

Application No: 22/1223M

Location: MARBURAE HOUSE, ATHEY STREET, MACCLESFIELD, CHESHIRE, SK11 6QU

Proposal: Conversion of existing office building to residential apartments.

Applicant: Mr & Mr Harry and Vinny, Edwards and Taylor

Expiry Date: 14-Apr-2023

SUMMARY

The principle of residential development within Principal Towns such as Macclesfield is supported subject to its adherence with other relevant policies of the development plan.

The proposals would be of an acceptable design, that would not result in any significant neighbouring amenity issues.

The size of the apartments exceed minimum nationally described space standards and it is considered that sufficient light and outlook would be afforded to the future occupiers. Whilst there would be no private amenity space, the site is located within close proximity to numerous public outdoor spaces.

Although no off-street parking is proposed, this is also the situation with the existing use. In addition, the site is located not far from the Macclesfield town centre so is within walking & cycling distance to all public amenities and all units would be equipped with internal cycle storage.

For the above reasons, the application is recommended for approval.

SUMMARY RECOMMENDATION

APPROVE subject to conditions

REASON FOR REFERRAL

The application has been 'called-in' to Northern Planning Committee by Cllr Braithwaite for the following reasons:

- *'The proposed apartments do not appear to meet housing standards. Several rooms are windowless. One ground floor bedroom shares a wall with an electricity substation (although this is not shown on the plans). Housing Standards have already made a submission re. standards and fire safety*

- *The proposed bin storage area is immediately adjacent to the pavement opposite a local primary/infant school.*
- *There is no outside amenity space*
- *There is no provision for cycle storage*
- *Overdevelopment of a part of a commercial premises*
- *Parking - it cannot be assumed that potential residents will be non-car owners. Residential parking is already an issue, and parking on Athey Street is restricted by single yellow lines and a no parking area near the school gates. Further residential development without parking provision will put additional strain on the area.*
- *Housing need has not been demonstrated.'*

SITE DESCRIPTION

The application proposal relates to part of a 2-storey, flat-roofed commercial building on the northern side of Athey Street, Macclesfield within an area outside the town centre which comprises predominantly of a mix of commercial properties. The building is characterised by its flat roof and white tiled finish.

It is advised that the building was last used by an IT company.

PROPOSAL

Full planning permission is sought change the use of the whole building to form x6 residential apartments.

Revised plans were received during the application process primarily in an attempt to address officer concerns in relation to the level of amenity afforded for the future occupiers of the proposed units. A re-consultation exercise was undertaken.

RELEVANT HISTORY

21/0333M - Front elevation amendment - partial removal of wall and insertion of garage door and dropped kerb to allow future garage use – Approved 12th April 2021

21/0331M (Marburae House) - Prior approval for change of use of one office building (ground plus first floor) to residential use (use class C3) – Prior Approval Required and Approved 30th March 2021

Note: This was for x1, 2-bed apartment that included no outdoor private amenity space. However, no outdoor space is required as part of the assessment.

00/2271P (Marburae House) - Second Floor Extension to Existing Offices (Outline Application) – Refused 13th December 2000

Not appealed.

58167P - Proposed Offices in Warehouse – Approved 3rd May 1989

12423P - C/O/U from Machinery Showroom to Office Accommodation – Approved 2nd November 1977

ADOPTED PLANNING POLICY

The relevant aspects of the Cheshire East Council Development Plan include; the Cheshire East Local Plan Strategy (CELPS) and the Cheshire East Site Allocations and Development Plan Document (SADPD). The relevant policies of these documents include;

Cheshire East Local Plan Strategy (CELPS) 2017

MP1 - Presumption in favour of sustainable development, PG1 - Overall Development Strategy, PG2 – Settlement Hierarchy, PG7 – Spatial Distribution of development, EG3 – Existing and Allocated Employment Sites, SD1 - Sustainable Development in Cheshire East, SD2 - Sustainable Development Principles, SC4 – Residential Mix, SE1 – Design, SE2 – Efficient use of Land, SE13 – Flood Risk and Water Management, CO1 – Sustainable Travel and Transport

Cheshire East Site Allocations Development Plan Document (SADPD) 2022

PG9 – Settlement boundaries, GEN1 - Design principles, ENV7 - Climate change, ENV12 - Air quality, ENV14 - Light pollution, ENV15 - New development and existing uses, ENV16 - Surface water management and flood risk, HOU1 – Housing mix, HOU8 – Space, accessibility and wheelchair housing standards, HOU12 – Amenity, HOU13 – Residential Standards, HOU15 – Housing delivery, HOU16 – Small and medium-sized sites, RET11 – Macclesfield town centre and environs, INF3 - Highways safety and access, INF9 – Utilities

Other material policy considerations

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- 'Technical housing standards – nationally described space standards' 2015 - DCLG

CONSULTATIONS (External to planning)

Head of Strategic Infrastructure (CEC Highways) – No objections

Environmental Protection (CEC) – No objections, subject to the following conditions; implementation of noise mitigation measures, provision of low emission gas boilers, the submission/approval of an appropriate contaminated land risk assessment, the submission/approval of a contaminated land verification report and that works should stop should contamination be identified.

Housing Standards & Adoptions (CEC) – No objections, subject to the installation of an automatic water suppression system to suppress any fire and facilitate escape in the event of a fire

Macclesfield Town Council – Object to the proposed development based on no parking and overdevelopment.

Original comments: Object to the development on the following grounds:

- I. The design is poor quality with lack of amenities (DC38)*
- II. It is over developed*
- III. There are flats with no windows and very small apartments*
- IV. It does not adhere to Cheshire East Council policy SD2 regarding the design in keeping with the surrounding area*
- V. There is no parking in an area that already has parking issues and a primary school*

REPRESENTATIONS

In response to the re-consultation exercise, no neighbouring comments have been received.

In response to the original proposals, representations were received from 1 address, objecting to the scheme on the following grounds:

- No provision for off-street parking

OFFICER APPRAISAL

Principle of development

The application site falls within the Macclesfield Settlement boundary.

Macclesfield is defined as a 'Principal Town' by Policy PG2 of the CELPS. Within such locations significant development will be encouraged to support their revitalisation, recognising their roles as the most important settlements in the borough. Policy PG2 goes on to state that development will maximise the use of existing infrastructure and resources to allow jobs, homes and other facilities to be located close to each other and accessible by public transport.

Policy PG7 of the CELPS sets out that it is expected that Macclesfield accommodate in the order to 4,240 new homes (over the plan period 2010-2030).

SADPD Policy PG9 states that within settlement boundaries, development proposals (including change of use), will be supported where they are in keeping with the scale, role and function of that settlement and do not conflict with any other relevant policy in the local plan.

The proposal seeks the re-use of 2 floors (ground-floor and first-floor) of an existing, narrow commercial unit. According to the floor plans, the unit comprises of a shop front, common room, bar, W.C, Power Room and storage at ground-floor level and further storage, managers' office shower room at kitchen at first-floor level. It is proposed to covert this space into 6 flats. Changes to existing openings and the introduction of new openings are proposed to facilitate this change in terms of external changes.

Surrounding the site is an events and exhibition company to one side (No.27 Athey Street) and a carpets and beds factory outlet to the other. To the rear, which also adjoins the unit, it is understood that there is a company that sells pallet trucks and electronic weighting equipment. On the opposite side of Athey Street is a school and housing adjacent.

It is deemed that the conversion of this unit to residential use would be in keeping with the scale, role and function of the area, which is mixed commercial and residential use in a built-up part of Macclesfield. Adherence of the proposals to other relevant policies of the development plan is considered below.

Loss of commercial use

Policy EG3 of the CELPS seeks to retain existing employment sites for employment use unless the premises are causing significant nuisance or the site is no longer suitable for employment use and there is no potential for modernisation and no other occupiers can be found.

The submitted Design & Access Statement sets out that the site is currently in use as offices but due to a change in working practices since the pandemic, the building is now only used by ½ employees with the remainder working from home.

There is no suggestion within the submission that the existing use causes significant nuisance or that the site is no longer suitable for its existing purpose.

However, it is deemed a notable consideration that the site benefits from Prior Approval for change of use of the front portion of the building, over 2-storey's, to form a 2-bed dwelling, granted under permission 21/0331M. As such, a large proportion of the building's use could be changed to residential regardless of any conflict with this particular policy. Whilst this fallback position would still be preferable in terms of Policy EG3, as a degree of employment use would be retained, when considered in conjunction with the practicalities of being able to utilise the remaining land for employment use, and the fact that the amount of commercial floorspace which would be lost to the proposed development would not be significant in the context of Macclesfield as a whole and because the location of the development is deemed a highly suitable location for residential use given its position close to the town centre, the loss of the commercial use in this instance to residential use is deemed to be acceptable.

Design

Policy SE1 of the CELPS states that development should make a positive contribution to their surroundings by protecting and enhancing the quality, distinctiveness and character of settlements. Policy SD2 of the CELPS advises that development should contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of; height, scale, form and grouping, choice of materials, external design features, massing of development, green infrastructure and relationship to neighbouring properties and streetscene.

Policy GEN1 (Design principles) of the SADPD sets out that development proposals should create high quality, beautiful and sustainable buildings and places and should reflect local character.

The existing building's front elevation, facing Athey Street, currently comprises predominantly of a white tiled finish with a contrasting blue tile above windows. The openings comprise of white frames. This appearance is currently at odds with surrounding finishes of neighbouring units which have an exposed brick finish.

The external physical changes proposed according to the revised plans are;

- The infilling of a first-floor window within the eastern side elevation

- The infilling of a ground-floor window on the rear elevation and the addition of a ground-floor patio-door style window adjacent
- The infilling of a high-level, ground-floor window on the front elevation (left-hand side) and its replacement with a pedestrian door and a set of double-doors adjacent that would serve a bin store
- Erection of a barrier across an inset section found at ground-floor on the front elevation to create a small outdoor space. Within this inset section, a pedestrian door would be replaced by a set of patio doors
- Re-fenestrate the front of the building and use metal/ceramic cladding

These changes are deemed sympathetic to the host building, subject to a condition requiring the prior approval of any new or facing materials to ensure their finish is appropriate.

Subject to this condition, no design issues are raised and the proposals would adhere with the relevant design policies of the development plan.

Amenity

Policy SE1 of the CELPS states that development should ensure an appropriate level of privacy for new and existing residential properties.

Policy HOU12 of the SADPD sets out that development proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive uses, or future occupiers of the proposed development due to; loss of privacy, loss of sunlight and daylight, the overbearing and dominating effect of new buildings, environmental disturbance or pollution or traffic generation, access and parking.

Policy HOU13 details residential standards for housing including minimum separation distances between buildings. Policies ENV12 & 14 consider air and light pollution.

Neighbouring amenity

To the east (aside from an integral substation), north and west of the application building are commercial uses. On the opposite side of Athey Street is a school. As such, there are no neighbouring properties that would be directly impacted by the application proposals in terms of loss of privacy, light or an overbearing impact.

Amenity of future occupiers

The application proposals seek the creation of x6 flats/apartments. These would be spread over two floors. These flats would range in size between 52.3m² to 87.2m² and comprise of a mix of one and two bed units. More specifically:

- Flat 1 - 1-bed (over 2 floors) – 68m²
- Flat 2 – 1-bed (over 2 floors) – 66m²
- Flat 3 – 1-bed (over 2 floors) – 73m²
- Flat 4 – 1-bed (over 2 floors) – 62m²
- Flat 5 – 2-bed (over 2 floors) – 83m²
- Flat 6 – 1-bed (over 1 floor) – 51m²

With regards to the internal size of the flats/apartments, within the 'Technical housing standards – nationally described space standards 2015', document produced by the DCLG, referred to within Policy HOU8 of the SADPD, the relevant minimum standards are:

- 1-bed, 2 persons (over 2 floors) – 58m² (including 1.5m² of built-in storage)
- 1-bed, 2 persons (1 floor) – 50m², (including 1.5m² of built-in storage)
- 2-bed, 4 persons (1 floor) – 70m² (including 2m² of built-in storage)

As such, the size of the flats/apartments adhere with the nationally prescribed space standards.

In terms of the light & outlook, Flat 1 would benefit from windows which offer a suitable degree of outlook and natural light out to the rear of the site over both floors while flats 4, 5 and 6 would benefit from light and outlook from existing and proposed openings on the front elevation.

Flats 2 & 3 would be sandwiched between existing buildings which limits the degree of natural light and outlook that could be afforded to the future occupiers of these units. However, these units have been designed so the majority of the principal habitable rooms (bedrooms and living rooms) are located at first-floor, where these spaces benefit from light and outlook through existing openings over adjacent single-storey development. At ground-floor within these flats would be the kitchen and bathroom facilities. A section of the first-floor itself, of these flats directly below the existing windows would be cut-out so some natural light from these windows would also filter through to the ground-floor space.

It is deemed that this arrangement provides an acceptable living standard for the future occupiers.

The future occupiers of the proposed flats & apartments would not benefit from any private or shared outdoor space. As such, no outdoor storage is possible. The agent for the application has re-designed the proposals to include a space for internal cycle storage for each unit internally. In addition, a specific bin store has been created within the ground floor of the principal elevation that would open-up onto the pavement when required. The doors will allow the bins to be screened-off from view within the streetscene.

Whilst the specific lack of outdoor private space is far from ideal, as 5 of the proposed 6 apartments will be 1-bed, it's unlikely that families will be attracted to the units and given the location of the site within Macclesfield, it is within a short walking distance from numerous public spaces, on balance, the arrangements are deemed to be acceptable for the future occupiers of the proposed units.

Environmental amenity

Policy ENV15 relates to new development and existing uses. The crux of the policy is that new development must effectively integrate with existing uses and existing uses must not have unreasonable restrictions placed on them as a result of it.

It is considered that the principal consideration in this instance would be possible environmental disturbance.

The Council's Environmental Protection Officer has reviewed the submission and advised that they have no objections, subject to the following condition/s; implementation of noise mitigation measures, provision of low emission gas boilers, the submission/approval of an appropriate contaminated land risk assessment, the submission/approval of a contaminated land verification report and that works should stop should contamination be identified.

As such, no specific concerns have been raised by Council's experts in matters relating to noise, air and ground pollution. Subsequently, subject to the above conditions the proposed use in the location proposed is deemed to effectively integrate with its surrounding uses.

Amenity conclusions

The proposals would not result in any neighbouring amenity issues and it is deemed that concerns about the standard of amenity afforded to the future occupiers of the units have been addressed with a re-design. Subject to the conditions suggested by the Council's Environmental Protection Officer's, minus the gas boiler condition, which is not deemed to be enforceable, the proposals are deemed to adhere with the requirements of the amenity policies of the development plan.

Highway Safety / Parking

Policy CO1 of the CELPS refers to sustainable travel and transport. The policy expects development to reduce the need to travel by; guiding development to sustainable and accessible locations; ensuring development gives priority to walking, cycling and public transport within its design; encourages more flexible working; support improvements to communication technology and support measures that reduce the level of trips made by single occupancy vehicles. It also states that development will improve pedestrian facilities so that walking is attractive for shorter journeys and improve cyclist facilities so that cycling is attractive.

SADPD Policy INF3 considers highway safety and access.

Sustainable Travel

The Council's Highways Officer advises that the proposed change of use from office to six small residential flats would not be expected to result in a material change in the volume of traffic generated by the site; therefore, there are no grounds for refusal based on sustainability.

Access

The Council's Highways Officer advises that the existing pedestrian and vehicular access to the site is acceptable for the proposed use.

Car Parking

No off-street car parking provision is associated with the existing commercial use and none is proposed with the change of use. The Council's Highways Officer advises that this is acceptable, on the basis that parking demand associated with the existing use, which would have been accommodated on-street, is not likely to be materially different to that associated with the proposed use.

Traffic Impact

When compared with the existing commercial use, the Council's Highways Officer advises that the commuter peak hour and daily traffic generation associated with the change of use, would not be expected to have a material impact on the safe operation of the adjacent or wider highway network.

Accordingly, the Council's Highways Officer raises no objections to the proposals and the scheme is deemed to adhere with the relevant highways policies.

Conclusions

The principle of residential development within Principal Towns such as Macclesfield is supported subject to its adherence with other relevant policies of the development plan.

The proposals would be of an acceptable design, that would not result in any significant neighbouring amenity issues.

The size of the apartments exceed minimum nationally described space standards and it is considered that sufficient light and outlook would be afforded to the future occupiers. Whilst there would be no private amenity space, the site is located within close proximity to numerous public outdoor spaces.

Although no off-street parking is proposed, this is also the situation with the existing use. In addition, the site is located not far from the Macclesfield town centre so is within walking & cycling distance to all public amenities and all units would be equipped with internal cycle storage.

For the above reasons, the application is recommended for approval.

RECOMMENDATION

APPROVE subject to the following conditions:

- 1. Time (3 years)**
- 2. Plans**
- 3. Submission/approval of facing and roofing materials**
- 4. Implementation of noise mitigation measures**
- 5. Submission/approval of an appropriate contaminated land risk**
- 6. Submission/approval of a contaminated land verification report**
- 7. Works should stop should contamination be identified**

In order to give proper effect to the Committee's intent and without changing the substance of its decision, authority is delegated to the Head of Planning in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice

