and display parking monitored by their own enforcement company. The parking within the application site originally served the Council offices. When the offices closed, for a short period (between 2011 and 2014) the parking then changed to a Cheshire East pay and display. However, the pay and display order has now been revoked and the site provides free car parking. These spaces are usually full, but presumably that this is due to the fact that they are free of charge. The existing parking area could at any time be fenced off and restricted, without any form of development taking place. For this reason, little weight can be given to the loss of the existing parking spaces as an impact of the development.

The Head of Strategic Infrastructure is also satisfied with the proposed level of parking.

#### **Accessibility**

The site is located on the edge of Wilmslow town centre, within very easy walking distance to the shops and services within the town centre. The site is therefore considered to be in a very accessible and sustainable location.

### **Flood Risk**

The Flood Risk Manager raises no objections but notes that the site is in a sensitive area with known issues of surface water and Main River so measures will be required to mitigate this risk, particularly due to the 'more vulnerable' classification of the development.

The plans suggest that post-development surface water runoff rates will mimic the pre-development scenario. A condition is recommended to require the submission of detailed proposals for disposal of surface water.

## **SOCIAL SUSTAINABILITY**

### **Use class**

As originally submitted, there was some ambiguity over the use class of the proposed development. The applicants have clarified that they are seeking consent for a C2 use. This use class has the broad headline of residential institutions. Indeed traditional care homes would fall into the C2 use class.

The use class is relevant in that for a C3 residential scheme there are requirements for affordable housing provision, as well as other financial contributions, such as open space, education, etc. The same requirements do not apply so directly to C2 uses, although some provision for planning obligations may be required to mitigate for the impact of the development.

Appeal decisions suggest that such uses fall within either a C2 use class, or a sui-generis use. The applicant considers the proposal to be a C2 use, and it is accepted that Close Care units are generally C2 uses. The provision of care is a fundamental aspect of the proposal and is what distinguishes the development from a standard C3 use. A minimum level of care provision will be a requirement for all the apartments within the proposed development. It is this obligatory care provision that takes the proposal out of the C3 (dwellinghouses) use class in this case. It has now been confirmed by the applicant that each household will be provided with a package comprising not less than 1.5 hrs per week of care, wellbeing, domestic and support services.

An operational plan has been submitted, however it is considered that further detail is required, particularly around the provision of a minimum level of care, how care needs are assessed, and care packages. In the event the application is approved, it is recommended that an operational plan is secured by condition.

### **Need for the development**

The Cheshire East Strategic Housing Market Assessment (SHMA) Update published in September 2013 identifies the increasing need for extra care housing in the Borough as the population ages. Paragraph 6.24 of the SHMA Update 2013 states:

*"The proportion of older people is expected to increase over the next few decades. Between 2010 and 2030, the number of households: aged Pensionable age to 74 is forecast to increase by 13,300; aged 75-84 is forecast to increase by 14,000; aged 85 and over is*

*forecast to increase by 11,200; and an overall increase of people of pensionable age and above of 38,500."*

This is supported by information within the Council's emerging Vulnerable and Older People's Housing Strategy which states:

*"There is significant need for increased extra care provision in Cheshire East. Utilising the prevalence rates in the Strategic Housing for Older People (SHOP) toolkit, we can determine that Cheshire East will have a shortfall of 1063 extra care places by 2030;"*

This indicates that there is an ageing population in Cheshire East, a fact that is also reinforced by the 2011 Census figures.

The 2011 Census identifies:

- The percentage of people aged 65 or over in England and Wales is 16.4%
- The percentage of people aged 65 and over in Cheshire East is 25.9% which is 37% higher than the average in England & Wales
- The percentage of persons in England & Wales who live in a Communal Establishment is 0.18%
- The percentage of people in Cheshire East who live in a Communal Establishment is 0.14% which is 23% lower than the average in England & Wales

These figures indicate that there is a higher demand for elderly accommodation in Cheshire East and a lower provision when compared to the rest of England & Wales which does suggest that the proposal will satisfy an unmet need.

### **Open space**

Again, due to the use class issues highlighted above, where the proposal sits in terms of its requirements for public open space (POS) is not straightforward. As a development that is essentially residential in nature, it will inevitably have infrastructure requirements similar to a typical housing scheme. The aim of providing POS facilities is to support active lifestyles and sustainable communities for all ages. As the minimum age resident in this development expected to be only 60, there is as much need to consider their needs in terms of access to decent and varied open space opportunities as for any other age bracket. In fact it could be considered more important to provide facilities close to home as mobility and confidence decreases. The benefits of exercise and social integration cannot be underestimated.

In the absence of on site provision, financial contributions will be required towards off site provision.

The Council's Supplementary Planning Guidance (SPG) on planning obligations does include a requirement for the provision of POS for sheltered housing schemes of 20sqm per unit, which is half of the requirement for a standard housing development. If standard housing developments cannot provide open space, then the requirement is a financial contribution of £1,500 per bed space towards off site provision. Therefore, it follows that the requirement for open space contributions would be £750 per bed space in apartments on a sheltered scheme.

It is acknowledged that this is not a sheltered housing scheme, however the development is essentially residential in nature, and will inevitably have infrastructure requirements similar to a typical sheltered housing scheme. The proposal includes 109 bedrooms, and no open space can be provided on site. Therefore, a financial contribution of £81,750 will be required.

These funds would be used to fund improvements to existing open space infrastructure at Gravel Lane, Lindow Common, Carnival Fields, The Carrs and allotments within Wilmslow.

## **ECONOMIC SUSTAINABILITY**

With regard to the economic role of sustainable development, the proposed development would make a limited contribution to this by potentially creating some jobs in construction, economic benefits to the construction industry supply chain, and increased business to local shops and services.

## **PLANNING BALANCE**

The site is identified as a Housing Allocation in the Macclesfield Borough Local Plan. The principle of elderly person's accommodation is therefore considered to be acceptable.

As the proposal is not classified as use class C3 (dwellinghouses) there is no affordable housing requirement. However, the development will provide suitable accommodation to enable an ageing population within Cheshire East to live full independent lives for as long as possible. It is considered that the proposal would make a valuable contribution towards meeting an identified housing need for elderly people within the Borough, as well as continuity in their care, which is a material consideration of significant weight. Contributions towards off site provision of open space will also be secured, which is a further benefit of the proposal.

The revised plans have overcome initial concerns regarding the scale and massing of the proposal, and the extent of car parking that will be available to serve the development will meet the Council's own parking standards. In addition the development is in a highly sustainable location and will have an acceptable impact upon protected trees and the living conditions of neighbouring properties.

A number of economic benefits will also arise from the development including additional trade for local business and the creation of employment. The proposal is a sustainable form of development, and a recommendation of approval is therefore made subject to conditions and a s106 agreement.

### **Heads of terms**

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

- £81,750 for off-site provision of public open space for improvements, additions and enhancement of existing public open space facilities at Gravel Lane, Lindow Common, Carnival Fields, The Carrs and allotments within Wilmslow.

### **Community Infrastructure Levy (CIL) Regulations**

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is 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 is necessary, fair and reasonable, as the proposed development will provide 57 extra care units of accommodation. 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 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 the development.

## **RECOMMENDATION**

**The application is recommended for approval subject to the prior completion of a s106 agreement, conditions and outstanding comments from the nature conservation officer.**

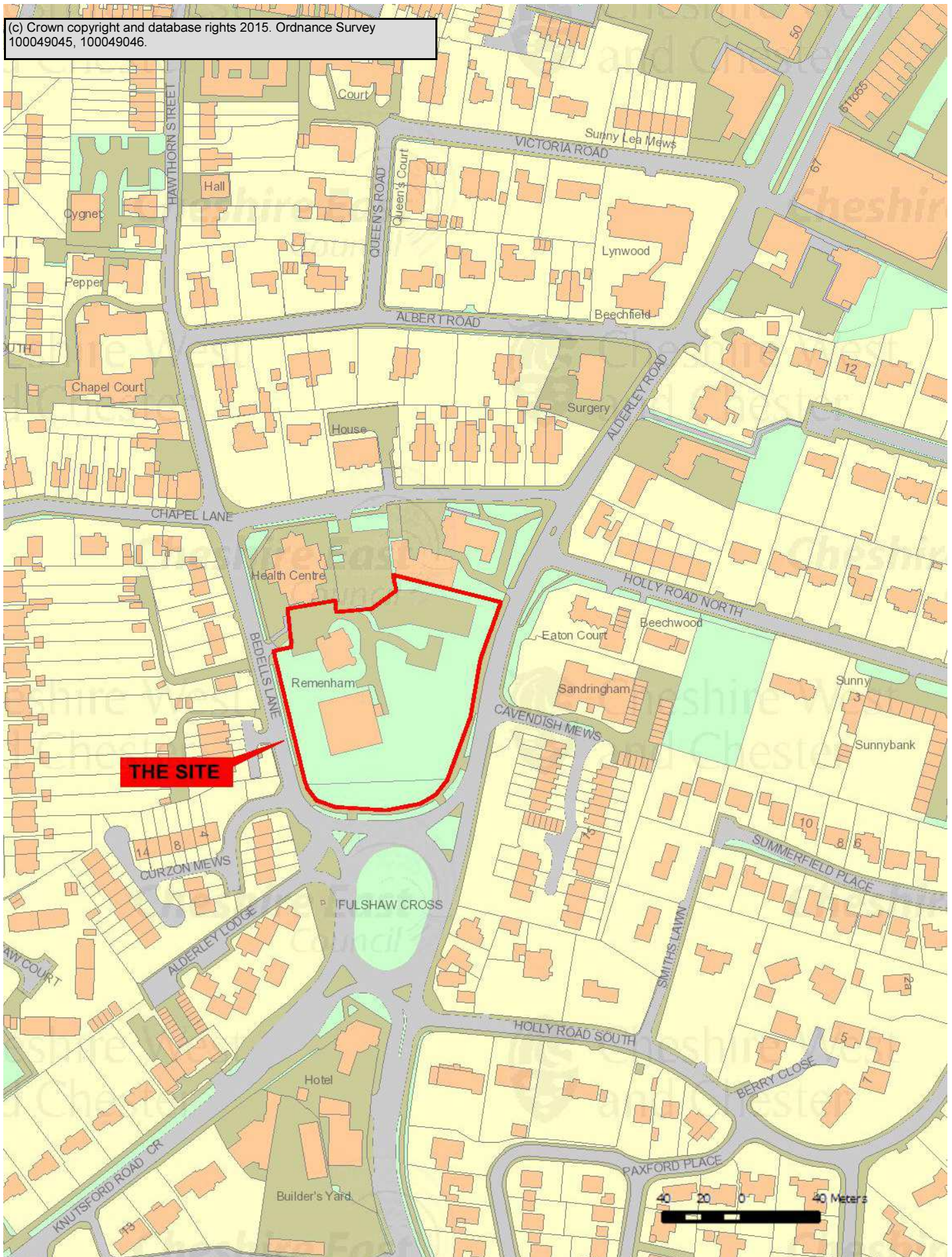
### Application for Full Planning

**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. A02LS - Submission of landscaping scheme
4. A04LS - Landscaping (implementation)
5. A12LS - Landscaping to include details of boundary treatment
6. A16LS - Submission of landscape/woodland management plan
7. A02EX - Submission of samples of building materials
8. Breeding birds survey to be submitted
9. Measures to ensure that Bedells Lane access is exit only, that Alderley Road is not used by non-residents / visitors, and a parking enforcement regime to be submitted
10. Surface water drainage details to be submitted
11. Communal facilities not to be open to non-residents
12. Provision of car parking prior to occupation
13. Submission of operational plan
14. Development to be carried out in accordance with the submitted arboricultural details
15. Travel Plan to be submitted and implemented



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Application No: 14/3183M

Location: HORSESHOE FARM, HORSESHOE LANE, ALDERLEY EDGE, WILMSLOW, CHESHIRE, SK9 7QP

Proposal: Full planning permission for the partial redevelopment of site comprising - Regularisation of changes to the external appearance of existing offices constructed under planning permission 12/1839M, new office extension and glazed link, demolition of existing former dwelling building to be replaced with new office building and staff canteen/customer hospitality suite, erection of freestanding pod display unit, creation of ancillary car parking area and new site-wide landscaping and tree planting.

Applicant: Select Property Ltd

Expiry Date: 03-Nov-2014

## REASON FOR REPORT

The application is a major development that requires a committee decision.

### SUMMARY

The proposed scheme provides an acceptable design and the development is appropriate to the character of the area, and additional landscaping can be provided. It is also considered that the development would not have a detrimental impact upon neighbouring amenity, highway safety, flood risk or trees.

However, the proposal is an inappropriate form of development in the Green Belt by virtue of the replacement building comprising office space, meeting rooms and cafeteria not being in the same use as the existing agricultural workers dwelling. No other harm is identified.

The dwelling is not currently used to accommodate agricultural workers, and would appear to have little prospect of being so. The site and surrounding land is owned by the applicant, with the nearest farmland being on the opposite side of Wilmslow Road. The dwelling is effectively severed from any agricultural land, which is not ideal for functional requirements of agricultural holdings. There is also no known demand for agricultural workers in Alderley Edge. The loss of the dwelling cannot therefore be afforded any significant weight.

In this case very special circumstances are considered to exist to outweigh the identified harm to the Green Belt, notably through the economic benefits this expanding local business provides. The business develops, markets and manages their own student and residential property in multiple locations in the UK and overseas. Horseshoe Farm is the headquarters of the business, with 80 staff currently based there. A further 20 are expected to be employed within the next year. The applicant, Select Property Group, is therefore a significant employer in Alderley Edge. The expansion of the business supports not just the local employment (with

additional new spending power available to the nearby Wilmslow Key Service Centre and Alderley Edge Local Service Centre) but also spin-off employment opportunities in local supplier companies for interior design, catering, office supplies and property maintenance.

In addition to these economic benefits, the development would provide accommodation for an existing thriving local business on a site that they have established for their own business purposes; the site is very accessible and is within walking distance of Alderley Edge village centre; there is no other harm identified to other matters of public interest, and; the overall quantum of development is similar to that which could be provided in converting the existing farmhouse to office accommodation as a fallback position.

Therefore, whilst substantial weight should be afforded to the harm arising from inappropriate development in the Green Belt, and whilst the matters noted above do not individually amount to very special circumstances, when taken together they are collectively considered to outweigh the harm to the Green Belt by reason of inappropriateness.

The application is therefore recommended for approval, subject to the receipt of outstanding comments from the nature conservation officer.

#### **RECOMMENDATION**

**Approve**

#### **PROPOSAL**

This application seeks full planning permission for the partial redevelopment of the site comprising - regularisation of changes to the external appearance of existing offices constructed under planning permission 12/1829M, new office extension and glazed link, demolition of existing former dwelling building to be replaced with new office building and staff canteen/customer hospitality suite, erection of freestanding pod display unit, creation of ancillary car parking area and new site-wide landscaping and tree planting.

#### **SITE DESCRIPTION**

The application site comprises a recently created office development formed from the conversion of agricultural buildings relating to the previous use of the site as a poultry farm, and an existing agricultural workers dwelling. A portacabin housing temporary offices is also currently positioned on the site, but does not form part of this application. The site is located within the Green Belt as identified in the MBLP

#### **RELEVANT HISTORY**

13/4098M - Full planning permission for the erection of extension to existing offices and glazed link together with additional ancillary car parking area, new orchard and site landscaping – Withdrawn 16.04.14

12/4424M – Replacement office – Approved 29.01.13

12/4264M – Removal of agricultural occupancy condition – Refused 21.12.12

12/1839M - External Alterations and Change of Use of Existing Mixed Agricultural, Business and Storage Buildings to Commercial Office and Storage Uses, Classes B1 and B8 – Approved 05.07.12

12/0972M - Demolition of existing farm shop and shed and erection of new building for office and storage, re-cladding of existing warehouse/office – Withdrawn 03.05.12

## **NATIONAL & LOCAL POLICY**

### **National Policy**

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs:

- 14. Presumption in favour of sustainable development.
- 18-21 Building a strong, competitive economy
- 28 Supporting a prosperous rural economy
- 56-68 Requiring good design
- 89. Green Belt

### **Development Plan**

The relevant Saved Policies of the Macclesfield Borough Local Plan are:

- BE1 (Design principles for new developments)
- NE11 (Protection and enhancement of nature conservation interests)
- GC1 (New buildings in the Green Belt)
- DC1 (Design quality for new buildings)
- DC3 (Protection of the amenities of nearby residential properties)
- DC6 (Safe and convenient access for vehicles, special needs groups and pedestrians)
- DC8 (Requirements to provide and maintain landscape schemes for new development)
- DC9 (Protection of trees of amenity value)

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

## **Other material planning considerations**

### **Cheshire East Local Plan Strategy – Submission Version (CELP)**

The following are considered relevant material considerations as indications of the emerging strategy:

- MP1 Presumption in favour of sustainable development
- PG6 Spatial Distribution of Development
- SD1 Sustainable Development in Cheshire East
- SD2 Sustainable Development Principles
- IN1 Infrastructure
- IN2 Developer contributions
- 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  
CO1 Sustainable Travel and Transport  
CO4 Travel plans and transport assessments

## **CONSULTATIONS**

**Highways** – No objections

**Flood Risk Manager** – No objections subject to condition relating to surface water drainage

**Environmental Health** - No objections

**United Utilities** - No objections

**Network Rail** – No objections

**Manchester Airport** – No objections subject to informative

**Alderley Edge Parish Council** – Recommend refusal on the following grounds:

- Site is a Farm, subject to Agricultural Use, and is within the Green Belt.
- Sufficient office space within the Village
- Only access is via an unmetalled, un-adopted, private road
- Volume of traffic which will be generated by this expansion will place an unacceptable burden on this road, which is in poor condition.
- Junction with London Road does not have the required visibility splays to allow safe ingress/egress

## **REPRESENTATIONS**

Neighbour notification letters were sent to all adjoining occupants, a site notice erected and a press advert was placed in the Wilmslow Express.

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

- Loss of agricultural housing stock
- Change of use will make surrounding fields less viable as agricultural land
- Will affect area detrimentally
- Land and farmhouse serves all five purposes of Green Belt
- Agricultural potential of house should be genuinely sought and fulfilled
- Further office development is over development
- Light pollution from floodlights spoils the area and affect properties until midnight
- Vehicles speed up to site – Further development will exacerbate this.
- Field to south of offices should have been landscaped, but is an eyesore.
- Field to west has been left unkempt
- Heavy vehicles occasionally use the property at unsocial hours

- Designated Office space is widely available within the village and surrounds which conforms to the Local Plan
- Despite previous warnings, there has never been enough parking for the offices
- Increased levels of activity will be detrimental to character of area and to amenities of neighbouring properties.

## APPRAISAL

The key issues are:

- Whether the proposal is acceptable in the Green Belt
- Impact upon nature conservation interests
- Impact upon character of the area
- Amenity of neighbouring property
- Highway safety

## ENVIRONMENTAL SUSTAINABILITY

### Green Belt

The reuse of the former agricultural buildings for office /commercial use and the use of the former shop building on the site, also for office use, have all previously been accepted. Whilst the commercial use of these buildings has been implemented, some of the external and internal alterations have not been carried out in accordance with the approved plans. Nonetheless, given that the commercial use has now been implemented, it is considered that the site is previously developed land insofar as it relates to the previous permissions.

It should be noted that the existing agricultural workers dwelling has not formed part of any previous commercial use application or permission.

### Extension and external alterations

An extension is proposed to link the two former agricultural buildings together, which amounts to approximately 34% of the combined floor area of the two buildings. Paragraph 89 of the Framework allows for the “*extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building*”. Policy GC12 of the local plan allows limited extensions to dwellings in the Green Belt and defines “*disproportionate*” as an increase of more than 30% of the original dwelling. Whilst GC12 is not wholly consistent with the Framework because it only refers to dwellings, not all buildings, it does provide a definition of disproportionate. Paragraph 89 of the Framework also allows for “*limited infilling or the partial or complete redevelopment of previously developed sites...which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.*” Due to the increase in built form over and above the existing there will inevitably be a greater impact upon openness than the existing development. However, given the limited scale of the extension and its positioning in an already enclosed space between the buildings and the railway embankment, this loss of openness would not be a significant loss and therefore this aspect of the proposal is not considered to be inappropriate in the Green Belt.

### New build “Pod”

This 30sqm display pod is limited in scale and is considered to amount to limited infilling of the previously developed site, which does not have a greater impact on the openness of the Green Belt and the purpose of including land in it than the existing development. As a result the “pod” is not considered to be an inappropriate form of development in the Green Belt.

#### Replacement building

As noted above the existing agricultural workers dwelling lies outside of the previously approved commercial site. Therefore it is considered that this aspect of the proposal should be assessed as a replacement building. Paragraph 89 of the Framework allows *“for the replacement of a building, providing the building is in the same use and not materially larger than the one it replaces.”*

	Footprint	Total floorspace	% floorspace increase over existing	Eaves height	Ridge height
Existing	117sqm	197sqm	n/a	2.4m	7m
Proposed	132sqm	218sqm	11%	5.4m	7m

The proposed new building has the same ridge height as the existing, but the eaves to the two-storey element are increasing by 3 metres. The two-storey element only covers less than two-thirds of the building, and the new building has an increase in floorspace of 11%. The proposal is therefore not considered to be materially larger than the existing building. However, the new commercial building is not in the same use as the existing agricultural workers dwelling it replaces. This aspect of the proposal is therefore inappropriate development in the Green Belt.

#### Car park

Engineering operations are not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt. The existing car park provision has been reconfigured during the application process to avoid encroachment into the field to the south of the buildings. This is a very open area and perhaps the most prominent part of the site, therefore avoiding car parking in this location is in the interests of the openness and visual amenity of the Green Belt. The car parking is now provided where it currently is, in addition to an area to the north of the site in what was an overflow parking area / external storage area. The revised parking layout is not considered to have any significant impact upon the openness of the Green Belt or the purposes of including land in it than the existing situation. This aspect of the proposal is therefore not inappropriate.

#### Very Special Circumstances

As noted above the replacement building is not in the same use as the existing and is therefore inappropriate development in the Green Belt, which is harmful by definition. Very special circumstances are therefore required to outweigh the harm to the Green Belt by reason of inappropriateness, and any other harm. This matter is considered below in the Planning Balance section of this report.

#### **Design / character**

The agricultural workers dwelling is of little architectural merit. The design of the replacement building is to be similar to the existing converted agricultural buildings currently in use as

offices. As such the design of the building is not out of keeping with its surroundings. The flat roof / terrace element does dilute the utilitarian appearance of the building to some extent, but given its limited prominence, and its scale and positioning in the context of the site as a whole, this is not unduly harmful. The display pod has a similar appearance built for function not form, and has limited impact upon the character of the area.

The site is set back from Wilmslow Road by over 100 metres, and the built form from Horseshoe Lane by over 70 metres. The predominant views of the site would be from Horseshoe Lane, which is a quiet cobbled lane. However, at these distances the buildings and car parking are viewed collectively, and are not significantly detrimental to the character of the area. Additional landscaping will further soften the impact of the development. The proposal is therefore considered to comply with policies BE1 and DC1 of the local plan.

### **Trees**

The acceptability of formalising the car park arrangement along the northern boundary of the site within the Root Protection Area of the offsite protected Oak trees has been confirmed as part of previous applications. The ground associated with the proposed car parking area has been historically compacted as part of the site's historical usage. This does not appear to have compromised the Oaks which have adapted to their circumstances. No significant tree issues are therefore raised and the proposal is considered to comply with policy DC9 of the Local Plan.

### **Ecology**

Recent ecological surveys have been carried out across the site, and the findings have been submitted to the Council. Comments are awaited from the nature conservation officer, and further details will be provided in a written update.

### **Residential Amenity**

Local Plan policy DC3 seeks 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 main concern on previous applications in terms of residential amenity was upon the existing farmhouse. However, this is now included within the application site, and therefore the only impact will be upon nearby properties on Horseshoe Lane. The impact upon the property to the west at Mayfield is acceptable due to the scale of the development, the distance to this neighbour and intervening vegetation. The neighbours to the east are on the opposite side of the railway line and are largely unaffected by the proposals. In terms of the properties on Horseshoe Lane, as with the previous approval, there will be comings and goings that may impact upon these properties, although given the scale of the current proposals this is not considered to be a significant impact. The proposal is therefore considered to comply with policy DC3 of the Local Plan.

### **Highways**

The submitted transport information uses the TRICS database to determine the likely levels of traffic the development would attract. Compared to the previous approval, the information shows that the proposed development is likely to add 6 vehicle movements in the busiest

hour of the day. This would have little impact upon the overall vehicle movements from and from the site or the safety of the access onto Horseshoe Lane and then Wilmslow Road.

The development would provide office floorspace of approximately 1080 square metres. The Council's parking standards in the submission version of the local plan require 1 space for every 30sqm of office space. In this case, this would equate to 36 parking spaces. The proposed layout plan shows the provision of 58 parking spaces, which is well beyond the minimum requirement.

The Head of Strategic Infrastructure raises no objections to the proposed development.

It should also be noted that the accessibility of the site has already been accepted for the office use. The site is approximately 500m from the railway station in Alderley Edge and 300m from a bus stop. Service 130 operates along Wilmslow Road and connects the site to Macclesfield, Wilmslow, Handforth, Cheadle and Manchester city centre.

### **Flood Risk**

A flood risk assessment has been submitted and the Flood Risk Manager raises no objections to the proposals but recommends a condition requiring details for the disposal of surface water to be submitted.

### **SOCIAL SUSTAINABILITY**

Other than the provision of employment opportunities for local people, the social benefits of the proposal will be limited.

### **ECONOMIC SUSTAINABILITY**

As noted above the proposal will present employment opportunities for local people, as well as well as bringing direct and indirect economic benefits to Alderley Edge village centre including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

### **PLANNING BALANCE**

The proposed scheme provides an acceptable design and the development is appropriate to the character of the area, and additional landscaping can be provided. It is also considered that the development would not have a detrimental impact upon neighbouring amenity, highway safety, flood risk or trees.

However, the proposal is an inappropriate form of development in the Green Belt by virtue of the replacement building comprising office space, meeting rooms and cafeteria not being in the same use as the existing agricultural workers dwelling. No other harm is identified.

The dwelling is not currently used to accommodate agricultural workers, and would appear to have little prospect of being so. The site and surrounding land is owned by the applicant, with the nearest farmland being on the opposite side of Wilmslow Road. The dwelling is effectively severed from any agricultural land, which is not ideal for functional requirements of



agricultural holdings. There is also no known demand for agricultural workers in Alderley Edge. The loss of the dwelling cannot therefore be afforded any significant weight.

In this case very special circumstances are considered to exist to outweigh the identified harm to the Green Belt, notably through the economic benefits this expanding local business provides. The business develops, markets and manages their own student and residential property in multiple locations in the UK and overseas. Horseshoe Farm is the headquarters of the business, with 80 staff currently based there. A further 20 are expected to be employed within the next year. The applicant, Select Property Group, is therefore a significant employer in Alderley Edge. The expansion of the business supports not just the local employment (with additional new spending power available to the nearby Wilmslow Key Service Centre and Alderley Edge Local Service Centre) but also spin-off employment opportunities in local supplier companies for interior design, catering, office supplies and property maintenance.

In addition to these economic benefits, the development would provide accommodation for an existing thriving local business on a site that they have established for their own business purposes; the site is very accessible and is within walking distance of Alderley Edge village centre; there is no other harm identified to other matters of public interest, and; the overall quantum of development is similar to that which could be provided in converting the existing farmhouse to office accommodation as a fallback position.

Therefore, whilst substantial weight should be afforded to the harm arising from inappropriate development in the Green Belt, and whilst the matters noted above do not individually amount to very special circumstances, when taken together they are collectively considered to outweigh the harm to the Green Belt by reason of inappropriateness.

The application is therefore recommended for approval, subject to the receipt of outstanding comments from the nature conservation officer.

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*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.*

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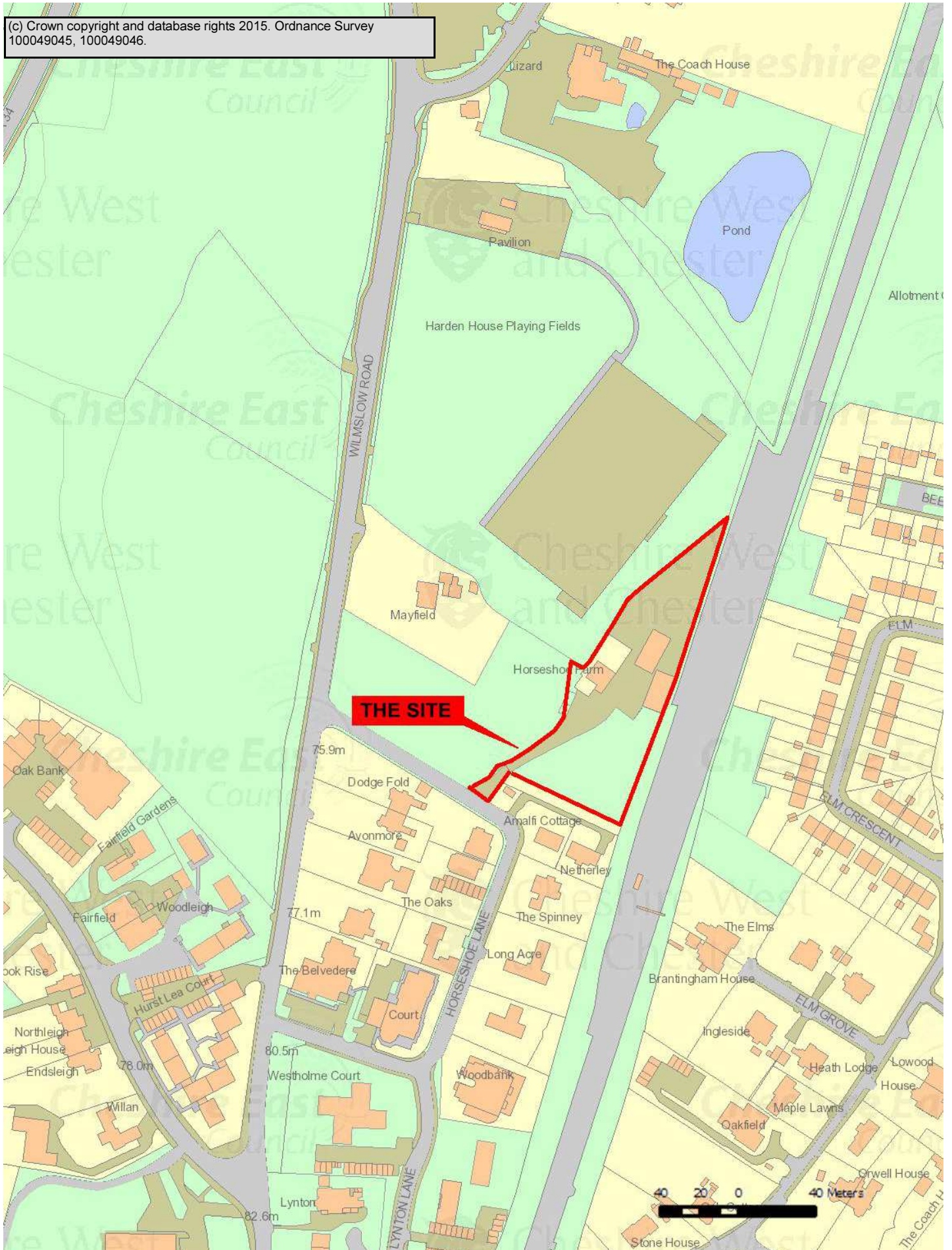
Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

- |          |   |
|----------|---|
| 1. A03FP | - Commencement of development (3 years)     |
| 2. A01AP | - Development in accord with approved plans |
| 3. A05EX | - Details of materials to be submitted      |

4. A01LS - Landscaping - submission of details
5. A04LS - Landscaping (implementation)
6. A01GR - Removal of permitted development rights
7. A14GR - Business hours (excluding Sundays)
8. A12GR - No external storage
9. No additional car parking
10. Surface water drainage details to be submitted.

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Application No: 15/0646M

Location: FERMAIN YOUTH CLUB, BESWICK STREET, MACCLESFIELD, MACCLESFIELD, CHESHIRE, SK11 8JF

Proposal: Change of use from existing Fermain Centre (sui generis) to a new Free School (Use Class D1)

Applicant: East Cheshire Youth Achievement Free School

Expiry Date: 16-Apr-2015

**REASON FOR REPORT:**

This application was called into committee by Cllr Jackson, the local Ward Member due to concerns regarding the impact of the proposal on amenity and highways and parking issues.

**SUMMARY**

The proposal would not have a detrimental impact in planning terms. It has been demonstrated that the proposal is acceptable in terms of its impact in comparison to the existing use, residential amenity and highway safety.

**RECOMMENDATION: Approve subject to conditions.**

**PROPOSAL:**

This is a change of use application to use the existing building on site as a free school for The Fermain Academy, one of the Central Government planned Free Schools to provide alternative education provision for Cheshire East Council as well as for schools primarily across the Cheshire East Local Authority area. The existing Fermain Centre currently provides a range of uses including alternative education provision through the Macclesfield Youth Achievement Foundation (MYAF), youth club and community hire of facilities. The proposed Free School, to be known as The Fermain Academy, would provide alternative education provision of up to 25 hours per week taking referrals from existing schools in the Cheshire East area. The proposed Free School would have a maximum capacity of 40 pupils, ranging from 13 to 16 years old, and 14 members of staff. The opening hours for the school would be from 9am until 3pm, although staff would be contracted from 8am until 5pm, and on site during these hours

**SITE DESCRIPTION:**

The application site comprises 0.304 ha (0.75 acres) of land located west of Macclesfield Town Centre. The application site includes the Fermain Centre and associated car parking with a playing pitch located to the south of the application site. Vehicular and pedestrian access to the site is provided from Beswick Street with 50 marked car parking spaces on site that are designated between the main entrance (to the east) and to the rear of the building (towards Oxford Road frontage). The site is bounded by Oxford Road to the west, houses to

the north and east, and the playing pitch to the south. Existing protected trees form a boundary around the site.

**RELEVANT HISTORY:**

None relevant to this application

**NATIONAL & LOCAL POLICY**

**National Policy:**

The National Planning Policy Framework establishes a presumption in favour of sustainable development and healthy communities.

Of particular relevance are paragraphs 14, 70 and 72.

**Development Plan:**

The Development Plan for this area is the Macclesfield Local Plan

The relevant Saved Policies are as follows:-

RT1 Protection of Open Spaces

DC3: Amenity

DC6: Circulation and Access

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

**Cheshire East Local Plan Strategy – Submission Version (CELP)**

As the examination of this plan has now been suspended, its policies carry limited weight. The following are considered relevant material considerations as indications of the emerging strategy:

MP1 Sustainable Development

SE1 Design

**CONSULTATIONS:**

Highways: No objections

**REPRESENTATIONS:**

11 letters have been received objecting on the following grounds:

- Anti- social activity related to existing use and this would increase
- Noise and activity
- Problems of traffic, parking and access and poor road surfacing

The full content of the representations made are available to view on the Councils website.

**APPRAISAL:**

The key issues are:

Environmental Sustainability – The application raises no specific issues in respect of landscape, flooding and diversity.

Social Sustainability – The application would further utilise an existing facility in an efficient manner and would fulfil NPPF objectives set out in paragraphs 70 and 72.

Economic Sustainability – The application raises no specific issues in respect of economic sustainability

**Principle of Use**

The NPPF places significant weight on education provision, given the importance of ensuring there is sufficient choice of school places available to meet local needs. It states that Local Planning Authorities should give great weight to the need to create, expand or alter schools. The NPPF also states that LPAs should positively plan for community uses, including the use of shared space to deliver community provision. The proposal meets these objectives of national policy.

Policy RT1 of the Local Plan is pertinent but not compromised as the change of use of the Fermain Centre is for internal refurbishment works only and no external alterations are

proposed. Thus, there would be no impact on the Open Space. The playing pitch field is to be retained and does not form part of this application (i.e. is not included in the site edged red).

#### **Amenity**

Local Plan Policy DC3 requires that development proposals should not have a detrimental impact on residential amenity. The change of use to a D1 use is a seamless transition and it is not envisaged the intensity of use in daytime hours on the site would have an overly detrimental impact. There are no proposed external changes to the existing building and there would be no changes to the current car parking layout on site. Existing boundary treatment, including protected trees would be retained.

Whilst the comments made in objection regarding the impact of the existing use are noted, as stated, these relate to the existing use of the site. Should permission be granted for the free school, the site would be used in connection with the free school during the day with other community uses continuing in the evening. It is considered that the type of uses proposed are acceptable within a residential area without giving rise to significant adverse impacts on the amenity of nearby residents. Should any instances of anti social behaviour arise, this would be a matter for the management of the school and ultimately for other legislation should the behaviour continue and be of a serious nature. Concerns about future anti social behaviour is not a valid planning reason to refuse the application. Similarly it is not considered that concerns regarding noise and disturbance warrant refusal of the application for the reasons outlined above.

#### **Highways**

There would be a pupil capacity of 40 pupils once the school is fully operational, scheduled for September 2015. It has been demonstrated within the submitted Transport Statement that existing car parking arrangements would be able to accommodate the projected increase in pupils and staff. The increase in the number of trips to the site is anticipated to be negligible and the Strategic Highways Manager has no objections.

#### **Other Material Considerations**

Response to Objections: The objections overwhelmingly relate to anti-social activity alleged due to the existing use and concern this would become more intense. This is not an issue that is directly material to the consideration to this proposal. Other concerns in respect of traffic are noted but the SHM has no objections.

#### **Planning Balance**

Therefore, in the absence of any other material planning considerations and having due regard to all the matters raised, the proposal is considered to be acceptable and accordingly recommended for approval.

#### **RECOMMENDATION: Approve subject to the following conditions**

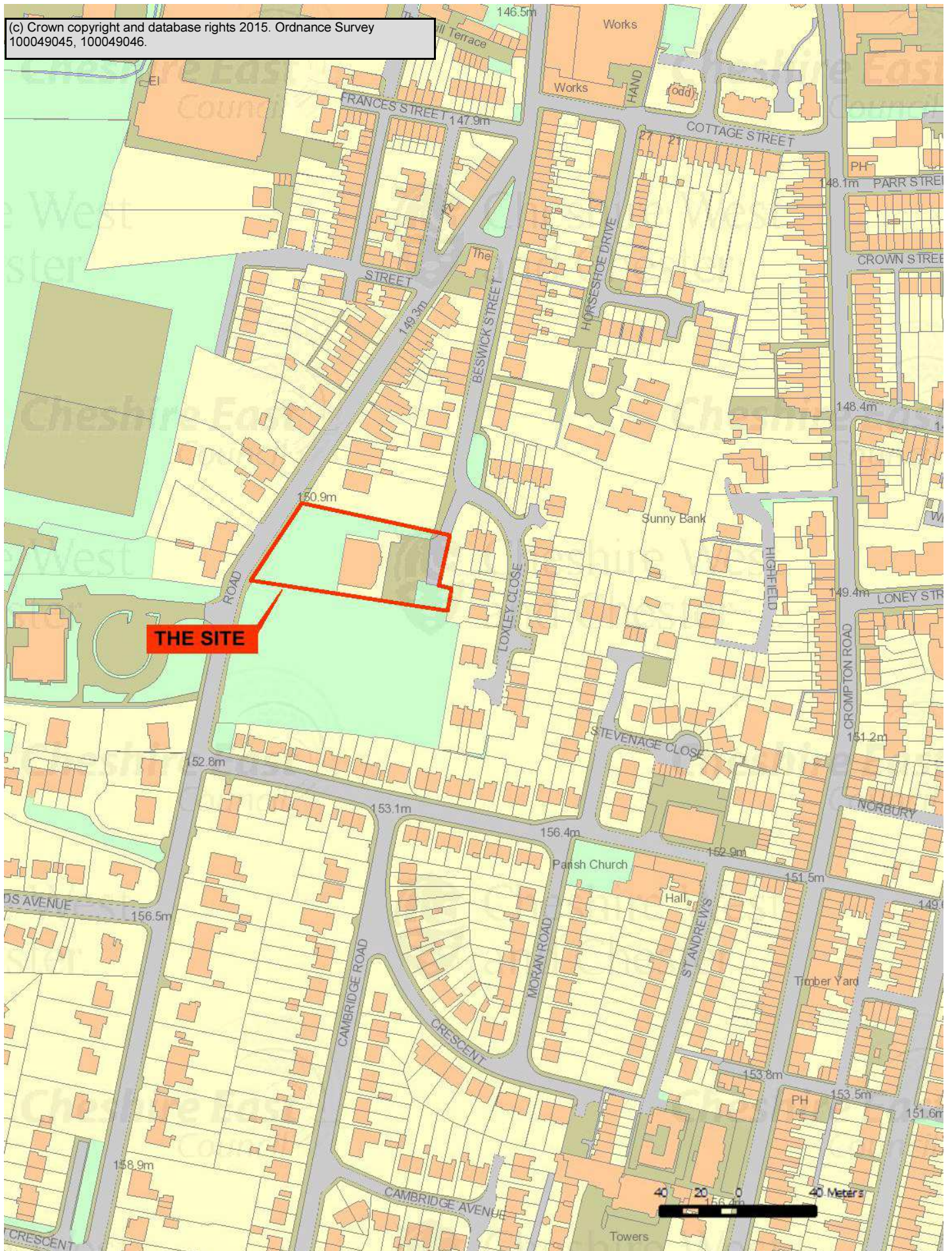
In order to give proper effect to the Board's/Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning & Enforcement Manager, in consultation with the Chair (or in her absence the Vice Chair) of Northern Planning Committee, to correct any technical 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. NPPF



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Application No: 15/1581M

Location: CYPRESS HOUSE, SOUTH ACRE DRIVE, HANDFORTH, CHESHIRE, SK9 3HN

Proposal: Demolition of redundant Nursing Home known as "Cypress House" and erection of 13No. 2 bedroom houses and associated highway and landscaping works

Applicant: Nick Gornall, Equity Housing Group

Expiry Date: 09-Jul-2015

**Date Report Prepared: 03 June 2015**

#### **SUMMARY**

- 1) The Council cannot demonstrate a 5 year supply of housing land;
- 2) The proposed is considered to be a sustainable form of development, therefore the application should be approved unless either:-
  - a) the adverse impacts significantly and demonstrably outweigh the benefits of the proposal or
  - b) there are other specific policies within the NPPF that indicate development should be restricted;
- 3) The key benefit of the proposal is the provision of 13 No. affordable dwellings, which would contribute to the housing needs of the area/borough;
- 4) The principle of residential development is acceptable;
- 5) The design of the proposed development is considered to be in keeping with the area and to have an acceptable relationship with the street-scene(s);
- 6) The proposed development would not significantly impact on the amenities of neighbouring residential properties;
- 7) The proposed development does not raise any highways safety issues;
- 8) The proposed development does not raise any significant arboricultural, landscape or ecological issues;
- 9) The proposed development does not raise any significant environmental concerns;
- 10) No objections have been received from any consultees;
- 11) Therefore, the proposed development is considered to be a sustainable form of development and it is considered that a) there are no adverse impacts that significantly and demonstrably outweigh the benefits of the proposal and b) there are no specific policies within the NPPF that indicate that development should be restricted.

#### **NOTES**

- i) The Flood Risk Manager has requested additional information. Members will be provided with an up-date accordingly.

**MAIN ISSUES:**

- Principle of development
- Housing land supply
- Design/impact on the character and appearance of the area and relationship with the street-scene
- Impact on the amenity of neighbouring properties
- Highways safety
- Forestry, landscape & ecological issues
- Other matters (Inc. planning obligations)

**REASON FOR REPORT**

The application is to be determined by the Northern Planning Committee as the proposal falls within the category of “small scale major development”.

**DESCRIPTION OF SITE AND CONTEXT**

The site to which the application relates is located off Wilmslow Road, Handforth; the site currently comprises a two-storey, redundant care home, associated car parking and landscaped areas. The site is located within a Predominantly Residential Area, as defined in the Local Plan. There are some existing trees, mainly along the western boundary of the site. There is a public house and hotel to the south of the site (with associated car parking area), a three-storey apartment block and single-storey community hall to the east of the site and two-storey residential properties to the north and west of the site (mainly terraced and semi-detached).

**DESCRIPTION OF PROPOSAL**

The proposed seeks full planning permission for ‘demolition of a redundant Nursing Home known as “Cypress House” and the erection of 13 No. 2 bedroom houses and associated existing highways and landscaping works’. Details of the proposal are provided below.

**RELEVANT PLANNING HISTORY**

None

**NATIONAL & LOCAL POLICY**

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.

**NATIONAL POLICY/GUIDANCE**

**National Planning Policy Framework**

The National Planning Policy Framework came into effect on 27 March 2012, and replaced 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.

Para 14 of the NPPF states that

*At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development...*

*For decision-taking this means...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 the Framework taken as a whole; or*
- specific policies in the Framework indicate development should be restricted.*

Para 49 of the NPPF states

*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.*

Hence, key questions that need to be considered in appraising the proposed development are: a) Is the proposed development a sustainable form of development? If so, b) Does the Council have a five year housing land supply? c) If not, i) are there adverse impacts that would outweigh the benefits of the proposed development or ii) are there other policies in the Framework which indicate that development should be restricted?

## **National Planning Practice Guidance**

### **LOCAL POLICY/GUIDANCE**

As noted above, Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise (para 2, NPPF)

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

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

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 saved Local Plan policies considered to be most relevant are outlined below; they are considered to be consistent with the NPPF and therefore should be given full weight:-

BE1 (Design principles for new developments)  
DC1 (High quality design for new build)  
DC3 (Protection of the amenities of nearby residential properties)  
DC5 (Design & layout – natural surveillance)  
DC6 (Safe and convenient access for vehicles, special needs groups and pedestrians)  
DC8 & DC37 (Landscaping)  
DC9 (Tree protection)  
DC36 (Road layouts and circulation)  
DC38 (Guidelines for space, light and privacy for housing development)  
DC40 (Children's play provision and amenity space)  
DC41 (Infill housing development or redevelopment)  
H2 (Environmental quality in housing developments)  
H5 (Windfall housing sites)  
H8 & H9 (Affordable Housing)  
H13 (Protecting residential areas)  
NE11 (Protection and enhancement of nature conservation interests)

Policies BE1, H2, H13, DC1 and DC5 seek to ensure a high standard of design and safe, quality of living environment and to ensure that new development is compatible with the character of the immediate locality of the site. Policies H13, DC3, DC38 and DC41 seek to protect the residential amenities of adjoining properties and ensure adequate space, light and privacy between buildings. Policies DC6 and DC36 seek to ensure appropriate access for vehicles and pedestrians, appropriate levels of parking, suitable turning areas and a suitable road layout and circulation. Policies DC8 and DC37 seek appropriate landscaping for new development and policy DC9 seeks to ensure the long-term welfare of trees of amenity value. Policy NE11 seeks to protect and enhance nature conservation. Policies H5, H8 and H9 relate to the suitability of windfall housing sites and the provision of affordable housing. DC40 requires the provision of suitable play areas and outdoor amenity space.

## **Cheshire East Local Plan Strategy – Submission Version**

### **Supplementary Planning Guidance on s106 (Planning) Agreements**

#### **CONSULTATIONS**

##### **Environmental Protection:**

No objections, subject to conditions & informatives related to: hours of noise generative activities during demolition & construction; pile driving; dust control; noise mitigation; contaminated land and Electric Vehicle Charging Points.

##### **Strategic Infrastructure Manager (Highways):**

No objections.

**Heritage & Design – Nature Conservation:**

No objections, subject to conditions.

**Heritage & Design – Landscape:**

No objections submitted. Conditions could be attached to any approval requiring landscape details.

**Heritage & Design – Forestry:**

No objections, subject to conditions re tree retention, tree felling/pruning, tree protection and a demolition/construction method statement.

**Education:**

No objections subject to a planning obligation to provide for 2 No. additional Secondary School places required as a result of the proposal.

**Strategic Housing:**

No objections.

**Greenspace:**

No objections subject to a planning obligation to provide for Open Space. (As the proposal is for 100% affordable housing the requirement for contributions towards Recreation and Outdoor Sport is waived).

**Flood Risk:**

The Flood Risk Manager has requested further information. Details will be provided within an up-date.

**United Utilities:**

No objections, subject to conditions re foul and surface water drainage and an informative re meter supply.

**VIEWS OF THE PARISH / TOWN COUNCIL**

**Handforth Parish Council:**

Support the application subject to foul & surface water drainage being appropriate to avoid flooding. The PC noted that the property on Plot 13 may overlook properties on Hunters Gate; and it is also recommended that the door and window frames should be white to match other properties in the area.

**OTHER REPRESENTATIONS**

Representations have been received from 4 No. authors. A summary of the issues/objections raised is provided below:-

- Object to all the units being 2 bedroom, due to problems re 'bedroom tax' and claimants of state benefits. Suggest that 2 No. of the units should be 1 bedroom units
- Impact on amenity of residents of the neighbouring apartment block, Hunters Gate (which is located at a lower ground level), re loss of sunlight to some apartments on ground and first floors and overbearing
- Loss of outlook (to number 46 Wilmslow Road), especially due to position of plots 1-5; development has occurred all around the property over the years and this proposal exacerbates the situation
- Loss of privacy (46 Wilmslow Road) due to position of kitchens at the front of properties
- Health problems living close to a telephone mast
- Potential flooding & drainage issues
- Displacement of car parking as parking on site is currently used by eg. local community centre users (Honford Hall)
- Insufficient parking provision for the quantity of units proposed (and the nature of the surrounding area)
- Sale of the site appears to have been done clandestinely by stealth
- Design of the dwellings is not in keeping with the character of the area and oldest part of the village
- All landscaping appears to be at the back of the properties
- No need for any more 'social housing' in the area

## **APPLICANT'S SUPPORTING INFORMATION**

The applicant submitted the following additional information with the application, details of which can be read on file:

*Design & Access Statement*

*Ecological Appraisal*

*Preliminary Risk Assessment*

*Flood Risk Assessment and Drainage Strategy*

*Tree Survey & Constraints Report*

*Environmental Noise & Vibration Study*

*Transport Statement*

During the course of the application revised plans have been submitted; the amendments primarily consist of a) increasing the parking provision from 150% to 200%, b) re-orienting the footprint of plots 4 & 5 and 6, 7 & 8 (to accommodate the additional parking), c) changing the internal layout of some properties so that no kitchens are located at the front and d) amending the boundary treatment to the west of plot 13 to minimise impact on adjacent apartment block. Also, a response to some of the concerns/objections submitted has been submitted along with 'Shading Studies' to demonstrate that the proposal has no greater impact on the neighbouring apartment block than the shadows cast by existing trees & buildings.



## **OFFICER APPRAISAL**

### **Principle of Development**

The principle of the proposed is acceptable, subject to adhering to relevant Development Plan policies and other material considerations.

### **Housing land supply**

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

The calculation of Five Year Housing supply has two components 1) the housing requirement and 2) 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.

Following the suspension of the Examination into the Local Plan Strategy and the Inspector's interim views that the previous objectively assessed need (OAN) was 'too low' further evidential work has now taken place and a fresh calculation made.

Taking account of the suggested rate of economic growth and following the methodology of the NPPG, the new calculation suggests that need for housing stands at 36,000 homes over the period 2010 – 2030. Although yet to be fully examined this equates to some 1800 dwellings per year.

The 5 year supply target would amount to 9,000 dwellings without the addition of any buffer or allowance for backlog. The scale of the shortfall at this level will reinforce the suggestion that the Council should employ a buffer of 20% in its calculations – to take account of 'persistent under delivery' of housing plus an allowance for the backlog.

While the definitive methodology for buffers and backlog will be resolved via the development plan process this would amount to an identified deliverable supply of around 11,300 dwellings.

This total exceeds the total deliverable supply that the Council is currently able to identify – and accordingly it remains unable to demonstrate a 5 year supply of housing land.

### **Housing proposal**

The proposal comprises of 13 No. 2 bedroom houses to be made available for affordable rent. The applicant is a Registered Provider of Social Housing who has been successful in securing HCA (Homes and Communities Agency) grant funding for the scheme. Strategic Housing supported the applicant's bid to the HCA.

The scheme meets identified housing need. Whilst the SHMA (Strategic Housing Market Assessment) identified an over-supply of 2 bedroom accommodation, Cheshire Homechoice shows there is demand for this unit type in the area.

## **Policy**

The relevant policies are listed above and relate to the issues identified.

## **Design/impact on the character and appearance of the area and relationship with the street-scene**

As noted above, the proposal is for 13 No. 2 bedroom houses with associated parking and landscaping. The site layout indicates that there will be 3 No. small terraces consisting of 3 No. properties each and 2 No. blocks of semi-detached properties. The dwellings are all two-storey, with dual-pitched roofs, to be constructed of red brick walls (with a grey brick for feature band and panels), dark grey concrete tiled roofs and dark grey upvc windows. Gardens are provided to the rear of the properties with space for bin storage and 2 No. car parking spaces are provided for each dwelling. A combination of dwarf brick walls, railings and timber fences with trellises are provided to the site and plot boundaries. Many of the existing trees around the site perimeter are to be retained and additional planting/landscaping is proposed, particularly planting along the eastern boundary to provide screening/privacy from the apartment block and community centre. The site is close to Handforth railway station, bus stops on Wilmslow Road and the local services and facilities within Handforth centre.

It is noted that objections have been received regarding design. It is also noted that revised plans have been submitted which partially, at least, address some of the concerns raised (eg. kitchens have been removed from the front of properties, layout has been altered to include additional parking, which will also improve outlook from the neighbouring property number 46 Wilmslow Rd). The objections are noted and it is acknowledged that a few of the neighbouring houses were part of the 'old village'. However, the mix of properties now in the area (the existing two-storey Nursing Home, three-storey apartment block, two-storey terraced, semi-detached and detached dwellings and single-storey community centre) and the variety of designs and range of materials used (a variety of red bricks, rendered walls, slate and tiled roofs, wooden, upvc and alloy windows – a number of which are dark grey and brown) is such that the design and materials of the proposed dwellings are considered to be in keeping with the area and certainly not harmful to the area or street-scene(s).

Overall, it is considered that the design is acceptable and that the proposed has an acceptable impact on the character and appearance of the area and an acceptable relationship with the street-scene(s). The proposed accords with relevant policies that relate to design/impact on the area, i.e. BE1, DC1, DC3, DC35, DC41, H2, H5, H8 & H9 and H13.

## **Impact on neighbour amenity**

Some representations have been received expressing concern over impact on residential amenity. Key policies of relevance are H13, DC3, DC38 and DC41, which include elements to protect the residential amenities of the occupiers of neighbouring properties.

Policy DC38 provides guidance on distances that should normally be achieved between buildings in respect of space, light and privacy. In virtually all instances, the distances from the front, rear and side of the proposed dwellings to surrounding neighbouring properties meet the guidance standards outlined in policy DC38 (there are a couple of instances where the distance falls approx. 0.5m short of the desired standards, but the relationships between the buildings in such instances is such that there is no significant impact on amenity as a result). The additional shadow studies submitted by the applicant during the course of the application indicate that shadowing would not be significantly different to the existing situation. Also, revised plans have been submitted amending the type and position of boundary treatment along the eastern boundary between plot 13 and the existing apartment block. The amenity of the future incumbents of the dwellings has also been considered. Some concerns were raised regarding the distance of the garden of plot 13 and potential over-looking from the apartment block. However, given a) the revised location of boundary treatment, b) proposed additional planting and c) the overall benefit of the provision of affordable housing, it is considered, on balance, that future incumbents of the dwellings will enjoy a satisfactory level of amenity.

Bearing all the above points in mind, it is considered that the proposed development has a limited and acceptable degree of impact on the amenities of the occupants of neighbouring properties as well as providing an acceptable level of amenity for the future incumbents of the proposed dwellings. As such, it is considered that the proposed accords with policies H2, H13, DC3, DC38 and DC41 in respect of residential amenity.

### **Forestry/landscaping/ecological issues**

The Arboricultural Officer notes that most of the trees are located outside of the application site, technically within the car park of the neighbouring public house/hotel. Also, most of the proposed development is located within existing building footprint and hard-standing areas. The footprint of plot 11 could be altered to ideally improve social proximity. However, with suitable conditions, as proposed, this doesn't present an arboricultural reason for refusal.

Indicative landscaping has been provided along with details of boundary treatment. The broad landscaping plan is considered to be acceptable and details could be secured via a condition, should the application be approved. The proposed variety and positioning of boundary treatments (noted above) is considered to be acceptable.

The Nature Conservation Officer is satisfied that the proposed development does not raise any significant ecological issues. It is recommended that if planning consent is granted conditions should be attached to safeguard nesting birds and secure provision for nesting birds as part of the proposed development.

Bearing these factors in mind it is considered that the proposed does not create any significant forestry, landscaping or ecological issues and accords with policies DC8 & DC37, DC9, NE11 and H13.

### **Highway safety**

The Strategic Highways Manager (SHM) notes and considers that a) the access remains in the same location as the existing access and it is to be enlarged to provide a wider

carriageway; b) the road is a short cul-de-sac with a turning facility and there are no highway issues regarding the standard of the road proposed; c) the 13 units proposed will not have a traffic impact on the local road network and also the traffic generation by the previous use will be removed and d) concern was expressed by the SHM at the level of parking provision initially proposed being 150%, but given the location of the site close to public transport and local amenities no objection was raised. However, as noted above, the applicant has submitted amended plans to provide 200% parking to ensure that the level of parking provision related to the development complies with emerging Local Plan policy requirements.

Bearing the above points in mind it is considered that the proposed does not create any highways safety issues and accords with policies DC6, DC36 and DC41.

### **Other matters**

Additional information has been requested to assess the issues of flooding and drainage. Details will be provided in an up-date.

A representation has been received which raises a health concern due to the existence of a telecommunications mast sited close to the existing Cypress House car park, on Wilmslow Road. It is noted that the most recent planning application for up-grading the mast (14/2162M), determined in June 2014, included the relevant Health Certificate with the application and as such there are no concerns in relation to the mast and public health/safety.

### **Sustainability**

Providing no significant issues are raised re flooding and drainage, it is considered that the proposed is a form of sustainable development. The proposed has an acceptable impact on the environment, would provide some economic benefit in terms of construction and future residents contributing to the local economy and the proposed provides significant social benefit in the form of 100% affordable housing.

### **Heads of terms/s106 planning agreement**

In line with the Council's SPG on planning obligations, the proposed development triggers a requirement for contributions towards education and outdoor space, as outlined below. It is noted that the applicant intends submitting a viability assessment to either reduce or remove the requirement for such obligations. Details will be provided within an up-date.

### **Education**

A development of 13 dwellings would be expected to generate 2 primary and 2 secondary pupils. Current forecasts indicate that there are sufficient places available in the local primary schools; however there are insufficient places in the secondary school to accommodate the pupils. Consequently, a contribution of £32,685 is required to accommodate the secondary pupils generated by this proposal (i.e. 2 x places @ 17,959 x 0.91 = £32,685).

### **Outdoor Space & Recreation Outdoor Sports**

As no play areas/public outdoor space is being provided within the development a commuted sum for off-site provision is required. At £3,000 per 2 bed family home this totals £39,000. The requirement for recreation outdoor space is waived as the proposal is for 100% affordable housing. The sum is required prior to commencement of development. It will be used to make additions/improvements to Arthur Boon play area and the amenity open space on the corner of Dean Drive & Manchester Road. The sum will be spent over a 15 year period.

## **PLANNING BALANCE, CONCLUSIONS AND REASON(S) FOR THE RECOMMENDATION**

In summary, key issues are: 1) the Council cannot demonstrate a 5 year supply of housing land and the proposed is considered to be a sustainable form of development, therefore the application should be approved unless either a) the adverse impacts significantly and demonstrably outweigh the benefits of the proposal or b) there are other specific policies within the NPPF that indicate development should be restricted; 2) it is considered that the key benefit of the proposal is the provision of 13 No. affordable dwellings; it is also considered that there are no significant and demonstrable adverse impacts that outweigh the benefits of the proposal nor are there other policies in the NPPF that should prevent the development proceeding; 3) the design, size, scale, layout and materials of the proposed development are considered to be in keeping with the area and street-scene(s); 4) there is no significant impact on the amenities of neighbouring residential properties and the proposal provides an appropriate level of amenity for future incumbents; 5) the proposed development does not raise any highways safety/parking issues (the displacement of vehicles which currently park on the site is acknowledged, however, ultimately the land owner does not have to provide the land for such parking purposes); 6) the proposal raises no significant forestry, landscaping or ecological issues. Additional information has been requested relating to flooding and drainage and comments will be provided in an up-date. Additionally, the applicant has indicated that information is to be submitted regarding the viability of the proposed development. Details will also be provided in an up-date.

Bearing all the above points in mind, subject to outstanding consultations, additional information, conditions and informatives and the prior completion of a S106 legal agreement, it is considered that the proposed development accords with all relevant Development Plan policies and other material considerations and as such it is recommended the application be approved.

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.

Should this application be the subject of an appeal, authority be delegated to the Planning and Enforcement Manager in consultation with the Chairman of 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.

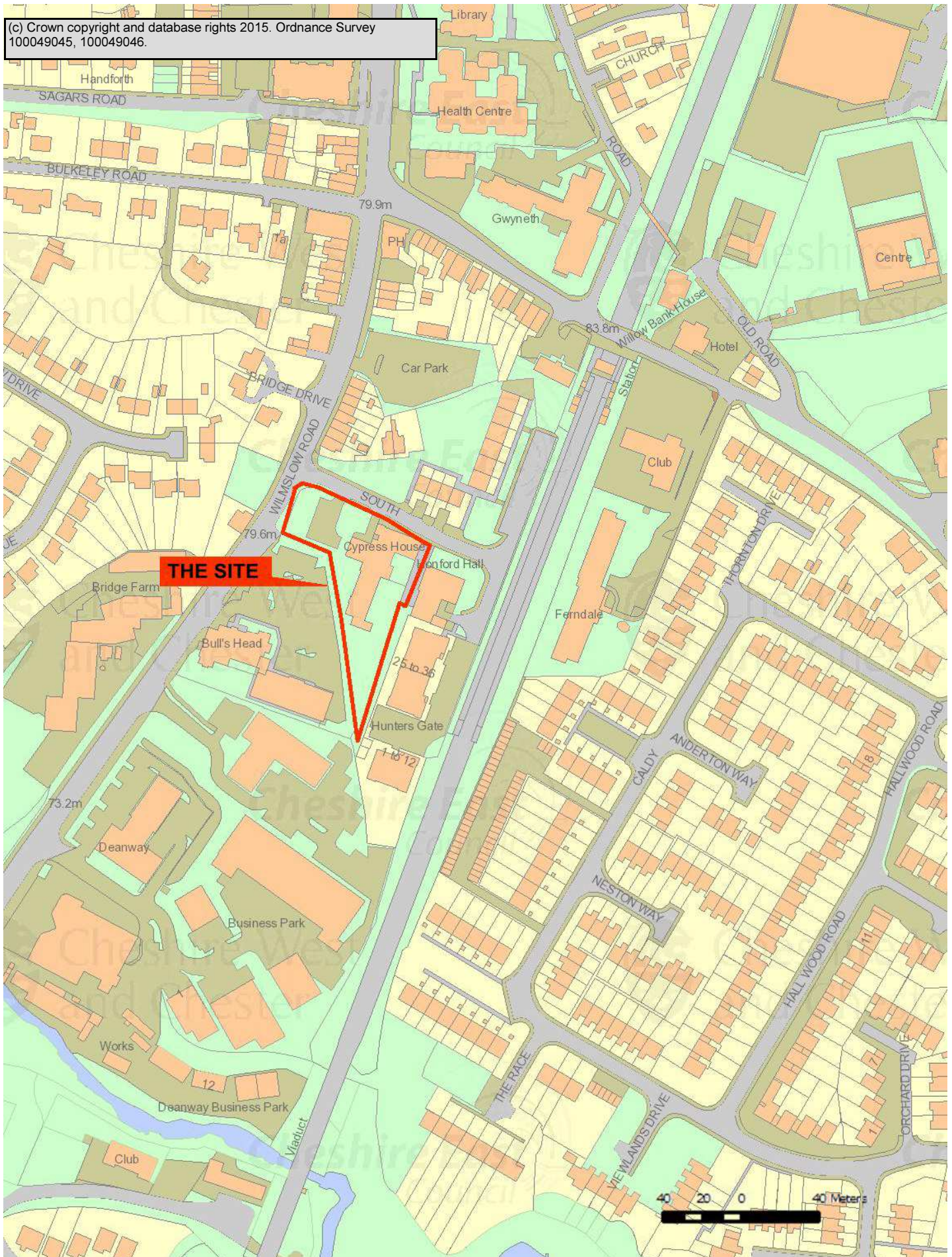
Application for Full Planning

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

1. A01AP - Development in accord with approved plans
2. A03FP - Commencement of development (3 years)
3. A02EX - Submission of samples of building materials
4. A01HP - Provision of car parking prior to occupation
5. A02HA - Construction of access prior to occupation
6. A01TR - Tree retention
7. A02TR - Tree protection details
8. A03TR - Construction specification/method statement
9. A04TR - Tree pruning / felling specification
10. A06TR - Levels survey providing for tree retention
11. A02LS - Submission of landscaping scheme
12. A04LS - Landscaping (implementation)
13. A06NC - Protection for breeding birds
14. A23MC - Details of ground & finished floor levels to be submitted
15. A07GR - No windows to be inserted on specified elevations
16. A26GR - Obscure glazing requirement (specified windows)
17. A23GR - Details of pile Driving
18. Boundary treatment details to be implemented
19. Details of features for birds
20. Details of dust control
21. Noise mitigation measures to be implemented prior to occupation
22. Electric vehicle charging points to be provided in all homes
23. Contaminated land - Phase II investigation
24. Details of foul drainage
25. Details of surface water drainage
26. Provision for broadband to be provided in all homes
27. Noise control
28. Contaminated land
29. LPA has adhered to NPPF



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Application No: 15/1128C

Location: 25, CHAPEL LANE, RODE HEATH, STOKE ON TRENT, CHESHIRE, ST7 3SD

Proposal: Proposed two storey rear extension.

Applicant: Gary & Morag Stanley

Expiry Date: 08-May-2015

**REASON FOR REPORT:**

This application has been called in to be determined by Northern Planning Committee by Cllr Bailey as representations have been made stating that the proposal is overbearing to neighbouring properties, is obtrusive and represents over development that is not in keeping with the historic cottage.

**SUMMARY:**

One letter of objection has been submitted and is summarised below. However, the extension is not considered to be incongruous within its setting nor detrimental with regard to amenity for any surrounding properties. The proposed development is of an acceptable design and is therefore in accordance to Local Plan Policies and the NPPF.

The application site is within the Rode Heath Settlement Zone Line and the scheme represents a sustainable form of development and the planning balance weighs in favour of supporting the development subject to conditions.

**SUMMARY RECOMMENDATION:**

**Approve with conditions**

**PROPOSAL:**

Planning permission is sought for a part two storey, part single storey rear extension.

The extension would be approximately 7.1 m (metres) to ridge in height and 4.4 m to eaves at its maximum. The proposed extension would replace the existing single storey lean to and would fit between the existing, neighbouring two storey rear appendages. The extension would have a projection of 4.2 m from the existing rear elevation of the host dwelling.

**SITE DESCRIPTION:**

The application site is a roughly rectangular shaped piece of land located to the west of Chapel Lane. The site comprises a terraced, two storey dwelling and associated curtilage. The surrounding area is residential in character.

The site falls within the Rode Heath Settlement Zone Line.

**RELEVANT HISTORY:**

None relevant.

**NATIONAL & LOCAL POLICY**

**National Policy:**

The National Planning Policy Framework (2012)

**Development Plan:**

The Development Plan for this area is the Congleton Borough Local Plan First Review. The relevant policies are listed below:

PS5 – Villages in the Open Countryside and Inset in the Green Belt

GR1 – New Development

GR2 – Design

GR6 – Amenity and Health

**Cheshire East Local Plan Strategy – Submission Version (CELP)**

The following are considered relevant material considerations as indications of the emerging strategy:

MP.1 – Presumption in Favour of Sustainable Development

SD.1 - Sustainable Development in Cheshire East

SD.2 - Sustainable Development Principles

SE.1 - Design

**CONSULTATIONS:**

**Highways:** No comments received at the time of report preparation.

**Environmental Health:** No comments received at the time of report preparation.

**TOWN/PARISH COUNCIL:**

**Odd Rode Parish Council:** No comments received at the time of report preparation.

**REPRESENTATIONS:**

One letter of objection was received from a neighbour and is summarised below:

- Issues of overlooking
- Loss of privacy
- Design is over dominant
- Not in keeping with the host dwelling

**APPRAISAL:**

**Principle of Development**

Policy PS.5 (Villages in the Open Countryside and Inset in the Green Belt) of the Congleton Borough Local Plan First Review 2005 states that “*within the settlement lines of villages,*

*development on land which is not otherwise allocated for a particular use will be permitted where it is appropriate to the local character in terms of use, intensity, scale and appearance and does not conflict with other policies of the Local Plan”.*

The proposal is for a two and single storey rear extension which is acceptable in principle providing that the design is appropriate and that the development does not give rise to any detrimental impact on the amenities of adjacent properties or the surrounding area.

### **Amenity**

One of the main issues relating to this application is the impact that the extension would have on the amenity of the neighbouring properties, no. 23 and no. 27, Chapel Lane. The extension has been designed so as to project 1.3 m further from the existing rear building line but no further than the existing building line of the two neighbouring dwellings. Due to the distances involved (approximately 23 metres to the nearest dwelling at the rear) it is not considered that the extension would have any significant negative impact on the amenity of the properties to the rear.

The relationship with no. 23 and no. 27 will remain largely unchanged from the existing building relationship, albeit the single storey rear projection will become two storey in part. The extension would effectively infill the existing rear building line with the neighbouring properties. Both no. 23 and no. 27 benefit from having a two storey rear extension and it is not considered that the proposed extension at no. 25 would have a substantial impact on the amenity of the neighbouring dwellings. The installation of the Juliet balcony is not considered to have any significant negative impact on the amenity of the neighbouring property.

When considering the proposed extensions in relation to any potential overshadowing of principal windows and any potential overbearing effect on the neighbouring properties, the proposed extension complies with the 45 degree guideline that is used as a benchmark to assess the implications of such developments.

The proposed velux roof lights on the rear single storey part of the extension are considered to be of an acceptable design and, due to the location, will have a minimal impact on the amenity of any of the surrounding properties.

It is not considered that there would be any significant impact on the residential amenities of any other property in the area. The development would therefore be in compliance with Policy GR6 (Amenity and Health) of the adopted local plan.

### **Design**

The proposed extension has been designed with a gable facing north west to match the neighbouring extensions. The design and materials of the proposed extension would match the existing dwelling and surrounding built form. The extension roof height has been stepped down from the existing ridge height and is subordinate to the existing dwelling. The proposed new openings are in keeping with the existing window details.

The proposed extension would sit comfortably behind the existing dwelling. The rear extension would not be visible from Chapel Lane and as such it is not considered that there would be any impact on the street scene.

The proposed velux style roof lights are considered to be acceptable in design terms.

Overall it is considered that the proposed development is acceptable in terms of its size, scale and bulk and its relationship with the surrounding dwellings. The proposal is therefore considered to be in compliance with Policies GR1 (New Development) and GR2 (Design) of the adopted Local Plan.

### **Access and Parking**

The proposed extension would not mean any increase in bedrooms therefore there will be no impact on access or parking.

The proposed development is in accordance with the Cheshire East Local Plan Submission Version parking standards and it is not considered that the extension will have a detrimental impact on highway safety.

### **Planning Balance**

Taking account of Paragraph 14 of the NPPF there is a presumption in favour of sustainable development that accords with the development plan.

The proposal is within the Rode Heath Settlement Zone Line, an established residential area and is in accordance with development plan policy. Therefore there is a presumption in favour of development. Accordingly the application is recommended for approval.

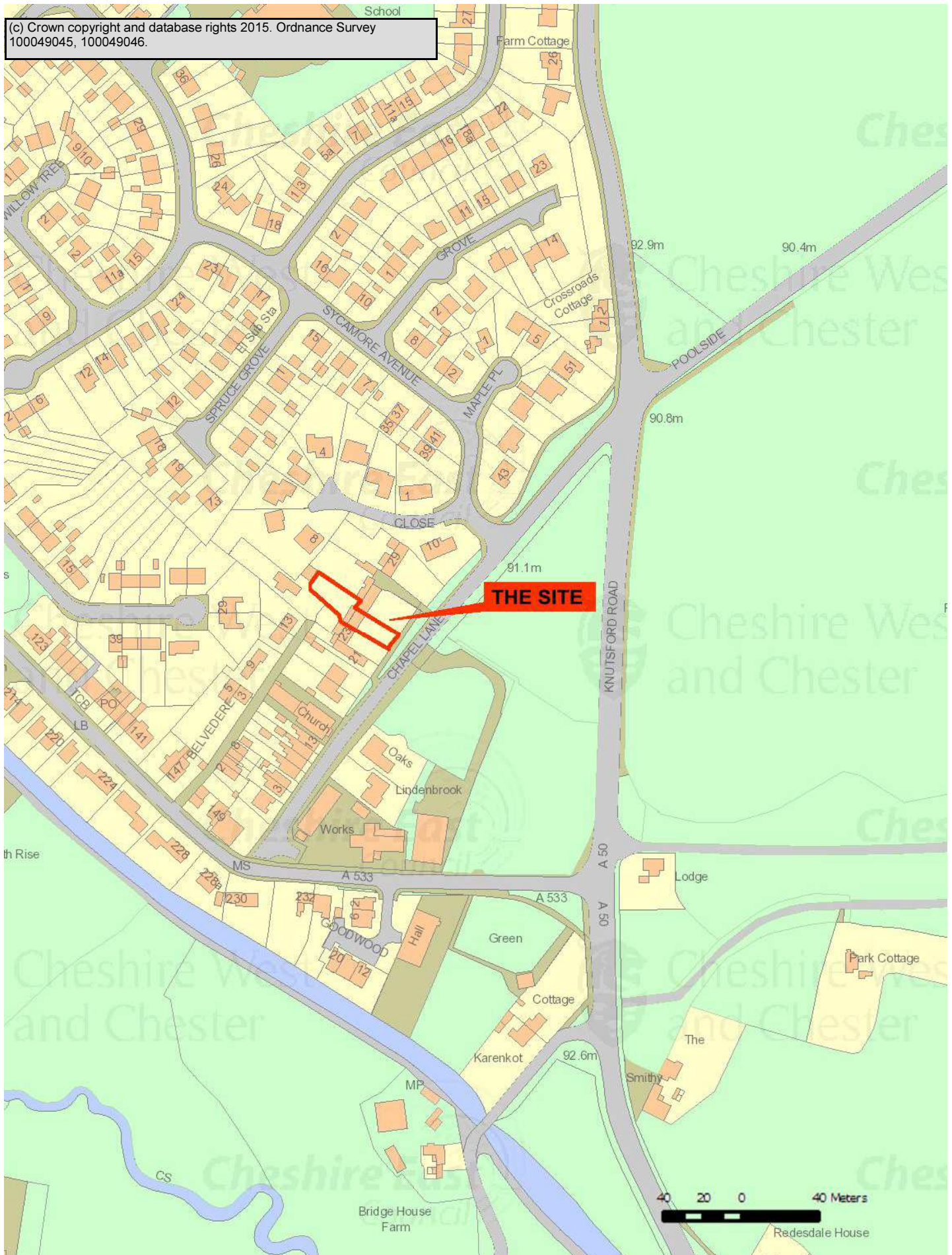
In order to give proper effect to the Board's/Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning & Enforcement Manager, in consultation with the Chair (or in her absence the Vice Chair) of Northern Planning Committee, to correct any technical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

Application for Householder

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 Informative

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Application No: 15/0334M

Location: TOWN HALL, MARKET PLACE, MACCLESFIELD, SK10 1EA

Proposal: Listed Building Consent for Alterations, Refurbishment, Repair Work and Extension to Butter Market and Former Borough Police Station parts of the Town Hall

Applicant: Mr Tom Fletcher, Cheshire East Council

Expiry Date: 24-Mar-2015

### **REASON FOR REPORT:**

This application is to be determined by the National Planning Casework Unit on behalf of the Secretary of State due to the application being a local authority application for listed building consent.

The Council is the applicant and land owner and whilst this proposal is a minor development, which accords with planning policy and to which no objection has been made (at the time of report preparation), it is considered necessary to refer this application to the Northern Planning Committee at the discretion of the Head of Strategic and Economic Planning.

### **CONCLUSION:**

The proposal would comply with policies which require the local planning authority to identify and assess the significance of any heritage asset which may be affected by a proposal and in this instance the proposed changes to the building would preserve the special architectural interest of the building and minimise conflicts with conservation aims.

The benefits of securing an economic use for the floorspace within the Town Halls Butter Market and Former Borough Police Station and the contribution it should make to ensuring the long-term conservation of the building as a whole; would preserve the special interest of the listed building and the character of the conservation area. The proposals would comply with national policy, and with Policies BE1, BE3, BE15, and BE18 of the Macclesfield Borough Local Plan, which respectively support alterations to listed buildings that would preserve their character, and represents appropriate development in conservation areas.

Any harm by virtue of the installation of an access ramp to the front of the building would be limited by the public benefit of the proposals in terms of the improved accessibility and very substantial benefit of bringing the listed building back into a fuller use for the senior citizens groups and community.

The scheme represents a sustainable form of development and the planning balance weighs in favour of supporting the development subject to conditions.

### **SUMMARY RECOMMENDATION:**

**Approve subject to conditions**



**PROPOSAL:**

This application seeks listed building consent for alterations, refurbishment, repair work and extension to the Butter Market and Former Borough Police Station parts of the Town Hall.

**SITE DESCRIPTION:**

The former Police Station and Butter market site is located in the town centre to the rear of and conjoined with the Town Hall. The site is in use as part of the Town Hall. The site is bounded to the north, east and west by adjacent buildings, with its main façade facing south. Pedestrian front access is via Churchside to the south and from the north east corner to the rear. All of the site is contained within the town centre conservation area. The former Police Station and Butter market buildings are Grade II\* listed. The existing buildings form a small enclosed external courtyard at the rear of the site. The main frontage faces St. Michaels and All Angels Church.

The accommodation has been used in recent years for storage purposes associated with the Town Hall. The wing to the rear of the Former Police Station is in a poor state of repair and has not been actively used for many years.

**RELEVANT HISTORY:**

11/2389M - Alterations, refurbishment and repair works including the following: alterations to the fabric to allow for an 8 person passenger lift to meet DDA legislation; removal of modern interventions and reinstatement of historic floor levels and ceiling levels; improvements to lighting and power; alterations to improve emergency egress including new fire routes; refurbishments and redecorations to historic interiors including changes to flooring materials; external repairs and reordering to windows, doors, roof fabric and stonework – Approved 05-Oct-2011

11/4016M - Platform Lift (Listed Building Consent) – Approved 16-Jan-2012

There have been a number of additional listed building consent/ planning applications submitted for alterations, which include an emergency escape, telecommunications antenna and new office buildings.

**NATIONAL & LOCAL POLICY**

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, imposes a statutory duty on the local authority to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Sections 16 and 66 of the same act, place a similar obligation to have some special regard to the desirability of preserving listed buildings, any features of special architectural interest they possess and their settings.

**National Policy:**

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs 14, 17, 126, 128, 129, 131, 132 and 141.

**Development Plan:**



The Development Plan for this area is the 2004 Macclesfield Local Plan, which allocates the whole site under policy MTC12 (a Mixed Use Area).

The relevant Saved Policies are: -

BE1 (Design Guidance)

BE2 (Preservation of Historic Fabric)

BE3 (Conservation Areas)

BE4 (Design Criteria in Conservation Areas)

BE15 (Listed Buildings)

BE17 (Preservation of Listed Buildings)

BE18 (Design Criteria for Listed Buildings)

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

### **Cheshire East Local Plan Strategy – Submission Version (CELP)**

As the examination of this plan has now been suspended, its policies carry limited weight. The following are considered relevant material considerations as indications of the emerging strategy:

- SE7: The Historic Environment.

### **Other Material Considerations**

National Planning Policy Guidance.

### **CONSULTATIONS:**

Historic England comment that they support the proposals in principle as providing a sustainable and appropriate use for this partly vacant and under-utilised listed building. While there may be harm to the historic and architectural character of the building Historic England believes these are outweighed by the public benefits.

No comments have been received from the Ancient Monuments Society, Council for British Archaeology, Georgian Group, Victorian Society, or the Society for the Protection of Ancient Buildings.

Macclesfield Civic Society notes the amended proposals and the views expressed by Historic England. The elevations of the Butter Market and Old Police Station, facing onto the Church Yard, appear to retain the prevailing civic character of the building and are well handled in the detailing. The courtyard elevations, which are not generally open to public view, also retain the character of the exterior. In considering the merits of the proposal and application 15/0335M no doubt the views of Historic England will be carefully appraised given the Grade II\* of this important Listed Building.

### **REPRESENTATIONS:**

None received at the time of report preparation.

### **APPLICANTS SUPPORTING INFORMATION:**

Design and Access Statement

Archaeological and Heritage Statement

Structure Survey

Justification for Alterations to a Listed Building

## Structural Method Statement

### **APPRAISAL:**

The Butter Market and Former Borough Police Station were selected as a replacement facility for the Senior Citizens Hall (on Duke Street car park) following a two stage Feasibility Study undertaken in 2012 and 2013.

This application is solely for the proposed alterations, refurbishment, repairs and extensions to the Butter Market and Former Police Station parts of the Town Hall and does not relate to any change of use. The new communities and arts facilities would be for use by the occupants of the existing senior citizens hall in Macclesfield and the general public. The various factors relating to the replacement facility such as car parking, management and detailed internal use are all to be developed following an ongoing consultation process with the community and end users of the building, which is being undertaken separately by the Council and the Hamilton Project.

The new facilities will include: -

- A central, ground floor café / social space accessed directly off the main entrance and connected to an external courtyard for use by the users and the public.
- Large multi-use hall space with dedicated storage, adjacent to the café. Its uses may include ballroom dancing, yoga, tai-chi, lectures, readings, fitness classes. It can also be served by the adjacent café / kitchens to serve as potential function space e. g. weddings.
- A variety of large and small group rooms at all levels with suitable IT facilities and storage for meetings, community groups and classes.
- A large Arts and Crafts space on the first floor with adjacent storage and wc facilities.
- Easily accessible stairs and lifts, WC's and ancillary spaces to support the main spaces.
- Small kitchens, servery and office to serve the central café.
- External courtyard.

It is the works to internal fabric of the building, as well as those to the frontage to facilitate access and the proposed conservatory and new extension to rear, which are considered the elements that require consideration under this application for Listed Building Consent. The total floor area of new accommodation measures 67m<sup>2</sup>.

The key issues are:

- a) The impact of the proposal on the Grade II\* Listed Town Hall.

### **Impact on the Grade II\* Listed Town Hall**

At the national level, key requirements of the NPPF are: -

- Para 126: local authorities should recognise heritage assets are an irreplaceable source and should conserve them in a manner appropriate to their significance.
- Para 128 requires applicants to describe the significance of any heritage assets affected by their proposal.

- Para 129 requires local planning authorities to identify and assess the significance of any heritage asset which may be affected by a proposal.
- Para 131 reminds local planning authorities of the desirability of new development making a positive contribution to local character and distinctiveness.
- Para 132 states that great weight should be given to the conservation of heritage assets and any loss of significance must be clearly and convincingly justified.
- Paras 133 and 134 state that where harm would be caused this must be weighed against the public benefits of the proposal and that where that harm would be substantial the harm must be demonstrated to be necessary.

When considering impacts on heritage assets, it is impact on *significance* which is to be considered. *Significance* is defined in the NPPF as the value of a heritage asset to this and future generations because of its heritage interest, whether archaeological, architectural artistic or historic or whether deriving from its physical presence or its setting.

It is necessary to establish the extent of harm to significance and whether that would be substantial or less than substantial. Substantial harm to heritage assets of high significance such as Grade II \* listed buildings should be exceptional and only allowed if it has been demonstrated that the harm is necessary to achieve substantial public benefits that outweigh the harm, unless other circumstances, which would not be applicable in this case, apply. If harm to significance is considered to be less than substantial, then a less rigorous test applies and LPA's must weigh the harm caused against public benefits, bearing in mind that the aim must be to minimise harm and great weight must be given to the conservation of irreplaceable assets.

As a Grade II\* building, Macclesfield Town Hall has a high level of statutory significance as a building of more than special interest.

It is duly acknowledged that Macclesfield Town Hall is an important building within the Conservation Area – it occupies a commanding position on the eastern side of the historic market place in the centre of Macclesfield adjacent to the medieval church. The grounds of St. Michaels and All Angels Church lie immediately to the south opposite the Butter Market and Former Borough Police Station, while businesses and shops both flank and lie opposite to form an attractive pedestrianised square. The lanes and streets that radiate the market place preserve the medieval layout of the town, but are now lined with mainly 18<sup>th</sup> and 19<sup>th</sup> century buildings. Glimpses of the Butter Market and Former Borough Police Station are provided from these routes, especially from Market Place and Church Street, with the most impressive view of the building gained from the church yard to the front of St. Michaels and All Angels Church.

Due to the historic nature of the listed building the existing main entrance cannot provide level access from the street. For this reason a new, DDA compliant external ramped access is proposed to the existing south façade. It is considered that the design solution offered which is a steel ramp and steps would have an acceptable impact on the front of the building.

Other alterations to the front of the building (south elevation) include: -

- the refurbishment of timber sash windows (or replacement) to match the existing;
- refurbishment or new glazed fanlight to match existing;
- insertion of glass louvres;

- new double glazed structural glass doors;
- new timber door, painted green with stone lintel to match existing;
- existing rainwater goods re-used following roof refurbishment, or new to match existing; and,
- existing welsh slate roof lifted and re-laid on felt and insulation to match existing.

To the rear of the Former Borough Police Station, it is proposed to remove a limited section of the building which is a more modern addition. This wing is thought to date back to the early to mid 20<sup>th</sup> century and is of limited historical and aesthetic significance. Consideration can be given to the retention of wall stubs to allow the original layout and plan form to be appreciated. The demolition of the northernmost wall will result in significant loss of historic fabric, however, an appraisal of the building has confirmed that this northernmost bay is a later extension and is of limited historical or aesthetic significance, the walls proposed for demolition are much altered with an apparently inserted window and a blocked door, the demolition and construction of a new extension in keeping with the historic fabric will enhance this part of the building with very little impact on the building as a whole.

To the north, in part of the space between the rear of the Butter Market and the Former Borough Police Station, it is proposed to create a café area which would occupy a new glazed 'conservatory' space which will connect to a new landscaped external courtyard area. The use of glazing will retain the open courtyard appearance and feel as such will only have a limited impact.

As mentioned above, the proposed development is located within the boundary of the Macclesfield (Town Centre) Conservation Area) and the Town Hall is identified as a focal building. The proposed development will have no adverse impact upon the principal elevation of the building, which will remain a focal point. In fact it is considered that the above alterations have been well thought through and should improve the character and appearance of the building and are acceptable in design terms. The refurbishment works to the exterior doors and windows, and roof as well as the proposed alterations to facilitate access and extensions / alterations to the rear should allow the Butter Market and Former Borough Police Station elements of the Town Hall to function far better as a community hub as envisaged.

Undoubtedly, the ramp element of the scheme would result in some harm to the building and there is a balance to be made between a very positive compliance with local plan policy in terms of conservation of a listed building and any harmful aspect of providing DDA compliance. In this instance, the very substantial benefit of bringing the listed building into fuller use, thereby helping to sustain its future, more than outweighs any harm that would be caused by DDA compliance.

#### INTERNALLY

A number of internal structural alterations are required to assist with the refurbishment of the Butter Market and Former Borough Council Police Station buildings. A full schedule of the works has been submitted for works to be carried out on the basement, ground floor and first floor. The nature of the works and justification for the works is explained below as follows: -

##### Basement

- Removal of a partition wall (reference b1 on submitted plan), which has been identified as a later insertion, to create a more flexible larger space. The light wells to the front

façade are to be refurbished and brought back into use. Removal of wall facilities borrowed natural daylight to the whole basement.

- 2 additional door openings (reference b2 on submitted plan), to be inserted in a wall which has been identified as being a later insertion. This is to facilitate compliant access via a lift and stairs to the basement.
- Blocking up of a coal chute and removal of the bunker walls (reference b3 on submitted plan). The chute is currently boarded over. Dependent upon the method of how the chute is back filled, these features would still be able to be reinstated and used at a later date. The floor of the proposed rear conservatory extension will cover the chute. The wall lines of the coal bunker are too restrictive for use of the space in the basement. Their removal will facilitate use as wc's and cloaks to support and enable use of the main cellar room.
- Blocking up of the basement stairs (reference b4 on submitted plan). Depending on the method of how the stairs are back filled, these features would still be able to be reinstated and used at a later date. The stairs are not compliant with modern regulations.
- Removal of an unknown steel structure to the front room (reference b5 on submitted plan). This steelwork is badly corroded, is not original and is not load bearing. The column spacing makes the space unusable. The removal of the columns will facilitate a future use for the space.

#### Ground floor

- Removal of lower section of walls between front rooms (reference g1 on submitted plan). The top section of wall can be retained so the original cornice can be retained. This allows for the installation of a new core containing a compliant staircase and lift to bring the building to modern standards. The removal of the wall at low level creates the openness required for the main entrance into the reception and café meeting area.
- Removal of partition wall (reference g2 on submitted plan). This wall is identified as a later insertion. This would allow for the creation of a back office to the reception to support the planned use of the adjacent space as a reception/servy.
- Removal of lower sections of wall between rooms (reference g6 on submitted plan). The top section of the wall can be retained so that the original cornice can be retained. The cellular room layout is not suited to the intended use as a café/social space. Retention of the original high level details will maintain clarity of the original configuration of spaces.
- New openings in wall between Butter Market and Former Borough Police Station (reference g7 on submitted plan). The new openings would be installed with swept arch heads to match the existing openings. The Butter Market is to be brought back into use as a community space. For this to be viable a connection needs to be made into the former Borough Police Station to be used as further group and meeting spaces and ancillary spaces can be provided such as the café/social, toilets and compliant

access. The new openings proposed are balanced and positioned carefully to maintain the clarity of the original wall line and enclosure of the Butter Market Space.

- Existing opening retained, but extended with new swept arch head (reference g8 on submitted plan). The current window detracts from the external appearance of the Butter Market. Adjustment is needed to the existing opening to accommodate the new layout of the Butter Market. The new wider door is needed for a rear fire escape whilst maintaining a back of house connection to the adjacent café/social space.
- Removal of partition window (reference g9 on submitted plan). This wall is identified as a later insertion and splits the original Butter Markey space. The removal of the wall would largely reinstate the original volume of the Butter Market space and enable its use as a community hall space.
- New opening in wall (reference g10 on submitted plan). The new opening would be installed with swept arch heads to match the existing openings. This new larger opening would connect through into the new conservatory extension so that the public spaces can extend right back into the site and use all of the existing Police Station space that extends to the rear.
- New opening in wall (reference g11 on submitted plan). This new opening would be installed with a stone lintel to match existing openings. A new door facilitates access into an enlarged room created in the Police Station rear wing. The rooms in this wing are small and not adequate for community use by larger groups. New configuration of partitions brings the whole space into viable use.
- Removal of staircase (reference g12 on submitted plan). The staircase is a later addition, which was added at the time of the insertion of the mezzanine. The current stair is not DDA compliant and serves the mezzanine level and does not have adequate headroom.
- Removal of internal walls to police station extension (reference g13 on submitted plan). The walls are part of the 20<sup>th</sup> Century extension to the Police Station. The construction consists of a simple brick built extension with a pitched slate roof, internally open to the ridge with exposed composite iron trusses that are largely hidden by recently installed stud partitions. Headroom here is currently limited. Part of a wider refurbishment of this later addition to the Police Station the internal walls are to be removed and repositioned to create a large group room and WCs/lobby. The current layout consists of limiting small cellular rooms not suited to the intended, more flexible use. The wider refurbishment proposal is to reinstate the original trusses, lower the floor to resolve the headroom issues and install new partitions that will allow the original volume of the space to be appreciated.
- New opening in wall (reference g14 on submitted plan). A new opening would be installed with a stone lintel to match existing openings. Part of a wider refurbishment of this later addition to the Police Station the new internal door will facilitate access into this part of the building from the new conservatory link. This will remove excessive

circulation from this wing and enables use of the full width of the plan for a new larger group room.

- Alterations to existing doors: extend one door opening to provide a side glazed screen and replace door with a window (reference g15 on submitted plan). The existing western facade of the Police Station wing has two adjacent doors. It is proposed to widen one opening and replace with a window to provide additional natural light into the ground floor plan.
- Demolish end bay of Police Station rear wing (reference g16 on submitted plan). This has been identified as a later addition due to its awkward saw tooth plan and inconsistent roof plane. The proposal is to re-build this part of the building in keeping with the pitched roofed Police Station wing. This is required to facilitate a fire escape from the upper floor that will allow its use by the community. The additional space created by the more 'regular' layout will also be utilised for additional community space and ancillary support

#### First Floor

- Removal of lower section of wall (reference f1 on submitted plan). The top section of wall would be retained so the original deep cornice can be retained. Allows installation of new core containing compliant staircase and lift to bring building to modern standards. Retention of original high level details will maintain clarity of the
- Reinstate and widen opening in wall (reference f2 on submitted plan). This was previously the position of a connecting door through to the Police Station rear wing. Reinstating a glazed opening in this location will allow the rear of the building to be visually connected to the new circulation core and facilitate the reading of the original
- New opening in wall (reference f3 on submitted plan). The top section of wall would be retained, so the original deep cornice can be retained. Allows access to the new rooms to be created in the Police Station wing from the new core containing compliant staircase and lift to bring building to modern standards. Retention of original high level details will maintain clarity of the original configuration of spaces.
- New opening in wall (reference f4 on submitted plan). This allows access to the re-built northern part of the wing that contains the fire escape and WC's store.

The proposed works will have an impact upon the historic fabric of the building. This impact however will be less than substantial and will be largely limited to the removal of later partitions and the conservation of the historic fabric. The building appraisal confirmed that the wall within the Butter Market is a later insertion and its removal will enhance the Butter Market by restoring the original open plan of the space. Replacing the glazing in the easternmost flanking door will also enhance the Butter Market and restore the symmetry of the principal elevation; consideration can also be given to retention of the existing double doors and glazing the lower panels to further re-create the open market feel of the space, while retaining security.

There is significantly more work proposed within the former County Police Station, but again the majority of this will be limited to the removal of later, inappropriate alterations and the conservation of historic fabric. However, there will be some removal of historic fabric, but again this will be less than substantial and the benefits of the scheme, conserving and enhancing a heritage asset outweigh these impacts. The Police Station has, according to cartographic sources already undergone significant alterations during its history so the

original plan form of the building has long been lost. The most significant element of the building is its principal elevation fronting Churchside, this will not be affected by the proposed works and the replacement of the inappropriate door will actually enhance this elevation. Internally, the removal of the two walls on the ground floor will alter the current, although not original plan form; consideration can be given to the retention of the upper parts of these walls and the cornice to allow the original layout and plan form to be appreciated.

The opening of a number of openings between the County Police Station and the Butter Market will result in the loss of historic fabric and will have an impact upon the original plan form of the buildings; however the wall line will be retained, preserving the original plan form of both buildings and as such this impact will be less than substantial and again the benefits of the scheme, conserving and enhancing a heritage asset outweigh these impacts. With the two rearmost openings, which will provide access to the covered courtyard, consideration can be given to constructing the new openings in the same style as the existing brick arches in order to continue the aesthetic of the current elevation, brick salvaged during demolition can be retained for this use. Consideration could be given to making it apparent that the new internal openings are modern in order to preserve the appreciation of the historic wall line.

The works affecting the rear wing of the County Police Station will again be largely limited to the removal of modern alterations and the conservation of original fabric. The removal of some original walls will result in the loss of some historic fabric and the loss of some of the historic plan form. The wing is a later extension, probably early to mid 20th century in date and is of limited historical and aesthetic significance, there is no indication of the original use of the wing. Consideration can be given to the retention of wall stubs to allow the original layout and plan form to be appreciated.

The demolition of the northernmost wall will result in significant loss of historic fabric, however the building appraisal has confirmed that this northernmost bay is a later extension and is of limited historical or aesthetic significance, the walls proposed for demolition are much altered with an apparently inserted window and a blocked door, the demolition and construction of a new extension in keeping with the historic fabric will enhance this part of the building with very little impact on the building as a whole.

It is proposed that the yard also be glazed creating additional covered floor space. The yard is already surrounded on three sides and the use of glazing will retain the open courtyard appearance and feel and as such will only have a limited impact.

Given the external alterations to the frontage and proposed extensions to the rear are limited, the special architectural interest will be preserved. The benefits of securing an economic use for the floorspace and the contribution it should make to ensuring the long-term conservation of the building as a whole; and preserve the special interest of the listed building and the character of the conservation area is welcomed. The Conservation Officer considers that the proposals will be of benefit to the building and supports the proposals. The proposals would comply with national policy, and with Policies BE1, BE3, BE15, and BE18 of the Macclesfield Borough Local Plan, which respectively support alterations to listed buildings that would preserve their character, and appropriate development in conservation areas.

There are details which will require further detailed consideration relating to the refurbishment works to windows, doors and stonework and all new fenestration, and it is considered appropriate to provide details of these via condition. In addition, it will be necessary to condition for details of the handrails, rainwater goods and roof lights to be submitted to ensure that their appearance is acceptable.

## **PLANNING BALANCE AND CONCLUSIONS**



Overall, this building is a 'significant' heritage asset which makes a positive contribution to the significance of the conservation area. The NPPF strongly supports the conservation of such "heritage assets". The proposed works will facilitate the further community use of the building which would provide an example of the positive contribution that conservation of heritage assets can make to the establishment of sustainable communities.

It is considered that the proposed alterations and extensions to the building would preserve the special architectural interest of the building and scope of any harm in respect of installation of the ramp to the front of the building would clearly be outweighed by the public benefit of the proposals in terms of accessibility and facilitation of extended use of the building.

The sympathetic nature of the development proposed development will conserve and enhance a know heritage asset which is currently under utilised and under threat of neglect.

The proposals comply with the relevant development plan policies and the NPPF and therefore is recommended for approval subject to conditions.

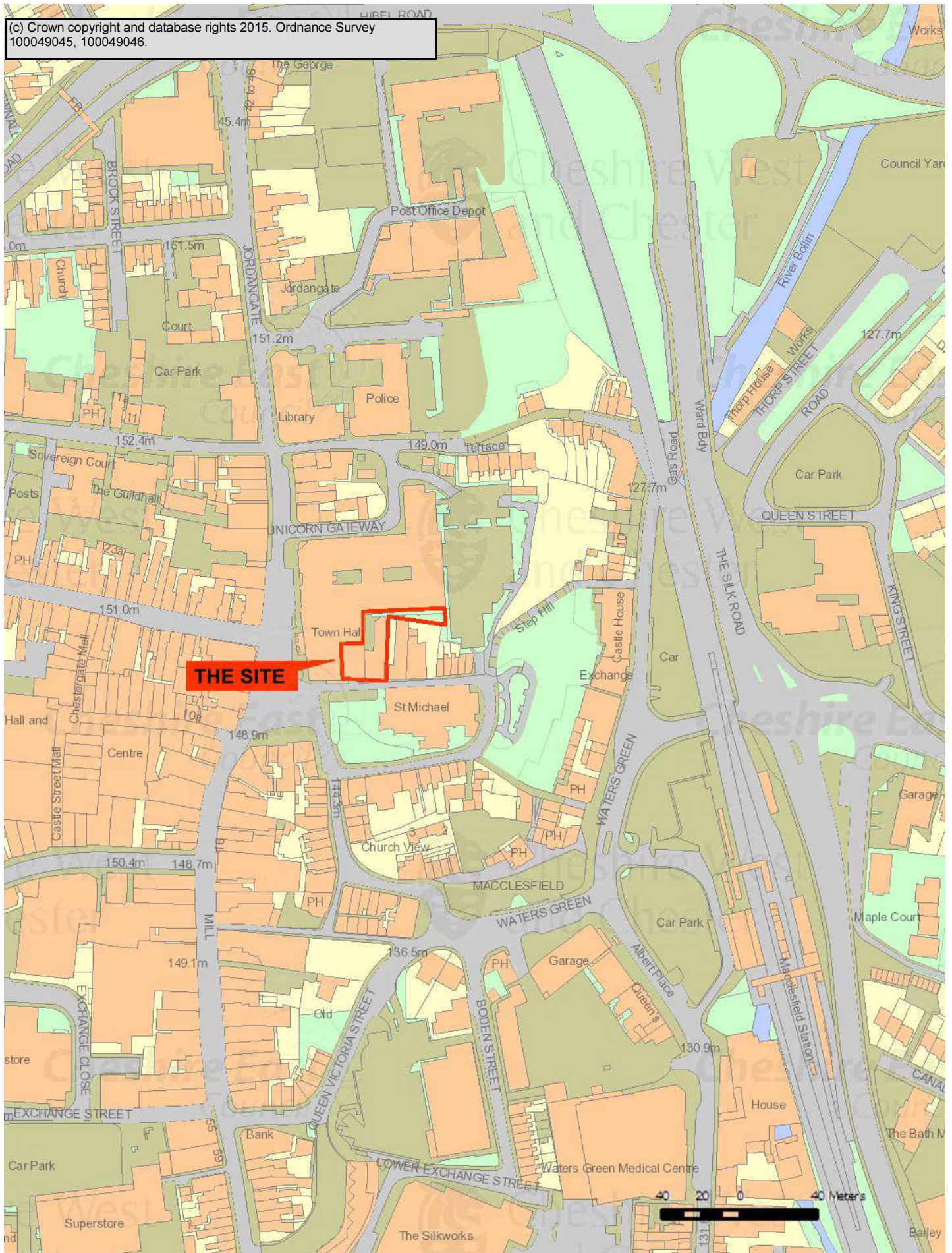
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#### Application for Listed Building Consent

RECOMMENDATION: Approve subject to following conditions

1. A07LB - Standard Time Limit
2. A04EX - Materials to match existing
3. A09EX - Rainwater goods
4. A21EX - Roof lights set flush
5. A04LB - Additional fixtures requiring approval
6. A05LB - Protection of features
7. Details of handrails and fenestration details to be submitted and approved.

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Application No: 15/0335M

Location: TOWN HALL, MARKET PLACE, MACCLESFIELD SK10 1EA

Proposal: Alterations, refurbishment, repair work and extension to Butter Market and Former Borough Police Station parts of the Town Hall.

Applicant: Mr Tom Fletcher, Cheshire East Council

Expiry Date: 24-Mar-2015

**REASON FOR REPORT:**

The Council is the applicant and land and whilst this proposal is a minor development, which accords with planning policy and to which no objection has been made (at the time of report preparation), it is considered necessary to refer this application to the Northern Planning Committee at the discretion of the Head of Strategic and Economic Planning.

**CONCLUSION:**

The proposal would satisfy the economic and social sustainability roles by providing changes to a building which would preserve the special architectural interest of the building.

The benefits of securing an economic use for the floorspace within the Town Halls Butter Market and Former Borough Police Station and the contribution it should make to ensuring the long-term conservation of the building as a whole; would preserve the special interest of the listed building and the character of the conservation area. The proposals would comply with national policy, and with Policies BE1, BE3, BE15, and BE18 of the Macclesfield Borough Local Plan, which respectively support alterations to listed buildings that would preserve their character, and represents appropriate development in conservation areas.

Any harm by virtue of the installation of an access ramp to the front of the building would be limited by the public benefit of the proposals in terms of the improved accessibility and very substantial benefit of bringing the listed building back into a fuller use for the senior citizens groups and community.

Subject to conditions, the proposal is considered to be acceptable in terms of its impact upon highway safety and amenity.

The scheme represents a sustainable form of development and the planning balance weighs in favour of supporting the development subject to conditions.

As the building is Grade 2\* listed, the application for Listed Building Consent is to be determined by the Secretary of State.

**SUMMARY RECOMMENDATION:**



**Approve subject to conditions**

**PROPOSAL:**

This application seeks planning permission for alterations, refurbishment, repair work and extension to the Butter Market and Former Borough Police Station parts of the Town Hall.

**SITE DESCRIPTION:**

As a Grade II\* listed building, Macclesfield Town Hall has a high level of statutory significance as a building of more than special interest.

The former Police Station and Butter market site is located in the town centre to the rear of and conjoined with the Town Hall. The site is in use as part of the Town Hall. The site is bounded to the north, east and west by adjacent buildings, with its main façade facing south. Pedestrian front access is via Churchside to the south and from the north east corner to the rear. All of the site is contained within the town centre conservation area. The former Police Station and Butter market buildings are Grade II\* listed. The existing buildings form a small enclosed external courtyard at the rear of the site. The main frontage faces St. Michaels and All Angels Church.

The accommodation has been used in recent years for storage purposes associated with the Town Hall. The wing to the rear of the Former Police Station is in a poor state of repair and has not been actively used for many years.

**RELEVANT HISTORY:**

11/2389M - Alterations, refurbishment and repair works including the following: alterations to the fabric to allow for an 8 person passenger lift to meet DDA legislation; removal of modern interventions and reinstatement of historic floor levels and ceiling levels; improvements to lighting and power; alterations to improve emergency egress including new fire routes; refurbishments and redecorations to historic interiors including changes to flooring materials; external repairs and reordering to windows, doors, roof fabric and stonework – Approved 05-Oct-2011

11/4016M - Platform Lift (Listed Building Consent) – Approved 16-Jan-2012

There have been a number of additional listed building consent/ planning applications submitted for alterations, which include an emergency escape, telecommunications antenna and new office buildings.

**NATIONAL & LOCAL POLICY**

**National Policy:**

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs 14, 17, 126, 128, 129, 131, 132 and 141.

### **Development Plan:**

The Development Plan for this area is the 2004 Macclesfield Local Plan, which allocates the whole site under policy MTC12 (a Mixed Use Area).

The relevant Saved Policies are: -

- BE1 (Design Guidance)
- BE2 (Preservation of Historic Fabric)
- BE3 (Conservation Areas)
- BE4 (Design Criteria in Conservation Areas)
- BE15 (Listed Buildings)
- BE17 (Preservation of Listed Buildings)
- BE18 (Design Criteria for Listed Buildings)
- DC1 (Design)
- DC2 (Extensions and alterations)
- DC3 (Amenity)
- DC6 (Circulation and Access)

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

### **Cheshire East Local Plan Strategy – Submission Version (CELP)**

As the examination of this plan has now been suspended, its policies carry limited weight. The following are considered relevant material considerations as indications of the emerging strategy:

- MP1: Presumption in favour of sustainable development;
- SE1: Design;
- SE7: The Historic Environment.

### **Other Material Considerations**

National Planning Policy Guidance.

### **CONSULTATIONS:**

The Strategic Highways Engineer raises no objections.

Historic England comment that they support the proposals in principle as providing a sustainable and appropriate use for this partly vacant and under-utilised listed building. While there may be harm to the historic and architectural character of the building Historic England believes these are outweighed by the public benefits.

The Environmental Health Officer raises no objections.

#### **REPRESENTATIONS:**

An objection has been received from Activity In Retirement on the grounds that the current users of the Senior Citizens Hall have not been notified of the planning application, the planning application does not state any dedicated car parking provision for the new facility, the Working Party has not approved the plans submitted. Disabled car parking has not been considered as at least 10 parking spaces will be required.

#### **APPLICANTS SUPPORTING INFORMATION:**

Design and Access Statement  
Archaeological and Heritage Statement  
Land Contamination/Geotechnical Desk Study  
Sustainability Statement  
Structure Survey  
Site Waste and Management Plan  
Ventilation and Extraction Statement  
Justification for Alterations to a Listed Building  
Drainage Design Statement  
Structural Method Statement

#### **APPRAISAL:**

The Butter Market and Former Borough Police Station were selected as a replacement facility for the Senior Citizens Hall (on Duke Street car park) following a two stage Feasibility Study undertaken in 2012 and 2013.

This application is solely for the proposed alterations, refurbishment, repairs and extensions to the Butter Market and Former Police Station parts of the Town Hall and does not relate to any change of use. The new communities and arts facilities would be for use by the occupants of the existing senior citizens hall in Macclesfield and the general public. The various factors relating to the replacement facility such as car parking, management and detailed internal use are all to be developed following an ongoing consultation process with the community and end users of the building, which is being undertaken separately by the Council and the Hamilton Project.

The new facilities will include: -

- A central, ground floor café / social space accessed directly off the main entrance and connected to an external courtyard for use by the users and the public.
- Large multi-use hall space with dedicated storage, adjacent to the café. Its uses may include ballroom dancing, yoga, tai-chi, lectures, readings, fitness classes. It can also be served by the adjacent café / kitchens to serve as potential function space e. g. weddings.
- A variety of large and small group rooms at all levels with suitable IT facilities and storage for meetings, community groups and classes.

- A large Arts and Crafts space on the first floor with adjacent storage and wc facilities.
- Easily accessible stairs and lifts, WC's and ancillary spaces to support the main spaces.
- Small kitchens, servery and office to serve the central café.
- External courtyard.

It is the works to the frontage of the building to facilitate access and the proposed conservatory and new extension to the rear, which are considered the elements that require consideration under this planning application. The total floor area of new accommodation measures 67m<sup>2</sup>. For further details of the internal works associated with bringing this part of the Town Hall into active use, please refer to application 15/0334M elsewhere on this agenda.

The key issues are:

- a) The impact of the development on the character and appearance of Churchside and the Town Centre Conservation Area.
- b) The impact of the development on the amenity of neighbouring buildings.
- c) The impact of the proposal on the Grade II\* Listed Town Hall.
- d) The impact of the proposal on archaeological assets.

### **Environmental Sustainability**

Local Plan policies BE1 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”.

As a Grade II\* listed building, Macclesfield Town Hall has a high level of statutory significance as a building of more than special interest.

It is duly acknowledged that Macclesfield Town Hall is an important building within the Conservation Area – it occupies a commanding position on the eastern side of the historic market place in the centre of Macclesfield adjacent to the medieval church. The grounds of St. Michaels and All Angels Church lie immediately to the south opposite the Butter Market and Former Borough Police Station, while businesses and shops both flank and lie opposite to form an attractive pedestrianised square. The lanes and streets that radiate the market place preserve the medieval layout of the town, but are now lined with mainly 18<sup>th</sup> and 19<sup>th</sup> century buildings. Glimpses of the Butter Market and Former Borough Police Station are provided from these routes, especially from Market Place and Church Street, with the most impressive view of the building gained from the church yard to the front of St. Michaels and All Angels Church.

Due to the historic nature of the listed building the existing main entrance cannot provide level access from the street. For this reason a new, DDA compliant external ramped access is proposed to the existing south façade. It is considered that the design solution offered which is a steel ramp and steps would have an acceptable impact on the front of the building.

Other alterations to the front of the building (south elevation) include: -

- the refurbishment of timber sash windows (or replacement) to match the existing;
- refurbishment or new glazed fanlight to match existing;
- insertion of glass louvres;
- new double glazed structural glass doors;
- new timber door, painted green with stone lintel to match existing;
- existing rainwater goods re-used following roof refurbishment, or new to match existing; and,
- existing welsh slate roof lifted and re-laid on felt and insulation to match existing.

To the rear of the Former Borough Police Station, it is proposed to remove a limited section of the building which is a more modern addition. This wing is thought to date back to the early to mid 20<sup>th</sup> century and is of limited historical and aesthetic significance. Consideration can be given to the retention of wall stubs to allow the original layout and plan form to be appreciated. The demolition of the northernmost wall will result in a significant loss of historic fabric, however, an appraisal of the building has confirmed that this northernmost bay is a later extension and is of limited historical or aesthetic significance, the walls proposed for demolition are much altered with an apparently inserted window and a blocked door, the demolition and construction of a new extension in keeping with the historic fabric will enhance this part of the building with very little impact on the building as a whole.

To the north, in part of the space between the rear of the Butter Market and the Former Borough Police Station, it is proposed to create a café area which would occupy a new glazed 'conservatory' space which will connect to a new landscaped external courtyard area. The conservatory area is enclosed to three sides by other Council owned buildings, so this would have no impact on the amenity of any neighbouring properties. The use of glazing will retain the open courtyard appearance and feel as such will only have a limited impact.

As mentioned above, the proposed development is located within the boundary of the Macclesfield (Town Centre Conservation Area) and the Town Hall is identified as a focal building. The proposed development will have no adverse impact upon the principal elevation of the building, which will remain a focal point, there will, therefore be of limited impact on the Conservation Area. In fact it is considered that the above alterations have been well thought through and should improve the character and appearance of the building and are acceptable in design terms, whilst preserving the special character of the Conservation Area. The refurbishment works to the exterior doors and windows, and roof as well as the proposed alterations to facilitate access and extensions / alterations to the rear should allow the Butter Market and Former Borough Police Station elements of the Town Hall to function far better as a community hub as envisaged.



Undoubtedly, the ramp element of the scheme would result in some harm to the building and there is a balance to be made between a very positive compliance with local plan policy in terms of conservation of a listed building and any harmful aspect of providing DDA compliance. In this instance, the very substantial benefit of bringing the listed building into fuller use, thereby helping to sustain its future, more than outweighs any harm that would be caused by DDA compliance.

Given the external alterations to the frontage and proposed extensions to the rear are limited, the special architectural interest will be preserved. The benefits of securing an economic use for the floorspace and the contribution it should make to ensuring the long-term conservation of the building as a whole; and preserve the special interest of the listed building and the character of the conservation area are welcomed. The Conservation Officer considers that the proposals will be of benefit to the building and supports the proposals. The proposals would comply with national policy, and with Policies BE1, BE3, BE15, and BE18 of the Macclesfield Borough Local Plan, which respectively support alterations to listed buildings that would preserve their character, and appropriate development in conservation areas.

There are details which may require refinement and further details to be submitted which relate to the refurbishment works to windows, doors and stonework. It is considered appropriate to provide details of these via condition.

The Environmental Protection Officers only concern relates to the main function room and its future possible use to be hired out for weddings and private / corporate functions etc. Noise escape of amplified sound from live music / discos and amplified voices is of concern as an essential measure to avoid potential noise nuisance / sleep disturbance and loss of residential amenity to occupiers of nearby residencies. Given the works proposed do not involve a change of use, it is not considered necessary for any condition which would require sound proofing / insulation to be added to the rooms. However, it should be noted that the works proposed have been designed to maximise the energy efficiency of the building and the architect has given considerable thought to minimising any potential for any noise nuisance.

The main hall has limited external walls / windows for natural ventilation and therefore, there is high potential for it to become hot and 'airless' particularly during functions held during warm weather conditions and involving high numbers of persons - involved in dancing activities etc. The Environmental Health Officer recommends that the overall ventilation of the main hall should incorporate an effective air conditioning system to maintain a comfortable internal temperature, in addition to the ventilation aspect of providing fresh air. This would in turn afford a comfortable internal environment and reduce any temptation for patrons to open external doors and any windows for cooling and ventilation purposes.

In order to control any odours from the kitchen area, it is considered reasonable to attach a condition which would require a scheme of odour control to be submitted which would detail the filtration and extraction system to control the discharge of odours and fumes arising from food handling; preparation and cooking.

The Town Hall lies at the heart of the town centre, and has good access to public transport modes. As stated previously, the application seeks consent for very limited works to the frontage of the building and extensions to the rear.

A Sustainability Statement has been submitted to accompany the application, which sets out the approach for mechanical, electrical and passive environmental systems in order to minimise the energy demand of the building without unacceptably altering the character or appearance of its historic features.

The Development Control Archaeologist from Cheshire Archaeology Planning Advisory Service comments that the application is supported by an archaeological and heritage statement. This considers information held in the Cheshire Historic Environment Record, readily-available secondary sources, and the historic maps of the area. It is noted that the site lies within the historic core of Macclesfield, in an area where archaeological deposits might be expected. It is argued, however, that the development will involve very limited ground disturbance and that the area has already been significantly disturbed by the construction of the Butter Market and police station. It may also be noted that a recent watching brief, which was maintained during the restoration of the properties immediately to the east, did not reveal any archaeological deposits. In these circumstances, it is advised that further archaeological work is unlikely to be worthwhile and no further mitigation is advised.

## **Highways**

The Strategic Highways Engineer has raised no objections to the application as the proposed changes to the building do not result in any material highway impact considerations. The building is considered to fall within a highly sustainable location and that the works are limited to largely internal refurbishment works and small scale extensions (not involving a change of use) that the additional floor area will be small enough in nature not to warrant any additional parking requirements. The comments raised by Activity In Retirement with regards to parking are noted, and it is considered that there is capacity to the rear of the town hall to provide access for disabled users and provide access for events. This matter is being considered separately by a working party, however, from a planning perspective it is not considered reasonable to condition any use of the car park for the facility as the application does not require a change of use of the building, it effectively is simply bringing an existing building which has lied largely dormant over recent years back into use.

## **SOCIAL SUSTAINABILITY**

Overall, this is a 'significant' heritage asset which makes a positive contribution to the significance of the conservation area. The NPPF strongly supports the conservation of such "heritage assets". The proposed works will facilitate the further community use of the building which would provide an example of the positive contribution that conservation of heritage assets can make to the establishment of sustainable communities.

## **ECONOMIC SUSTAINABILITY**

With regard to the economic role of sustainable development, the proposed development will help to provide a replacement for the existing Senior Citizens Hall and community hall as well as bringing direct and indirect economic benefits to Macclesfield Town Centre including additional trade for local shops and businesses, jobs in construction and economic benefits to the

construction industry supply chain. In addition, the development would ensure a long terms future for the heritage asset.

## **PLANNING BALANCE AND CONCLUSIONS**

It is considered that the proposed alterations and extensions to the building would preserve the special architectural interest of the building and any harm in respect of installation of the ramp to the front of the building would clearly be outweighed by the public benefit of the proposals in terms of accessibility and facilitation of the extended use of the building.

The sympathetic nature of the development proposed will conserve and enhance a heritage asset which is currently under utilised and under threat of neglect.

The proposed development is largely internal works, the proposed demolition and extension is in a concealed yard surrounded by buildings, so the proposed development will have minimal impact upon the Conservation Area.

The proposals have minimal impact on the amenity of neighbouring properties and highway safety.

The comments from Activity In Retirement are noted and comments on car parking are addressed in the report above. Consultees have been notified in the usual way and a working party has been set up to ensure that there is full engagement with existing user groups of the Senior Citizens Hall.

The proposals comply with the relevant development plan policies and the NPPF and therefore is recommended for approval subject to conditions. It will be necessary to refer the related application for Listed Building Consent on to the Secretary of State to determine the application.

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 Chair (or in his absence the Vice Chair) of the Northern Planning Board, 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

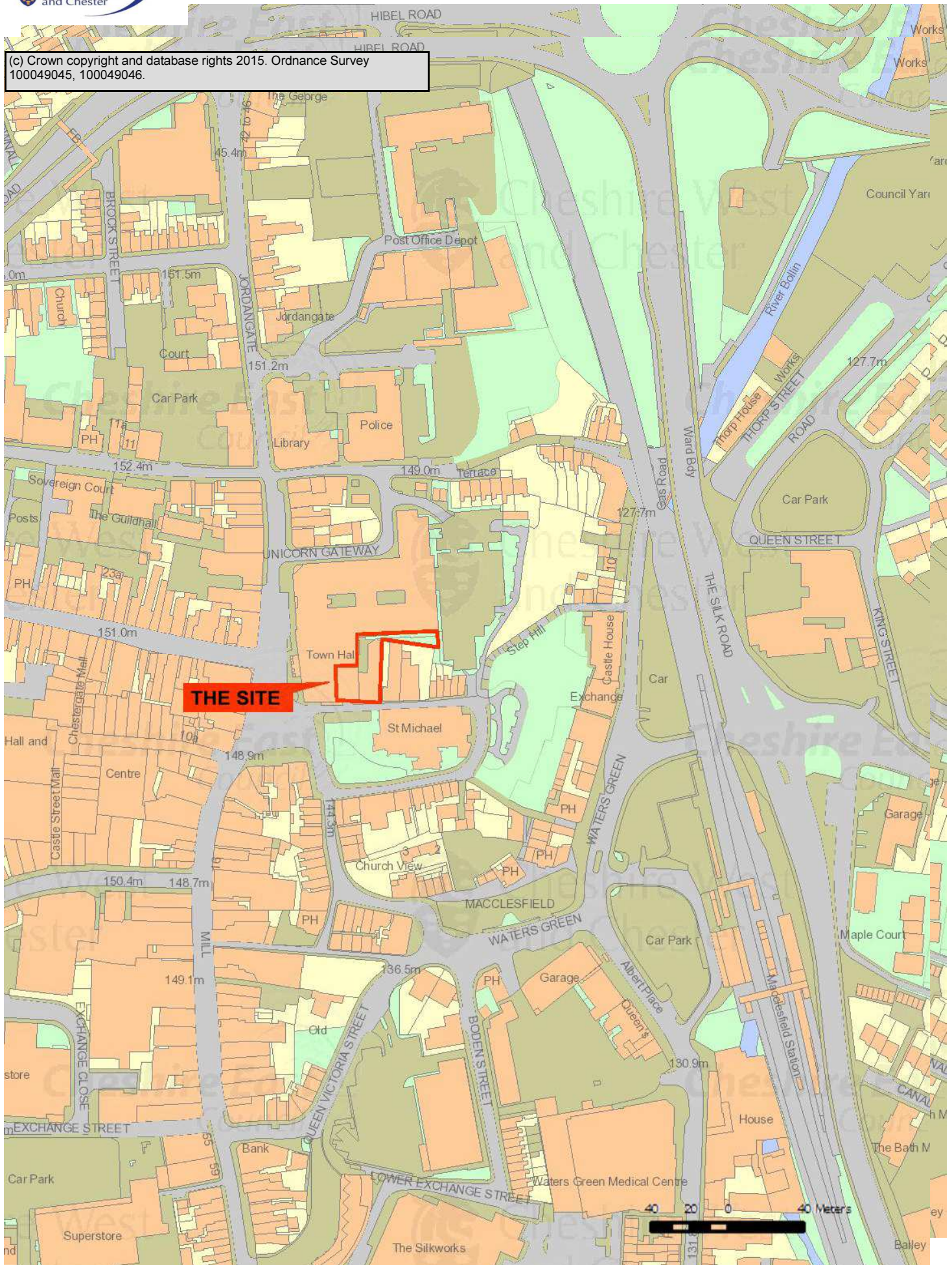
**RECOMMENDATION:** Approve subject to following conditions

- |          |   |
|----------|---|
| 1. A03FP | - Commencement of development (3 years) |
| 2. A04EX | - Materials to match existing           |
| 3. A09EX | - Rainwater goods                       |

4. A21EX - Roof lights set flush
5. A scheme of odour control should be submitted with the application detailing the filtration and extraction system to control the discharge of odours and fumes arising from food handling; preparation and cooking.



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