

Application No: 24/0999M  
Application Type: Full Planning  
Location: The Towers And Progress Mill Parsonage Street, Macclesfield, Cheshire East,  
Proposal: Erection of a 74 no. bed care home (Use Class C2) with associated parking and landscaping  
Applicant: Torsion Care Ltd,

Expiry Date: 04 July 2024

## Summary

This proposal would bring a prominent vacant brownfield site into viable use on one of the key gateways into Macclesfield Town Centre, which is one of the principal towns and growth areas of the Borough where national and local plan policies support sustainable development. Planning permission was previously granted for a retail food store on the site, which remains extant.

The proposal is for a 74 bed care home which would provide residential care for older persons in need as well as specialist dementia patient care. The principle of the proposed development is found to be in accordance with the Development Plan and would deliver 1-bedroom spaces in an appropriate highly sustainable location. The delivery of 74 bed care units would help relieve an identified unmet need including the provision of specialist dementia care and would also add to the Council's housing land supply.

The proposed design (as amended) would be contemporary in terms of its appearance and the use of materials but would loosely reflect the 'Mill like' character that the area is known for. It would provide an attractive form of development in an important area of Macclesfield and would respond positively to the Park Green and High Street Conservation Areas as well as other adjoining designated heritage assets having regard to the vacant unkempt nature of the site and previous buildings / uses. There would be economic benefits through the delivery of new jobs and investment in the area.

There is concern that the submitted tree information does not sufficiently evaluate cumulative impact on the character of area and would result in some pressure to prune retained trees. However, it must be acknowledged that the footprint of the proposed building has less impact and encroachment than a previously approved scheme for a retail food store on the site. It has also been established previously that the existing specimens were of no great amenity value. As such, the benefits of the scheme outweigh this concern.

The scheme is found to be acceptable in terms of its impact on the local highway network and the parking and pedestrian facilities would be sufficient to accommodate the proposed development.

The impact of the proposal on environmental considerations relating to flooding, drainage, land contamination (subject to further investigations), air quality and biodiversity and nature conservation would be acceptable subject to conditions. The impact on neighbouring residential amenity would be acceptable owing to separation distances and having regard to the context of the area. Impacts on local health care would be mitigated through commuted sums and subject to update, impacts on open space provision also.

On this basis, the proposal is for sustainable development which would bring environmental, economic and social benefits. The proposal is therefore considered to be acceptable in the context of the relevant policies of the adopted Cheshire East Local Plan Strategy, Site Allocations and Development Plan Policies Document and advice contained within the NPPF. The application is therefore recommended for approval.

### **Summary Recommendation**

**APPROVE subject to conditions and a s106 legal agreement**

## **1. DESCRIPTION OF SITE AND CONTEXT**

1.1. This application relates to the site of the Towers and Progress Mill, situated on Parsonage Street, Macclesfield. The site is bound by Park Street to the east, Park Green to the north and Parsonage Street to the west and through the site. The site occupies a slope, falling approximately 5m from south to north. A derelict concrete block building referred to as 'The Towers' formerly occupied the southern part of the site but has since been demolished. There is an electricity sub-station located along the Parsonage Street boundary. The remainder of the site is formed by a hardstanding area and an area of overgrown vegetation. There are several trees located towards the southern and south eastern parts of the site as well as a number of trees along the Park Green boundary, with several trees located along the northern part of the Park Street boundary. The site falls within Macclesfield Town Centre and Environs Character Area and adjoins the Park Green Conservation Area. The High Street Conservation Area is located on the opposite side of Park Street.

## **2. DESCRIPTION OF PROPSAL**

2.1. This application seeks full planning permission for the erection of a 74-no. bed care home (Use Class C2) with associated parking and landscaping.

## **3. RELEVANT PLANNING HISTORY**

- 3.1. 17/3022M - Erection of Class A1 retail unit, car parking and servicing areas, access, landscaping and associated works including relocation of electricity sub-station and remedial works to Listed Building following demolition of existing buildings – Approved 25-Jan-2018
- 3.2. 17/3024M - Listed building consent for erection of Class A1 retail unit, car parking and servicing areas, access, landscaping and associated works including relocation of electricity sub-station and remedial works to Listed Building following demolition of existing buildings - Approved 25-Jan-2018
- 3.3. 17/1853M - Erection of temporary 2.4m high hoarding around perimeter of site for a period of 18 months – Withdrawn 29-Jan-2018
- 3.4. 14/3650M - Demolition of existing buildings and development of a retail foodstore with subdivisible retail unit and associated car parking – Withdrawn 13-Jan-2015
- 3.5. 13/2559M - Proposed demolition of the existing towers block – Withdrawn / Not determined
- 3.6. 12/0242M - Conservation Area Consent for Removal of Existing 5 Storey Office Block Which Has Been Vacant for Over 10 Years. Building is Unlisted. Existing Boundary Wall to Park Street To Be Retained – Refused 16-Nov-2012

3.7. 12/0127M - Mixed Use Development of Assisted Living Residential Apartments (61 no.) and a Cafe, Both With Associated Landscaping and Servicing. Undercroft Parking is Provided for Residents. Existing Office Block to be Demolished – Refused 16-Nov-2012

#### **4. NATIONAL PLANNING POLICY**

4.1. The National Planning Policy Framework (NPPF) was first published by the Government in March 2012 and has since been through several revisions. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF is a material consideration which should be taken into account for the purposes of decision making.

#### **5. DEVELOPMENT PLAN POLICY**

5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions on planning applications to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Cheshire East Local Plan Strategy (2010 – 2030) was adopted in July 2017. The Site Allocations and Development Policies Documents was adopted in December 2022. The policies of the Development Plan relevant to this application are set out below, including relevant Neighbourhood Plan policies where applicable to the application site.

5.2. Relevant policies of the Cheshire East Local Plan Strategy (CELPS) and Cheshire East Site Allocations and Development Plan Policies Document (SADPD)

##### **CELPS:**

MP1 Presumption in Favour of Sustainable Development  
PG1 Overall Development Strategy  
PG2 Settlement Hierarchy  
PG7 Spatial Distribution of Development  
SD1 Sustainable Development in Cheshire East  
SD2 Sustainable Development Principles  
IN1 Infrastructure  
IN2 Developer Contributions  
SC1 Leisure and Recreation  
SC3 Health and Well-being  
SC4 Residential Mix  
SE1 Design  
SE2 Efficient Use of Land  
SE3 Biodiversity and Geodiversity  
SE4 The Landscape  
SE5 Trees, Hedgerows and Woodland  
SE7 The Historic Environment  
SE8 Renewable and Low Carbon Energy  
SE9 Energy Efficient Development  
SE12 Pollution, Land Contamination and Land Instability  
SE13 Flood Risk and Water Management  
CO1 Sustainable Travel and Transport  
CO4 Travel Plans and Transport Assessments  
Appendix C Parking Standards

##### **SADPD:**

PG9 Settlement Boundaries  
GEN1 Design principles

ENV1 Ecological network  
ENV2 Ecological implementation  
ENV5 Landscaping  
ENV6 Trees, hedgerows and woodland implementation  
ENV7 Climate Change  
ENV12 Air quality  
ENV14 Light pollution  
ENV15 New development and existing uses  
ENV16 Surface water management and flood risk  
ENV17 Protecting water resources  
HOU2 Specialist housing provision  
HOU8 Space, accessibility and wheelchair housing standards  
HOU12 Amenity  
HOU13 Residential standards  
HER 1 Heritage assets  
HER 3 Conservation area  
HER8 Archaeology  
INF1 Cycleways, bridleways and footpaths  
INF3 Highways safety and access  
INF9 Utilities  
REC1 Open space protection  
REC2 Indoor sport and recreation implementation  
REC3 Open space implementation

## **6. Relevant supplementary planning documents or guidance**

6.1. Supplementary Planning Documents and Guidance do not form part of the Development Plan but may be a material consideration in decision making. The following documents are considered relevant to this application:

### 6.2. SuDS SPD

Ecology and Biodiversity Net Gain SPD  
Developer Contributions SPD  
Cheshire East Design Guide SPD  
Housing SPD  
Housing Strategy 2013-2023  
Vulnerable and Older Persons' Housing Strategy 2020-2024

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

7.1. **Adult Social Care** - Adult Services requested further information around the care type (nursing, residential or dementia) and pricing strategy in terms of self-funding care. Adult services have commented that there does not appear to have been consideration of alternative provision i.e. extra care housing which is aligned to supporting and optimising independence in a community environment or the provision of more specialist care i.e. End of Life / Advanced Dementia Care. Adult Services also wish to review the demand and capacity data accounting for the current number of care homes already built, vacancies within the care homes and new care home applications already approved given the Council's direction of Home First / independent living.

7.2. **Cheshire Fire & Rescue** – No objection and provide general advice the benefits of installing an internal sprinkler system.

7.3. **Environmental Protection** - No objection subject to conditions / informatives relating to contaminated land, noise mitigation, schemes for piling, dust management plan, floor floating

operations, construction hours, the provision of electric vehicle charging points and ultra low emission boilers.

- 7.4. **Greenspaces Officer** – consulted, but no comments received at time of report preparation.
- 7.5. **Historic England (HE)** – Supportive of the principle of redeveloping the site but have some concerns regarding the proposed design and believe this could be improved to better relate to local context.
- 7.6. **Lead Local Flood Authority (LLFA)** – No objection subject to condition requiring submission of a revised drainage strategy.
- 7.7. **Macclesfield Town Council (MTC)** - MTC support this application as it is bringing a good and important service to a site they would like to see developed. They ask that officers make sure the character and materials selected reflect the important heritage location adjacent.
- 7.8. **NHS** – No objection subject to a s106 commuted sum of £52,762 towards Waters Green Medical Centre to increase capacity.
- 7.9. **Strategic Housing** – No objection but ask that Adult Social Care are consulted.
- 7.10. **United Utilities (UU)** – The submitted drainage detail does not demonstrate that the drainage hierarchy has been thoroughly investigated. UU therefore request a condition requiring details of a sustainable surface water drainage scheme and a foul water drainage scheme to be submitted and approved.

## 8. REPRESENTATIONS

8.1. Representations have been received from 7 addresses, 3 objecting to the proposal and 4 supporting it. This includes submissions made by Macclesfield Civic Society who support the scheme. The points made are summarised as follows:

- Perfect location for a much-needed facility
- The town centre of a principal town, of any town centre, is not a place for a care home
- It will not contribute to or enhance the quality of it nor will the residents of a care home be able to enjoy what the town centre has to offer
- The addition of retirement housing / care home in this location will add to the vibrancy of the town centre, putting people within close walking distance of all amenities
- Good use of a vacant brownfield site
- Design seems to be appropriate and is of similar scale to nearby mill buildings
- Separation distances to neighbouring residential properties are acceptable
- Don't need more care homes we need shops
- Will cause constant stress and noise pollution to the Mill, plus a 74 bed care home will obstruct windows which leads to having zero privacy, natural light, and view
- In terms of townscape and visual impact the proposal (subject to care in the choice of external materials) has considerable merit
- In terms of social provision in the health and welfare context the proposal is positive

## 9. OFFICER APPRAISAL

### Background

9.1. This is a full application for the erection of a 74-no. bed care home (Use Class C2) with associated parking and landscaping. In 2018, full planning permission was granted for the construction of a Class A1 retail food-store, car parking and servicing areas, access,

landscaping and associated works including the relocation of an existing electricity sub-station. The scheme was never implemented although a concrete office block and a smaller light industrial brick-built building referred to as 'The Towers and Progress Mill' were demolished as part of the consent. These demolished buildings occupied the southern portion of the site.

### **Principle of Development**

- 9.2. Macclesfield is identified as one of the principal towns in Cheshire East where CELPS Policy PG 2 seeks to direct 'significant development' to the towns in order to 'support their revitalisation', recognising their roles as the most important settlements in the borough. 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.
- 9.3. The site is located within the Principal Town Centre Boundary. It falls outside of the Primary Shopping Area and therefore would not 'unacceptably undermine the predominant character of the primary shopping area where retail uses (use class E(a)) are concentrated' (SADPD Policy RET 7 refers).
- 9.4. In this case, the provision of 74 no. units (albeit in C2 use – residential institution) would be of an acceptable scale relative to the principal town of Macclesfield and would deliver residential accommodation within a highly sustainable location in the Town Centre.
- 9.5. The site is brownfield in nature and therefore its redevelopment to provide residential accommodation for older persons in such a highly sustainable location aligns with the general principles of national and local policy. The principle of the development is found to be acceptable.

### **Housing Land Supply**

- 9.6. The Cheshire East Local Plan Strategy was adopted on the 27th July 2017 and forms part of the statutory development plan. The plan sets out the overall strategy for the pattern, scale and quality of development, and makes sufficient provision for housing (36,000 new dwellings over the plan period, equating to 1,800 dwellings per annum) in order to meet the objectively assessed needs of the area.
- 9.7. As the plan is more than five years old, deliverable housing land supply is measured using the local housing need figure (plus 5% buffer), which is currently 2,603 dwellings per year rather than the LPS figure of 1,800 dwellings per year.
- 9.8. The National Planning Policy Framework (NPPF) identifies the circumstances in which relevant development plan policies should be considered out-of-date. These include:
- Where a local planning authority cannot demonstrate a five year supply of deliverable housing sites (with appropriate buffer) or:
  - Where the Housing Delivery Test Measurement indicates that the delivery of housing was substantially below (less than 75% of) the housing required over the previous three years.
- 9.9. In accordance with the NPPF, the council produces an annual update of housing delivery and housing land supply. The council's most recent Housing Monitoring Update (base date 31 March 2024) was published in April 2025. The published report identifies a deliverable five year housing land supply of 10,011 dwellings which equates to a 3.8 year supply measured against the five year local housing need figure of 13,015 dwellings.

9.10. The 2023 Housing Delivery Test Result was published by the Department for Levelling Up, Housing & Communities on the 12 December 2024 and this confirms a Housing Delivery Test Result of 262%. Housing delivery over the past three years (7,392 dwellings) has exceeded the number of homes required (2,820). The publication of the HDT result affirms that the appropriate buffer to be applied to the calculation of housing land supply in Cheshire East is 5%.

9.11. In the context of five-year housing land supply, relevant policies concerning the supply of housing should be considered out-of-date and consequently the 'tilted balance' at paragraph 11 of the NPPF is engaged.

### **Need for Care Home**

9.12. Policy HOU2 of the SADPD advises that the delivery, retention and refurbishment of supported and specialist housing, which meets an identified need, will be supported. Supported and specialist housing should be designed to satisfy the requirements of the specific use or group it is intended for, whilst being adaptable and responsive to changing needs over the lifetime of the development and meet the requirements of other relevant local plan policies.

9.13. The applicant's Planning Statement submitted in support of this application advises that based on 2025 need, 'an additional 399 wet room care home beds will be needed within the area (5-mile radius from the site location)'. There is an identified 399-bed shortfall in the Macclesfield area.

9.14. The Council's strategy is 'Home First' which is proving very effective in optimising independence for as long as possible, reducing the need for care home placements across the borough as more people are supported to remain independent in their own home. The strategy builds on primarily supporting people at home, able to offer appropriate levels of care and support in a range of environments.

9.15. Following the receipt of comments from Adult Services, the applicant has responded to confirm that the care type that will be offered would be residential and specialist dementia care. Given that the proposal would include specialist dementia care including care for advanced dementia / end of life residents, then it is considered that 'homes first' approach is not reasonable for such specialist provision. In terms of minimum market standard dedicated dementia care beds, based on 2026 need, there is a shortfall of 580 beds within Cheshire East. Having regard to this need and the mix of residential and specialist provision, the proposal is found to be acceptable as it would deliver 74 bed care units which would help relieve some of this identified unmet need including the provision of specialist dementia care. Accordingly, the proposal would comply with Policy HOU 2.

### **Design**

9.16. The NPPF paragraph 135 and local plan Policy SE 1 emphasises the importance of securing high quality design appropriate to its context.

9.17. Policy SD 2 of the CELPS expects all development to "Contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of:

- a. Height, scale, form and grouping;
- b. Choice of materials;
- c. External design features;
- d. Massing of development - the balance between built form and green/public spaces;
- e. Green infrastructure; and

f. Relationship to neighbouring properties, street scene and the wider neighbourhood;”

9.18. Policy GEN1 of the SADPD relates to Design principles. Criterion 1 requires that development proposals should create high quality, beautiful and sustainable buildings and places avoiding the imposition of standardised and/or generic designs. Whilst criterion 9 details that developments should be accessible and inclusive for all.

9.19. This site is prominent within the Park Green area of Macclesfield, which is a sensitive part of the town centre in heritage terms. The site is located within the Park Green Conservation Area, with several listed buildings nearby - Upper and Lower Paradise Mill and the former College of Further Education (now Wetherspoons) immediately adjacent, 1 Park Street directly opposite the site across Park Street and the war memorial at Park Green. The proposed development would be located within their settings.

9.20. The site is presently vacant, with the former Tower's building having been demolished. On the periphery, along the Park Street and Park Green frontages is an established landscape edge with semi and mature trees to the Park Green frontage. An existing brick wall marks the edge of the highway along Park Street. Parsonage Street has an attractive stone set surface for much of its length.

9.21. The site's topography falls from south to north, effectively dropping the equivalent of a residential storey across the length of the site. The site's planning history includes permission for a supermarket. That application entailed significant negotiation to secure a bespoke design solution for this challenging town centre site.

9.22. One of the key challenges of this site is integrating a large floorplate building given the dimensions and shape of the site, the challenging topography and the heritage context. Larger buildings are characteristic of this area and of Macclesfield more widely, but on this site, where it has prominent frontages, a significant challenge is creating an appropriate design response to the prevailing character and securing appropriate levels of activity and interaction with the wider townscape.

9.23. The proposed design has been subject to discussions with the Local Planning Authority following concerns expressed by officers and the Council's Conservation and Design Officer. These discussions have resulted in an amended design which would be generally contemporary in terms of its appearance and would utilise a mix of materials using facing brick and sections of cladding which would help to deliver a good quality design for this site whilst allowing the end user to satisfy their own operational requirements.

9.24. The proposed building would be roughly linear in terms of its footprint running north to south and closely aligned and running roughly parallel with Park Street, which runs alongside the eastern boundary of the site. The linear form would have a 'Mill like' form, which the area is characterised by.

9.25. In terms of height and scale, the proposed building would be part three storey and part four storey by utilising the existing slope of the site. The building would be set down into the slope at the southern end where it would be three storeys and then it would turn to four storeys as the site slopes down towards the northern end at Park Green. This would provide a variation in height. Because the building would be linear in terms of its form, it would present itself as a long structure facing Park Street (to the east) and Parsonage Street (to the west). To help break up the massing, the amended scheme has incorporated several design features to provide a perception of depth and interest. This includes a several sections of cladding, a central step up and step out of the building midway along the frontages and other more recessive elements which would project out from the elevations. There would also be contrasting brick detailing in the form of recessed brick work which would provide a textured

perforated appearance which would add some architectural quality at key points along the main elevations.

- 9.26. At the northern end of the site, where the building would address Park Green, the proposal has been amended to incorporate a sweeping brick wall, that ties into the existing wall along Park Green and Park Street. This would include integral seating areas and planting. There would also be some increased hedge planting behind this to screen the service area of the proposed building and provide some greening up. The formation of this landscape feature would provide resting opportunities for all accessibility requirements, whilst focusing views towards the improved landscaped area fronting onto Park Green. This could be used by members of the public / patrons.
- 9.27. With regard to fenestration, the window treatments would be repetitive like a Mill and would feature reveals to again provide some depth to the elevations. There would also be some large features of glazing at key points of the elevations e.g. at entrance points to provide some visual interest.
- 9.28. The western elevation of the proposed building would run alongside Parsonage Street and would serve to provide vehicular access to a surface level car park occupying part of the rear southern portion with the rest given over to gardens and open space for use by the residents of the proposed development.
- 9.29. The scale of the development would reflect the adjacent built environment. The topography of the land slopes downwards from the southern end to the northern end at Park Green. The proposal would utilise this level difference by partly burying the building to the south of the site bounding Churchill Way. As a result, the proposals would appear a lot less dominant than the previous built form comprising of the large unsightly concrete tower block which stood to the south of the site.
- 9.30. The proposed design would be acceptable in terms of its appearance subject to condition securing the use of high quality materials. It would provide an attractive form of development in an important area of Macclesfield Town Centre and would respond positively to the Park Green and High Street Conservation Areas. The design is therefore found to be acceptable and in accordance with Policies SE 1 and SD 2 of the CELPS.

### **Heritage Assets**

- 9.31. The proposed development has the potential to affect a number of designated heritage assets, including the Park Green and High Street Conservation Area, an area of archaeological potential and 3 Grade II listed buildings adjoining the western boundary of the site. To that end, the applicant has undertaken a Heritage Impact Assessment. Archaeology will be considered separately below.
- 9.32. With respect to the impact on the adjoining conservation areas, the previous Towers building was an unsightly concrete tower block which detracted from the adjoining conservation areas as well as the setting of the adjacent listed buildings. Its height, massing, architectural style and positioning out of the historic building line all served to undermine and dominate key views in and out of the conservation areas. However, the building was removed several years ago and so more recently the site has been absent from development resulting in a moderate impact on the adjoining heritage assets.
- 9.33. Bringing the site forward for development will have a positive impact on the character of the area and the individual heritage assets within it and as considered above, the proposed design will not undermine the appearance of the area subject to the use of high quality materials. Whilst the loss of the existing planting / green edge is regretful in terms of its current

contribution to Park Green, reinforcement of the intention to replace this loss would be welcomed and secured by a landscaping condition.

9.34. In terms of the impact on the setting of the adjoining listed buildings, the 3 grade II listed buildings which border the western boundary of the site have already benefitted from the removal of previous buildings on the site. The receipt of the amended scheme, which has improved the overall design quality of the scheme, would respect the settings of the designated heritage assets.

9.35. Further, the proposed redevelopment would bring an otherwise prominent vacant site which is currently unsightly into a viable use, and this is a significant benefit in favour of the scheme. The comments made by Historic England are noted, but officers consider that these have been adequately addressed by the revised plans.

9.36. Subject to the use of high quality facing materials and hard and soft landscaping details, details of window treatments and architectural detail (cladding and recessed brick detailing) the proposal would protect and enhance the setting of the adjoining designated heritage assets in accordance with Cheshire East Local Plan Policy SE 7 and SADPD policies HER 1 and HER 3.

### **Residential Amenity**

9.37. With regards to neighbouring amenity, Policy HOU12 advises 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:

1. loss of privacy;
2. loss of sunlight and daylight;
3. the overbearing and dominating effect of new buildings;
4. environmental disturbance or pollution; or
5. traffic generation, access and parking.

9.38. Policy HOU13 sets standards for spacing between windows of 20 metres between front elevations, 24 metres between rear elevations or 14 metres between habitable to non-habitable rooms for three storeys. For differences in land levels and additional storeys, it suggests an additional 2.5m for levels exceed 2 metres. This proposal would be four storeys and would therefore require a separation of 22.5 metres front to front, 26.5 metres rear to rear and 16.5 metres between habitable to non habitable room windows.

9.39. The nearest residential properties are located on the opposite side of Park Street to the east and there are some that back onto the western boundary of the site where Progress Mill stands. The nearest of the neighbouring residential properties will be at their closest point approximately 24 metres from the proposed building. Whilst the levels of the site do change from north to south, this levels change is not in the direction of the nearest neighbours and so the site does not occupy higher ground requiring increased separation standards. Having regard to the separation, character and appearance of the site and its surroundings the development is considered to provide a commensurate degree of space, light and privacy for adjoining neighbours. The proposal would generally accord with the above standards.

9.40. With regard to the amenity afforded to the future occupiers of the development, the Council's Environmental Protection Unit (EPU) has assessed the application together with the submitted noise assessment and is satisfied that subject to conditions, the scheme would not prejudice residential amenity by reason of noise (road traffic noise).

9.41. Relationships with all other surrounding properties are considered to be acceptable and no significant amenity issues are therefore raised. The proposal is therefore considered to comply with policies HOU12 and HOU13 of the SADPD.

### **Land Contamination**

9.42. The application area has a history of industrial use and therefore there is the potential for contamination of the site. The reports submitted in support of the application recommend that further investigations are carried out to determine the presence and extent of any contamination on site. There is evidence that there are some asbestos materials on site which will need to be dealt with appropriately. As such, and in accordance with the NPPF, the Council's Environmental Protection Unit (EPU) recommends that such updated reports and investigations can be secured by condition. Subject to this, the considerations in respect of land contamination are acceptable.

### **Air Quality**

9.43. Policy SE12 of the CELPS states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality.

9.44. The application is supported by a report which considers whether the development will result in increased exposure to airborne pollutants, particularly as a result of additional traffic and changes to traffic flows. The assessment uses ADMS Roads to model NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> impacts from additional traffic associated with this development and the cumulative impact of committed development within the area.

9.45. The assessment concludes that the impact of the future development on the chosen receptors will be negligible with regards to all the modelled pollutants. However, Macclesfield has three Air Quality Management Areas, and as such the cumulative impact of developments in the area is likely to make the situation worse, unless managed. It is therefore considered appropriate that mitigation should be sought in the form of direct measures to reduce the adverse air quality impact.

9.46. The Council's EPU has advised that development of this scale and duration would be expected to have an adequate demolition, construction and trackout dust control plan implemented to protect sensitive receptors from impacts during this stage of the proposal and this is mentioned within the assessment as a form of mitigation. The developer has submitted a travel plan, and details showing the locations of electric vehicle charging points to be installed which are deemed to be acceptable.

9.47. The impact upon air quality could be mitigated with the imposition of conditions requiring the provision of electric vehicle charging points, a dust management plan and low emission boilers. Subject to this, the scheme is found to be in compliance with CELPS Policy SE 12.

### **Trees and Landscaping**

9.48. Trees within the site are currently not protected by a Tree Preservation Order. The site lies within the Park Green (Macclesfield) Conservation Area. Trees over 75mm diameter measured at 1.5 metres from ground level are therefore afforded protection under s211 of the Town and Country Planning Act 1990.

9.49. The submitted Tree Survey has identified 48 individual trees and two groups within the application site. Five low (C ) category trees and one group of trees are proposed for removal to accommodate the proposal, which is deemed to have a minor local impact. The loss of these trees will be mitigated by the planting of 16 new trees shown on the submitted

landscape proposal . The proposed plantings comprise of heavy standard ornamentals and larger canopy species including Scots Pine, Lime and Hornbeam (the latter of which are narrow growing) located predominantly adjacent to Park Street. The selection is relatively standard fare, although the selection of Scots Pine is not considered appropriate to this location and some planting locations may require adjustment to accommodate future growth potential. As such, the condition requiring submission of revised landscaping scheme is recommended securing more appropriate species planting. Notwithstanding this, the proposed planting generally accords with BNG requirements and mitigation requirements of Policy SE5.

9.50. The application is supported by a revised Arboricultural Survey which acknowledges the Park Green (Macclesfield) Conservation Area and notes the trees prominence. There is some concern that it does not sufficiently evaluate the trees cumulative impact on the character of Park Lane, Park Green nor fully articulates the heritage and landscape contribution of the trees in relation to the screening of the site and to the surrounding historic streetscape. However, it must be acknowledged that the footprint of the proposed building has less impact and encroachment on the retained tree specimens than the extant scheme which approved a retail food store on the site. It has also previously been established that that the existing specimens were of no great amenity value.

9.51. Root Protection Areas (RPAs) - The assessment of the RPAs of some of the trees within the site have not fully considered existing site conditions (presence of walls/hard standing etc) which may affect how tree protection measures are considered. This detail could be secured by conditions relating to tree protection. No-dig methodology is proposed for stores abutting Park Green within the RPAs of trees T12-T17. As these trees are outside the site and root morphology restricted, there are no specific concerns regarding the location of these structures.

9.52. Relationship of trees to development - The survey advises that separation between the proposed building and retained tree canopies is 'on the whole favourable with no trees causing or likely to cause restriction on enjoyment'. However, the survey advises that some trees (T12-T17) will require pruning to accommodate the building and that little account has been given to the trees future growth potential, particularly as some are only at early maturity. Illustrative shading arcs have been provided to show the extent of shading from retained trees and the survey acknowledges that there will be part shading from trees to the building along the Park Street frontage and to the terraced garden area from two retained trees. Shading of buildings (and open spaces) and the relationship of trees to buildings is considered in BS5837:2012 and can significantly impact land use and living conditions . There is some concern that shading from trees (and potentially restriction of daylight) may adversely affect future occupiers which may lead to requests to severely prune or fell trees.

9.53. Drainage - Proposed drainage runs have been assessed, with the survey identifying small incursions within the RPA of trees T16 and T17 with tree protection fencing offset by 0.6 metres from the pipe centres to accommodate installation. This minor encroachment is considered acceptable subject to a detailed method statement.

9.54. It is considered that the mitigation proposals to offset the removal of trees to accommodate the development appears to accord with BNG and Policy SE 5. Whilst there is concern that the layout may require the need to prune and regularly manage retained trees, given that they are not of outstanding amenity value, it is considered that this is outweighed by the benefits of bringing forward this vacant brownfield site and also having regard to the impact of the extant scheme for the retail food store.

## **Biodiversity and Nature Conservation**

- 9.55. The Council's Nature Conservation Officer (NCO) has reviewed the Statutory Biodiversity Metric and Biodiversity Impact Assessment submitted by the applicant and has confirmed this application is subject to mandatory biodiversity net gain.
- 9.56. The Statutory Metric predicts a sufficient net gain of 0.40 habitat units (+50.84%) and a gain of 0.29 hedgerow units (+73.14%). It should be noted that the site is within the ecological network restoration areas, which forms part of the Cheshire East Council SADPD. Therefore, the habitats within the metric should be filled in as identified in local strategy. However, a suitable net gain is still predicted within the metric when the habitats strategic significance is amended, and therefore there are no major concerns with this error.
- 9.57. Overall, the proposed development adheres with both the mitigation hierarchy and the biodiversity gain hierarchy. Subsequently, a Habitat Management Plan (HMP) is recommended to ensure the proposed habitat creation is fully implemented, and habitats and hedgerows reach the proposed condition as detailed in the metric. Additionally, if planning consent is granted, an informative must be added to the decision notice relating to the Biodiversity Gain condition, as required under the Environment Act.
- 9.58. Subject to conditions to safeguard breeding birds and conditions / informative securing biodiversity net gain and an ecological enhancement strategy, the proposal is considered to comply with Policy SE3 of the CELPS and policies ENV1, ENV2 of the SADPD.

## **Health**

- 9.59. In order to mitigate the impacts of the development on local healthcare, the NHS has requested a financial contribution. This will be secured as part of a S106 Agreement. The requested contribution would offset the direct impact on health care provision and would be used to improve health infrastructure facilities within Waters Green Medical Centre, Macclesfield and Primary Care Network.
- 9.60. The required contribution is in line with Supplementary Planning Document for Developer Contributions – Health Infrastructure, based on: 1 bed unit x 74 = £52,762
- 9.61. As a result, the contribution is considered to be both reasonable and necessary and would be secured by way of section 106 agreement.

## **Open Space**

- 9.62. Policy SE6 requires major developments (10 or more) to provide open space, which requires 65m<sup>2</sup> per family dwelling consisting of children's play space, amenity green space, food growth and green infrastructure connectivity to be provided on site in the first instance. In some cases, commuted sums may be more appropriate for improvement of other open spaces and green infrastructure connectivity. Given that the proposal is for specialist accommodation i.e. not family dwellings, there would not be the same requirement for open space provision. Should any comments be received from the Council's Greenspaces Officer prior to committee, these will be reported to members by way of an update.

## **Archaeology**

- 9.63. This part of the town was identified as being one of two areas thought to have been settled in the early medieval period, forming part of the medieval Manorial complex. The manorial estate would have attracted trade and Park Green to the east of the development area may

have acted as a market place which could explain why this part of the town had been built up by the end of the post medieval period. This area of Macclesfield continued to be the subject of development throughout the late 18th, 19th and 20th centuries and the first edition Ordnance Survey map of 1873 depicts the proposed development area as being occupied by a number of terraced houses, courts, a coal yard, a public house named the Gardeners Arms and at the northern extent of the site was the Macclesfield Brewery built in 1790 by William Paxton. The proposed development area remained relatively unaltered up until the mid to late 20th century during which period it was cleared and the Towers building was erected within the southern extent of the site.

9.64. It is considered likely that the 19th and 20th century development which occurred within the proposed development area may have resulted in some damage to, and/or destruction of, any earlier medieval and post medieval archaeological deposits. However recent archaeological work (2014) elsewhere in the town have shown that buried archaeological remains dating to the 17th and 18th centuries can still be found, albeit in a poorly preserved state. There is therefore a potential for late 18th century, and/or earlier, deposits to survive on the site. Any such surviving remains would merit preservation by record, i.e. archaeological excavation and recording. In this instance, the car parking and grassed area occupying the northern half of the site, would offer the best opportunity to carry out some limited archaeological evaluation in the form of trial trenching, in order to determine the nature and extent of any surviving remains related to the Macclesfield Brewery, to determine if earlier deposits survive beneath them, and establish the level of any further archaeological investigation that may be required.

9.65. The Cheshire Archaeology Planning Advisory Service (APAS) has therefore recommended that that an appropriate programme of archaeological mitigation be undertaken and secured by condition. Subject to this, the proposal is found to be acceptable in this regard and compliant with Policy SE 7 of the Cheshire East Local Plan and HER 8 of the SADPD.

### **Flood Risk and Drainage**

9.66. The site is located within Flood Zone 1 where flooding from rivers and the sea is very unlikely with less than a 0.1 per cent (1 in 1000) chance of flooding occurring each year. A very small section of the site in the far north-western corner falls within an Indicative Flood Zone according to the Local Plan Proposals Map. However, this is not a flood zone recognised by the Environment Agency and given that this area of land is already hard surfaced, it is not considered that the proposals would give rise to issues relating to increased flood risk.

9.67. Whilst the scheme is supported by drainage proposals, Unite Utilities and the LLFA have reviewed these and consider that the scheme should be revised to adopt the hierarchy of drainage solutions. They have recommended that this be secured by condition. Subject to drainage conditions, the proposal would not give rise to flooding or drainage issues.

### **Parking, Highway Safety and Traffic Generation**

9.68. Parsonage Street will provide the vehicular access to the care home and its associated car park. As the proposal is a care home / supported living accommodation, then a C2 use has been assumed. The main entrance to the building will be at the western end of Parsonage Street with a service/ambulance bay proposed midway along Parsonage Street.

9.69. A total of 25 car parking spaces is proposed, including 4 no. electric vehicle charging spaces and 3 no. accessible spaces which is below the recommended CEC standard for C2 use based upon likely staff numbers. However, this is a town centre site which is readily accessible and there is a public car park opposite the site. Day time parking restrictions are in force on the surrounding roads to the site to control on-street parking. Given these factors, the level of parking proposed is accepted as sufficient.

9.70. The traffic impact arising from the proposed is low and does not result in any capacity problems on the local road network and has much less traffic generation than the previously approved food store.

9.71. The proposed care home is a low traffic generation use and is in a good position close to the town centre for residents to be able to access facilities by foot. There are no highway objections to the application.

9.72. The proposal is therefore considered to comply with policies SD 1 and CO 2 of the CELPS, INF3 of the SADPD.

## **CIL COMPLIANCE**

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

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

It is considered that the contributions required as part of the application towards the NHS, and subject to comments from the Greenspaces Officer, towards public open space are justified and meet the Council's requirement for policy compliance. As set out above, all elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development.

On this basis the scheme is compliant with the CIL Regulations 2010

## **10. PLANNING BALANCE/CONCLUSION**

10.1. This proposal would bring a prominent vacant brownfield site into viable use on one of the key gateways into Macclesfield Town Centre, which is one of the principal towns and growth areas of the Borough where national and local plan policies support sustainable development. Planning permission was previously granted for a retail food store on the site, which remains extant.

10.2. The proposal is for a 74 bed care home which would provide residential care for older persons in need as well as specialist dementia patient care. The principle of the proposed development is found to be in accordance with the Development Plan and would deliver 1-bedroom spaces in an appropriate highly sustainable location. The delivery of 74 bed care units would help relieve an identified unmet need including the provision of specialist dementia care and would also add to the Council's housing land supply.

10.3. The proposed design (as amended) would be contemporary in terms of its appearance and the use of materials but would loosely reflect the Mill like character that the area is known for. It would provide an attractive form of development in an important area of Macclesfield and would respond positively to the Park Green and High Street Conservation Areas as well as other adjoining designated heritage assets having regard to the vacant unkempt nature of the site and previous buildings / uses. There would be economic benefits through the delivery of new jobs and investment in the area.

10.4. There is concern that the submitted tree information does not sufficiently evaluate cumulative impact on the character of area and would result in some pressure to prune retained trees.

However, it must be acknowledged that the footprint of the proposed building has less impact and encroachment than a previously approved scheme for a retail food store on the site. It has also been established previously that the existing specimens were of no great amenity value. As such, the benefits of the scheme outweigh this concern.

10.5. The scheme is found to be acceptable in terms of its impacts on the local highway network and the parking and pedestrian facilities would be sufficient to accommodate the proposed development.

10.6. The impact of the proposal on environmental considerations relating to flooding, drainage, land contamination (subject to further investigations), air quality and biodiversity and nature conservation would be acceptable subject to conditions. The impact on neighbouring residential amenity would be acceptable owing to separation distances and having regard to the context of the area. Impacts on local health care would be mitigated through commuted sums and subject to update, impacts on open space provision also.

10.7. On this basis, the proposal is for sustainable development which would bring environmental, economic and social benefits. The proposal is therefore considered to be acceptable in the context of the relevant policies of the adopted Cheshire East Local Plan Strategy, Site Allocations and Development Plan Policies Document and advice contained within the NPPF. The application is therefore recommended for approval.

## 11. RECOMMENDATION

APPROVE subject to a s106 legal agreement to secure the following:

| <b>S106</b> | <b>Amount</b>                                                                                          | <b>Trigger</b>   |
|-------------|--------------------------------------------------------------------------------------------------------|------------------|
| NHS         | £52,762 towards improved health infrastructure facilities at Waters Green Medical Centre, Macclesfield | Pre-commencement |
| POS         | TBC                                                                                                    | TBC              |

and the following conditions / informatives:

1. Commencement of development (3 years)
2. Development in accord with approved and amended plans
3. Materials to be submitted including details of surfacing
4. Details of window reveals to be submitted, approved and implemented with minimum reveal of 100mm
5. Details of fenestration to be submitted including colour (to be dark and not UPVC)
6. Details of recessed brickwork and the external cladding to be submitted, approved and implemented
7. Details of scheme of public realm works to Park Green frontage to be submitted
8. Revised landscaping - submission of details
9. Landscaping (implementation)
10. Submission, approval and implementation of Arboriculture Arboricultural Impact Assessment and Method Statement
11. Submission, approval and implementation of a revised Tree Protection Scheme
12. Accordance with submitted Ecological Assessment
13. Nesting birds survey to be submitted

14. Submission, approval and implementation of a habitat creation method statement and a 30-year habitat management plan (Biodiversity Net Gain – Habitat Management Plan)
15. Submission, approval and implementation of an Ecological Enhancement Plan
16. Details of a sustainable surface water drainage scheme and a foul water drainage scheme to be submitted, approved and implemented
17. Accordance with submitted noise mitigation measures
18. Method statement for piling and floor floating to be submitted
19. Dust Management Plan for minimising dust emissions during demolition / construction to be submitted, approved and implemented
20. Accordance with submitted Electric Vehicle Charging Infrastructure and provided prior to first occupation
21. Any gas fired boilers to be low emission
22. Accordance with submitted Travel Plan
23. Phase I / II ground investigation and risk assessment to be submitted, approved and implemented
24. Verification report in accordance with remediation to be submitted and approved
25. Imported soil to be tested for contamination
26. Unforeseen contamination to be reported to LPA
27. 10% of energy to be secured from decentralised and renewable or low carbon sources
28. Programme of archaeological work in accordance with a written scheme of investigation to be submitted, approved and implemented
29. Parking provided in accordance with submitted details prior to first occupation

Informatives:

1. NPPF
2. Biodiversity Gain Informative
3. Environmental Health Informatives

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 Head of Planning has delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Committee's decision.

