

# Northern Planning Committee

## Agenda

---

<b>Date:</b>	<b>Wednesday, 7th October, 2015</b>
<b>Time:</b>	<b>10.00 am</b>
<b>Venue:</b>	<b>The Capesthorne Room - Town Hall, Macclesfield SK10 1EA</b>

---

Please note that members of the public are requested to check the Council's website the week the Northern Planning Committee 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.

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.

### **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 - 6)**

To approve the Minutes of the meeting held on 9<sup>th</sup> September 2015.

---

**Please Contact:** Gaynor Hawthornthwaite 01270 686467  
**E-Mail:** [gaynor.hawthornthwaite@cheshireeast.gov.uk](mailto:gaynor.hawthornthwaite@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

#### 4. **Public Speaking**

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. **15/3133M - Chorley Old Hall, Chorley Hall Close, Alderley Edge, Wilmslow, Cheshire SK9 7TG: Part single storey and part two storey extension; external and internal alterations; new landscaping for Mr and Mrs J Johnson (Pages 7 - 14)**

To consider the above planning application.

6. **15/3134M - Chorley Old Hall, Chorley Hall Close, Alderley Edge, Wilmslow, Cheshire SK9 7TG: Listed Building Consent for Part single storey and part two storey extension; external and internal alterations; new landscaping for Mr and Mrs J Johnson (Pages 15 - 22)**

To consider the above planning application.

7. **15/2274M - Land Off School Lane, Marton: Outline application for up to 27 No. dwellings with details of access. All other details reserved for Hollins Strategic Land LLP (Pages 23 - 48)**

To consider the above planning application.

8. **15/3488M - Royal London House, Alderley Road, Wilmslow, Cheshire SK9 1PF: Formation and laying out of permanent car park for Mr N Kilshaw, Royal London Group (Pages 49 - 58)**

To consider the above planning application.

9. **15/3472M - 180A Wilmslow Road, Handforth SK9 3LF: Conversion to create 12 No. apartments, the erection of a two storey rear extension, repairs and rebuilding part of the chapel, change of use of part of adjacent domestic garden to car park, replacement windows and doors along with the removal of listed trees following the withdrawal of previous planning application 15/1865M for Mr A Harrison (Pages 59 - 72)**

To consider the above planning application.

10. **15/3473M - 180A Wilmslow Road, Handforth SK9 3LF: Listed Building Consent for conversion to create 12 No. apartments, the erection of a two storey rear extension, repairs and rebuilding part of the chapel, change of use of part of adjacent domestic garden to car park, replacement windows and doors along with the removal of listed trees following the withdrawal of previous planning application 15/1865M for Mr A Harrison (Pages 73 - 80)**

To consider the above planning application.

11. **15/1612C - Fir Tree Farm, Swettenham Heath Lane, Swettenham CW12 2LW: Provision of equestrian facilities, including 24 stables, indoor and outdoor riding arenas, horse walker and 5no. paddocks for Mr & Mrs Steve & Jean Davenport (Pages 81 - 88)**

To consider the above planning application.

12. **15/2819M - Former Massie Dyeworks, Loney Street, Macclesfield, Cheshire SK11 8ER: Outline application for demolition of the existing buildings and the erection of 5 town houses and 6 apartments (resubmission of application number 12/1394M approved on 19 July 2012) for Mr I Massie (Pages 89 - 102)**

To consider the above planning application.

13. **14/5316M - Former Depot at Junction of Green Street and Cuckstoolpit Hill, Macclesfield, Cheshire: Construction of 8 x 1no bedroom apartments and 7 x 2no bedroom houses on the site of former council-owned depot. (Revised Scheme) for Ms Jo Fallon (Pages 103 - 114)**

To consider the above planning application.

14. **15/2056M - 2 Union Street, Macclesfield SK11 6QG: Conversion of first floor office space to residential. Construction of additional two floors of residential accommodation for Mr Christian Lynn (Pages 115 - 126)**

To consider the above planning application.

**This page is intentionally left blank**

**CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Northern Planning Committee**  
held on Wednesday, 9th September, 2015 at The Capesthorne Room - Town  
Hall, Macclesfield SK10 1EA

**PRESENT**

Councillor G M Walton (Chairman)  
Councillor C Browne (Vice-Chairman)

Councillors C Andrew, E Brooks, T Dean(substitute), T Fox, S Gardner,  
M Hardy, A Harewood and L Jeuda

**OFFICERS PRESENT**

Nick Turpin (Principal Planning Officer)  
Tim Driver (Planning Solicitor)  
Neil Jones (Principal Development Officer)  
Phil Mason (Senior Enforcement Officer)  
Gaynor Hawthornthwaite (Democratic Services Officer)

**37 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors M Beanland,  
S Gardiner, G Hayes, O Hunter, J Macrae and N Mannion.

**38 DECLARATIONS OF INTEREST/PRE DETERMINATION**

In the interest of openness in respect of application 15/2704M, Councillor  
M Hardy declared that he was a Director of Everybody Sport and  
Recreation Trust, which is responsible for running Knutsford Leisure  
Centre and would leave the room prior to consideration of the application.

**39 MINUTES OF THE MEETING****RESOLVED**

That the minutes be approved as a correct record and signed by the  
Chairman.

**40 PUBLIC SPEAKING****RESOLVED**

That the public speaking procedure be noted.

- 41 **15/1758M - EXTENSIONS TO THE EXISTING CARE HOME TO PROVIDE AN INCREASE IN THE NUMBER OF BEDROOMS. THERE ARE 40 EXISTING BEDROOMS, THE EXTENSIONS WILL ALLOW 27 BEDROOMS TO BE ADDED TO PROVIDE A TOTAL OF 67 BEDROOMS. THE EXTENSIONS INCLUDE ADDING A FLOOR TO THE MAIN BUILDING, THE ADDITIONAL FLOOR WILL BE IN THE FORM OF A MANSARD. THE EXISTING SINGLE STOREY WING CLOSE TO RISELEY STREET WILL BECOME TWO STOREY. ADDITIONAL PARKING AREAS. (RE SUBMISSION OF 13/1365M WHICH APPROVED EXTENSIONS TO ALLOW 69 BEDROOMS): TRINITY COURT, RISLEY STREET, MACCLESFIELD, SK10 1BW**

Consideration was given to the above application.

(Ms Y Huntington (an objector) and Mr E Carley (the applicant) attended the meeting and spoke in respect of the application).

**RESOLVED:**

That for the reasons set out in the report, the application be APPROVED subject to the following conditions:

1. A01LS - Landscaping – compliance with submitted details
2. A04HP - Provision of cycle parking
3. A04LS - Landscaping (implementation)
4. A05EX - Materials – compliance with those submitted
5. A17MC - Decontamination of land
6. A22GR - Protection from noise during construction (hours of construction)
7. ALS61 - Landscaping – compliance with submitted details
8. ATRA1 - Tree retention
9. All arboricultural works shall be carried out in accordance with Cheshire Woodlands Arboricultural Statement
10. Lighting
11. Bin and Cycle Store in accordance with approved details
12. Dust control
13. Mirrored glass in first floor windows facing/overlooking Footprints Nursery.
14. The landscape plan to reflect the requirements of application 13/1365M.

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 & Enforcement Manager, in consultation with the Chairman (or in his absence the Vice Chairman) 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.

- 42 **15/3155M - THE PROVISION OF NEW CAR PARKING AND ASSOCIATED SITE ACCESS ON GREEN SPACE ADJACENT TO SILK COURT. THE CAR PARK WILL PROVIDE 277 NO. STANDARD PARKING BAYS, 6 NO. DISABLED BAYS AND 5 NO. ELECTRIC CAR CHARGING BAYS: ASTRAZENECA, CHARTER WAY, MACCLESFIELD, CHESHIRE, SK10 2NA:**

Consideration was given to the above application.

**RESOLVED:**

That the application be delegated to the Planning and Enforcement Manager in consultation with the Chairman and Ward Councillor to APPROVE subject to receipt of further information on the number of disabled parking spaces throughout the whole site, to ensure that a satisfactory ratio of disabled spaces are provided throughout the site and to the following conditions:

1. A03FP - Commencement of development (3 years)
2. A06EX - Materials as application
3. A01AP - Development in accord with approved plans
4. Drainage
5. Landscape scheme submitted
6. Implementation of landscaping

Informative: encourage use of permeable surfacing of the car park area.

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 & Enforcement Manager, in consultation with the Chairman (or in his absence the Vice Chairman) 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.

- 43 **15/1100C - CHANGE OF USE FROM GARAGE AND WORKSHOP TO VEHICLE AND PLANT MAINTENANCE/TESTING, STORAGE OF EQUIPMENT AND PLANT SOIL TESTING LABORATORY (GEOTECHNICAL), OFFICES FOR RUNNING DRILLING COMPANY AND WORKSHOPS, TOILETS AND CANTEEN: JODRELL BANK SERVICE STATION, KNUTSFORD ROAD, HOLMES CHAPEL, CW4 8HU**

Consideration was given to the above application.

(Councillor A Kolker (Ward Councillor), Councillor M Hodge (Representing Cranage Parish Council), Mr J Perkin (objector) and Mr S Comrie (on

behalf of the applicant) attended the meeting and spoke in respect of the application).

**RESOLVED:**

That the application be delegated to the Planning and Enforcement Manager in consultation with the Chairman and Ward Councillor to APPROVE subject to receipt of a layout plan which provides a turning area for large vehicles and to the following conditions:

1. Standard (3 years)
2. Approved plans
3. External lighting
4. Hours of operation
5. Staff parking restricted to 5 vehicles
6. Submission of a Noise Management Plan
7. Hours of use to be 8.00 am to 6.30 pm Monday to Friday and 8.00 am to 2.30 pm on Saturday – no working Sundays or Bank Holidays.
8. Details of any external lighting to be submitted

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 & Enforcement Manager, in consultation with the Chairman (or in his absence the Vice Chairman) 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

*(The meeting adjourned for a short break)*

- 44 **15/2704M - REMOVAL AND REPLACEMENT OF 8 NO. EXTERNAL FLOODLIGHTS FITTINGS TO EXISTING SPORTS PITCH MOUNTED ON EXISTING COLUMN. REPLACEMENT / ADDITIONAL EXTERNAL LIGHTING TO CAR PARKING AREA. WORKS COMPRISE OF INSTALLATION OF NEW LIGHTING COLUMNS WITH LED FITTINGS (4 NO.) AND REPLACEMENT OF EXISTING EXTERNAL LIGHT FITTINGS TO EXISTING COLUMNS WITH LED TYPE TO CAR PARK AREA (10 NO.):KNUTSFORD LEISURE CENTRE, WESTFIELD DRIVE, KNUTSFORD, CHESHIRE, WA16 0BL**

*Prior to consideration of this item, as stated in his declaration, Councillor M Hardy left the meeting and did not return.*

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. A02FP - Commencement of development
2. A01AP - Development in accord with approved plans
3. Lighting Plan
4. Lighting Times of operation

Informative:  
Contam Land

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 & Enforcement Manager, in consultation with the Chairman (or in his absence the Vice Chairman) 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.

The meeting commenced at 10.13 am and concluded at 12.32 pm

Councillor G M Walton (Chairman)

**This page is intentionally left blank**

Application No: 15/3133M

Location: CHORLEY OLD HALL, CHORLEY HALL CLOSE, ALDERLEY EDGE, WILMSLOW, CHESHIRE, SK9 7TG

Proposal: Part single storey and part two storey extension; external and internal alterations; new landscaping

Applicant: Mr & Mrs J Johnson

Expiry Date: 04-Sep-2015

**Date Report Prepared: 22 September 2015**

### **SUMMARY**

This application is for the replacement of an existing single storey extension with a new two storey extension, together with minor alterations elsewhere to the grade I listed building and Scheduled Monument. Following extensive discussions with Historic England and the Council's Conservation Officer it was decided that the proposal is appropriate in design, scale and massing and the alterations involved have been acceptably justified, in terms of the benefits of sustaining the residential use of the listed building.

The proposed development complies with the relevant development plan policies and is considered to be sustainable in the social, environmental and economic context. The application is therefore recommended for approval.

### **REASON FOR REPORT**

This application has been called in to committee at the request of Cllr Craig Browne on the 31<sup>st</sup> July due to concerns raised in respect to the proposed:

- Chorley Old Hall is a Grade I listed building and as such is of significant value to the architectural heritage of Alderley Edge. It is also one of the oldest (if not the oldest) buildings within the community;
- Alderley Edge Parish Council has considered the application and is of the view that the proposed materials (particularly modern timber and glazing) are incompatible with the historic design & finish of the original building;
- The Parish Council also feel that the heritage value of the building is so great, that it is of significance to the wider borough and that the proposals should therefore not be determined by an individual officer.

## DESCRIPTION OF SITE AND CONTEXT

Chorley Old Hall is a grade I listed building and Scheduled Monument of exceptional historic, architectural and archaeological significance. The building is an example of a 14C medieval hall, retaining the majority of its open hall and screens passage structure.

The site is located on the outskirts of Alderley Edge in an area of Green Belt.

## DETAILS OF PROPOSAL

Full planning permission is sought for the replacement of an existing single storey extension with a new two storey extension, together with minor alterations elsewhere to the grade I listed building and Scheduled Monument.

## RELEVANT HISTORY

97/2326P      PROVISION OF NEW GROUND FLOOR WINDOW IN WEST ELEVATION  
Approved with conditions 02 February 1998

22911P      DEMOLITION OF + ERECTION OF NEW SUNLOUNGE + NEW DOUBLE  
GARAGE  
Approved with conditions 21 July 1980

## POLICIES

Macclesfield Borough Local Plan – saved policies

BE1 (Design principles for new developments)  
BE2 (Preservation of the historic environment)  
BE15 (Repair or enhancement (listed buildings))  
BE18 (Alteration extensions and partial demolition (listed buildings))  
BE21 (Sites of Archaeological Importance)  
BE22 (Scheduled Monuments)  
BE23 (Development affecting Archaeological Sites)  
DC1 (High quality design for new build)  
DC2 (Design quality for extensions and alterations)  
DC3 (Protection of the amenities of nearby residential properties)  
DC38 (Guidelines for space, light and privacy for housing development)  
DC43 (Side extensions to houses)  
H13 (Protecting residential areas)  
GC1 (New Buildings in the Green Belt)  
GC12 (Alterations and Extensions to Houses in the Green Belt)

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

Other Material Considerations

National Planning Policy Framework (NPPF)  
National Planning Practice Framework (NPPG)

### **National Policy:**

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

Of particular relevance are paragraphs 1, 7, 9 and 12.

### **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)

PG3 (Green Belt)

SD1 (Sustainable Development in Cheshire East)

SD2 (Sustainable Development Principles)

SE1 (Design)

### **CONSULTATIONS (External to Planning)**

**Archaeology:** no objections subject to condition

**Forestry:** no objections subject to condition

**Historic England:** no objections

**Nature Conservation:** no objections

### **VIEWS OF THE PARISH / TOWN COUNCIL**

**Alderley Edge Parish Council:** no specific comments have been received from the parish council, however comments from Cllr Browne in the call-in request mention 'Alderley Edge Parish Council has considered the application and is of the view that the proposed materials (particularly modern timber and glazing) are incompatible with the historic design & finish of the original building'.

### **OTHER REPRESENTATIONS**

None

### **APPLICANT'S SUPPORTING INFORMATION**

The applicant has submitted a Planning Statement, Tree Survey, Heritage Impact Assessment, a Design and Access Statement, Bat Report and an Archaeological Evaluation. Details of these can be viewed on the electronic file.

### **OFFICER APPRAISAL**

#### **Key Issues**

- Design/impact on the Listed Building
- Impact on protected trees
- Impact on archaeological remains/scheduled monument
- Impact on openness of the Green Belt

## ENVIRONMENTAL SUSTAINABILITY

### Design/impact on the Listed Building

Chorley Old Hall is a Grade 1 , 14<sup>th</sup> century medieval Hall and also a scheduled monument, access to the moated site is via a grade II listed Bridge. The building has evolved and these changes are clearly visible both internally and externally. The various phases of development show the chronology of the Hall as it has passed through different ownership and phases of fashion and architectural style and technique. These are an important part of the significance of the Hall and considered an important part of the buildings special interest. The existing 20<sup>th</sup> century family room is considered to be of no heritage value, the principle of its loss is considered acceptable. The main issue is the effect of the extension on the architectural and historic interest of the Hall.

Discussions have been ongoing between the Council's Conservation Officer, the owners, architect, and Historic England for approx. 4 years relating to the replacement of the existing 20<sup>th</sup> century extension. During this time a number of design concepts have been explored along with detailed investigations and surveys and constant dialogue has been had between Historic England, our Conservation Officer and the architect to amend the design and arrive at a suitable concept all parties consider to be appropriate to the highly significant and sensitive building. Early stages included extensive surveying, understanding the building showing the scheme has very much been conservation led and informed.

The extension is lesser in width than the two existing rear gabled elements of the Hall. The recessed glazing will separate the Hall from the new extension, but will sit in alignment to the rear elevation and west elevation walls, filling the corner between the two. This relationship is fundamental for an extension to a listed building in order to preserve the integrity of the original plan form of the building. The areas where the most amendments have taken place during the design stage relate to the architectural detailing of fenestration and details such as the link and corner post to the extension. The extension is clearly a contemporary extension to a historic building, the set back of the glazed link between the extension and the Hall retains the original plan form. The building would be built off foundations above the level of below-ground archaeology which is known to exist in order to avoid disturbance.

The following comments were made by our Conservation Officer:

*'the proposed extension is subservient in scale and respectful of the plan form of the building, using high quality materials and sensitive construction (which is to be controlled by condition through the scheduled monument consent and construction method statement) which will not compete with the historic fabric and architectural language of the Hall but will not dominate or compete due to its simple palette of materials and the light weight design. In future years, it will be possible to differentiate between the building as it was in the 14th century and later phases, from the extension built in the early 21st century. The extension is a contrasting but lightweight contemporary design. The Hall's western gable will remain visible and will require*

*minimal alteration and demolition of the staircase to accommodate the new extension. The existing staircase will not be tied to the extension so will remain an independent and not altered by the changes; it is therefore a reversible change with minimal impact upon the historic fabric, covering areas of the Hall presently covered by the existing extension. The building has a history of additions, all of which were contemporary in their day and different from the original, the changes offered modern building techniques and another chapter of change; this is one such change to the buildings history. Regarding the setting of the Hall, The NPPF makes it clear that the setting of a heritage asset is the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral (NPPF glossary). (Guidance note 3-Setting; Historic England). It is not considered for the reasons mentioned above there will be any harm to the setting of the Hall.*

*Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Paragraphs 132 and 134 consider the harm which may be caused arising from development proposals and must be weighed against the public benefit.*

*I consider the scheme is acceptable in terms of the impact on the significance of the Grade I listed Hall and will be in line with statutory duty, the NPPF and local plan policy BE15 and BE16.'*

This support is reiterated in the response of the Historic England Officer with the following comments; *'The proposed design is appropriated in design, scale and massing and the alterations involved have been acceptably justified, in terms of the benefits of sustaining the residential use of the listed building. We therefore have no objection to the proposals.'*

It is clear that the proposal deals with the physical intervention with the listed building in a sensitive way. Notwithstanding the comments from the conservation officer and Historic England, it is clear that the proposal is a bold solution and it must be recognised that different opinions may be held about the acceptability of this form of extension to the building.

On balance, taking into account the comments that have come forward from the specialists in this field, it is considered that the extension will have an acceptable impact on the Listed Building and complies with policy in terms of the impact on the building and its setting.

Concerns are raised as to the restrictive nature of the site and the Grade II listed bridge so it is considered appropriate to condition a method statement.

The materials finish to the extension is a critical element. Ideally, officers would like to see a sample of finished stone on site prior to the granting of planning permission. The applicant is working to source the best possible stone for the extension and members will be updated on this issue. Given the importance of the materials to the overall impact of the extension, if this matter has not been resolved prior to the planning committee, it is recommended that this

aspect is delegated to officers, in consultation with the Chair and Vice-Chair, to ensure satisfactory materials are viewed on site prior to planning permission being granted.

### **Impact on the Openness of the Green Belt**

Policy GC12 allows for limited extensions within the Green Belt of up to a 30% increase over the original floorspace. The only extension to the dwelling since 1948 is the extension that is to be demolished as part of this development so the proposed extension would be the only addition to the dwelling for calculation purposes. The increase of approximately 20% would be acceptable and compliant with policy GC12 of the Local Plan and guidance within the NPPF.

### **Trees**

There are no direct arboricultural implications associated with this application but given the restrictive nature of the site in terms of the access bridge it is anticipated that a site storage material compound will be required which may have an impact on trees.

The proposed extension occupies an area of existing hard stand on the south west corner of the listed building. Whilst the RPA of T2 a mature Dawn Redwood extends close to the proposed build footprint it is anticipated that root development in this area will have already been restricted given the existing surfacing, with the tree taking advantage of the adjacent open lawn aspect. Historic England has also raised concerns in terms of the trees located immediately adjacent to the moat and the impact they would have should they fail and compromise the scheduled monument. There are no other trees implicated in terms of the build with T2 able to be protected in accordance with current best practice BS5837:2012 by condition.

The bridge which serves the property is restrictive both in terms of its width and weight bearing capabilities, which will probably require all material to be stored outside the moat and brought on to site as required. The area immediately associated with the point of access off the main road and the driveway contains a number of trees, some of which are protected as part of a 1968 TPO, and are an attractive feature which complements the listed building. If it is proposed to manage the build with a compound details of tree protection will be required, this again can be dealt with by condition should the application proceed.

### **Ecology**

The application is supported by an acceptable bat survey report.

Our Nature Conservation Officer advises that roosting bats or any other protected are reasonably unlikely to be adversely affected by the proposed development.

### **Amenity**

The distance to other properties and screening around the site mean that the proposal would have no impact on neighbouring amenity.

### **SOCIAL SUSTAINABILITY**



The works to the Listed Building will help to secure the longevity of the heritage asset.

### **ECONOMIC SUSTAINABILITY**

The development will provide limited economic benefits in respect of employment during the construction phase.

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

The proposed development follows extensive discussions between Historic England, the applicants and the Council's Conservation Officer which have led to a positive recommendation from both consultees. With this in mind the proposal is considered to, on balance, have an acceptable impact on the Listed Building. No adverse impact on protected trees, protected species or neighbouring amenity are raised and the impact on the openness of the Green Belt is acceptable. The proposal accords with all relevant Development Plan policies and is deemed to be a sustainable form of development. As such, in accordance with para 14 of the NPPF, the proposal should be approved without delay. Therefore, subject to the receipt of outstanding consultation comments, a recommendation of approval is made subject to conditions.

### **RECOMMENDATION**

**The application is recommended for approval.**

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 Householder

#### **RECOMMENDATION:**

1. A03FP Commencement of development (3 years)
2. A01AP Development in accord with approved plans
3. A02LB Methodstatement
4. A02TR Tree protection
5. Works in accordance with Scheduled Monument Consent
6. Materials as submitted



Application No: 15/3134M

Location: CHORLEY OLD HALL, CHORLEY HALL CLOSE, ALDERLEY EDGE, WILMSLOW, CHESHIRE, SK9 7TG

Proposal: Listed Building Consent for Part single storey and part two storey extension; external and internal alterations; new landscaping

Applicant: Mr & Mrs J Johnson

Expiry Date: 04-Sep-2015

**Date Report Prepared: 22 September 2015**

### **SUMMARY**

This application is a Listed Building Consent for the replacement of an existing single storey extension with a new two storey extension, together with minor alterations elsewhere to the grade I listed building and Scheduled Monument. Following extensive discussions with Historic England and the Council's Conservation Officer it was decided that the proposal is appropriate in design, scale and massing and the alterations involved have been acceptably justified, in terms of the benefits of sustaining the residential use of the listed building.

The proposed development complies with the relevant development plan policies and is considered to be sustainable in the social, environmental and economic context. The application is therefore recommended for approval.

### **REASON FOR REPORT**

This application has been called in to committee at the request of Cllr Craig Browne on the 31<sup>st</sup> July due to concerns raised in respect to the proposed:

- Chorley Old Hall is a Grade I listed building and as such is of significant value to the architectural heritage of Alderley Edge. It is also one of the oldest (if not the oldest) buildings within the community;
- Alderley Edge Parish Council has considered the application and is of the view that the proposed materials (particularly modern timber and glazing) are incompatible with the historic design & finish of the original building;
- The Parish Council also feel that the heritage value of the building is so great, that it is of significance to the wider borough and that the proposals should therefore not be determined by an individual officer.

### **DESCRIPTION OF SITE AND CONTEXT**

Chorley Old Hall is a grade I listed building and Scheduled Monument of exceptional historic, architectural and archaeological significance. The building is an example of a 14C medieval hall, retaining the majority of its open hall and screens passage structure.

The site is located on the outskirts of Alderley Edge in an area of Green Belt.

### DETAILS OF PROPOSAL

Listed Building Consent is sought for the following:

- Demolition of the existing single storey extension and construction of a new two storey extension on the same site but to a larger footprint.
- Carry out internal alterations at ground floor level within the Hall including:
  - Honed Yorkstone paving to be laid in the extension and family entrance lobby
  - The existing stone flag floor at ground floor level of the stair enclosure is to be carefully lifted and re-laid
  - The existing floor finishes within the Kitchen are to be carefully removed down to the level of the existing Yorkstone flags.
  - The existing floor finishes in the Dining Hall, and the slab beneath, are to be carefully removed for investigation purposes finished with new honed Yorkstone flags at the same level as the existing.
  - The existing stone flag floors within the Main Entrance Lobby and Screens Passage are to be carefully lifted and re-laid.
  - The existing Yorkstone flags to the southern path and west terrace are to be carefully lifted and set aside for re-use elsewhere. The step structures, raised planter and wall between the south path and lawn are to be carefully dismantled down to the top of the footings with all materials retained and set aside for re-use.
  - Contemporary lantern style light fittings are to be installed at or over the Family Entrance.
  - The half brick partition between the Kitchen and Dining Hall is to be carefully dismantled from the King mullion on the north side to the south side of the existing door opening. The bricks would be cut out and removed by hand
  - Replacement fireplace separate bread oven.
  - The existing Kitchen units are to be removed and replaced by new units with simple panelled doors with a hand-painted finish and granite worktops.
- Carry out essential maintenance on the external building fabric and courtyard area.
- Implement a new landscaping scheme to the south and west of the Hall.

### RELEVANT HISTORY

97/2331P      PROVISION OF NEW GROUND FLOOR WINDOW IN WEST ELEVATION  
Approved with conditions 17 February 1998

22911P      DEMOLITION OF + ERECTION OF NEW SUNLOUNGE + NEW DOUBLE GARAGE  
Approved with conditions 21 July 1980

## **POLICIES**

Macclesfield Borough Local Plan – saved policies

BE1 (Design principles for new developments)  
BE2 (Preservation of the historic environment)  
BE15 (Repair or enhancement (listed buildings))  
BE18 (Alteration extensions and partial demolition (listed buildings))  
BE21 (Sites of Archaeological Importance)  
BE22 (Scheduled Monuments)  
BE23 (Development affecting Archaeological Sites)

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

Other Material Considerations

National Planning Policy Framework (NPPF)  
National Planning Practice Framework (NPPG)

### **National Policy:**

The National Planning Policy Framework establishes a presumption in favour of sustainable development.  
Of particular relevance is paragraph 12.

### **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)  
SD1 (Sustainable Development in Cheshire East)  
SD2 (Sustainable Development Principles)  
SE1 (Design)  
SE7 (the historic environment)

### **CONSULTATIONS (External to Planning)**

**Archaeology:** no objections subject to condition

**Conservation:** no objections

### **VIEWS OF THE PARISH / TOWN COUNCIL**

**Alderley Edge Parish Council:** no specific comments have been received from the parish council, however comments from Cllr Browne in the call-in request mention 'Alderley Edge Parish Council has considered the application and is of the view that the proposed materials (particularly modern timber and glazing) are incompatible with the historic design & finish of the original building'.

## **OTHER REPRESENTATIONS**

None

## **APPLICANT'S SUPPORTING INFORMATION**

The applicant has submitted a Planning Statement, an Archaeological Evaluation and Heritage Impact. Details of these can be viewed on the electronic file.

## **OFFICER APPRAISAL**

### **Key Issues**

- Impact of the proposal on the architectural and historic integrity of the listed building

### **Design/impact on the Listed Building**

Chorley Old Hall is a Grade 1 , 14<sup>th</sup> century medieval Hall and also a scheduled monument, access to the moated site is via a grade II listed Bridge. The building has evolved and these changes are clearly visible both internally and externally. The various phases of development show the chronology of the Hall as it has passed through different ownership and phases of fashion and architectural style and technique. These are an important part of the significance of the Hall and considered an important part of the buildings special interest. The existing 20<sup>th</sup> century family room is considered to be of no heritage value, the principle of its loss is considered acceptable. The main issue is the effect of the extension on the architectural and historic interest of the Hall.

Discussions have been ongoing between the Council's Conservation Officer, the owners, architect, and Historic England for approx. 4 years relating to the replacement of the existing 20<sup>th</sup> century extension. During this time a number of design concepts have been explored along with detailed investigations and surveys and constant dialogue has been had between Historic England, our Conservation Officer and the architect to amend the design and arrive at a suitable concept all parties consider to be appropriate to the highly significant and sensitive building. Early stages included extensive surveying, understanding the building showing the scheme has very much been conservation led and informed.

The extension is lesser in width than the two existing rear gabled elements of the Hall. The recessed glazing will separate the Hall from the new extension, but will sit in alignment to the rear elevation and west elevation walls, filling the corner between the two. This relationship is fundamental for an extension to a listed building in order to preserve the integrity of the original plan form of the building. The areas where the most amendments have taken place during the design stage relate to the architectural detailing of fenestration and details such as the link and corner post to the extension. The extension is clearly a contemporary extension to a historic building, the set back of the glazed link between the extension and the Hall retains the original plan form. The building would be built off foundations above the level of below-ground archaeology which is known to exist in order to avoid disturbance.

The following comments were made by our Conservation Officer:

*'the proposed extension is subservient in scale and respectful of the plan form of the building, using high quality materials and sensitive construction (which is to be controlled by condition through the scheduled monument consent and construction method statement) which will not compete with the historic fabric and architectural language of the Hall but will not dominate or compete due to its simple palette of materials and the light weight design. In future years, it will be possible to differentiate between the building as it was in the 14th century and later phases, from the extension built in the early 21st century. The extension is a contrasting but lightweight contemporary design. The Hall's western gable will remain visible and will require minimal alteration and demolition of the staircase to accommodate the new extension. The existing staircase will not be tied to the extension so will remain an independent and not altered by the changes; it is therefore a reversible change with minimal impact upon the historic fabric, covering areas of the Hall presently covered by the existing extension. The building has a history of additions, all of which were contemporary in their day and different from the original, the changes offered modern building techniques and another chapter of change; this is one such change to the buildings history. Regarding the setting of the Hall, The NPPF makes it clear that the setting of a heritage asset is the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral (NPPF glossary). (Guidance note 3-Setting; Historic England). It is not considered for the reasons mentioned above there will be any harm to the setting of the Hall.*

*Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Paragraphs 132 and 134 consider the harm which may be caused arising from development proposals and must be weighed against the public benefit.*

*I consider the scheme is acceptable in terms of the impact on the significance of the Grade I listed Hall and will be in line with statutory duty, the NPPF and local plan policy BE15 and BE16.'*

*This support is reiterated in the response of the Historic England Officer with the following comments; 'The proposed design is appropriated in design, scale and massing and the alterations involved have been acceptably justified, in terms of the benefits of sustaining the residential use of the listed building. We therefore have no objection to the proposals.'*

It is clear that the proposal deals with the physical intervention with the listed building in a sensitive way. Notwithstanding the comments from the conservation officer and Historic England, it is clear that the proposal is a bold solution and it must be recognised that different opinions may be held about the acceptability of this form of extension to the building. On balance, taking into account the comments that have come forward from the specialists in this field, it is considered that the extension will have an acceptable impact on the Listed Building and complies with policy in terms of the impact on the building and its setting.

Concerns are raised as to the restrictive nature of the site and the Grade II listed bridge so it is considered appropriate to condition a method statement.

The materials finish to the extension is a critical element. Ideally, officers would like to see a sample of finished stone on site prior to the granting of planning permission. The applicant is working to source the best possible stone for the extension and members will be updated on this issue. Given the importance of the materials to the overall impact of the extension, if this matter has not been resolved prior to the planning committee, it is recommended that this aspect is delegated to officers, in consultation with the Chair and Vice-Chair, to ensure satisfactory materials are viewed on site prior to planning permission being granted.

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

The proposed development follows extensive discussions between Historic England, the applicants and the Council's Conservation Officer which have led to a positive recommendation from both consultees. With this in mind the proposal is considered to, on balance, have an acceptable impact on the Listed Building. The proposal accords with all relevant Development Plan policies and is deemed to be a sustainable form of development. As such, in accordance with para 14 of the NPPF, the proposal should be approved without delay. Therefore, subject to the receipt of outstanding consultation comments, a recommendation of approval is made subject to conditions.

## **RECOMMENDATION**

**The application is recommended for approval.**

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

Application for Listed Building Consent

### **RECOMMENDATION:**

1. A02LB            Method statement
2. A07LB            Standard Time Limit
3. A01AP            Development in accord with approved plans
4. Materials as submitted





**This page is intentionally left blank**

Application No: 15/2274M

Location: Land Off, SCHOOL LANE, MARTON

Proposal: Outline application for up to 27 No. dwellings with details of access. All other details reserved

Applicant: Hollins Strategic Land LLP

Expiry Date: 17-Aug-2015

## SUMMARY

The application site is located within Countryside Beyond the Green Belt and the Jodrell Bank consultation zone, as defined by the Macclesfield Local Plan.

Although policy GC5 seeks to restrict development in the open countryside, the policy does not preclude residential development in such areas. An assessment of the contribution the site makes to the landscape/wider countryside has been undertaken. As the site is surrounded by residential development it is concluded that development of the site would not significantly harm the wider landscape/countryside in this location.

The Council cannot currently demonstrate a 5 year housing land supply. The development would provide up to 18 No. market houses and 9 No. affordable houses, which would make a beneficial contribution to meeting an acknowledged shortfall within the Borough.

The 3 No. roles of sustainability outlined in the NPPF (social, environmental and economic) have been considered to arrive at a conclusion regarding the overall sustainability of the proposal. Benefits have been balanced against the disadvantages. As well as the additional social benefit of provision of housing, the site has the potential to provide a high quality public open space accessible to existing residents in Marton as well as future residents of the new dwellings. The proposed development has a limited and acceptable degree of impact on: 1) the landscape (inc. loss of agricultural land), 2) trees and hedges, 3) ecology, 4) surrounding highways network, 5) the character and appearance of the area, 6) heritage assets and 7) neighbouring residential amenity. There are no significant environmental health concerns arising from the proposal.

The proposed development would provide some economic benefits, such as 1) the employment opportunities and the wider economic benefits to the construction industry supply chain; 2) future residents contributing to the local economy, which would assist in sustaining, and potentially increasing, existing amenities and 3) some contribution to the local economy via use of local amenities by construction workers.

Balanced against these benefits, it is acknowledged that the proposed development would change the village in respect of increasing the number of existing dwellings and residents relatively significantly. The outlook would change for a number of residents from their

properties. There would be a change in an area of existing landscape and a loss of some agricultural land. There would be some loss of trees and hedges with a corresponding ecological impact. There is a potential for a limited impact on the setting of the nearby listed building. There would be some increase in the number of vehicles using the surrounding highway network. However, none of these impacts are considered to be significant and they do not justify withholding planning permission.

Bearing all the above factors in mind it is considered that the proposed development does constitute a sustainable form of development within the broad context of sustainability outlined in the NPPF. As such, in accordance with para 14 of the NPPF, the proposal should be approved without delay.

Therefore, subject to the receipt of outstanding consultations and representations, a recommendation of approval is made, subject to conditions, informatives and Heads of Terms for Recreation Outdoor Sports (details to be confirmed) and 9 No. affordable housing units, secured via a s106 Agreement.

**RECOMMENDATION: APPROVAL, subject to conditions, informatives and s106 Agreement**

## **REASON for REPORT**

The proposal is for up to 27 No. dwellings.

## **PROPOSED DEVELOPMENT**

It is noted that the application has been amended twice during the course of the submission; the application initially included a small community car park accessed off Oak Road. The first amendment moved the access points away from Protected Trees. In response to further consultation comments received (in particular, concerns raised by the Arboricultural, Design/Listed Building and Greenspace Officers), the applicant amended the plans a second time, opting to remove the car park from the proposal, thereby allowing a) a better relationship between the proposal and neighbouring Listed Building, b) potential provision of a high quality public open space (village green) can be provided within the site and c) a reduction in the potential impact on trees and hedges.

This application now seeks outline planning permission for the erection of up to 27 No. dwellings and approval of access; the main access is taken off School Lane and there are 3 No. pedestrian access points from School Lane, Oak Lane and the A34 respectively. All other details, i.e. appearance, layout, scale and landscaping, have been reserved for approval at a later stage. It is noted that the Masterplan submitted provides an illustrative layout. This illustrative layout has enabled Officers to consider whether or not 27 No. dwellings could be accommodated within the site whilst also being able to potentially address all other key planning matters and accord with the required Development Plan policies.

## **SITE DESCRIPTION**

The application site is a field located off School Lane, Marton, covering an area just under 1.3ha. The land is Grade 2 Agricultural land and is gently undulating. There is a relatively small derelict brick building located towards the south-western corner of the site (previously a Smithy). The site lies within Countryside Beyond the Green Belt and the Jodrell Bank Consultation Zone, as defined in the Local Plan. There are 4 No. Listed Buildings within the proximity of the site, the nearest of which is 'Greenacre', a Grade II Listed residential dwelling located on School Lane opposite the proposed main access into the site. The other 3 No. Listed buildings are all Grade II residential properties and are sited beyond the boundaries of the existing properties located around the site's boundaries. It is noted that following the submission of the application a Tree Preservation Order has been attached to a number of trees within and around the site.

School Lane passes by the north-western boundary of the site; there are residential properties on School Lane opposite the site. There is a residential property immediately beyond the north/north-eastern boundary of the site. Oak Lane passes by the eastern boundary of the site and there are residential properties and a Primary School opposite the site along its eastern boundary. Oak View is off Oak Lane and the rear gardens of residential properties located on Oak View (these properties are bungalows) back directly up to the south-eastern boundary of the site. The south-western boundary of the site partly abuts the rear boundaries of residential properties located along the A34 and partly abuts the A34 itself.

## **PLANNING HISTORY**

The following planning history is noted for completeness, though the history is not particularly relevant now given that planning policy and guidance has changed considerably at National, Regional and Local Levels since the determination of these applications in the late 1980s.

49464P      Residential development for nine dwellings. Refused, 05.08.1987.

58234P      Use of land for residential purposes comprising eight detached houses, six starter houses and six elderly persons units. Refused, 17.05.2015

The reasons for refusal of both applications was similar, i.e contrary to the provisions of the County Structure Plan (1975) and its First Alteration (1985), specifically the policies relating to development in rural areas; and contrary to policies in the Macclesfield Local Plan pertaining to countryside.

## **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 (this statement is repeated in the NPPF, para 2).

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

## National Policy/Guidance

### **National Planning Policy Framework (NPPF)**

Para 6 of the NPPF states that

*The purpose of the planning system is to contribute to the achievement of sustainable development.*

Para 14 states that at the heart of the NPPF

*...is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.*

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.*

Sustainable development includes economic, social and environmental roles (NPPF para 7)

Para 47 of the NPPF states that Local Planning Authorities should “...boost significantly the supply of housing...” Furthermore

Para 49 states that

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

Additional sections of the NPPF of particular relevance to the appraisal and determination of the application are:-

- Part 1- Building a strong, competitive economy
- Part 3 - Supporting a prosperous rural economy
- Part 4 - Promoting sustainable transport
- Part 6 - Delivering a wide choice of high quality homes
- Part 7 - Requiring good design

- Part 8 - Promoting healthy communities
- Part 10 - Meeting the challenge of climate change, flooding and coastal change
- Part 11 - Conserving and enhancing the natural environment
- Part 12 - Conserving and enhancing the historic environment

### ***National Planning Practice Guidance (NPPG)***

The NPPG came into force on 6th March 2014, replacing a range of National Planning Policy Guidance Notes and complimenting the NPPF.

### **Local Policy - Development Plan**

#### ***Macclesfield Borough Local Plan – saved policies (MBLP)***

Since publication of the NPPF 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:

- NE11 (Nature conservation)
- NE18 (Accessibility to nature conservation)
- BE1 (Design guidance)
- BE2 (Historic fabric)
- BE16 (Setting of Listed Buildings)
- GC5 (Countryside beyond the green belt)
- GC14 (Jodrell bank)
- RT5 and DC40 (Children's play provision and amenity space)
- H1 (Housing phasing policy)
- H2 (Environmental quality in housing developments)
- H5 (Windfall housing sites)
- H8 & H9 (Affordable housing)
- H13 (Protecting residential areas)
- T2 (Support public transport)
- T3 (Improve conditions for pedestrians)
- T4 (Access for people with restricted mobility)
- T5 (Provision for cyclists)
- T6 (Highway improvements)
- IMP1 (Provision for infrastructure)
- IMP2 (Need for transport measures)
- DC1 (High quality design for new build)
- DC3 (Protection of the amenities of nearby residential properties)
- DC5 (Design and natural surveillance)
- DC6 (Circulation and access)
- DC8 & DC37 (Requirements for landscaping)
- DC9 (Tree protection)
- DC15 (New infrastructure & facilities)

- DC16 (Servicing by existing infrastructure)
- DC17 & DC18 (Water resources)
- DC36 (Road layouts and circulation)
- DC38 (Guidelines for space, light and privacy for housing)
- Development
- DC63 (Contaminated land)

### **Other Material Considerations**

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

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

- PG2 (Settlement Hierarchy)
- PG5 (Open Countryside)
- PG6 (Spatial Distribution of Development)
- SC4 (Residential Mix)
- SC5 (Affordable Homes)
- SD1 (Sustainable Development in Cheshire East)
- SD2 (Sustainable Development Principles)
- SE3 (Biodiversity and Geodiversity)
- SE5 (Trees, Hedgerows and Woodland)
- SE 1 (Design)
- SE 2 (Efficient Use of Land)
- SE 4 (The Landscape)
- SE 13 (Flood Risk and Water Management)
- SE 6 (Green Infrastructure)
- IN1 (Infrastructure)
- IN2 (Developer Contributions)

***Interim Planning Statement: Affordable Housing - Feb 2011***

***Strategic Market Housing Assessment (SHMA)- Up-date Sept' 2013***

***Strategic Housing Land Availability Assessment (SHLAA)- Jan 2013***

***Article 12 (1) of the EC Habitats Directive 1992***

***The Conservation of Habitats and Species Regulations 2010***

***Nature Conservation Strategy (SPD) – 2006***

***Designing Out Crime (SPD ) - 2006***

***Trees & Development Guidelines (SPG) - 2004***

It is noted that a Marton Neighbourhood Plan is being prepared. However, this is not at a stage that is sufficient for it to be given weight within the appraisal.

### **CONSULTATIONS**

#### **Head of Strategic Infrastructure (Highways)**



No objections, subject to an informative requiring the developer to enter into section 278 agreement with the Highway Authority for the proposed works (illustrated in drawing numbers SK21519-003 rev A) that are within the existing highway boundaries.

### **Heritage & Design – Landscape**

No objections, subject to conditions re 1) ground levels/landscape earthworks, 2) landscape details, 3) implementation of landscape details and 4) details of boundary treatments. If CE are not adopting the open space a landscape management plan should form part of a s106 Agreement.

### **Heritage & Design – Conservation/Design/Listed Buildings**

No objections, subject to details of the access being designed (at reserved matters stage) in a manner that ensures no detrimental impact on the Listed Building, 'Greenacre'.

### **Heritage & Design - Forestry**

Awaiting comments in respect of the latest amended illustrative site plan. However, no objections were raised in respect of the first amended illustrative plan, which ensured that access points did not impact on protected trees. As the latest amendment removes the car park from the application there is less impact on trees and hedges and therefore no objections are anticipated. It is recommended a condition be attached to any approval requiring an Arboricultural Impact Assessment be submitted with any reserved matters application.

### **Heritage & Design – Ecology**

Noted that there would be some loss of hedgerow, but also that additional hedgerow could be planted as mitigation. Recommend conditions related to the following, if approved: 1) buffer zone to protect retained hedgerow habitat, 2) protection of breeding birds, 3) features for roosting bats and breeding birds to be incorporated into reserved matters application, 4) appropriate gaps for hedgehogs to be incorporated into reserved matters application.

### **Environmental Protection**

No objections, subject to following conditions and informatives: 1) noise impact assessment, 2) restriction on hours of noise generative construction activities and associated deliveries to the site, 3) details of piling to be submitted (if undertaken), 4) a Travel Plan to be submitted, 5) electric vehicle charging point to be provided for each dwelling, 6) details of dust control to be submitted and 7) a Phase II contaminated Land investigation to be undertaken/submitted and a contaminated land informative be added.

### **United Utilities**

No objections, subject to conditions relating to foul water and surface water.

### **Education**

No objections. Officers have concluded that there would be no detriment to education. Further details will be sought from Education and provided in a committee up-date.

### **Housing**

No objections, subject to the appropriate level of affordable housing being secured via a s106 Agreement.

### **Greenspace**

No objections

### **Jodrell Bank**

No comments received as of 23.09.2015.

### **Flood Risk**

No objections, subject to conditions re 1) details of surface water, 2) details of design, management and maintenance plan for surface water drainage using sustainable drainage methods (SUDS), 3) details of management of overland flow.

## **TOWN/PARISH COUNCIL**

### **Marton Parish Council**

Object for the following reasons:

#### *Comments on original submission*

- Not sustainable – Limited infrastructure, facilities, services available; the Transport Statement submitted makes some claims that are untrue or misleading: the proposed pedestrian links onto School Lane and the A34 do not connect to footpaths; there is no public transport (the 'D & G little bus' has stopped running and the bus that takes pupils/students to College in Macclesfield is barely a service); using the National Cycle Network route 55 to Congleton & Macclesfield is not a practical proposition; there is no mains gas in Marton, and the proposed use of LPG could lead to high heating costs and may not be sustainable; the vehicle is the only viable means of transport; although the applicant has shown how utilities services can be provided to the site they haven't demonstrated how foul and surface water will be dealt with; it doesn't accord with emerging local plan policies Section 9, SD1 and SD2.
- Highway safety, inadequate parking and access – There are parking problems around the School at drop-off/collection times, resulting in parking on School Lane, the resultant increase in vehicle use will make the current situation worse/unsafe; the proposed car park would not solve the traffic problems around the School; the Parish Council commissioned an independent assessment of the highway issues and the results reinforced the Parish Council's concerns; additional traffic will compound problems on the surrounding road network.

- Loss of greenfield and preference for brownfield development – Loss of 1,28 ha of agricultural land; Marton PC endorses the general approach of CEC of developing brownfield land before greenfield; the Parish Council has engaged with local residents and identified brownfield sites that could yield between 10-20 dwellings, which would meet the quota for the area.
- Overlooking surrounding properties, loss of privacy – Given the variation in ground levels all surrounding houses would experience loss of privacy (houses on the A34, those on School Lane and particularly the affordable housing bungalows for the elderly on Oak View, which would lose their view over the pasture and experience overlooking; the scale parameters in the Design & Access Statement refer to heights between 4.5 to 12m, which could be a block of flats; the car park would be visually intrusive and result in noise; the 'village green' would be no use to the community and children congregating there would cause noise that would impact on the elderly.
- Loss of trees and hedgerows – The loss of trees and hedges, which may be more than proposed to satisfy highway requirements, is not acceptable and would impact on bats feeding
- Inappropriate development for the area – Scale of development would represent a 70% increase, which would be detrimental to the character of the village by in-filling a much loved green space; it doesn't respect local context, street-pattern or scale; additional housing should be proportionate to the size of the village, such as barn conversions and small-scale developments on brownfield sites.
- Previous planning decisions – There have been 2 No. applications for residential properties on the site which have been refused.
- The Marton Residents View – This has been presented to CEC (May 2014) within the Village Plan; residents have stated their wish to retain green fields and develop brownfield sites; Marton has an emerging Neighbourhood Plan.
- Errors in the application – The population was 245 in 2011 Census (not circa 300, as claimed); there have been a number of traffic accidents, not just the one claimed; the responses in the HSL survey (Statement of Community Involvement) did not show strong points of support as claimed; the number of local residents who attend the School is a small proportion of its in-take, a local survey revealed that one of the dislikes was the parking around the School (this differs to the claim that residents benefit from the Primary School); the site has regularly been used for grazing, not sporadically as claimed; the application is for 27 No. dwellings, but only 26 are shown on the plan; the access to the first house on School Lane is via a private drive, not an estate road as claimed; the space under the canopy of a large tree is not a high quality village green/community space, as claimed; the claim that there are no clear views of countryside from the site is factually incorrect as surrounding fields can be seen; the proposed seeks to use LPG for heating, from 3 No. tanks, but these are not shown on the plans
- Contravenes policy – Paras 17-19 of PPS1, Paras 13-14 of PPS3, section 9 of the emerging CEC Local Plan ('sustainable development'), the Macclesfield Borough Local Plan and the emerging Martin Village Neighbourhood Plan.
- Transport Technical Note submitted by Marton PC – Concludes as follows: concerns about the methodology, falls short in design provision and doesn't provide evidence in some areas; questions regarding safe highway design have not been answered, given insufficient room to provide footways; recommend a reason for refusal of 'lack of information'.

### *Comments on first amendment*

- New access will impact on hedgerows and trees; sections of the hedgerow are defined as “important” and should not be removed (CE Ecologist comments support this).
- The location and size of the car park is not workable and puts the safety of children at risk.
- The consultation views from the Strategic Infrastructure Manager (no objections) have been arrived at using erroneous information.
- The PC still conclude that the applicant has failed to show a safe and viable access route to the proposed site; the risk associated with School traffic has not been addressed; the proposal is inappropriate in scale and not sustainable; the proposal is totally against the wishes and views of Marton residents (expressed in the Village Plan and emerging Neighbourhood Plan).
- Urge the Planning Officer and Council to take these views into consideration when assessing the application.

### *Response to other comments published on the website/additional information submitted*

- Whilst the applicant’s highway consultant has made some changes to the locations of the points of access, there is no clear resolution to the Parish Council’s concerns about the adverse impact on trees and hedge lines despite the applicant claiming that the impact is reduced.
- Also impact on the Listed Building, ‘Greenacre’ (as noted by the Council’s Design & Conservation Officer).
- The amendments and up-dated comments of the Strategic Infrastructure Manager do not address the range of highway safety concerns raised previously by the Parish Council and detailed in the transport Technical Note submitted in objection.
- The requirement for a s278 should be at the outline planning application not the reserved matters stage’
- The pedestrian links are not safe and reinforces the view of the PC that the proposal would not provide a variety of transport modes to future residents and therefore would not be sustainable; future residents would have to rely on vehicles.

### *Comments on latest amendment (now the current proposal)*

The Parish Council has provided an initial response to the latest amendment, i.e. removal of the car park from the scheme and changes to the illustrative site layout. The PC wishes to consider the amendment in more detail. However, key points initially raised are summarised below:

- Consider the application should be deferred to later committee
- Although the PC couldn’t see how the proposed car park was safe or practical, its omission from the proposal will result in a net loss of parking spaces in the vicinity of the school (i.e. spaces lost on School Lane due to the access point to the site). The issue of current parking on verges will be compounded
- It is likely that the roads of the proposed development will be used for parking at school drop-off and collection times, which will result in traffic safety issues

- The resultant highways safety issues may be considered 'severe' under the NPPF (para 32) and a reason for refusal. No evidence has been provided to demonstrate that the escalation of traffic will not become a significant problem
- Fail to see how "existing hedgerows are retained and enhanced wherever possible". Hedgerow 3 will have to be removed
- The amendments strengthen the Parish Council's view that planning permission should not be granted

### REPRESENTATIONS

As of 20.09.15 47 No. representations have been received during the course of the application, details of which can be read on file. A summary of objections/issues raised is provided below:

- Detrimental to the area
- Village would be "swallowed up"; not a suitable scale of proposal
- Out of proportion to the village – 25% increase
- No particular need for housing in Marton which couldn't be addressed via brownfield sites
- Marton developing its own neighbourhood plan, which will include identifying brownfield sites for, and addressing, local housing needs
- Would increase the population by half
- "Village green" would impact on residential amenity
- Tiny village green is not much use
- Overlooking
- Impact on residential outlook
- Detrimental to peaceful rural life of the area
- Disturbance from construction traffic
- If a School car park is needed it would need to be larger; only traffic issue is around drop-off & collection times at School, similar to many other areas
- Car park could be used for unsociable activities
- There are few facilities/services – no public transport, no mains gas, no footpaths, limited street-lighting, small shop, limited broadband
- Infrastructure wouldn't support it
- Waste-water/sewerage systems already struggling
- No long-term employment opportunities locally for young people; therefore future residents would need to commute
- Will increase amount of vehicles, particularly on School Lane; vehicles will be essential for incoming residents; traffic congestion & safety issues, particularly at School drop off/collection times, and for other pedestrians and cyclists
- Inadequate parking provided for residents and visitors
- Proposed car park could be used for unsociable activities
- No indication of impact on operations of radio telescope (i.e. Jodrell Bank) which is of international importance
- Not sustainable development
- Doesn't protect the countryside
- Properties not in keeping with properties on School Lane

- Following further discussions with the Parish Council the School are happy to support the Parish Council's preferred brownfield sites for housing

### ADDITIONAL INFORMATION

The applicant has submitted the following documents, details of which can be read on file:

- Transport Statement and a Transport Technical Note up-date
- Heritage Statement and an up-dated Heritage Statement
- Design & Access Statement
- Tree Survey Report and up-dated Report
- Ecological Assessment and up-dated Assessment
- Bat Survey
- Desk Study Assessment Report (Environmental Conditions)
- Utilities Statement
- Flood Risk Assessment & Drainage Strategy Management
- Agricultural Land Report
- Planning Statement
- Affordable Housing Statement
- Expression of Interest (Registered Social Landlord)
- S106 Proforma
- Statement of Community Involvement

### APPRAISAL

*There are three dimensions to sustainable development:- economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:*

***an environmental role*** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

***an economic role*** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

***a social role*** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and

*These roles should not be undertaken in isolation, because they are mutually dependent. (Paras 7 & 8 NPPF).*

### Key issues:

- Principle of the development
- Housing land supply
- Affordable housing
- Public Open Space
- Impact upon the landscape (Countryside Beyond the Green Belt), trees & hedgerows and agricultural land
- Ecological impact
- Highway safety
- Design/impact on the character of the area, relationship with the street-scene and impact on Listed Buildings
- Residential Amenity
- Flooding and drainage
- Education provision
- Impact on operations of Jodrell Bank
- Environmental issues
- Sustainability & planning balance
- Heads of terms

### **Principle of Development**

Policy GC5 states that *“development in the open countryside will not normally be permitted...”* unless it is for one of a number of exceptions. Although residential development is not one of the exceptions, the policy states that development (other than the exceptions listed) would not **“normally”** be permitted. Therefore, the policy does not preclude other development, such as residential. Although residential development is not precluded by policy GC5, the contribution the site plays to the countryside landscape is still to be considered as part of the appraisal. Subject to according with relevant Development Plan policies and other material considerations, the proposed development can be acceptable in principle.

### **SOCIAL SUSTAINABILITY**

#### ***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.

This 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.

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

The Local Plan Inspector published his interim views based on the first three weeks of Examination in November 2014. He concluded that the Council's calculation of objectively assessed housing need is too low. He also concluded that following six years of not meeting housing targets a 20% buffer should also be applied.

Given the Inspector's Interim view that the assessment of 1180 homes per year is too low, Officers no longer recommend that this figure be used in housing supply calculations. The Inspector has not provided any definitive steer as to the correct figure to employ, but has recommended that further work on housing need be carried out. The Examination of the Plan was suspended on 15th December 2014.

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 in the form of the "Cheshire East Housing Development Study 2015 – Report of Findings June 2015" produced by Opinion Research Services, has now taken place.

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 'persistent under delivery' of housing plus an allowance for the backlog.

The definitive methodology for buffers and backlog will be resolved via the Development Plan process. However the indications from the work to date suggests that this would amount to an identified deliverable supply target of around 11,300 dwellings.

This total would exceed the total deliverable supply that the Council is currently able to identify. As matters stand therefore, the Council remains unable to demonstrate a 5 year supply of housing land.

It is noted that, although the public examination of the emerging Local Plan Strategy has not yet been re-opened, within the Council's 'Spatial Distribution Update Report', which has been prepared as part of the emerging Local Plan process, the number of dwellings that will be required Rural Areas has increased by approx. a third, from 2000 to nearly 3000.

On the basis of the above, the provision of housing land itself is considered to be a substantial benefit of the proposal and the provision within a rural area is also a significant benefit.

### ***Affordable Housing***

The proposed would provide 9 No. affordable dwellings, which is considered to be a significant contribution to the affordable housing needs of the Borough. The proposed accords with policies H8 and H9 of the Local Plan and other material considerations.



## ***Public Open Space***

Local Plan policies DC40 and RT5 require developments to include, or make provision for, outdoor amenity & play space. The committed sums required for provision off-site are outlined in the SPG on s106 (Planning) Agreements. Although the application is an outline application with all details other than access reserved for approval at a later stage, a judgement has had to be made regarding whether or not the site can accommodate the number of dwellings applied for along with, amongst many other things, the appropriate provision for outdoor amenity and play space. Although the submitted masterplan is only illustrative at this stage, it is concluded that it will be possible to provide an appropriate level of public open space within the site which will a) meet the needs of future residents of the proposed dwellings and b) be accessible for use by other members of the Marton community. Contributions towards improving recreation outdoor sports facilities that future residents will be able to access can be secured via a s106 Agreement. As such the proposed is considered to accord with policies DC40 and RT5 and other material considerations.

## ***Infrastructure***

Within the 'Planning Statement' submitted in support of the application the following claims are made re local infrastructure, services, facilities and locational sustainability:

- Marton is an established residential community and residents benefit from a primary school, a local shop, a place of worship, a public house, a restaurant and some limited employment opportunities
- There is a golf course and trout pools available as local leisure opportunities
- School Lane forms part of the National Cycle Network (Route 55), which provides a link to Congleton and the wider cycle network
- Rail Services can be accessed from Congleton Station; school bus services are available and there is a 'demand responsive' bus service to meet other travel needs of local residents

Within the submitted 'Transport Statement' the following points are noted:

- The centre of Congleton is 3.5miles south of Marton
- A number of pedestrian access points are proposed to ensure good connectivity with the surrounding area (inc. access to all local facilities and services)
- Local roads within the vicinity of the site operate with very low levels of traffic and low speeds, providing a good environment for pedestrians and cyclists, even where no footways are available
- Pedestrian leisure routes and Public Rights Of Way networks are accessible from School Lane and Congleton Road
- Opportunities exist for car-rail linked trips from the site
- The development will be supported by a Travel Plan to support sustainable travel, inc. promoting the reduction in single-occupancy car use
- The accessibility level of the site is in line with the scale and rural location, and meets policy requirements as set out in NPPF
- A 'Framework Travel Plan' has been submitted

As noted above, within the representations submitted concerns have been raised regarding the credibility of some of the claims made in the supporting documentation re sustainability and, in contrast, it is claimed that the proposed development is not sustainable as there is limited infrastructure, facilities or services available; the proposed pedestrian links onto School Lane and the A34 do not connect to footpaths; there is no public transport; using the National Cycle Network route 55 to Congleton & Macclesfield is not a practical proposition; there is no mains gas in Marton, and the proposed use of LPG could lead to high heating costs and may not be sustainable; the vehicle is the only viable means of transport.

Policies SD1 and SD2 of the emerging Local Plan Strategy relate to sustainability. Although not yet adopted, policy SD2 provides an outline of the principles that residential development should adhere to and other criteria that should be met, which includes providing access to a range of forms of public transport, open space and key services and amenities. It is recommended that residential development should be within the recommended distance of a bus stop, a multi-functional open-space and a convenience store plus four or more other services or amenities (listed in Table 9.1), “*dependent on location*”. From the list of additional public transport, open space and services/amenities in Table 9.1, the proposed development would meet at least four aspects, i.e. it would be 1) within 500m of a public right of way, 2) within 1km of outdoor sports, 3) within 1km of a primary school and 4) within 1km of a public house. However, the proposed development would not be within the appropriate vicinity of a bus stop (the service to School/College in Macclesfield is very limited), a multi-functional open space or convenience store. It is noted however that there is a local shop, all-be-it providing limited goods at present, other community facilities such as the church, and access to the open countryside & outdoor leisure facilities, as well as the potential for the development to provide a high quality public open space (village green) accessible by all community members.

The site’s location, existing infrastructure, services & amenities and the future provision of a public open space accessible to all are some factors to consider within the context of appraising the overall sustainability of the proposed development.

### **ENVIRONMENTAL SUSTAINABILITY**

#### ***Landscape - Countryside Beyond the Green Belt & Agricultural Land***

##### *Countryside beyond the green belt*

As noted above, it is considered that Policy GC5 does not preclude residential development within countryside beyond the green belt. Notwithstanding this, the contribution the site plays to the countryside landscape and the impact of the proposed development has on the countryside landscape is still to be considered as part of the appraisal of whether or not the proposed development is a sustainable form of development or not.

As noted by the Landscape Officer, although the site is within countryside beyond the green belt the site is surrounded by residential properties, as such it is considered that the proposal would not have any significant landscape or visual impacts.

It is noted that within a recent appeal decision (APP/R0660/A/14/2225591 – which allowed outline planning permission for up to 60 No. dwellings in open countryside in the Borough of CEC), the Inspector pointed out (para 26) that although one of the core principles of the

NPPF (para 17) is to recognise the *“intrinsic character and beauty of the countryside”*, this is prefaced by the need to *“take account of the different roles and characters of different areas”*. The Inspector concluded that

*“The policies of the NPPF do not offer blanket protection for all parts of the countryside, regardless of their quality, but rely on an assessment of harm and benefit. Protection is primarily directed to ‘valued landscapes’, particularly those with formal designation.”*

Although the site is not unattractive, it has no formal landscape designation or protection.

As the car park has now been removed from the proposal most of the trees and hedges within and around the site will be retained and additional landscaping can be secured as part of any forthcoming reserved matters application, which will maintain the rural character of the area.

### ***Loss of Agricultural Land***

The proposal would result in the loss of an area of grade 2 agricultural land. However, much of Cheshire East comprises best and most versatile land and use of such areas will be necessary if an adequate supply of housing land is to be provided. Furthermore, within the context of recent appeals for residential development, Inspectors have attached very limited weight to this issue in the overall planning balance. Further, due to its relatively small area, shape and enclosed nature the site does not offer significant opportunities for agricultural production.

It is concluded that the proposed development would not significantly harm the wider countryside or landscape character in this location. As such it is considered that the proposed accords with policy GC5 of the local Plan and other material considerations. Details of landscaping is reserved for a later date. The proposed accords with policies DC8 and DC37.

### ***Arboricultural impact***

As noted above, following receipt of the application a Tree Preservation Order was placed on a number of trees within/around the site. The Arboricultural Officer initially objected to the proposal as the access points impacted on Protected Trees. The applicant submitted amended plans moving the access points to ensure Protected Trees were not harmed. Based on these changes the Arboricultural Officer withdrew his objection. The Arboricultural Officer has noted that there may be some areas of conflict (re development and trees/hedges) within the illustrative layout. However a detailed Arboricultural Impact Assessment will be required with any forthcoming reserved matters application which should inform development and design out any potential arboricultural related problems. It is considered that the proposed development accords with policy DC9 of the Local Plan and other material considerations.

### ***Ecological impact***

#### ***Hedgerows***

There are a number of hedgerows on site, which are a priority habitat. Three of these hedgerows (hedgerows 1, 2 and 3) have been identified as being Important under the Hedgerow Regulations due to the presence of native bluebells. The latest revised illustrative layout indicates there would be a loss of a section of hedgerow 3. However, it is noted that there are opportunities for the incorporation of a significant length of new hedgerow planting

as part of the development which would, in part, mitigate for the loss of the existing hedgerows. It is recommended a condition be attached to any approval to safeguard the ground flora associated with the retained hedgerows, which should be retained within a narrow buffer zone.

### *Bats*

No evidence of roosting bats was recorded during the surveys undertaken of the buildings on site. A number of trees are present on the application site which have the potential to support roosting bats. The submitted illustrative layout indicates that these trees can be retained as part of the proposed development. It is considered that roosting bats are unlikely to be present or affected by the proposed development.

### *Breeding Birds*

If approved it is recommended a condition is attached to protect breeding birds.

It is also recommended that any forthcoming reserved matters application should include proposals for the incorporation of features suitable for use by roosting bats and breeding birds, including house sparrow.

### *Hedgehogs*

Hedgehogs are a biodiversity action plan priority species and therefore a material consideration. There are records of hedgehogs in the broad locality of the proposed development, consequently the species may occur on the site of the proposed development, at least on a transitory basis. If planning consent is granted it is recommended that a condition be attached requiring any future reserved matters application to be supported by proposals for the incorporation of gaps for hedgehogs incorporated into any garden or boundary fencing proposed. The gaps to be 10cm by 15cm and located at least every 5m.

Bearing in mind the comments above it is considered that the proposed accords with policies NE11 and NE18 of the Local Plan and other material considerations.

### *Highways safety*

In respect of the latest amended plans (removing the car park and therefore its proposed access) the Head of Strategic Infrastructure (HSI) states that the revised masterplan does not affect his previous comments, as from a highway perspective the loss of the car park is not material as it is not required for the development to proceed.

In respect of the previous submitted plans, many of which are still relevant to the latest submission, the HSI notes that a Transport Consultant submitted a report on behalf of Marton Parish Council which raised a number of concerns in relation to the Transport Statement submitted by the applicant. Where relevant these were reviewed following the submission of amended plans and initial consultation comments.

### *Site access junction visibility*

When reviewing the speed survey data for School Lane it was noted that only one Automatic Traffic Counter (ATC) site was used and that it was located 80m to the north-east of the A34. When using ATC's for speed surveys, for the purpose of determining dimensions for visibility splays, the ATC's should be positioned on both approaches to the site at the point at which

vehicles would be first visible to a driver waiting at the point of access, i.e. in this case around 40m to the north-east and south-east of the proposed. The HSI considers that vehicle speeds in these locations would be slower than those recorded, as there is a slight bend in the road to the north, which slightly restricts forward visibility, and to the south vehicles would only just have turned into School Lane. Therefore, the HSI is satisfied that the speed survey results presented in the TS were robust.

### *Highway safety*

The revised site access is deemed to be acceptable by the HSI, as are the proposed visibility splays. Drawings 003 and 004 also demonstrate that the embankment would not restrict visibility to the north-east along School Lane.

### *Sustainability*

From a highways perspective CEC Highways would have difficulty resisting the application on the grounds of sustainability. This is a development of only 27 No. dwellings in an existing residential settlement. From a highways perspective a Transport Statement would not normally be submitted for a development of 27 No. dwellings (the usual threshold is 50 dwellings) and, therefore, sustainability would not normally be a material highways consideration due to the low levels of daily and peak hour traffic generation associated with No. 27 dwellings.

### *Provision of new footways - School Lane*

The proposals include the provision of a footway/footpath along the entire site frontage with School Lane only, there is no proposal to continue footway provision from the south-west corner of the site along School Lane to the junction with the A34, as there is insufficient room. This is a short distance of 30m on a quiet rural lane with very low background traffic flows; the HSI considers that the absence of this short length of footway would not constitute a significant road safety hazard.

### *Provision of new footways - A34 footway link*

This is only briefly referred to in the Transport Statement. However, it is considered that a pedestrian link to the A34 is technically feasible, although, as pointed out by 'Progress10', no detailed drawing has been submitted. Having reviewed the masterplan, the HSI considers that a dropped pedestrian crossing point with tactile paving should be requested on the opposite side of the road to the link. This can be addressed at the full planning stage when a detailed layout is submitted.

### *Trip Rates*

Given the development proposals comprise 27 No. units, the HSI considers that the application of higher trip rates would not result in a significant increase in the level of traffic expected to be generated by the development proposals and would not result in a material impact on the adjacent or wider highway network.

Overall, the HSI is satisfied that the development proposals can be safely accommodated on the adjacent highway network, subject to an informative requiring the developer to enter into section 278 agreement of the Highways Act 1980 with the Highway Authority for the proposed works that are within the existing highway boundaries.

Bearing in mind the comments of the HIS it is considered that the proposed does not raise any highways issues that would warrant a refusal. The proposed accords with policies DC6, DC36, T2, T3, T4, T5, T6, T9, IMP1 and IMP2.

### ***Impact on Jodrell Bank***

Jodrell Bank have been consulted but have not responded to date. Further requests have been made to obtain a response as the Council is extremely mindful to ensure development is not permitted that could result in impairment of the efficiency of the telescope. In the absence of an objection there is no impediment to granting planning permission. Noting the location of the site in close proximity to existing residential development, it is not considered that there is likely to be an issue. There may be a requirement for electro magnetic screening within the proposed dwellings. A response is being pursued and members will be updated.

### ***Design/impact on the character and appearance of the area, street-scene and Listed Buildings***

#### ***Design/impact on the area***

Details of design is a reserved matter. However, the potential impact of the proposed development on the character and appearance of the area, street-scene and Listed Buildings within the vicinity of the site has been considered as far as is practicable at this stage, based on the illustrative masterplan and other documents submitted.

It is noted that within the 'Design & Access Statement' reference is made to proposed scaled parameters and the figures given include a height range of 4.5m to 12m (p.16). The Officer has discussed these figures with the Agent and confirmed that these parameters are not being proposed. It is considered appropriate to attach a condition, if approved, stating that no buildings shall be over two-storey.

It is also noted within the 'Design & Access Statement' (p.16) that the density of the proposed development is around 21 dph. It is considered that this is consistent with, and appropriately fits in with, the residential development that surrounds the site.

#### ***Impact on Listed Buildings***

As noted above, there are 4 No. Listed Buildings within the vicinity of the site. However, it is considered that the one that the proposed development potentially impacts most upon is 'Greenacre', a residential property which is situated directly opposite the proposed main access into the site. The other 3 No. buildings are of a sufficient distance from the site for them not to be affected. As regards 'Greenacre', the latest illustrative masterplan is considered to demonstrate that the proposed development could proceed without having a detrimental impact on this Listed Building or its setting. The Council's Design/Conservation Officer is satisfied that the access could be designed and constructed in a manner that ensures there is no detrimental impact on the Listed Building 'Greenacre'.

Bearing the above points in mind, and subject to relevant conditions, it is considered that the proposed development will have an acceptable degree of impact on the character and appearance of the area, the street-scene and neighbouring Listed Buildings. As such the proposed accords with policies BE1, BE2, BE16, DC1 and DC5.

### ***Impact on neighbouring residential amenity***

Concerns have been raised in representations about the potential impact of the proposed development on the levels of amenity currently enjoyed by the occupants of neighbouring properties, particularly on School Lane, Oak lane and Oak View - concerns about loss of outlook, loss of privacy, noise disturbance from activities on the 'village green'. Some concerns are no longer relevant, eg, the car park has been removed from the proposal and therefore this cannot be used for 'unsociable' activities. Other concerns re disturbance from construction work could be managed by conditions, i.e. limitation on hours of demolition and construction and a construction management plan covering parking of construction related vehicles etc.

As regards the concerns about loss of amenity it is acknowledged that there would be changes to the outlook of some residents, the site would have buildings on it instead of it being an empty, quiet field, there would be some buildings and noise generated from vehicles and people within and around the site and the eventual users of any eventual public open space '(village green)'. However, it is evident from the illustrative masterplan that up to 27 No. dwellings could be accommodated within the site whilst meeting the recommended distance standards outlined in policy DC38. It should be made clear that the layout is illustrative and all details other than access are to be dealt with within a subsequent reserved matters application. Overall, it is considered that levels of amenity can be retained to accord with policies DC3, DC38 and H13 and other material considerations.

### ***Flood risk and drainage***

The site is located within an area designated as Flood Risk Zone 1 by the Environment Agency, which means the site is low risk in terms of surface water flooding. As noted above, the Council's Flood Risk Officer has raised no objections in principle, subject to conditions as outlined above. Bearing these points in mind it is considered that the proposed development does not raise any significant issues as regards flooding and drainage and that the proposed accords with Local Plan policies DC17 and DC18 and other material considerations.

### ***Environmental Health***

As noted above, the Environmental Protection Team raises no objections, subject to conditions as outlined above. Therefore it is considered that there are no significant environmental health issues arising from the application. The proposed accords with policy DC63 of the Local Plan and other material considerations.

## **ECONOMIC SUSTAINABILITY**

It is considered that the construction of the proposed development would provide the employment opportunities and the wider economic benefits to the construction industry supply chain. Construction workers and associated visitors to the site could use some of the local facilities during the period of construction, thereby making some contribution to the local economy. There would be some economic (and social) benefits by virtue of future residents also spending money in the area and using local services and facilities. This would assist in sustaining, and potentially increasing, these amenities. Bearing these points in mind it is considered that the proposed development would be economically sustainable.

## **HEADS OF TERMS & CIL REGULATIONS**

### ***S106 & CIL***

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

- a commuted sum for the off-site provision of recreation/outdoor sport
- 9 No. affordable housing units
- Details of management arrangements for the on-site public open space

## **COMMUNITY INFRASTRUCTURE LEVY (CIL) REGULATIONS**

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

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

The commuted sum in lieu of recreation/outdoor sport is necessary, fair and reasonable as the proposed development is to provide up to 27 No. dwellings, the occupiers of which will use local recreation/outdoor sport facilities. 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 proposed.

## **PLANNING BALANCE, CONCLUSION & RECOMMENDATION**

All consultations and representation received to date have been borne in mind, alongside all the submitted documentation and plans.

It is considered that policy GC5 does not preclude residential development in Countryside Beyond the Green Belt; as such. The proposed development is acceptable in principle, subject to according with all other Development Plans and other material considerations.

The 3 No. roles of sustainability have been considered – social, environmental and economic. It is considered that the proposed development would provide significant social benefits in respect of a) up to 27 No. dwellings in total and b) the inclusion of 9 No. affordable dwellings. The proposed development can also accommodate on-site public open space which has the potential to be a high quality public open space accessible by members of the wider Marton community as well as future residents of the proposed dwellings.

Although the site is not located within the desired proximity to a bus stop, a multi-functional open space and a convenience store, as desired in emerging policy SD2, it does provide access to other services/facilities/amenities desired within policy SD2, i.e., Public Rights Of



Way, a Primary School, outdoor sports facilities and a Public House; in addition there is a place of worship, local shop, restaurant, some limited employment opportunities and access to the National Cycle Network (via Route 55). It is acknowledged that use of the car is likely to be the most likely dominant mode of transport for future residents. However, a Travel Plan which includes steps to reduce the use of the car can be submitted as part of a reserved matters application. Overall, the location, existing infrastructure, services, facilities and amenities are aspects that form only part of the overall assessment of whether or not the proposed development is a sustainable form of development or not.

As regards environmental impacts, the impact on 1) the landscape (inc. loss of agricultural land), 2) trees and hedges, 3) ecology, 4) surrounding highways network, 5) the character and appearance of the area, 6) heritage assets and 7) neighbouring residential amenity is considered to be of a limited and acceptable degree. There is no evidence to suggest a harmful impact on Jodrell Bank. It is also considered that there are no significant environmental health concerns arising from the proposal.

The proposed development would provide some economic benefits, such as 1) the usual employment opportunities and the wider economic benefits to the construction industry supply chain; 2) construction workers and associated visitors to the site masking use of the local facilities during the period of construction, thereby making some contribution to the local economy and 3) future residents contributing to the local economy by spending money in the area and using local services and facilities, which would assist in sustaining, and potentially increasing, these amenities.

Balanced against the above benefits, it is acknowledged that the proposed development would change the village in respect of increasing the number of existing dwellings and residents relatively significantly. The proposed development would change the outlook for a number of residents from their properties. There would be a change in an area of existing landscape and a loss of some agricultural land. There would be some loss of trees and hedges with a corresponding ecological impact. There would be some increase in the number of vehicles using the surrounding highway network.

Bearing all the above factors in mind it is considered that the proposed development does constitute a sustainable form of development within the broad context of sustainability outlined in the NPPF. As such, in accordance with para 14 of the NPPF, the proposal should be approved without delay. Therefore, subject to the receipt of outstanding consultations and representations, a recommendation of approval is made, subject to conditions, informatives and Heads of Terms for Recreation Outdoor Sports (details to be confirmed) and 9 No. affordable housing units, secured via a s106 Agreement.

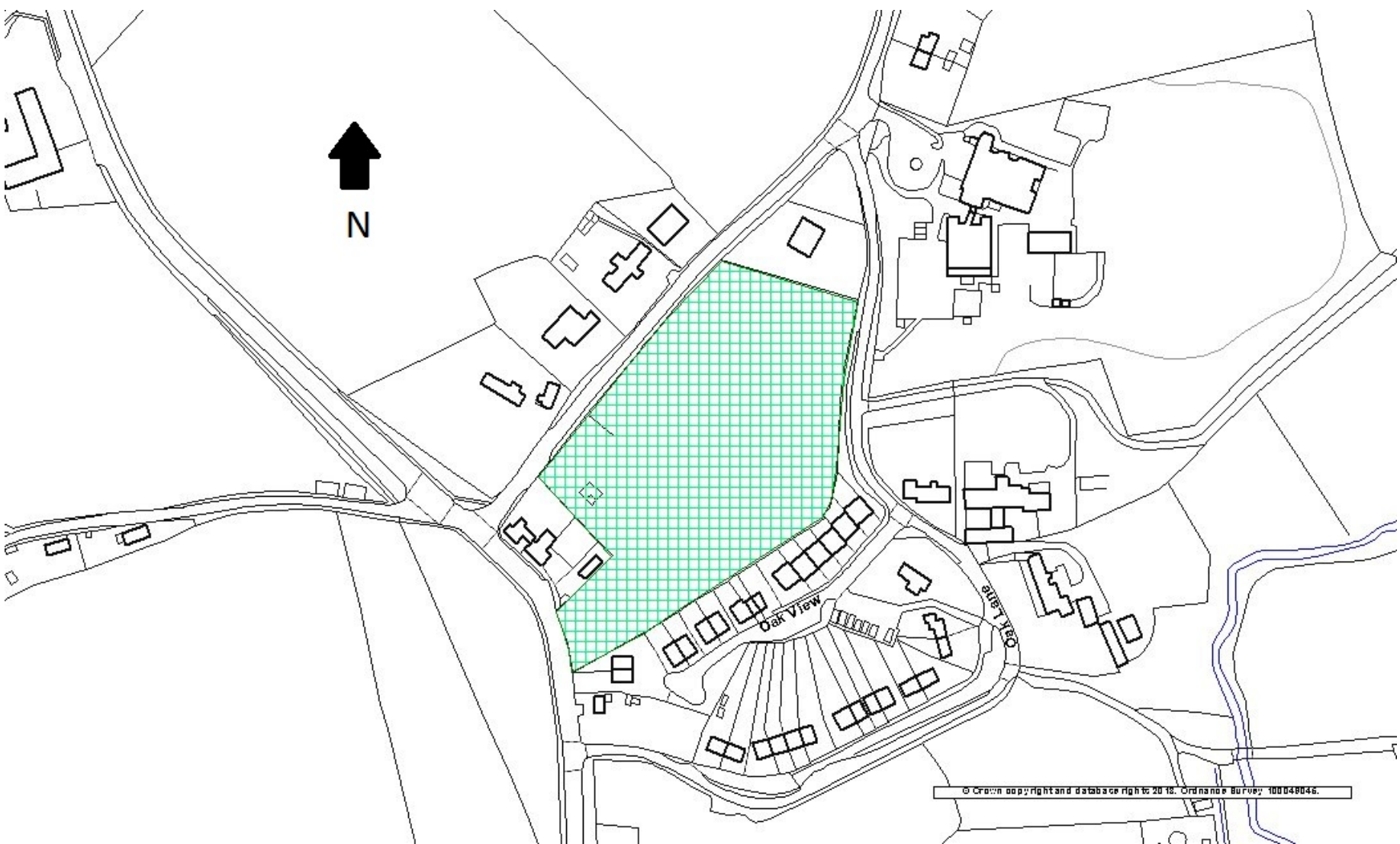
In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Planning & Enforcement Manager has delegated authority to do so 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.

## Application for Outline Planning

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

1. A01OP - Submission of reserved matters
2. A02OP - Implementation of reserved matters
3. A03OP - Time limit for submission of reserved matters
4. A06OP - Commencement of development
5. A01AP - Development in accord with approved plans
6. A01LS - Landscaping - submission of details
7. A04LS - Landscaping (implementation)
8. A12LS - Landscaping to include details of boundary treatment
9. A15LS - Submission of additional landscape details (earthworks)
10. A02TR - Tree protection
11. A08OP - Ground levels to be submitted with reserved matters application
12. A13OP - Height restriction (no building higher than two-storey)
13. A11EX - Details to be approved (pedestrian access points)
14. A22GR - Protection from noise during construction (hours of demolition & construction)
15. A23GR - Pile Driving (details to be submitted)
16. A23MC - Details of ground levels (existing and proposed) to be submitted
17. A26HA - Prevention of surface water flowing onto highways
18. A30HA - Protection of highway from mud and debris during demolition & construction
19. A24GR - Requirement for Section 106 agreement
20. Arboricultural Impact Assessment submitted with Reserved Matters
21. Noise Impact Assessment to be submitted
22. Travel Plan to be submitted
23. Electric vehicle charging point to be provided for each dwelling
24. Details of dust control to be submitted
25. A Phase II contaminated land investigation to be submitted
26. Method statement to be submitted Re safeguarding of the retained hedgerows, the translocation of woodland ground flora from hedgerows to be lost and establishment of replacement native species hedgerows
27. Protection of breeding birds

28. Features for roosting bats and birds to be incorporated into the scheme as part of the reserved matters application
29. Appropriate gaps for hedgehogs to be incorporated into the reserved matters application
30. Details of disposal of surface water
31. Detailed design and associated management & maintenance plan of surface water drainage for the site, using sustainable drainage methods, to be submitted
32. Details of management of overland flow from surcharging of the site's surface water drainage system to be submitted
33. Construction management plan to be submitted, to include details of deliveries to the site & parking of construction related vehicles
34. Development in accordance with the drainage strategy outlined in the submitted FRA



Application No: 15/3488M

Location: ROYAL LONDON HOUSE, ALDERLEY ROAD, WILMSLOW, CHESHIRE, SK9 1PF

Proposal: Formation and laying out of permanent car park

Applicant: Mr N Kilshaw, Royal London Group

Expiry Date: 24-Sep-2015

### REASON FOR REPORT

The proposed has been referred to the Northern Planning Committee as the proposal is a departure from the extant development plan.

#### **SUMMARY**

**The overall positive economic benefits of the proposals, the lack of better alternatives, in combination with the history of numerous temporary permissions, are considered to provide very special circumstances that justify inappropriate development in the Green Belt.**

**RECOMMENDATION: Approve subject to conditions**

### PROPOSAL

The application seeks full planning permission for use of land as a permanent car park for 126 cars. The car park exists at present following temporary consent granted for three years (the last time in 2012) and has been in situ for 18 years following numerous temporary permissions.

### SITE DESCRIPTION

The Royal London House site is a major developed site in the Green Belt and comprises numerous buildings and car parking areas. The site of this proposal lies within a field to the north west of the developed site and is accessed from the main complex. The temporary car park currently accommodates approximately 100 spaces and is finished in gravel. The site is relatively well screened by existing mature vegetation, with more open aspects to the east towards the railway line

Royal London Wilmslow first occupied the site in 1987 and the company has experienced growth at the site since that time.

## **RELEVANT HISTORY**

97/1417P - Temporary car parking for 104 cars. Approved 1997

98/1532P - Retention of temporary car park. Approved 1998

00/1738P - Renewal of 97/1417P for a temporary car park. Approved 2000

02/2043P - Renewal of 00/1738P for a temporary car park. Approved 2002

04/1066P - Use of land for temporary car park. Approved 2004

09/0571P - Use of land for temporary car park. Approved 2009

12/2631M – Use of land as a temporary car park. Approved 2012

14/5536M – Formation and layout of permanent car park – Undetermined

15/3554M – Use of land as a temporary car park - Undetermined

## **POLICIES**

### **National Policy**

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

Of particular relevance are paragraphs 7, 8, 9, 14, 19, 87, 88 and 89

### **Development Plan**

Macclesfield Borough Local Plan – saved policies

GC1 Green Belt

DC1 Design

DC3 Amenity

DC37 Landscaping

NE11 Nature Conservation

The saved policies are consistent with the NPPF and should be give full weight.

## **CONSULTATIONS**

### **Highways:**

No objections

### **Environmental Protection**

No objection subject to conditions in respect of hours of demolition and air quality.

### **United Utilities**

No objection subject to condition

### **Heritage & Design – Nature Conservation:**

#### Bats and Trees

A number of trees are proposed for removal. Based upon the tree survey it appears likely that a number of these trees have the potential to support roosting bats. They should be subject to a bat survey and a report of the survey submitted to the LPA prior to the determination of the application unless amended plans show retention.

#### Lighting

Artificial lighting is known to disrupt wildlife particularly invertebrates and some species of bats.

The site of the temporary car park is not known to be particularly sensitive in ecological terms however it may support some level of bat activity particularly in relation to the trees discussed above.

To reduce any adverse impact on wildlife recommends that a condition be attached that the lighting of the site is limited in terms of its hours of operation.

### **Heritage & Design – Landscape/Forestry**

Any comments will be reported as an update

### **Wilmslow Town Council**

Recommend refusal on the grounds that no exceptional circumstances have been demonstrated at this time for this development in the green belt.

### **OTHER REPRESENTATIONS**

Over 15 extensive objections have been submitted and they can be fully read on the CEC website, but a summary of issues raised is:

- Green Belt land should be protected
- There is no justification for use of Green Belt for such purposes
- Contrary to Green Belt policy/legislation; no exceptional circumstances
- Concerned it could lead to further encroachment into the Green Belt
- RL need to make proper, long-term arrangements on site with travel plan.
- Application is premature and should await the Local Plan being completed.
- Alternative modes of transport need exploring
- No evidence to support the company's stated aim of implementing "green travel plan"

## Key issues

Environmental Sustainability – The application raises issues in respect of landscape impact.

Social Sustainability – The application raises no issues

Economic Sustainability – The application raises specific issues in terms of supporting the local and national economy.

## APPRAISAL

### Principle of Development

In principle, the proposal is contrary to National Planning Policy/Guidance in respect of Green Belt policy as outlined in the NPPF. The proposed constitutes inappropriate development in the Green Belt and therefore very special circumstances have to be demonstrated to overcome the harm caused by inappropriateness (and any other identified harm).

### Green Belt and very special circumstances

#### NPPF

The NPPF which has a significant bearing on the appraisal and determination of the application will be provided below:

*The purpose of planning is to help achieve sustainable development.*

*There are three dimensions to sustainable development: economic, social and environmental...The economic role is about...contributing to building a strong, responsive and competitive economy...The environmental role is about...contributing to protecting and enhancing our natural, built and historic environment...These roles should not be undertaken in isolation...*

*Pursuing sustainable development includes (amongst other things)...making it easier for jobs to be created in cities, towns and villages...*

*A set of core land use planning principles underpin plan-making and decision-taking, which include (amongst many other things)...protecting the Green Belts...and actively managing...patterns of growth to make the fullest possible use of public transport, walking and cycling...*

*Delivering sustainable development involves building a strong, competitive economy. The Government is committed to securing economic growth in order to create jobs and prosperity...ensuring that the planning system does everything it can to support economic growth...significant weight should be placed on the need to support economic growth...*

*Transport policies have an important role to play in facilitating sustainable development...The transport system needs to be balanced in favour of sustainable transport modes, giving*



*people a real choice about how they travel...Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion*

*The Government attaches great importance to Green Belts...New buildings and other forms of development that do not preserve openness or conflict with the purposes of including land within the Green Belt constitute inappropriate development in the Green Belt...inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances...very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.*

### **Green Belt Assessment**

It is considered that appraisal of this application comprises consideration of two key policy areas identified in the NPPF: protecting the Green Belt and supporting economic growth.

It is accepted that the proposed permanent car park would normally constitute inappropriate development in the Green Belt - a material change of use of the land which does not maintain openness. It is also considered that the car park does and would have a degree of impact on visual amenity (though limited) and constitutes encroachment into the Green Belt. Hence, the proposed would be contrary to Green Belt policy as outlined in the NPPF. Consequently, very special circumstances need to be presented that clearly outweigh the harm identified.

It is considered that Royal London is committed to its Travel Plan and is seeking to assist employees to reduce car usage and increase use of other modes of sustainable transport. The aim of increasing sustainable modes of transport is consistent with NPPF policy of promoting sustainable modes of transport and reducing greenhouse gas emissions. A key tool in achieving a move towards increasing sustainable transport modes is the Green Travel Plan that is in place at Royal London. A number of initiatives are contained to encourage the use of public transport.

It is acknowledged that Royal London is a major employer within the Wilmslow area and indeed the Borough of Cheshire East; as such it makes a significant economic contribution to the area. It is also acknowledged that the continued economic well-being of the company is likely to involve further growth through, for example, further acquisitions. Consequently, the number of employees on site is likely to grow. Using the planning system to achieve growth is a core theme of the NPPF.

It is clear that the existing permanent car parking capacity on site is not sufficient to accommodate the existing demand, regardless of any potential increased demand for car parking on site. As such, a solution is required to the problem in order to prevent the possibility of displacement and support the company's desire for growth.

It is acknowledged that some parking restrictions have been introduced in some streets within the vicinity of the site. It is considered that the problem of displacement of vehicles from the Royal London site into neighbouring residential areas does not appear to be a significant problem in recent times. However, it is also considered that displacement could be an issue if changes in staffing levels were to occur at the Royal London site and the demand for car parking spaces on site cannot be met.

It is noted that the economic benefits have been accepted as amounting to very special circumstances, when the Council have determined previous applications for the temporary provision over the last 18 years.

The fact that 7 temporary permissions have been granted over an 18 year period is also a significant material consideration in favour of reaching a long term permanent solution. During this time travel planning has been implemented but this has not in itself enabled the on site demand for car parking to be met without the provision of the car park that is the subject of this application.

Discussions have taken place to look at alternative car parking proposals within the Royal London Campus and outside of the green belt. All of the alternatives have been discounted due to impact on the listed building within the site or due to visual impact on the setting of the site. A current application has been submitted for car parking at the front of the campus on the existing lawn area. Officers have advised that application ref 14/5536M would be recommended for refusal and the applicant has confirmed that the application will be withdrawn should a permanent permission be granted for this application site.

A further application for temporary permission has also been submitted as a fall back position in an attempt for the applicant to avoid falling in breach of planning control. However, officers are of the view that a permanent solution is required and that this application provides the most appropriate solution.

The permanent car park would be properly landscaped and would be a visual improvement on the current temporary car park (although it must be noted that a condition of the temporary approval is to remediate the land at the end of the temporary period).

In weighing up the competing issues of protecting the Green Belt, supporting economic growth and promoting sustainable modes of transport, it is considered that Royal London, through their Travel Plan, are committed to achieving a reduction in car usage and an increase in sustainable modes of transport. It is also considered that the operational needs of the company require the flexibility of having a car park in order to achieve growth and meet current demand on site.

It is considered that there is a strong justification for a permanent car park. The need to meet this parking demand is considered to carry with it economic benefits helping to sustain the needs to the business on site – an important local employer. This carries significant weight in favour. The development has a limited visual impact and causes no significant landscape harm. This carries some weight in favour. There is a lack of a viable or preferable alternative. This carries some weight in favour. Temporary permissions have now resulted in a relatively poor quality development being sustained for a period of 18 years. This carries significant weight in favour. These factors in combination are considered to carry substantial weight that clearly outweigh the identified harm to the green belt through inappropriateness, and any other harm.

Hence, it is considered that the case presented does constitute very special circumstances to justify a grant of planning permission.

### **Design and landscape**

The physical layout, materials used and access to the site have all been deemed to be acceptable if the principle is to be accepted. The parking area would be formally laid out and benefit from substantial enhanced landscaped fringe and much improved screening to the present temporary arrangement. A natural transition would be formed to the open land. Also it is important to note that it is considered any other locations on the greater site would have a more detrimental visual impact on the landscape and the area.

### **Impact on residential amenity**

As the nearest residential properties are over 70m away from the site it is considered that there are no residential amenity issues arising from the application.

### **Arboriculture and nature conservation**

It was initially proposed to remove some trees for reasons of health but an amended plan has been requested that would retain these specimens as there is potential for roosting bats as reported by the Nature Conservation Officer. This plan is awaited and shall be reported as an update.

### **Other Material Considerations**

Response to Objections: The objections overwhelmingly relate to the issue of loss of green belt land and this concern is both justified and recognised. However, as described, in the planning balance, it is considered the economic benefits secured by the proposals provide very special circumstances in support of the application.

### **PLANNING BALANCE**

The proposal is inappropriate development in the Green Belt. However, the almost unique specific circumstances regarding the long term use of the car park and the interests of economic sustainability are considered to amount to very special circumstances that would outweigh the harm to the Green Belt by virtue of inappropriateness, loss of openness and encroachment in this instance. There would be no greater visual impact than at present and the improved landscaped boundary would improve on present site conditions. As such, the application is recommended for approval subject to conditions.

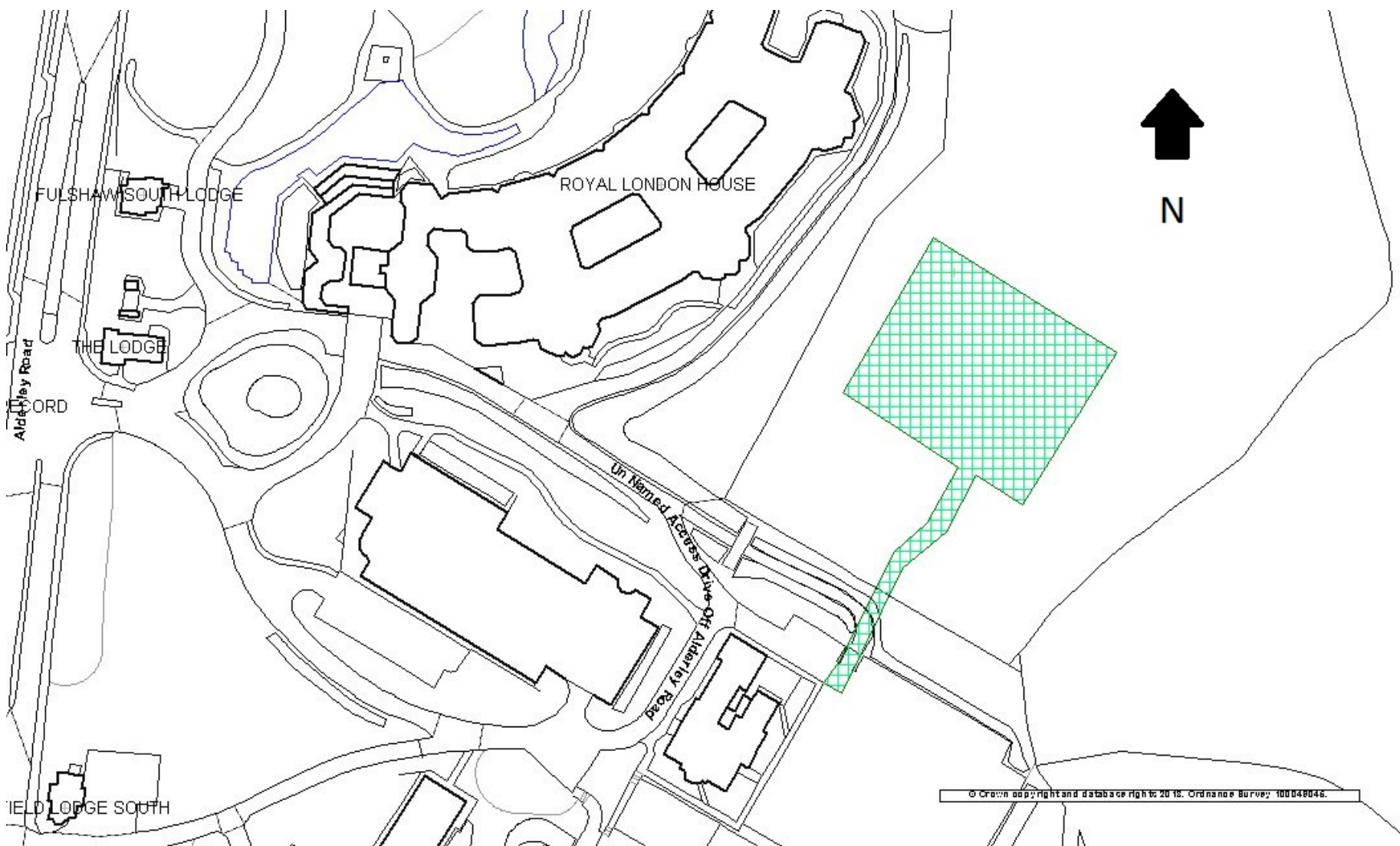
**In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning and Regulation, in consultation with the Chair (or in his absence the Vice Chair) of Northern Planning Committee, to correct any technical 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 Place Shaping Manager in consultation with the Chairman of the Southern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.**

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A13GR - lighting hours
4. A04LS - Landscaping (implementation)
5. Flood
6. Hours
7. Air



**This page is intentionally left blank**

Application No: 15/3472M

Location: 180A, WILMSLOW ROAD, HANDFORTH, SK9 3LF

Proposal: Conversion to create 12 No. apartments, the erection of a two storey rear extension, repairs and rebuilding part of the chapel, change of use of part of adjacent domestic garden to car park, replacement windows and doors along with the removal of listed trees following the withdrawal of previous planning application 15/1865M

Applicant: Mr A Harrison

Expiry Date: 28-Oct-2015

**DATE:** 23rd September 2015

#### **SUMMARY**

The site comprises previously developed land in a sustainable location. The Council does not have a 5 year supply of housing land. The proposal will provide 12 No. residential units, which is a contribution to the housing needs of the Borough.

The existing building is Grade II Listed and whilst some localised rebuilding will be required, the proposed conversion and extension is considered not to harm the significance of this heritage asset. Though the loss of protected trees is regrettable, their long term retention was unlikely given their poor condition; replacement tree planting is considered to be acceptable. There are no further significant adverse impacts relating to design, impact on the area, residential amenity, highways safety, ecology or environmental health. The proposal accords with all relevant Development Plan policies and is deemed to be a sustainable form of development.

Subject to the receipt of outstanding consultation comments, a recommendation of approval is made subject to conditions, informatives and Heads of Terms for POS and ROS (details to be confirmed), secured via a s106 Agreement.

**RECOMMENDATION: Approve, subject to conditions and a s106 Agreement for Open Space.**

## REASON FOR REPORT

The application is for 12 residential units.

## DETAILS OF PROPOSAL

The application seeks Full Planning Permission for “*conversion to create 12 No. apartments, the erection of a two storey rear extension, repairs and rebuilding part of the chapel, change of use of part of adjacent domestic garden to car park, replacement windows and doors along with the removal of listed trees following the withdrawal of previous planning application 15/1865M.*”

It is noted that a corresponding Listed Building Consent application has been submitted (15/3473M), which is also on the agenda.

## DESCRIPTION OF SITE & CONTEXT

The application site comprises a two/three-storey Grade II Listed Building, which was last used as staff accommodation ancillary to the adjacent Pinewood Hotel. There is an adjacent area of hardstanding, last used for car parking in association with the building. There are a number of trees within/around the site, some of which are protected by a Tree Preservation Order (it is noted that some have been removed with permission in accordance with the previous planning approval). The site is located very close to Handforth district centre (approx.. 110m to the centre) with excellent access to all the associated shops, facilities, services and public transport links. The site is located within a Predominantly Residential Area, as defined in the Macclesfield Borough Local Plan.

Planning Permission and Listed Building Consent have been granted recently (by committee) for conversion, extension and alterations of the building to 7 No. residential units.

## RELEVANT HISTORY

- |          |   |
|----------|---|
| 15/1865M | Full Planning. Conversion to create of 12no. apartments; the erection of a two storey rear extension; repairs and rebuilding part of chapel; replacement windows and doors and removal of listed trees. Withdrawn, 23/06/2015           |
| 15/1866M | Listed Building Consent. Conversion to create of 12no. apartments; the erection of a two storey rear extension; repairs and rebuilding part of chapel; replacement windows and doors and removal of listed trees. Withdrawn, 23/06/2015 |



- 14/2475M Full Planning. Repairs and rebuilding part of chapel, replacement windows and doors, conversion to create 7no. apartments, two storey rear extension to create additional accommodation and removal of listed trees. Approved, 28/04/2015 (with a s106 Agreement)
- 14/2478M Listed Building Consent. For repairs and rebuilding part of chapel, replacement windows and doors, conversion to create 7no. apartments, two storey rear extension to create additional accommodation and removal of trees subject to TPO. Approved, 03/11/2014
- 14/0738M Proposed new site access with gate from Spath Lane. Approved 02.04.2014

## **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. This is repeated in the NPPF (para 2).

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

### **National Policy/Guidance**

#### ***National Planning Policy Framework (NPPF)***

The NPPF states that

*The purpose of the planning system is to contribute to the achievement of sustainable development. (para 6)*

And, at the heart of the NPPF

*...is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. (para 14)*

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:*

- a) 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*
- b) specific policies in the Framework indicate development should be restricted.*

Sustainable development includes economic, social and environmental roles (para 7)

Para 47 of the NPPF states that Local Planning Authorities should “...boost significantly the supply of housing...” Furthermore

Para 49 of the NPPF states that

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

Additional sections of the NPPF of particular relevance to the appraisal and determination of the application are:-

- Part 1- Building a strong, competitive economy
- Part 3 - Supporting a prosperous rural economy
- Part 4 - Promoting sustainable transport
- Delivering a wide choice of high quality homes
- Part 7 - Requiring good design
- Part 8 - Promoting healthy communities
- Part 10 - Meeting the challenge of climate change, flooding and coastal change
- Part 11 - Conserving and enhancing the natural environment
- Part 12 - Conserving and enhancing the historic environment

### ***National Planning Practice Guidance (NPPG)***

The NPPG came into force on 6<sup>th</sup> March 2014, replacing a range of National Planning Policy Guidance Notes and complementing the NPPF.

### **Local Policy - Development Plan**

#### ***Macclesfield Borough Local Plan – saved policies (MBLP)***

Since publication of the NPPF 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:

- NE11 (Nature conservation)
- BE1 (Design guidance)
- BE2 (Historic fabric)
- BE15 (Buildings of Architectural and historic importance)
- BE16 (Impact on the setting of a Listed Building)
- H1 (Housing phasing)
- H2 (Environmental quality in housing developments)
- H5 (Windfall housing sites)
- H13 (Protecting residential areas)

- T1 (Integrated transport)
- T2 (Support provision of public transport)
- DC1 (High quality design for new build)
- DC2 (Extensions and alterations)
- DC3 (Protection of the amenities of nearby residential properties)
- DC6 (Circulation and access)
- DC8 (Landscaping)
- DC9 (Tree protection)
- DC38 (Space, light & privacy)
- DC40 (Children's play provision)
- DC63 (Contaminated land)

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

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

- SP1 (Supporting economic prosperity by creating conditions for business growth)
- SP2 (Creating sustainable communities)
- SP3 (protecting and enhancing environmental quality)
- SP4 (Reduce the need to travel, manage car use, promote more sustainable modes of transport).
- IMP1 (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)
- SC3 (Health & well-being)
- SC4 (Residential mix)
- SE 1 (Design)
- SE2 (Efficient use of land)
- SE3 (Biodiversity and geodiversity)
- SE4 (Landscape)
- SE5 (Trees, hedgerows and woodland)
- SE7 (Historic environment)
- SE12 (Pollution, and contamination and land instability)
- SE 13 (Flood Risk and water management)
- C01 (Sustainable travel & transport)

### **Other Material considerations:**

***Interim Planning Statement: Affordable Housing - Feb 2011***  
***Strategic Market Housing Assessment (SHMA)- Up-date Sept' 2013***  
***Strategic Housing Land Availability Assessment (SHLAA)- Jan 2013***  
***Article 12 (1) of the EC Habitats Directive 1992***  
***The Conservation of Habitats and Species Regulations 2010***

***Nature Conservation Strategy (SPD) – 2006***  
***Trees & Development Guidelines (SPG) - 2004***  
***Wilmslow Urban District Council (Pinewood Hotel Handforth) TPO 1972***

## **CONSULTATIONS**

### **Heritage & Design – Conservation/Listed Buildings:**

Formal comments not received as of 23.09.15. However, all the plans associated with work to the building are the same as the plans submitted with the recently withdrawn applications. The Conservation/Design Officer was satisfied with the plans at that point. Hence, it is not anticipated that any objections will be raised by the Conservation/Design Officer. Comments will be provided in the Committee up-date accordingly.

### **Heritage & Design – Forestry:**

The Arboricultural Officer raises no objections, subject to receiving amended plans that show a level of proposed replacement tree planting that matches that of the previous approval and conditions re landscape details and implementation.

### **Heritage & Design – Ecology:**

No objections, subject to a condition to protect nesting birds.

### **Strategic Infrastructure Manager:**

No objections, subject to clarification of land ownership and provision of area for communal recycling.

### **Environmental Protection:**

No objections subject to conditions re 1) habitable room windows to be constructed as specified in the acoustic report, 2) provision of an electric vehicle charging point at each car parking space. Also recommend an informative re contaminated land.

### **United utilities:**

No comments received as of 23.09.2015

### **Housing:**

No objections. No requirement for affordable housing as there are less than 15 units and the floor area is less than 0.4 hectares.

### **Education:**

No objections. No requirement for education provision as the proposal does not meet the 10 No. houses & 2 No. bedrooms plus criteria.

## **Greenspace:**

No formal comments received as of 23.09.15. However, the Open Space Officer has verbally indicated that no objections would be raised, subject to the required additional Public Open Space (POS) and Recreation Outdoor Sport (ROS) commuted sums being provided (i.e. over and above what has already been provided as part of the S106 attached to the previously approved application 14/2475M). A summary of comments will be provided in the Committee up-date.

## **REPRESENTATIONS**

None received as of 23.09.2015 – Last Date For Comments was 18.09.2015

## **VIEWS OF PARISH/TOWN COUNCIL**

### **Handforth Parish Council:**

Oppose the application considering the proposal to be overdevelopment of the plot and insufficient parking provision

## **APPLICANT'S SUPPORTING INFORMATION**

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

- Heritage Statement
- Design & Access Statement
- Tree Survey Report
- Building Survey Report
- Nesting Bird Survey
- Ecological Report
- Environmental Noise Assessment
- Estate Agent's Supporting Letter

## **OFFICER APPRAISAL**

### **Key Issues**

- Principle of the development
- Design/impact on the area and the setting of the Listed Building
- Impact on neighbouring residential amenity
- Highways safety
- Ecological, Arbocultural and Landscape issues
- Environmental health matters (noise, air quality, contaminated land)
- Housing land supply
- Education
- Greenspace
- Sustainability

- Planning balance

## **ENVIRONMENTAL SUSTAINABILITY**

### **Principle of the development**

The principle of the proposed development is acceptable; the site is located within a Predominantly Residential Area. Indeed, the principle has already been accepted (approval of application 14/2475M).

### **Design/impact on the area, street-scene and the setting of the Listed Building**

The proposed consists of converting the existing Grade II Listed Building building to 12 No. apartments, 9. No. of which have 2 No. bedrooms and 3 No. have 1 No. bedroom. The proposal also includes alterations to parts of the building and the erection of a rear extension. Parking is provided on site in accordance with the emerging standards in the Local Plan Strategy – it is noted that the applicant is now able to offer the required level of on-site parking due to having acquired an area of the domestic garden of the neighbouring property, 2 Plumley Road. Provision is provided within the site for refuse storage. (It is noted that a revised plan has been received which includes space for recycling bins as well as bins for everyday waste).

The main differences between the current proposal and that already approved (14/2475M) are: 1) 12 No. units rather than 7 No.; 2) additional parking area to accommodate the requisite number of parking spaces; 3) the changes to the outside of the building are mainly a) rear extension approx. 0.5m deeper, b) dormer and 3 no. sky-lights inserted in the roof of the rear extension, c) some minor fenestration changes on the rear elevation. These differences are considered not to result in a building that is significantly different than that already approved. As such, the design of the proposed development is considered to be acceptable and to have an acceptable impact on the character of the area, street-scene and the setting of the Listed Building. The proposed accords with policies BE1, BE2, BE15, BE16, H2, DC1 and DC2 of the Local Plan.

### **Highways safety**

The Strategic Infrastructure Manager's comments included the following:

- 1) The proposed site plan didn't show provision for recycling bins;
- 2) It was advised that a) confirmation be obtained from the owners of 2 Plumley Road that they were selling the land and b) confirmation be obtained from the Highways Dept. that the area of land now within the site boundary of number 2 Plumley Road was domestic curtilage and not highway land;
- 3) No highways safety issues and complies with policies DC6, T1 and T2.

Amendments have been made to the site plan as recommended and confirmation has been received from both the occupants of number 2 Plumley Road and the Highways Dept that a) the land is to be sold and b) it is not part of the highway.

The objection from the Parish Council regarding insufficient parking has been noted. However, the level of on-site parking provided accords with emerging standards, i.e. 2 No. spaces for a 2 Bed property and 1 No. space for a 1 Bed property. Some cycle parking is also provided within the site. Given that the site is in a highly sustainable location with access to public transport it is considered that adequate parking is provided.

The proposed development would not raise any highway safety issues.

### **Ecological, Arbocultural and Landscape issues**

The Ecologist notes that a previous application included a more detailed bat survey. No evidence of roosting bats was recorded in the building and the area has very limited potential for supporting roosting bats. Hence, it is concluded that roosting bats are not likely to be affected by the proposals. The Ecologist recommends a condition to protect nesting birds if the application is approved.

The Arboricultural Officer notes that the previous approval (14/2475M) conceded certain Protected Trees due to their deteriorating condition. The Arboricultural Survey/Mitigation in support of that application provided for 7 No. replacement trees for the loss of the protected group which, subject to the submission of a detailed scheme of landscaping, was considered to be sufficient to offset the loss. It is noted that the current layout shows only 5 No. replacement trees. Given the loss of protected trees on this site, it is considered that the full compliment of replacement planting, as indicated in the previous scheme, should be provided in order to meet the scheme's requirement for sustainable development. It is noted that the Agent has agreed to amend the plans to ensure that the full compliment of replacement trees are provided. As such, there are no arboricultural grounds for refusing the application.

Subject to receipt of amended tree planting plan, and relevant conditions, it is considered that the proposed accords with policies NE11, DC8 and DC9 of the Local Plan.

### **Environmental health matters (noise, air quality, contaminated land)**

The Environmental Protection Team note that the acoustic report submitted with the application (Peak Acoustics, 24 June 2015 Ref 1606151NR) recommends mitigation designed to ensure that occupants of the properties are not adversely affected by road traffic noise from the adjacent Wilmslow Road and Hotel Car Park. As such, it is recommended that a condition be attached requiring windows facing Wilmslow Road and the car park to be constructed with glazing and ventilation as specified in the report.

The Environmental Protection Team also note that whilst this scheme itself is of a relatively small scale, and as such would not require an air quality impact assessment, there is a need for the Local Planning Authority to consider the cumulative impact of developments in a particular area. In particular, the impact of transport related emissions on Local Air Quality.

Modern Ultra Low Emission Vehicle technology (such as all electric vehicles) are expected to increase in use over the coming years (the Government expects most new vehicles in the UK will be ultra low emission). As such it is considered appropriate to create infrastructure to allow home charging of electric vehicles in new, modern properties. Therefore, it is recommend that a condition be attached requiring a single Electric Vehicle Charging Point to

be provided on car parking spaces provided for each apartment. Charge points should be suitable for overnight charging of electric vehicles.

It is also recommended an informative be attached re contaminated land.

Bearing the above points in mind it is considered that the proposed does not raise any significant environmental health issues. The proposed accords with policies H13, DC3 and DC63 of the Local Plan.

### **SOCIAL SUSTAINABILITY**

#### **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.

This 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.

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

The Local Plan Inspector published his interim views based on the first three weeks of Examination in November 2014. He concluded that the Council's calculation of objectively assessed housing need is too low. He also concluded that following six years of not meeting housing targets, a 20% buffer should also be applied.

Given the Inspector's Interim view that the assessment of 1180 homes per year is too low, Officers no longer recommend that this figure be used in housing supply calculations. The Inspector has not provided any definitive steer as to the correct figure to employ, but has recommended that further work on housing need be carried out. The Examination of the Plan was suspended on 15th December 2014.

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 in the form of the "Cheshire East Housing Development Study 2015 – Report of Findings June 2015" produced by Opinion Research Services, has now taken place.

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.

The definitive methodology for buffers and backlog will be resolved via the Development Plan process. However the indication from the work to date suggests that this would amount to an identified deliverable supply target of around 11,300 dwellings.

This total would exceed the total deliverable supply that the Council is currently able to identify. As matters stand therefore, the Council remains unable to demonstrate a 5 year supply of housing land.

In this context the provision of 12 No. residential units would make a contribution towards meeting the Council’s housing needs. The proposed accords with policies H1, H2 and H5 of the Local Plan.

### **Impact on neighbouring residential amenity**

The nearest neighbouring property is number 2 Plumley Road. The relationship of the proposed converted and extended building with number 2 Plumley Road will be such that the distance standards for space, light and privacy recommended in policy DC38 of the Local Plan will be achieved. Overall the proposed development is considered to have a limited and acceptable degree of impact on the amenities of the occupants of neighbouring properties. The proposed accords with policies H13, DD3 and DC38 of the Local Plan.

### **Education**

As noted above, the scale of development does not require any requirement for additional education places to be provided.

### **Greenspace**

As noted above, formal comments are awaited from the Open Space Officer. However, it is anticipated that some additional commuted sums will be required for Public Open Space and Recreation Outdoor Space due to the increased number of units and bedrooms. The proposed accords with policy DC40 of the Local Plan.

### **ECONOMIC SUSTAINABILITY**

The development will provide economic benefits in respect of a) employment during the construction phase, b) use of local services by employees during the construction phase and c) future incumbents of the apartments will contribute to the local economy as a result of using the services and facilities in the area.

### **HEADS OF TERMS**

#### **Heads of Terms**

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

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

Level of commuted sum to be confirmed in update to committee.

### **COMMUNITY INFRASTRUCTURE LEVY (CIL) REGULATIONS**

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

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

The commuted sum in lieu of public open space and recreation / outdoor sport is necessary, fair and reasonable, as the proposed development is to provide 12 No. apartments, the occupiers of which will use local outdoor space facilities, as there is no open space provision 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 proposed.

### **PLANNING BALANCE, CONCLUSION & RECOMMENDATION**

The site comprises previously developed land in a sustainable location, with access to a range of local services and facilities nearby, including good public transport links. The existing building is Grade II Listed and whilst some localised rebuilding will be required, the proposed conversion and extension is considered not to harm the significance of this heritage asset. The loss of protected trees is regrettable, however their long term retention was unlikely given their poor condition; replacement planting, secured by condition if necessary, is considered to be acceptable. It is considered that there are no further significant adverse impacts relating to design, impact on the area, residential amenity, highways safety, ecology or environmental health. The proposal, in the round, accords with the Development Plan and is deemed to be a sustainable form of development. As such, in accordance with para 14 of the NPPF, the proposal should be approved without delay. Therefore, subject to the receipt of outstanding consultation comments, a recommendation of approval is made subject to conditions, informatives and Heads of Terms for POS and ROS (details to be confirmed), secured via a s106 Agreement.

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 & 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.

### Application for Full Planning

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

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A02EX - Submission of samples of building materials
4. A01LS - Landscaping - Details to be submitted
5. A04LS - Landscaping - Approved details to be implemented
6. A06NC - Protection of breeding birds
7. A10EX - Rainwater goods - material and colour to be specified
8. A12EX - Fenestration to be set behind reveals as specified
9. A18EX - Specification of window design / style - fabricated in timber & painted or opaque stained
10. A21EX - Roof lights set flush
11. A22EX - The windows shall be installed in accordance with the details submitted (1386/D/001 Rev A)
12. A23EX - Roof ridges - to be finished as specified
13. A08HA - Gates to be set back from footway/carriageway
14. Car parking spaces and bicycle parking to be provided prior to first occupation
15. Works to be carried out in total accordance with the submitted acoustic report
16. Provision of electric vehicle charging points



Application No: 15/3473M

Location: 180A, WILMSLOW ROAD, HANDFORTH, SK9 3LF

Proposal: Listed Building Consent for conversion to create 12 No. apartments, the erection of a two storey rear extension, repairs and rebuilding part of the chapel, change of use of part of adjacent domestic garden to car park, replacement windows and doors along with the removal of listed trees following the withdrawal of previous planning application 15/1865M

Applicant: Mr A Harrison

Expiry Date: 28-Oct-2015

**DATE:** 23rd September 2015

#### **SUMMARY**

The existing building is Grade II Listed and whilst some localised rebuilding will be required, the proposed conversion and extension is considered not to harm the significance of this heritage asset.

The proposal accords with all relevant Development Plan policies and is deemed to be a sustainable form of development.

Subject to the receipt of outstanding consultation comments, a recommendation of approval is made subject to conditions.

**RECOMMENDATION: Approve, subject to conditions and outstanding consultations.**

#### **REASON FOR REPORT**

The application is for Listed Building Consent and is submitted alongside the Full Planning Application (15/3472M), which is for 12 residential units, which is also on the agenda.

#### **DETAILS OF PROPOSAL**

The application seeks Listed Building Consent for “*conversion to create 12 No. apartments, the erection of a two storey rear extension, repairs and rebuilding part of the chapel, change of use of part of adjacent domestic garden to car park, replacement windows and doors along*”

*with the removal of listed trees following the withdrawal of previous planning application 15/1865M.”*

## **DESCRIPTION OF SITE & CONTEXT**

The application site comprises a two/three-storey Grade II Listed Building, which was last used as staff accommodation ancillary to the adjacent Pinewood Hotel. There is an adjacent area of hardstanding, last used for car parking in association with the building. There are a number of trees within/around the site, some of which are protected by a Tree Preservation Order (it is noted that some have been removed with permission in accordance with the previous planning approval). The site is located very close to Handforth district centre with excellent access to all the associated shops, facilities, services and public transport links. The site is located within a Predominantly Residential Area, as defined in the Macclesfield Borough Local Plan.

The planning history also shows that Listed Building Consent and Planning Permission have been granted recently (by committee) for conversion, extension, alterations etc. of the building to 7 No. residential units.

## **RELEVANT HISTORY**

- |          |   |
|----------|---|
| 15/1866M | Listed Building Consent. Conversion to create of 12no. apartments; the erection of a two storey rear extension; repairs and rebuilding part of chapel; replacement windows and doors and removal of listed trees. Withdrawn, 23/06/2015                           |
| 15/1865M | Full Planning. Conversion to create of 12no. apartments; the erection of a two storey rear extension; repairs and rebuilding part of chapel; replacement windows and doors and removal of listed trees. Withdrawn, 23/06/2015                                     |
| 14/2478M | Listed Building Consent. For repairs and rebuilding part of chapel, replacement windows and doors, conversion to create 7no. apartments, two storey rear extension to create additional accommodation and removal of trees subject to TPO. Approved, 03/11/2014   |
| 14/2475M | Full Planning. Repairs and rebuilding part of chapel, replacement windows and doors, conversion to create 7no. apartments, two storey rear extension to create additional accommodation and removal of listed trees. Approved, 28/04/2015 (with a s106 Agreement) |
| 14/0738M | Proposed new site access with gate from Spath Lane. Approved 02.04.2014   |

## **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. This is repeated in the NPPF (para 2).

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

### **National Policy/Guidance**

#### ***National Planning Policy Framework (NPPF)***

The NPPF states that

*The purpose of the planning system is to contribute to the achievement of sustainable development. (para 6)*

And, at the heart of the NPPF

*...is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. (para 14)*

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:*

- a) 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*
- b) specific policies in the Framework indicate development should be restricted.*

Sustainable development includes economic, social and environmental roles (para 7)

The section of the NPPF of particular relevance to the appraisal and determination of the application is:-

- Part 12 - Conserving and enhancing the historic environment

#### ***National Planning Practice Guidance (NPPG)***

The NPPG came into force on 6<sup>th</sup> March 2014, replacing a range of National Planning Policy Guidance Notes and complimenting the NPPF.

### **Local Policy - Development Plan**

#### ***Macclesfield Borough Local Plan – saved policies (MBLP)***

Since publication of the NPPF 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:

- BE1 (Design guidance)
- BE2 (Historic fabric)
- BE15 (Buildings of Architectural and historic importance)
- BE16 (Impact on the setting of a Listed Building)
- BE18 (Listed Building Consent)

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

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

- IMP1 (Presumption in favour of sustainable development)
- PG6 (Spatial distribution of development)
- SD1 (Sustainable development in Cheshire East)
- SD2 (Sustainable development principles)
- SE 1 (Design)
- SE7 (Historic environment)

### **CONSULTATIONS**

#### **Heritage & Design – Conservation/Listed Buildings:**

Comments not received as of 23.09.15. However, all the plans associated with work to the building are the same as the plans submitted with the recently withdrawn applications. The Conservation/Design Officer was satisfied with the plans at that point. Hence, it is not anticipated that any objections will be raised by the Conservation/Design Officer. Comments will be provided in the Committee up-date accordingly.

### **REPRESENTATIONS**

None received as of 23.09.2015 – Last Date For Comments was 18.09.2015

### **VIEWS OF PARISH/TOWN COUNCIL**

#### **Handforth Parish Council:**

Opposed the Full Planning application (considering the proposal to be overdevelopment of the plot and insufficient parking provision) but they have not commented on this application.

### **APPLICANT'S SUPPORTING INFORMATION**

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

- Heritage Statement



- Building Survey Report

## **OFFICER APPRAISAL**

### **Key Issues**

- Principle of the development
- Design/impact on the Listed Building
- Sustainability
- Planning balance

## **ENVIRONMENTAL SUSTAINABILITY**

### **Principle of the development**

The principle of the proposed development is acceptable. Indeed, the principle has already been accepted (approval of application 14/2478M).

### **Design/impact on the area, street-scene and the setting of the Listed Building**

The proposed consists of converting the existing Grade II Listed Building building to 12 No. apartments, 9. No. of which have 2 No. bedrooms and 3 No. have 1 No. bedroom. The proposal also includes alterations to parts of the building and the erection of a rear extension. Parking is provided on site in accordance with the emerging standards in the Local Plan Strategy – it is noted that the applicant is now able to offer the required level of on-site parking due to having acquired an area of the domestic garden of the neighbouring property, 2 Plumley Road. Provision is provided within the site for refuse storage. (It is noted that a revised plan has been received which includes space for recycling bins as well as bins for everyday waste).

The main differences between the current proposal and that already approved (14/2478M) are: 1) 12 No. units rather than 7 No.; 2) additional parking area to accommodate the requisite number of parking spaces; 3) the changes to the outside of the building are mainly a) rear extension approx. 0.5m deeper, b) dormer and 3 no. sky-lights inserted in the roof of the rear extension, c) some minor fenestration changes on the rear elevation. These differences are considered not to result in a building that is significantly different than that already approved. As such, the design of the proposed development is considered to be acceptable and to have an acceptable impact on the Listed Building. The proposed accords with policies BE1, BE2, BE15, BE16, BE18 of the Local Plan.

## **SOCIAL SUSTAINABILITY**

The works to the Listed Building will result in the building being brought back into use for residential purposes (a much needed contribution to the housing needs of the Borough) and will secure the longevity of the heritage asset.

## **ECONOMIC SUSTAINABILITY**

The development will provide economic benefits in respect of a) employment during the construction phase, b) use of local services by employees during the construction phase and c) future incumbents of the apartments will contribute to the local economy as a result of using the services and facilities in the area.

## **PLANNING BALANCE, CONCLUSION & RECOMMENDATION**

The existing building is Grade II Listed and whilst some localised rebuilding will be required, the proposed conversion and extension is considered not to harm the significance of this heritage asset. The proposal accords with all relevant Development Plan policies and is deemed to be a sustainable form of development. As such, in accordance with para 14 of the NPPF, the proposal should be approved without delay. Therefore, subject to the receipt of outstanding consultation comments, a recommendation of approval is made subject to conditions.

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 & 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.

Application for Listed Building Consent

**RECOMMENDATION:** Approve subject to following conditions

1. A07LB - Standard Time Limit
2. A03FP - Commencement of development (3 years)
3. A02EX - Submission of samples of building materials
4. A10EX - Rainwater goods - material and colour to be specified
5. A12EX - Fenestration to be set behind reveals as specified
6. A18EX - Specification of window design / style - fabricated in timber & painted or opaque stained
7. A21EX - Roof lights set flush
8. A22EX - The windows shall be installed in accordance with the details submitted (1386/D/001 Rev A)
9. A23EX - Roof ridges - to be finished as specified
10. Works to be carried out in total accordance with the submitted acoustic report



**This page is intentionally left blank**

Application No: 15/1612C

Location: Fir Tree Farm, SWETTENHAM HEATH LANE, SWETTENHAM, CW12 2LW

Proposal: Provision of equestrian facilities, including 24 stables, indoor and outdoor riding arenas, horse walker and 5no. paddocks

Applicant: Mr & Mrs Steve & Jean Davenport

Expiry Date: 08-Jul-2015

**REASON FOR REPORT:**

The application is included on the agenda of the Northern Planning Committee as the proposal relates to a site measuring more than 1ha in size and is therefore a small-scale major development.

**SUMMARY:**

It is considered that the principle of the proposed development is acceptable in this location where the impact upon the character of the existing countryside and landscape would be minimised and where it would assist the rural economy. The design of the proposed building would be of similar appearance to those within the vicinity and would not appear incongruous within the context of the area. The proposed use of the site is likely to have minimal impact upon matters relating to highway safety or the local highway network, residential amenity or ecology and would not result in a tangible loss of agricultural land. As such, the scheme is found to be in accordance with the relevant local and nation policies and is found to be sustainable in the social, environmental and economic sense. The scheme is therefore recommended for approval.

.

**RECOMMENDATION:**

APPROVE subject to conditions

**PROPOSAL:**

Full planning permission is sought for the creation of equestrian facilities, including 24 stables, indoor and outdoor riding arenas, horse walker and the change of use of the land to provide 5

no. paddocks for the keeping of horses at land to the east of Fir Tree Farm, Swettenham Heath Lane, Swettenham.

**SITE DESCRIPTION:**

This application relates to some existing agricultural land positioned to the east of the property referred to as 'Fir Tree Farm'. The southern site boundary stretches approximately 100 metres along Messuage Lane. There are open countryside designated fields in all directions. The northern and eastern boundaries to the site are bordered by mature deciduous trees and hedgerows. The site is situated within Open Countryside as designated in the adopted Congleton Borough Local Plan First Review (2005).

**RELEVANT HISTORY:**

None

**NATIONAL & LOCAL POLICY**

**National Policy:**

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

Of particular relevance are paragraphs 17, 28 and 32.

Planning Practice Guidance (PPG) is also of relevance.

**Development Plan:**

The Development Plan for this area is the adopted Congleton Borough Local Plan First Review (2005), which allocates the site within Open Countryside under Policy PS8.

The relevant Saved Policies are: -

PS8 - Open Countryside  
GR1 - New Development  
GR2 – Design  
GR6 – Amenity  
GR9 - Accessibility, Servicing & Parking Provision  
GR16 – Footpath, Bridleway and Cycleway Networks  
NR2 - Wildlife & Nature Habitats

The relevant 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:

SD1 - Sustainable Development in Cheshire East  
SD2 - Sustainable Development Principles

SE1 – Design  
EG2 - Rural Economy

**CONSULTATIONS:**

**Environmental Protection:**

No objection subject to conditions / informatives restricting hours of construction / piling, external lighting, floor floating and the management of manure.

**Jodrell Bank:**

No objection subject to a condition that electromagnetic screening measures are incorporated into the materials of the proposed building.

**SWETTENHAM PARISH COUNCIL:**

The Parish Council are concerned about the following issues:

- The Council is concerned about the access and egress onto a narrow lane (Messuage Lane) for large vehicles such as horseboxes. There should be sufficient splay to accommodate such vehicles
- The Council is concerned about additional traffic using Messuage Lane particularly from the direction of Swettenham. The lane is narrow and winding. Ideally traffic to the site should be managed from Trap Street
- The site should be adequately screened from Messuage Lane to minimise the visual impact

**REPRESENTATIONS:**

None

**APPRAISAL:**

**Principle of Development**

The site is designated as being within the Open Countryside, where Local Plan Policy PS8 states that development involving facilities for outdoor sport and recreation are acceptable in principle provided that they preserve the openness of the countryside and comply with other relevant local plan policies.

Local Plan Policy RC5 deals specifically with proposals for equestrian facilities and states that proposals will be acceptable where they do not adversely affect; the character and appearance of the area; ecology; landscape; agricultural land; residential amenity; and provide adequate parking and access from a public highway and there is no excessive traffic generation on to the existing highway network.

This advice is further supported in Policy EG2 of the emerging Cheshire East Local Plan Strategy Submission Version which explains that “*breeding, training and livery as horse*

*related enterprises are considered to form part of the rural economy*” and therefore subject to other material planning considerations, should be supported where appropriate.

### **Character & Appearance**

The building would accommodate 24 looseboxes and an indoor riding arena. The building would be single storey and configured in an ‘L’ shape and would be of an agricultural style. It would be of portal construction with fibre reinforced cement profile sheeting with integral vision panels to the roof and externally the walls would be clad with timber. The forward part of the building nearest to the road (the stables) would be modest in terms of its height and the indoor arena would be taller, but would be positioned towards the rear of the site. The size and scale is considered to be acceptable in this location, where the context is one of open countryside with interspersed farm buildings of a similar style. The design would therefore appear incongruous in the area.

The proposed building would be well sited in the corner of the existing paddock where it would take advantage of the screening provided by the existing field boundaries and the mature trees to the north and west of the site. The submitted landscaping scheme shows that these are to be retained and therefore coupled with supplemental planting, the visual impact on the open countryside would be minimised. Subject to this, the proposal is acceptable in terms of its impacts on the character and appearance of the countryside.

### **Highways**

Policy GR9 states that proposals for development requiring access, servicing or parking facilities will only be permitted where a number of criteria are satisfied. These include adequate and safe provision for suitable access and egress by vehicles, pedestrians and other road users to a public highway. This is further supported by advice within the NPPG para 32 which advises that ‘proposal must take account of whether the safe and suitable access to the site can be achieved for all people’.

With respect to visibility, the site would be accessed directly off Messuage Lane. The gates shown on the proposed plans would be set back suitably from the highway and the Head of Strategic Infrastructure (HSI) is content that suitable visibility can be achieved at the proposed site access junction.

The applicant has confirmed that the proposed equestrian facilities will not host events but is purely a private training facility. The only visits expected at site are occasional visits (not on a daily basis) from vets, farriers and owners. The number of horse box movements is expected to be (based on the existing site movements) typically just two per week; taking horses to shows and only in an emergency, to the vet. The site will provide a maximum 12 car parking spaces and 8 horse box spaces. The Councils Head of Strategic Infrastructure (HSI) has confirmed that such provision is sufficient.

As such, the proposal is therefore found to accord with Local Plan Policies GR9 and RC5 as well as NPPF para 32.

### **Residential Amenity**



Policy GR6 requires that new development should not have an unduly detrimental effect on the amenities of nearby residential properties from loss of privacy, loss of sunlight or daylight, visual intrusion, environmental disturbance or pollution and traffic generation access and parking.

The nearest residential property is sited some 120 metres to the south of the site. In view of the predominant agricultural use within the surrounding area, it is considered that the proposed scale of the use would not be sufficient to cause material harm to neighbouring residential amenity. The Council's Environmental Protection Unit has offered no objection to the proposal and as such it is found to accord with Local Plan Policy GR6.

### **Loss of Agricultural Land**

No details of the quality of the agricultural land have been submitted with the application. However, the DEFRA Agricultural Land Classification Map shows that the area mainly comprises of Grade 3 agricultural land, which is considered 'good to moderate'. However, the main development would occupy an area of 2088 square metres and as such would not result in a tangible loss of agricultural land. With respect to rest of the land, which would be subject of the change of use, this would not result in the permanent loss of agricultural land as it would be used for the keeping and grazing of horses and as such a refusal could not be sustained on this basis.

### **Ecology**

The application is supported by an extended phase one habitat survey. The Council's Nature Conservation Officer (NCO) has confirmed that the submitted survey is acceptable and would not result in any damage or harm to species protected by law. The NCO has commented that the part removal of the roadside hedgerow to facilitate the access to the site may have the potential to impact on nesting bird. As such, the NCO has recommended a condition requiring a survey for nesting birds to be carried out if works are to be carried out during the nesting season. Subject to this, and a condition that the landscaping scheme is to include suitable native species, the scheme is deemed to be acceptable in terms of nature conservation.

### **Planning Balance**

It is considered that the principle of the proposed development is acceptable in this location where the impact upon the character of the existing countryside and landscape would be minimised and where it would assist the rural economy. The design of the proposed building would be of similar appearance to those within the vicinity and would not appear incongruous within the context of the area. The proposed use of the site is likely to have minimal impact upon matters relating to highway safety or the local highway network, residential amenity or ecology and would not result in a tangible loss of agricultural land. As such, the scheme is found to be in accordance with the relevant local and nation policies and is found to be sustainable in the social, environmental and economic sense. The scheme is therefore recommended for approval.

### **RECOMMENDATION**

**APPROVE subject to conditions:**

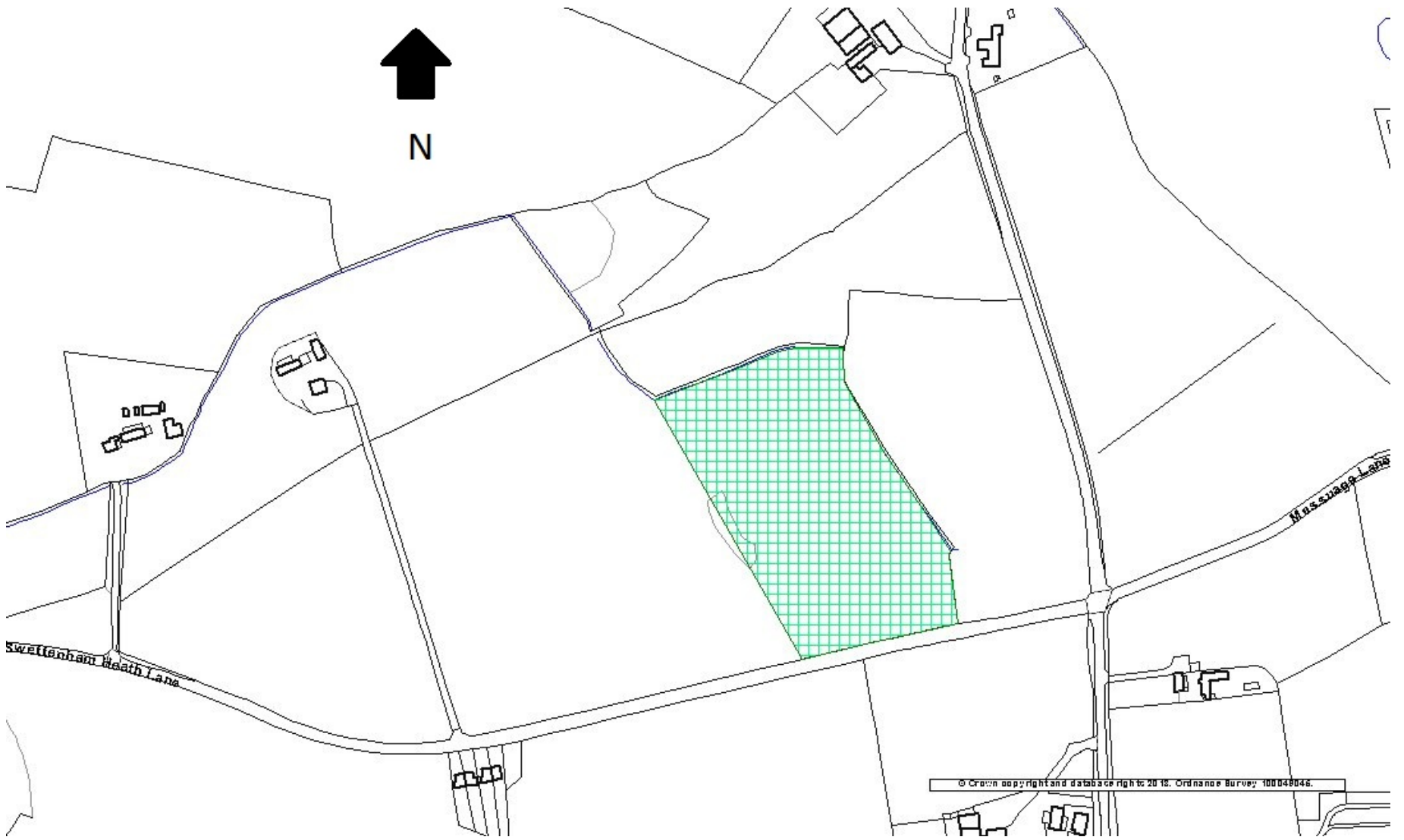
In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chair (or in his absence the Vice Chair) of Northern Planning Committee, to correct any technical slip 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 the Northern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

### Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. Access and parking to be provided prior to first use
2. Standard 3 year time limit
3. Development in accordance with submitted plans
4. Development to be carried out in accordance with submitted landscaping scheme except non-native planting to be replaced with native planting
5. Implementation of landscaping
6. Survey for breeding birds and protection during breeding season
7. Details of piling to be submitted and approved
8. Details of floor floating to be submitted and approved
9. Materials to be submitted and approved
10. Boundary treatment details to be submitted and approved
11. Details of external lighting strategy to be submitted and agreed
12. Development to be carried out in accordance with submitted Phase One Habitat Survey
13. Electromagnetic screening measures to be incorporated into materials of building



**This page is intentionally left blank**

Application No: 15/2819M

Location: FORMER MASSIE DYEWORKS, LONEY STREET, MACCLESFIELD, CHESHIRE, SK11 8ER

Proposal: Outline application for demolition of the existing buildings and the erection of 5 town houses and 6 apartments (resubmission of application number 12/1394M approved on 19 July 2012).

Applicant: Mr I. Massie

Expiry Date: 18-Sep-2015

**Date Report Prepared:** 23<sup>rd</sup> September 2015

**Summary:** The principle of this development at this site has previously been established under planning application 08/2405P and more recently application 12/1394P.

The proposal seeks outline planning permission for the demolition of the existing redundant Massey Dye works and a large existing chimneystack in order to create a residential development for 11 residential units. The scheme seeks consent for matters relating to access and layout only and is identical to previous consents.

The principle of the removal of the Chimney Stack has already been accepted. The layout of the scheme is considered to be acceptable and in keeping with the character of the surrounding area. The proposed access and parking provision is considered to be acceptable by the Head of Strategic Infrastructure. It is anticipated that the proposed development will provide a sustainable form of development which will offer environmental and economic benefits to the area as well as contributing to the Council's 5 year housing land supply.

The site circumstances remain the same. The proposed development is considered to be compliant with both Local and National Planning Policies and there are no material considerations present, which would suggest otherwise.

**Recommendation:** Approve subject to Conditions and the prior completion of a Section 106 agreement.

## **REASON FOR REPORT**

This application seeks outline planning permission for 11 residential units. As such the Council's scheme of delegation requires that application for 10 residential units or more are determined by the Northern Planning Committee.

## **DESCRIPTION OF SITE AND CONTEXT**

The application site is located within a predominantly residential area of Macclesfield Town. The site sits adjacent to two residential care homes located along Loney Street and the corner of Loney Street and Peter Street. The style and character of this area is made up of a mix of two storey detached and terraced properties.

Massey Dye Works is listed within the Council's Supplementary Planning Guidance (SPG) as a Locally Important Building.

There is also an underground stream, which runs from east to west under the site and rises up to ground level in two points within the site via a well and a spring. Both of which are thought to have been utilised when the Dye Works were in working operation.

## **DETAILS OF PROPOSAL**

The proposed seeks outline planning permission for the demolition of the existing redundant Massey Dye works and a large existing chimneystack in order to create a residential development for 11 residential units comprising;

- 4 x two bed roomed town houses,
- 1 x three bed roomed town house; and
- 6 x one bed roomed apartments.

The application seeks consent for the detailed matters relating to access and layout only. It does not seek approval for the development's scale, appearance nor for the landscaping of the site. The Elevation plans submitted with this application are indicative only.

## **RELEVANT HISTORY**

- |          |  |
|----------|--|
| 15/2827M | Prior approval for change of use of Former Cottage on Peter Street from Office accommodation to residential.<br>Prior Approval not required<br>11.08.15  |
| 12/1394M | Outline application for the demolition of an existing buildings and erection of 5 town houses and 6 apartments (resubmission of 08/2405P)<br>Approved subject to conditions and S106<br>19.07.15 |
| 09/2810M | Change of use From B1 office to C3 dwelling House<br>Refused<br>4.12.2009  |

08/2405P Demolition of existing building and the erection of 5 Town houses and 6 apartments (outline consent)- Approved subject to conditions  
2.03.2009

## **POLICIES**

### **National**

National Planning Policy Framework

### **Local Plan Policy**

Macclesfield Borough Local Plan (2004)

BE1 Design Guidance  
BE2 Historic Fabric  
BE20 Locally Important Buildings  
H1 Phasing Policy  
H2 Environmental Quality of Housing Developments  
H5 Windfall Housing  
H6 Town Centre Housing  
H13 Protecting Residential Area  
DC1 Design  
DC3 Amenity  
DC6 Circulation and Access  
DC8 & DC37 Landscape  
DC38 Space, Light and Privacy  
DC41 Infill housing and redevelopment sites  
DC63 Contaminated Land

Emerging Local Plan Strategy Submission Version (March 2014)

MP1 Presumption in favour of sustainable development  
PG1 Overall Development Strategy  
PG5 Open Countryside  
PG6 Spatial Distribution of Development  
SD1 Sustainable Development in Cheshire East  
SD2 Sustainable Development Principles  
IN1 Infrastructure  
IN2 Developer contributions  
SC4 Residential Mix  
SE1 Design  
SE2 Efficient use of land  
SE3 Biodiversity and geodiversity  
SE4 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

**Other Material Considerations**

Cheshire East Locally Listed Buildings SPD  
S106 Planning Agreements (SPG)

**CONSULTATIONS (External to Planning)**

**Manchester Airport:**

No safeguarding objections.

**Strategic Highways & Transportation Manager:**

No objections raised subject to conditions relating to the layout of parking, details of surfacing, construction method statement and cycle storage.

**Archaeology:**

It is noted that the history of the Dye works plays an important part of Macclesfield's Silk Industry and the existing buildings have been well preserved. It is therefore advised that the existing structures should be subject to a programme of developer-funded building recording prior to demolition followed, if appropriate, by a targeted watching brief. It is also advised that the building recording should be carried out to Level II, as defined in current English Heritage Guidance.

**Nature Conservation:**

The proposed development will not impact on a designated wildlife site nor cause reasonable risk to a protected species therefore no objections are raised. It is advised that, in the unlikely event that protected species, such as bats or breeding birds, are encountered during demolition works then works should terminate immediately and advice sought from a suitably qualified person and the Council advised.

**Landscaping:**

No objections raised subject to a condition relating to full landscaping details and boundary treatment to ensure residential amenity.

**Environmental Health:**

Raise no objections subject to the following condition;

- Regulating hours of construction;
- Pile driving and floor floating in order to ensure a minimal impact upon residential amenity of local residents.

Comments are also raised concerning incompatible room arrangements between adjoining properties with bedrooms of certain apartments sharing a party wall with the living room of certain townhouses. Such incompatibility of room uses can result in noise, loss of residential amenity, sleep disturbance and noise nuisance. It is therefore advised that a condition requesting sound insulation be incorporated into the scheme during the development.

**Environmental Health (Contaminated Land)**



No objections raised; given the history of the site and the proposed residential use a phase II contamination survey in accordance with Policy DC36 is required.

### **Environment Agency:**

Raise no objection subject to the a Phase II contaminated land survey being submitted and a condition requesting prior to the occupation of the development a verification report which will show that site remediation criteria have been met and the proposal will not cause a potential risks posed to controlled waters.

### **United Utilities:**

No objection subject to a condition requesting a surface water drainage scheme

## **OTHER REPRESENTATIONS**

### **Macclesfield Town Council Planning Committee:**

Request that greater provision for off road parking made.

### **Macclesfield Civic Society:**

*The scheme comprises a good blend of modern and vernacular designs and provides a useful mix of housing types to meet local needs. Parking provision should avoid undue impact upon traffic conditions in the locality. The layout safeguards privacy and amenity for existing and prospective residents. It is suggested that a written and photographic record be made of the existing buildings for the historic archive. The physical condition of the former industrial buildings and structures is noted. An early redevelopment would be welcomed.*

This application has been advertised by means of a site notice, neighbour notification and a press advert, the last date for comments is the 30th September 2018. At the time of writing this report no comments from the General Public had been received. Any representations received will be reported to member within an update to Committee.

## **APPLICANT'S SUPPORTING INFORMATION**

A Planning, Design and Access Statement has been submitted with this application which explains the history of the site and context of the proposed development. Documents also submitted are as follows:-

- Environmental Study by Hydrock Limited
- Structural Survey of existing chimney stack by Shepherd Gilmour

## **OFFICER APPRAISAL**

### **Principle of the development**

The principle of this development was firstly established under planning application 08/2405p, approved on the 2<sup>nd</sup> March 2009 by the former Macclesfield Borough Council Committee. This was followed by application 12/1394M approved on the 19<sup>th</sup> July 2012, by Northern Planning Committee and was a resubmission of the 2008 scheme, which proposed an identical scheme.

This application now before Members seeks full planning permission, again for an identical scheme to the 2009 and 2012 consents, as both consents are no longer extant.

The application site circumstances remain the same. The key consideration is whether the proposed development accords with both Local Plan Policies and The National Planning Policy Framework and whether there are any other material considerations which would suggest otherwise. Application and the site circumstances remain the same.

The report presented considers the same key issues as the Committee Report for application 12/1394M, however it has been updated to take into account the consultee and representations received.

The National Planning Policy Framework sets out a presumption in favour of sustainable development. Located within close proximity of public transport and local amenities the site is considered to be in a sustainable location.

Paragraph 49 advises that;

*“Housing application 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”*

Member will be aware that the Council do not currently have a 5 year supply of housing for the Borough and therefore attention should be had to the requirements of paragraph 14 of the NPPF which advises that when Councils are decision taking, they should:

*“Approve development proposal that accord with the development plan without delay, and*

*Where the development plans is absent, silent, or relevant policies are out of date they should grant planning permission unless;*

- ***any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessing against the policies in this framework taken as a whole; or***
- *Specific policies in this framework indicate development should be restricted”*

The site is designated within the Local Plan as a Predominantly Residential area and lies within close proximity to Macclesfield Town Centre. The existing Industrial use is not considered to conform with the residential uses which surround the site. The proposal will introduce a more appropriate and sustainable development to the area that will dramatically improve both the environment and residential amenities of the occupants of neighbouring properties.

The key issue with this application therefore are as follows:-

- Are there any changes in circumstances since the previous approval to warrant a different conclusion?
- The principle of the proposed demolition of a Locally Important Building

- Impact of the proposed development upon the character and appearance of the existing street scene.
- Implications of the proposed development upon highway safety
- Impact upon the residential amenity of local residents.
- Implications on an existing water course which runs through the site.
- Given the presumption in favour of sustainable development, are there any significant adverse impacts which would prevent planning permission being granted? (having regard to the advice set out within the para 14 of NPPF stated above).

### Principle of Demolition

The site is identified within the Council's SPG as a Locally Important Building which describes the building as an;

“Increasingly rare building type, once common in the textile town dominated by tall industrial chimney”

Policy BE20 of the Local Plan seeks to preserve Locally Important Buildings which are valuable due to their contribution of the local scene or their historical associations. The policy states that developments which would adversely effect architectural or historic character will only be allowed if the Borough Council is satisfied that the buildings is beyond reasonable repair.

The Locally Listed Buildings SPD makes it clear that Cheshire East Council is committed to protecting local heritage and as such will always favour the retention of a locally listed building where practicable. It states that proposals for the demolition of locally listed buildings must normally demonstrate clear and convincing evidence that the building is no longer of local importance. And that where redevelopment is in accordance with Local Plan policies, there will be an expectation that the building is replaced with one of equal or greater architectural merit.

Within the NPPF glossary Local Listed buildings are considered to be Heritage Assets. Chapter 12, Paragraphs 128 and 129 advises that the significance of any heritage asset affected by the development including its contribution to the setting should be identified and assessed.

*Para 135 and 136 states that*

*“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset”*

And

*“Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.”*

The main existing buildings run parallel, around the corner of Loney Street and Peter Street and can in part, relate back to as early as the 19 Century. However, there is evidence that over the years the buildings have been repaired, altered and rebuilt in part, which have, in turn, alluded to a mixed style of piecemeal additions to the internal and external features of the built form.

A large high chimney stack constructed in around 1945, positioned in the centre, creates a prominent feature in the skyline of the surrounding area and provides a historical monument and link to Macclesfield's industrial past in the silk trade. Cheshire County Council's Archaeology Unit note that due to the good preservation of the buildings the structure is also recorded on the Cheshire Historic Environments Record.

In brief, the grounds put forward by the applicant for the demolition of the existing building on site are as follows:-

- The site has remained unused and in its current state is unsuitable for modern industrial/employment use due to the inadequate layout and lack of parking facilities at the site.
- The existing industrial/employment use on site is non-conforming with the sensitive residential uses which surround the site and, as a result, impact upon the residential amenity for the occupants of neighbouring dwellings.
- A structural report has been submitted which relates to the chimney stack and identifies a series of substantial cracks which run the length of the chimney stack. The report concludes that the cracks would result in a major repair job involving complete or partial rebuilding. Therefore controlled demolition is recommended
- The position of the chimney within the site would remain as an obstruction, and give its current run down state would serve as a danger if not maintained at great expense

The above grounds for demolition are acknowledged. It is considered that the awkward layout and form of the existing building would make the building difficult to convert. The chimney stack is of a relatively new construction and would, not only be problematic and expensive to maintain, but would also be difficult to incorporate into any new redevelopment scheme. It is therefore considered that, given the current state of the existing building, any redevelopment of the site would involve a substantial level of reconstruction.

Whilst the applicant has not carried out an assessment on the "significance" of the buildings the Council Conservation Officer has in the previous application acknowledged that the existing building is structurally flawed and therefore accepted the loss of this building. The design of the building although, at this stage indicative, is considered to give reference to the industrial past of the site and is therefore encouraged. The demolition of the building is further endorsed by the Cheshire County Council's Archaeology Unit who have raised no objections subject to a detailed historic photographic record and historical study to be submitted prior to any demolition-taking place.

In view of the above, the proposal is considered to comply with Local Plan policy BE20, NPPF and Cheshire East Locally Listed Buildings SPD.

### Layout and the impact of the proposed development upon the character and appearance of the existing street scene.

The proposed dwellings are to be sited fronting Loney Street and Peter Street and propose to replicate the position of the existing façade therefore preserving the character and position of built form within the streets. The illustrative elevational plans show that the applicant seeks to create a visually striking feature directly on the corner of Loney Street and Peter Street. This 'rotunda' would accommodate the proposed six apartments.

Indicative plans illustrate the scale of the proposed development. Along both Loney Street and Peter Street the proposed development would be two storeys in nature with ridge heights measuring from approx 7.5m to 9.5m in height. The 'rotunda' element on the north eastern corner of the site to accommodate the proposed apartments is proposed to measure approx 10m in height and would be three storeys. Taking into consideration the sloping land levels it is considered that the indicative proposal will be of an appropriate scale the area.

Vehicular access to the site will be via the existing access from Loney Street where vehicles will pass under the first floor of the three bed roomed town house. This has been created to represent a similar appearance to that of the existing main access to the site, which is facilitated via roller shutters. Twelve parking spaces are to be located within the site and are to provide parking provision for the 11 proposed dwellings and the occupants of 9 Loney Street.

Each of the town houses would have an area of private amenity space located directly behind each dwelling. The occupants of the apartments would have a small-shared amenity space directly to the rear of the proposed 'rotunda' building. The amount of amenity space which is afforded to the proposed town houses is considered to be commensurate with that of existing properties within this particular area of Macclesfield. It is not normal for apartments to be provided with dedicated private space.

It is considered that, by virtue of the layout, the proposed parking facilities located within the confines of the site will be overlooked by the proposed dwellings which will provide a good level of natural surveillance and, in turn, a secure and safe environment for future occupants of the proposed dwellings.

Whilst much of the details are reserved for later consideration, the applicant states that the proposed development is to be constructed using sourced local stone and reclaimed materials. Features such as steel lintels and the proposed standing seam metal roof are to be incorporated into the scheme in order to maintain the semi industrial aesthetic character of the existing site and blending in with the local surroundings.

Design is a detailed matter 'reserved' for later consideration. However, it is worth noting that the illustrative plans show elevation treatment which is quite contemporary and striking. The character of the area is fairly traditional and remains unchanged since the 2012 application. The NPPF places a strong emphasis on the good design and advises that Local Planning Authorities should reinforce local distinctiveness but not impose architectural styles or particular tastes nor stifle innovation. The design of the proposed development (albeit indicative) is considered to be acceptable in this case.

The Conservation Officer has raised no objections to the indicative design features and it is considered that the proposal will compliment the character of the area while preserving a hint of the site's historical past.

### Implication of the proposed development upon Highways Safety

As with the previous permission the proposal seeks to incorporate 12 off street parking spaces within the site which will serve;

6 x 1 bed apartments  
4 x 2 bed Town houses; and  
1 x 3 bed Town house

Paragraph 39 of the NPPF advises that;

*In setting local planning standards for residential development and non residential development local planning authorities should take into account:*

- *The accessibility of the development*
- *The type, mix and use of the development*
- *The availability of and opportunities for public transport;*
- *Local car ownership levels; and*
- *An overall need to reduce the use of high emission vehicles*

This particular area of Macclesfield is largely characterised by terraced properties which rely mainly on street parking provision. The proposed development is for a mix of small scale residential units and unlike surrounding properties will be afforded one designated parking space per unit.

The site is located in a sustainable location in close proximity to the Town Centre and Local public transport. It is considered that the proposed residential use of the site will dramatically improve not only the intensification of vehicles to and from the site, should the lawful Industrial use of the site be resumed but, would also reduce the potential for more significant highway issues.

As with the previous permission, in order to encourage sustainable forms of transport a condition requesting the incorporation of cycle storage is also proposed. The existing parking levels for this area have remained unchanged since the 2012 consent and therefore the proposal is considered to be consistent with the advice set out within the NPPF.

The vehicular access to the site is to take advantage of the existing access from Loney Street. The visibility spays at this access are restricted due to the position of the building. However, visibility in this area can be improved with changes to a boundary wall which is within the applicant's control.

In addition to the above, Members' attention is also drawn to a former access on Peter Street and the requirement for the pavement to be reinstated. As with the previous permission the Highways Engineer is satisfied that this can be dealt with under a condition and therefore raises no objections.

### Impact upon the residential amenity of local residents.

The proposed dwellings are to be positioned approx 15m from the front elevation of existing dwellings located along both Peter Street and Loney Street. Although this does fall short of the guidelines in Policy DC38 it is considered that this relationship will be commensurate with existing properties within the surrounding area. It is also reflective of the existing pattern of development.

In this regard it is worth noting that large windows within the 'rotunda' may give rise to overlooking of nearby development. However, this element of the proposal is illustrative. Particular attention would have to be had at the detailed stage to ensure an appropriate relationship with neighbours.

One detailed matter involves the side elevation of 156 Compton Road where there is a side window for what appears to be a bathroom. The window directly overlooks the proposed car parking area and is considered to be sufficient distance from the rear windows of the proposed development as not to have an adverse impact upon residential amenity.

### Impact on the water course.

The Environment Agency raises no objections to the proposed development subject to a Phase II investigation prior to the commencement of development. The Phase II investigation will require the submission of a risk assessment of contamination on the land. If the assessment details mitigation is required, a further remediation statement should be submitted and approved in writing.

Given that the above condition is similar to the Contaminated Land condition the Environment Agency has agreed that no additional condition is required.

### **Section 106 contributions Levy (CIL) Regulations**

The Councils Supplementary Planning Guidance on S106 Planning Agreements advises that developments of 6 residential units or more are required to provide contributions to Public Open Space and Outdoor Sports and Recreation which are normally secured through a section 106 agreement.

Policy IN1 of the Cheshire East local Plan Strategy Submission Version advises that the Local Authority should work in co ordinated manner to secure funding and delivery of physical, social, community environmental and any other infrastructure required to support development and regeneration.

In order to comply with the community Infrastructure Levy (CIL) Regulations 2010 planning applications with legal agreements must consider whether the requirements within the Section 106 satisfy the following;

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

The commuted sum to be paid to the Council to make additions, enhancements and improvements to play provision, allotments and sport pitch facilities trim trail / jogging track around South Park which provide opportunities for all parts of the community including the new residents.

On this basis, the provision of the commuted sum is necessary, directly relates to the development and is fair and reasonable in relation to the scale and kind of development.

The applicant has been notified that a new updated legal agreement will be required and Officers area awaiting this to be submitted. Members will be provided with an update on this prior to the Committee meeting.

### RECOMMENDATION

There has been no significant change in circumstances since to previous 2012 permission. Located within a predominantly residential area of Macclesfield it is considered that the proposal will introduce a more compatible use to this residential area. The proposed development will allow for a sympathetic regeneration of the site and will remove any potential highways safety concerns, which could arise from the retention of the existing industrial use.

The justification for the demolition of the existing building is accepted. The details relating to layout and access of the proposed development are considered to be acceptable. The proposed development provides a sufficient mix of properties and has been indicatively well designed.

Located within a reasonable distance of local amenities and is served by public transport the site is therefore considered to be sustainable and meet the objectives set out within the NPPF.

Paragraph 14 of the NPPF emphasis that when making decisions Local Planning Authorities should approve development that accord with the development plan without delay and were planning polices are out of date grant planning permission **unless** any adverse impact would significantly outweigh the benefit of doing so. In this particular instance it is considered that the proposed development **will not have a significant adverse impact**. The proposed development is considered to comply with policies within the Development Plan and NPPF therefore a recommendation for approval is made subject to the following:

- Section 106 agreement for a commuted sum for open space and outdoor sport and recreation;
- Subject to any representations from local residents received;
- Recommended conditions

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



## Application for Outline Planning

RECOMMENDATION: Approve subject to following conditions

1. A06OP - Commencement of development
2. A01OP - Submission of reserved matters
3. A02CA - Demolition as precursor of redevelopment
4. A02EX - Submission of samples of building materials
5. A03OP - Time limit for submission of reserved matters
6. A04HP - Provision of cycle parking
7. A05HA - Pedestrian visibility at access (dimensions)
8. A01HP - Provision of car parking
9. A07HA - No gates - new access
- 10.A07HP - Drainage and surfacing of hardstanding areas
- 11.A08OP - Ground levels to be submitted with reserved matters application
- 12.A10HP - Driveway surfacing - single access drive
- 13.A12LS - Landscaping to include details of boundary treatment
- 14.A12OP - Full details approved as part of outline consent
- 15.A17MC - Decontamination of land/ Environment Agency
- 16.A19MC - Refuse storage facilities to be approved
- 17.A26HA - Prevention of surface water flowing onto highways
- 18.A29HA - Door and window openings - highways / footways
- 19.A30HA - Protection of highway from mud and debris
- 20.A32HA - Submission of construction method statement
- 21.Turning facility
- 22.floor floating
- 23.Sound Insulation to be addedd
- 24.Hours of Construction
25. Pile Driving
- 26.Archeology
- 27.Re instatment of kerb along Peter Street
- 28.External Apperance
- 29.Surface water drainage



Application No: 14/5316M

Location: Former Depot at Junction of Green Street and Cuckstoolpit Hill, Macclesfield, Cheshire

Proposal: Construction of 8 x 1no bedroom apartments and 7 x 2no bedroom houses on the site of former council-owned depot. (Revised Scheme).

Applicant: Ms Jo Fallon

Expiry Date: 13-Feb-2015

**Date Report Prepared:** 21<sup>st</sup> September 2015

### **SUMMARY RECOMMENDATION**

APPROVE SUBJECT TO CONDITIONS

### **MAIN ISSUES**

- Principle of Development
- Design/ Scale/ Impact on the Conservation Area and Listed Buildings
- Impact on neighbouring amenity
- Environmental Health
- Highway issues
- Sustainability
- Nature Conservation
- Greenspace

### **SUMMARY**

The Northern Planning Committee has resolved to grant planning permission for the application. Since that resolution the applicant has revised their proposal. The key issues remain unchanged and the development is considered to be in line with the Development Plan.

The revised proposed development would provide affordable housing located in a sustainable location, on brownfield land. This should be given substantial weight when weighing up the planning balance. The proposals would be of an acceptable design. They would preserve the character and appearance of the conservation area, the setting of Listed Buildings, and would not have an adverse impact upon the highway network, neighbouring amenity, or nature conservation.

The proposed development complies with the relevant development plan policies and is considered to be sustainable in the social, environmental and economic sense. The application is therefore recommended for approval.

## **REASON FOR REPORT**

This application was originally delegated to the Head of Planning (Regulation) for approval during the Northern Planning Committee of 15<sup>th</sup> July 2015, subject to clarification on the number of dwellings as 17 or 18 as the Committee report was unclear.

Amendments to the scheme have since been submitted under this application and so this proposal has been taken back to Northern Planning Committee for a decision. Neighbouring properties potentially affected by the proposed amendments have been re-consulted on the revised plans with a period of 10 working days to make comment. It is not anticipated that any significant issues can be raised as the proposals are a reduction and improvement on the previous layout.

## **DESCRIPTION OF SITE AND CONTEXT**

The application site relates to a formal Council depot comprising 1 and 2 storey vacant buildings and associated hardstanding. The site rises up in gradient from Buxton Road to the North and an area of public open space lies adjacent to the site. The site is bounded by an attractive historic stone wall. The site lies some 14m away at its closest point from Buxton Road Conservation Area, and a number of Grade 2 Listed Buildings. The site lies within a Mixed Use Area as defined by the Macclesfield Borough Local Plan.

The site is close by to several listed buildings, Fence House Grade II, Fence House Almshouses Grade II, 88-92 Buxton Road grade II (all sharing group value), 66 Buxton Road a locally listed building and the edge of Buxton Road Conservation Area, an area of green space also bounds the site, providing a sense of relief and openness. Predominately the area contains 2 perhaps 2.5 storey buildings, all domestic in their scale, and where they are larger they are sited at a distance from the site. The area contains brick, half-timber framed detailing, local stone and also render properties too. Terraces are quite common, interspersed with detached and larger warehouse buildings.

## **DETAILS OF PROPOSAL**

Revised plans have been submitted during the application process. The proposals are for the demolition of the existing Council depot buildings and the erection of 8 x 1 bed and 7 x 2 bed houses on the site. Access would be taken from Cuckstoolpit Hill Street.. Associated parking for 18no vehicles is proposed along with a bin store, and associated hard and soft landscaping. No cycle spaces are currently proposed which would be required, however this can be secured via condition.

This application follows formal pre application advice.

## **Planning History**

None relevant.

## **POLICIES**

### **Macclesfield Borough Local Plan – Saved Policies**

BE1- Design Guidance  
BE2 (Preservation of Historic Fabric)  
DC1- New Build  
DC3- Amenity  
DC6- Circulation and Access  
DC8- Landscaping  
DC41- Infill Housing  
H1- Phasing Policy  
H2- Environmental Quality in Housing Developments  
H3- Making the Best Use of Land  
H5- Windfall Housing  
H8- Provision of Affordable Housing  
H9- Affordable Housing  
H13- Protecting Residential Areas  
NE11- Nature Conservation  
E11- Mixed Use Areas  
MTC12- Mixed Use Areas  
BE16- Setting of Listed Buildings

### **Cheshire East Local Plan Strategy 2014 – Submission Version**

MP1- Presumption in Favour of Sustainable Development  
SD1 - Sustainable Development in Cheshire East  
SD2 - Sustainable Development Principles  
SE1 - Design  
SE4 - The Landscape  
CO1- Sustainable Travel and Transport  
CO4- Travel Plans and Transport Assessments

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

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

The Local Plan policies outlined below are all consistent with the NPPF and should therefore be given full weight.

## **Other Material Considerations**

Ministerial Statement – Planning for Growth  
National Planning Policy Framework  
Planning Practice Guidance  
Cheshire East Council Interim Planning Statement on Affordable Housing  
(February 2011)

## **CONSULTATIONS (External to Planning)**

Strategic Highways and Transportation Manager- No objection.

## **VIEWS OF THE TOWN COUNCIL**

N/A.

## **OTHER REPRESENTATIONS**

3 no objections have been received on the following planning related grounds:

- Overlooking of 12 Canal Street
- Access could be dangerous
- Part of the historic boundary wall should not be removed
- Insufficient parking
- Land drainage issues

1 no letter in support of the application has been received.

Macclesfield Civic Society do not formally object to the development, however thought that a townscape appraisal should be required as they are concerned that the development could be over dominant, out of scale and visually intrusive.

## **APPLICANT'S SUPPORTING INFORMATION**

Planning/ Design and Access Statement

## **OFFICER APPRAISAL**

The key issues are:

- Housing Land Supply
- Impact upon character of the area,
- Impact upon character of the conservation area

- Impact upon the setting of listed buildings
- Amenity of neighbouring property
- Highway safety
- Public Open Space provision via an s106 agreement

### **Principle of the Development (Windfall Housing Sites)**

The site lies within the settlement boundary of Macclesfield and within a Mixed Use Area where policies within the Local Plan indicate that there is a presumption in favour of development.

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

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

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

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

### **Housing**

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

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

Following the suspension of the Examination into the Local Plan Strategy and the Inspectors 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 ‘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.

*The site falls within the Macclesfield sub-area for the purposes of the SHMA update 2013. This identified a net requirement for 180 affordable homes per annum for the period 2013/14 – 2017/18. This equates to a need for 103x 2bd, 116x 3bd general needs units and 80x 1bd older persons accommodation. The SHMA identified an over-supply of 1 bed and 4+ bed general needs units and 2 bed older persons accommodation. In addition to this information taken from Cheshire Homechoice shows there are currently 1066 applicants who have selected one of the Macclesfield lettings areas as their first choice. These applicants require 450x 1bd, 390x 2bd, 176x 3bd and 24x 4+bd. 26 applicants did not specify a bedroom requirement.*

*Whilst the SHMA does identify an over-supply of 1 bed units, information from Cheshire Homechoice and intelligence informs us that there is need for 1 bed units. It is preferable that 2 bed units are delivered as houses rather than 2 bed apartments.*

*Strategic Housing has been in discussions with the applicant about the proposals for the site and has raised concerns over 2 bed apartments to meet housing need. I have advised that Strategic Housing would not support a scheme dominated by 2 bed units and would like to see a scheme favoured for 1 bed units, and in any event no more than 50:50 split between 1 and 2 bed apartments. The revised plans submitted show that the application is for an affordable housing scheme of 17 apartments, comprising 13x 1bd and 4x 2bd apartments all for affordable rent.*

Overall, it is clear that there is a significant shortage of affordable housing within Macclesfield. This development would help to satisfy a strong demand for affordable 1 and 2 bed apartments within the town and contribute to the Council's 5 year housing supply.

### **Design/ Character and Appearance/ Impact on the Conservation Area and Setting of Listed Buildings**

The Conservation Officer notes that this is a much improved scheme from the original submission. They do have concerns regarding the development in terms of the height of plot 4, and the need for high quality materials that would improve the overall appearance of the development and help it preserve the character and appearance of the nearby conservation area. The loss of part of the stone wall is regrettable however parts of it would remain and overall this is not a major concern.



It is noted that the surrounding area consists of dwellings and other buildings of a range of architectural vernacular and quality. The existing industrial buildings on site and associated paraphernalia are not of any aesthetic quality. The revised development is considered to be of a vernacular, scale, density and overall design which would be in keeping with the character and appearance of the immediate surroundings. It would also not have an adverse impact on the character and appearance of the nearby Buxton Road conservation area or Listed Buildings, nor be unduly dominant in scale when viewed from various places within the town.

The objection is noted regarding the partial loss of the stone wall. Whilst this is regrettable, it is not a designated heritage asset and overall the economic, environmental and social benefits of the development are considered to outweigh the environmental harm of losing a section of the wall.

Overall the development would accord with all design policies, would not harm the historic setting of the nearby listed buildings and would preserve the character and appearance of Buxton Road conservation area, subject to conditions including the use of appropriate materials in the development.

### **Amenity**

Policy DC3 states that development should not significantly injure the amenities of adjoining or nearby residential property due to matters such as loss of privacy, overbearing effect, loss of sunlight and daylight and traffic generation and car parking. Policy DC38 states that housing should normally meet certain guidelines of space between buildings in order to ensure that a commensurate amount of space, light and privacy remains between buildings.

In this case, the 2 storey would be circa 14.8m away from the residential property no 8 on Green Street opposite and 13.9m from the existing office building. This is substandard in relation to the distance guidelines listed under policy DC38. However, it is noted that many other dwellings in the locality have a similar relationship on the street.

In this case the development is considered to allow for a commensurate degree of space, light and privacy to the residential property and also the office building, which is a less sensitive use.

The objection from 12 Canal Street is noted, however the revised proposal would be over 40m away from the windows to habitable rooms on the front elevation, which would accord with policy DC38.

A commensurate degree of space, light and privacy would exist between all of the proposed buildings in accordance with policy DC38.

Overall, the development would not have an adverse impact on any neighbouring property and is deemed to accord with local plan policy DC3 and DC38 and national guidance.

### **Highways**

The objections have been considered regarding highway safety and parking. However, 18 no spaces for 8 x 1 bed apartments and 7 x 2 bed dwellings is considered to be sufficient in this

sustainable town centre location. The Strategic Infrastructure Manager raises no objections. The new access would be moved further down onto Cookstoolpit Hill but this would not result in an adverse impact on highway safety. Cycle spaces will also be provided within the development.

Overall the proposed development is considered to accord with local plan policy DC6, subject to relevant conditions. These conditions will be provided in an update report to be presented at committee.

### **Sustainability**

The site is considered to lie within a sustainable location, circa 380m away from the town centre with all of the associated facilities, shops and services, circa 92m away from the train station and 30m away from a frequent bus service on Buxton Road. As such, the development is considered to lie within a sustainable location in accordance with the requirements of the NPPF.

### **Flood Risk**

The Flood Risk Officer raises no objection, subject to a condition relating to the requirements for details of the proposals for the disposal of surface water.

### **Archaeology**

The Archaeology Officer raises no objection. They state:

*The development affects an area c 150m beyond the eastern limits of Macclesfield's Area of Archaeological potential, as defined in the Local Plan of the former Macclesfield Borough Council.*

*It is, therefore, outside the primary area of interest within the town but I have checked the Cheshire Historic Environment Record and note that a builder's yard is depicted on the 19<sup>th</sup>-century maps of the area (CHER 2608/92/0). However, this appears to have been open space and no particular features of interest are shown. In these circumstances, archaeological work would be difficult to justify and no further mitigation is advised.*

### **Nature Conservation**

The Nature Conservation Officer raises no objections to the proposed development. The development would not have an adverse impact on protected species and would accord with policy NE11.

### **Environmental Health**

The Environmental Health Officer raises no objections to the proposed development, subject to conditions regarding contaminated land, hours of construction, piling and dust control.

## **Landscaping**

The Landscape Officer raises no objection to the development, subject to the submission of a suitable hard and soft landscaping scheme, which can be secured via condition.

## **Drainage**

The objection regarding drainage has been considered.

However United Utilities (UU) has been consulted and has replied confirming that they have no records of flooding incidents relating to their assets. It has been confirmed that foul water can be discharged off-site at a convenient location and surface water can be discharged into the 675mm diameter pipe within Green Street at a rate not exceeding 25l/s.

The Flood Risk Officer raises no objection, subject to the submission of details of the proposed discharge of surface water.

## **Open Space**

The proposal is above the threshold identified within the Council's SPG on planning obligations for the provision of public open space and recreation / outdoor sport facilities, therefore commuted sums are required. As it would not be appropriate to provide such facilities on site, commuted sums for off site provision would be required on the commencement of development.

A S106 legal agreement will therefore be required to include heads of terms, calculated in accordance with the SPG on planning obligations.

The Greenspace Officer has not commented on the development at the current time. An update report will therefore be required to be presented at committee regarding the requirements for public open space provision.

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

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

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

The commuted sum in lieu of Public Open Space is necessary, fair and reasonable, as the proposed development will provide 17no dwellings, the occupiers of which will use local facilities as there is not a particularly large amount of open space on site, as such, there is a need to upgrade / enhance existing facilities in the town. 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.

## CONCLUSIONS AND REASON(S) FOR THE DECISION

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

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

The proposal is, on the whole, compliant with the relevant Development Plan policies set out in the report. It is considered that the benefits of the proposal are not outweighed by potential adverse impacts. The proposed development would secure much needed affordable housing within a sustainable location close to Macclesfield Town Centre. The development would be in keeping with the character and appearance of the locality, would preserve the character and appearance of Buxton Road Conservation Area and would not have an adverse impact upon the setting of the nearby listed buildings. The development would not have an adverse impact upon neighbouring amenity or the highway network. Therefore this application is recommended for approval, subject to the receipt of any further comments following consultation on the revised plans.

## RECOMMENDATION

**The application is recommended for approval.**

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

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A01LS - Landscaping - submission of details
2. A02LS - Submission of landscaping scheme
3. A03AP - Development in accord with revised plans (unnumbered)
4. A03FP - Commencement of development (3 years)

- 5. A04LS - Landscaping (implementation)
- 6. A05EX - Details of materials to be submitted
- 7. A07GR - No windows to be inserted
- 8. A12LS - Landscaping to include details of boundary treatment
- 9. A25GR - Obscure glazing requirement
- 10. A30HA - Protection of highway from mud and debris
- 11. A32HA - Submission of construction method statement
- 12. Piling
- 13. Parking
- 14. Dust Control
- 15. Hours of Construction
- 16. Development in accordance with noise impact assessment
- 17. Contaminated Land
- 18. Drainage
- 19. No Gates
- 20. Levels
- 21. Affordable Housing
- 22. Informative
- 23. Visibility Splay



Application No: 15/2056M

Location: 2, UNION STREET, MACCLESFIELD, SK11 6QG

Proposal: Conversion of first floor office space to residential. Construction of additional two floors of residential accommodation.

Applicant: Mr Christian Lynn

Expiry Date: 04-Aug-2015

### REASON FOR REPORT

The application is for 15 residential units and is therefore classed as a major application.

#### SUMMARY:

The proposed development seeks the addition of two storeys to the existing building and the addition of 15 apartments. As the proposal falls within the settlement boundary of Macclesfield, this form of development is acceptable in principle. It is not considered that the proposal will have a detrimental impact on residential amenity or highway safety. However, it is considered that the design, scale and massing of the proposal will have a detrimental impact on the character and appearance of the streetscene.

In addition, no information has been submitted in regards to affordable housing or air quality and as such the proposed development is contrary to policies, BE1 (Design guidance), H2 (Environmental quality in housing developments), H8 and H9 (Affordable Housing), H13 (Protecting residential areas), DC1 (High quality design for new build), DC2 (Extensions and alterations), of the Macclesfield Borough Local Plan and advice advocated within the National Planning Policy Framework.

#### RECOMMENDATION:

Refuse

### DETAILS OF PROPOSAL

The application seeks Full Planning Permission for “*conversion and erection of additional two storeys to create 15 No. apartment.*”

## DESCRIPTION OF SITE & CONTEXT

The application relates to a two storey detached building constructed out of facing brick under a corrugated metal roof. The building is simple and utilitarian in appearance. Currently, the ground floor is occupied by Topps Tiles and the first floor is vacant. The building is located in a mixed use area and there is a plethora of other commercial/retails uses in the locality, which are interspaced with residential properties. The site currently has a large car park at the front which will be maintained for Topps Tiles and located to the rear is a smaller car park, which can accommodate 15no. vehicles with access off Elizabeth Street. The application site is located wholly within the Macclesfield settlement boundary.

## RELEVANT HISTORY

37617P – Industrial Building – Approved – 12<sup>th</sup> July 1984

44922P – New Development to Form Electrical Warehouse and Storage – Approved – 18<sup>th</sup> June 1986

46329P – Illuminated Shop Sign – Refused – 28<sup>th</sup> August 1986

46796P – Illuminated Shop Sign – Approved – 13<sup>th</sup> November 1986

98/1618P – Non-Illuminated Fascia Sign – Approved – 9<sup>th</sup> October 1998

## 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. This is repeated in the NPPF (para 2).

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

### National Policy/Guidance

#### ***National Planning Policy Framework (NPPF)***

The NPPF states that

*The purpose of the planning system is to contribute to the achievement of sustainable development. (para 6)*

And, at the heart of the NPPF

*...is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. (para 14)*

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:*

- a) 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*
- b) specific policies in the Framework indicate development should be restricted.*

Sustainable development includes economic, social and environmental roles (para 7)

Para 47 of the NPPF states that Local Planning Authorities should “...boost significantly the supply of housing...” Furthermore,

Para 49 of the NPPF states that

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

Additional sections of the NPPF of particular relevance to the appraisal and determination of the application are:-

- Part 1- Building a strong, competitive economy
- Part 3 - Supporting a prosperous rural economy
- Part 4 - Promoting sustainable transport
- Delivering a wide choice of high quality homes
- Part 7 - Requiring good design
- Part 8 - Promoting healthy communities
- Part 10 - Meeting the challenge of climate change, flooding and coastal change
- Part 11 - Conserving and enhancing the natural environment

### ***National Planning Practice Guidance (NPPG)***

The NPPG came into force on 6<sup>th</sup> March 2014, replacing a range of National Planning Policy Guidance Notes and complimenting the NPPF.

### **Local Policy - Development Plan**

#### ***Macclesfield Borough Local Plan – saved policies (MBLP)***

Since publication of the NPPF 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:

- NE11 (Nature conservation)
- BE1 (Design guidance)

- H1 (Housing phasing)
- H2 (Environmental quality in housing developments)
- H5 (Windfall housing sites)
- H8 & H9 (Affordable Housing)
- H13 (Protecting residential areas)
- T1 (Integrated transport)
- T2 (Support provision of public transport)
- DC1 (High quality design for new build)
- DC2 (Extensions and alterations)
- DC3 (Protection of the amenities of nearby residential properties)
- DC6 (Circulation and access)
- DC8 (Landscaping)
- DC38 (Space, light & privacy)
- DC63 (Contaminated land)
- E11 (Mixed use areas)
- MTC7 (Redevelopment areas – west of Churchill Way)

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

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

- SP1 (Supporting economic prosperity by creating conditions for business growth)
- SP2 (Creating sustainable communities)
- SP3 (protecting and enhancing environmental quality)
- SP4 (Reduce the need to travel, manage car use, promote more sustainable modes of transport).
- IMP1 (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)
- SC3 (Health & well-being)
- SC4 (Residential mix)
- SE 1 (Design)
- SE2 (Efficient use of land)
- SE3 (Biodiversity and geodiversity)
- SE4 (Landscape)
- SE5 (Trees, hedgerows and woodland)
- SE7 (Historic environment)
- SE12 (Pollution, and contamination and land instability)
- SE 13 (Flood Risk and water management)
- C01 (Sustainable travel & transport)

### **Other Material considerations:**

Interim Planning Statement: Affordable Housing - February 2011  
Strategic Market Housing Assessment (SHMA)- Up-date September 2013  
Strategic Housing Land Availability Assessment (SHLAA)- January 2013

## CONSULTATIONS

**Housing:** Objects - The proposals include no detail of affordable housing and no affordable housing is offered.

**Archaeology:** No objections

**Environmental Health:** No objections subject to the imposition of conditions relating to dust control, floor floating, days/hours of construction, noise mitigation scheme and waste provision.

**Air Quality:** Submit an Air Quality Impact Assessment or provide details relating to Mechanical Ventilation Recovery and Heat Recovery.

**Contaminated Land:** No objections

**Highways:** No comments have been received at the time of writing this report.

**Greenspace:** No comments have been received at the time of writing this report.

**Macclesfield Civic Society:** Support the creation of new residential accommodation in and adjacent to the town centre subject to achievement of good design and reasonable standards of amenity for existing and prospective occupiers. The building is in a prominent position when viewed from Churchill Way but, as stated, is somewhat bland and uninteresting. The proposed design would make a more positive contribution to the area subject to the LPA being satisfied regarding bulk, mass and scale. The Society does not consider that the proposed building would be over dominant given the character of adjacent development. The provision with regard to parking for occupiers and noise attenuation measures appear satisfactory though no doubt this will be assessed in due course.

## REPRESENTATIONS

No letters of representation received

## VIEWS OF PARISH/TOWN COUNCIL

No comments received

## APPLICANT'S SUPPORTING INFORMATION

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

- Design & Access Statement;
- Noise Survey

## OFFICER APPRAISAL

### Key Issues

- Principle of the development
- Design/impact on the area
- Impact on neighbouring residential amenity
- Highways safety
- Ecological, Arboricultural and Landscape issues
- Environmental Health matters (noise, air quality, and contaminated land)
- Housing land supply
- Sustainability
- Planning balance

## ENVIRONMENTAL SUSTAINABILITY

### Principle of the development

The site is in Macclesfield Town Centre (as identified in the Local Plan). As such the principle of change of use of the first floor to C3 residential use is acceptable. The relevant policies MTC7 and E11 both allow for C3 use and so the change of use would be appropriate in principle. The provision of sustainable town centre accommodation should be encouraged.

### Design/impact on the area and the street-scene

Guidance advocated within NPPF supports a mix of housing within areas. Policy BE1 (Design Guidance) is broadly in accordance with this guidance but places greater emphasis on the impact to the streetscene and encouraging development which respects the character, pattern and form of development within the area.

As a matter of fact, the NPPF states *‘Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions’* (paragraph 64).

However, the NPPF clearly states that *‘Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however, proper to seek to promote or reinforce local distinctiveness’* (paragraph 60).

The proposed development consists of converting the existing first floor into residential accommodation and erecting an additional 2 storeys. The proposed development will retain the existing commercial/retail uses at ground floor level, whilst the first floor accommodation will comprise 2no. 2 bedroom apartments and 5no. 1 bedroom apartments. The second floor accommodation will comprise 3no. 2 bedroom apartments and 4no. 1 bedroom apartments. The third floor accommodation will incorporate a 2 bedroom “L”-shaped penthouse apartment.

Whilst it is noted that the majority of properties within the immediate locality are two storeys high, which are punctuated at sporadic intervals with three storey high buildings. The applicants' property is located immediately adjacent to a roundabout and is viewed as one travels down the adjoining Churchill Way. It is considered that the scale, bulk and massing of the proposal will appear as an alien and incongruous feature and this will be exacerbated by its prominent location, which is relatively divorced and isolated from the adjoining built form. Furthermore, the proposals include the installation of coloured rendered panels at second floor level and the same rendering panels will be utilised around the top of the building (albeit interspaced with fixed glazed panels at irregular intervals, which will serve the roof top garden). It is considered that these rendered panels will appear stark and overly conspicuous and draw the eye. Overall, it is considered that the design of the proposed development due to its design, bulk and massing will have a detrimental impact on the character and appearance of the streetscene and as such, is contrary to advice advocated within policies DC1, DC2 of the Local Plan and advice enunciated within the NPPF.

### **Affordable Housing**

As previously stated the proposed development is for 15no. apartments. The Interim Planning Statement: Affordable Housing (IPS) and Policy SC5 in the emerging Local Plan states that in this location the Council will negotiate for the provision of an appropriate element of the total dwelling provision to be for affordable housing.

The IPS also states the exact level of provision will be determined by local need, site characteristics, general location, site suitability, economics of provision, proximity to local services and facilities, and other planning objectives. However, the general minimum proportion of affordable housing for any site will normally be 30%, in accordance with the recommendation of the 2010 Strategic Housing Market Assessment. The preferred tenure split for affordable housing identified in the SHMA 2010 was 65% social, or affordable rented and 35% intermediate tenure. The proposals include no detail of affordable housing and no affordable housing is offered and consequently, this will form an additional reason for refusal.

### **Highways**

According to the submitted plans there are 15no. car parking spaces. There is sufficient space for vehicles to maneuver, so that they can access/egress the site in a forward gear. The proposal is for 15no. apartments and as such the amount of car parking equates to 100%. Furthermore, guidance within the NPPF notes that developers should not be required to provide more car parking than they or potential occupiers might want, nor to provide off-street car parking when there is no need, particularly in urban areas where public transport is available or there is a demand for car-free housing. It is considered that the application site represents a sustainable edge of centre location where services are readily accessible by walking, cycling or public transport. The property is situated close to Macclesfield Town Centre and close to both bus and train links. The development proposed is in a sustainable location. Furthermore, the town centre and the railway station are in close proximity to the site.

### **Drainage**

The application forms state that foul sewerage will be disposed of via the mains sewer, and that it is proposed that the development will be connected to the mains sewer which will be via the existing conditions. The case officer considers it prudent to attach a drainage condition to the decision notice, if planning permission is to be approved.

### **Impact on Residential Amenity**

The physical effect of the development upon the amenity of adjacent properties and the future occupiers of the proposed dwelling by reason of overshadowing, overlooking, visual intrusion, odour or in any other way is a key consideration.

The closest residential property to the site is located on Elizabeth Street which is located approximately 28m away at its closest point which would broadly comply with policy DC38 of the Local Plan. As such it is considered that the impact of the proposal on the amenity of surrounding properties would be acceptable. The proposed development accords with policies H13, DC3 and DC38 of the Local Plan.

### **Environmental health matters (noise, air quality, and contaminated land)**

The Environmental Protection Team note the noise impact assessment report submitted with the application (Dynamic Response, dated March 2015). The report recommends that a noise mitigation scheme is designed into the conversion / construction including the provision of effective glazing, and ventilation scheme to the apartments and acoustic fencing to the roof top garden. The scheme is designed to ensure that the future occupants of the proposed flats are provided with an adequate level of protection from traffic noise on Churchill Way and Union Street. Colleagues in Environmental Health have been consulted and recommend that the noise mitigation measures, which are recommended in the above named report are implemented prior to the use of the development / first occupation. The noise mitigation measures should be maintained throughout the use of the development and this will be conditioned accordingly, in the event that planning permission is approved.

#### Air Quality

The development is located in close proximity to Churchill Way which is a relatively busy road through the centre of Macclesfield. Due to this an Air Quality Assessment is required and the applicant was notified at pre application stage of this requirement. However, the applicant has failed to submit an Air Quality Assessment Report and as such it is not possible to determine if the neighbouring highway network and the associated vehicles would have a detrimental impact on the health of the occupants of the proposed development and this will form a third reason for refusal.

### **Greenspace**

As noted above, formal comments are awaited from the Open Space Officer. However, it is anticipated that some commuted sums will be required for Public Open Space and Recreation Outdoor Space due to the number of units and bedrooms. The proposal accords with policy DC40 of the Local Plan.

### **ECONOMIC SUSTAINABILITY**

The development will provide economic benefits in respect of a) employment during the construction phase, b) use of local services by employees during the construction phase and c) future incumbents of the apartments will contribute to the local economy as a result of using the services and facilities in the area.

## **PLANNING BALANCE, CONCLUSION & RECOMMENDATION**

The proposed development would be sited within the settlement boundary of Macclesfield, which is acceptable in principle. It is not considered that the proposal will have a detrimental impact on residential amenity or highway safety. Nevertheless, it is considered that the design, scale and massing of the proposal will have a detrimental impact on the character and appearance of the streetscene and the wider environ. Furthermore, no information has been submitted in regards to affordable housing or air quality and as such the proposed development is contrary to policies, BE1 (Design guidance), H2 (Environmental quality in housing developments), H8 and H9 (Affordable Housing), H13 (Protecting residential areas), DC1 (High quality design for new build), DC2 (Extensions and alterations), of the Macclesfield Borough Local Plan and advice advocated within the National Planning Policy Framework.

## **REFUSE**

Insufficient information has been submitted with the application relating to the proposed conversion and erection of the upper floors into self-contained flats, in order to assess adequately the impact of the proposed development having regard to air quality from the adjacent highway network. In the absence of this information, it has not been possible to demonstrate that the proposal would comply with material planning considerations contrary to policy DC3 of the Macclesfield Borough Local Plan.

The proposed building by reason of its scale, size, design, massing and location is unduly prominent and dominant and will represent an intrusive and alien feature within the streetscene. In so doing the proposal is contrary to policies DC1 and DC2 of the Macclesfield Borough Local Plan

No affordable housing has been provided as part of the scheme. As a result it is not considered that the proposal would create a sustainable, inclusive, mixed and balanced community and would be contrary to the Interim Planning Policy on Affordable Housing and Policy H8 (Provision of Affordable Housing) of the Macclesfield Borough Local Plan and paragraph 50 of the National Planning Policy Framework in respect of the provision of inclusive and mixed communities.

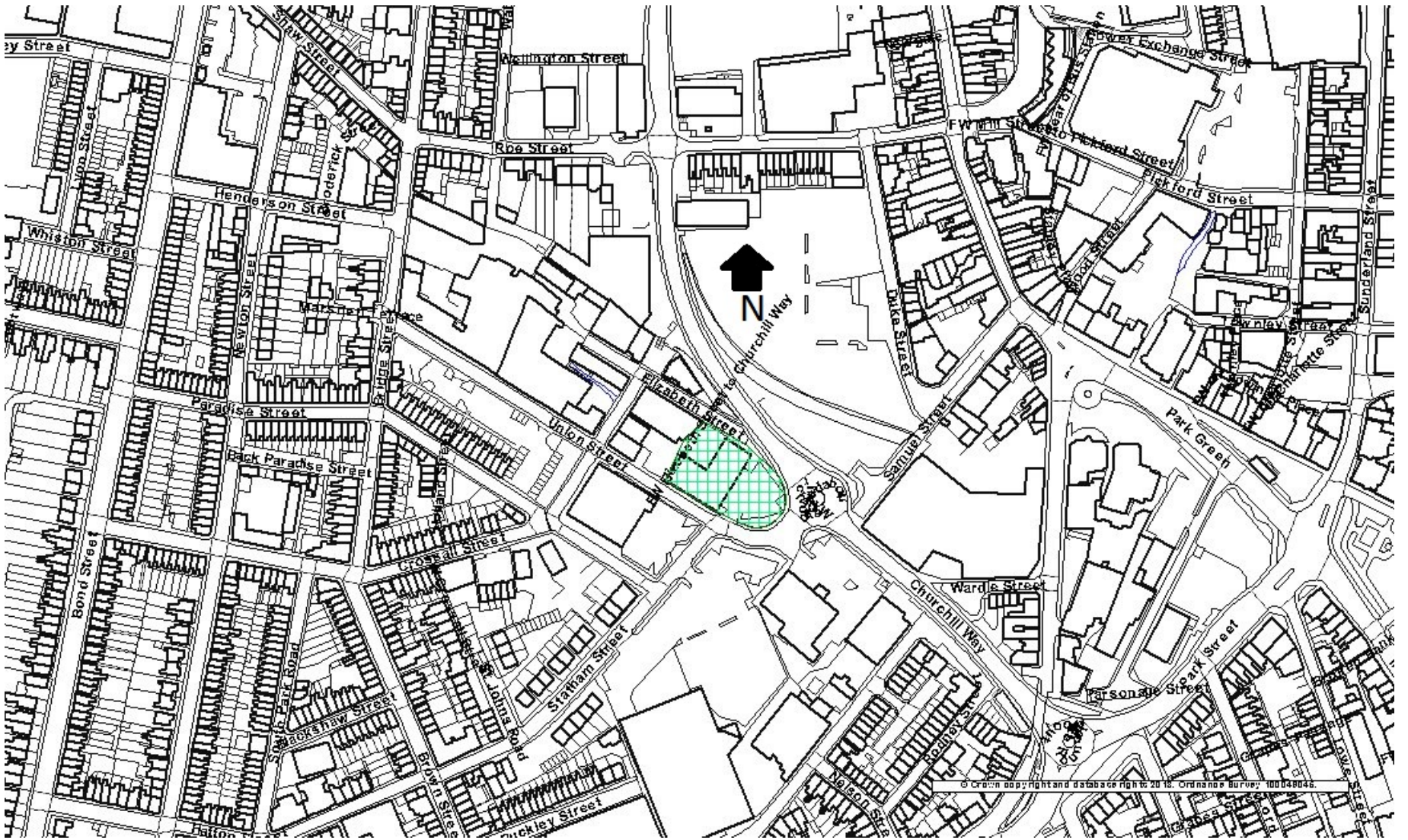
Application for Full Planning

**RECOMMENDATION:** Refuse for the following reasons

1. Insufficient information has been submitted with the application relating to the proposed conversion and erection of the upper floors into self-contained flats, to assess adequately the impact of the proposed development having regard to air quality

2. The proposed building by reason of its scale, size, design, massing and location is unduly prominent and dominant and will represent an intrusive and alien feature within the streetscene.
3. Lack of affordable housing





**This page is intentionally left blank**