

Application No: 13/4746M

Location: PEAK HOUSE, SOUTH PARK ROAD, MACCLESFIELD, CHESHIRE, SK11 6SH

Proposal: Conversion of Existing B1 Office Use to Twelve Residential Dwellings with Parking. Re-submission 13/0599M

Applicant: John Womby 3DM

Expiry Date: 10-Feb-2014

Date Report Prepared: 13 January 2014

SUMMARY RECOMMENDATION

Approve subject to conditions & S106

MAIN ISSUES

- The principle of the development;
- Design and impact on the architectural merit of the building and character and appearance of the area;
- Highways access, parking and safety issues;
- Residential amenity; developer contributions; and
- Other material considerations.

REASON FOR REPORT

The application is for the erection of 12 residential units (a previously withdrawn scheme was for 13 units), and under the Council's Constitution is required to be determined by the Northern Planning Committee.

DESCRIPTION OF SITE AND CONTEXT

The site is located on South Park Road between Hatton Street and Armitt Street. The locality is a relatively quiet residential area surrounded largely by terraced houses.

The application site contains a part two and part single storey stone building constructed in the 1930's. It was first used as a labour exchange but for many years has been used for private offices.

DETAILS OF PROPOSAL

This application seeks Planning Permission for the conversion of the existing building from offices (Class B1) to 12 residential apartments (Class C3). The proposals would provide 6 one bed and 6 two bed apartments, some with additional Mezzanine levels.

All works will be to the internal layout of the existing property, with the external envelope retained. One new entrance door is proposed on the West Elevation, with two new doors to the East Elevation which replace existing windows. All other windows, doors and roof lights are to be retained, or replaced to match existing.

RELEVANT HISTORY

13/0599M – Conversion of Existing B1 Office Use to 13No Residential dwellings with parking
Withdrawn 05-Jun-2013

POLICIES

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

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

Local Plan Policy:

The application site lies within a residential area in Macclesfield and the building is locally listed. Therefore, the relevant Macclesfield Local Plan Policies are considered to be: -

- Policy NE11: Nature Conservation;
- Policy BE1: Design Guidance;
- Policy BE20: Locally Important Buildings;
- Policy H1: Phasing Policy;
- Policy H2: Environmental Quality in Housing Developments;
- Policy H5: Windfall Housing Sites;
- Policy H13: Protecting Residential Areas;
- Policy DC1: New Build;
- Policy DC3: Amenity;
- Policy DC6: Circulation and Access;
- Policy DC8: Landscaping;
- Policy DC38: Space, Light and Privacy; and
- Policy DC40: Children's Play Provision and Amenity Space.

Other Material Considerations

The National Planning Policy Framework came into effect on 27 March 2012, and replaces the advice provided in Planning Policy Guidance Notes and Statements. The aim of this document is to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. Local planning authorities are expected to "plan positively" and that there should be a presumption in favour of sustainable development.

Since the NPPF was published, the saved policies within the Macclesfield Borough Council Local Plan are still applicable but should be weighted according to their degree of consistency with the NPPF. The Local Plan policies outlined above are consistent with the NPPF and therefore should be given full weight.

Supplementary Planning Documents:

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

- Local List of Important Buildings (October 2010).

CONSULTATIONS (External to Planning)

Highways: The Council's Strategic Highways & Transportation Manager comments are awaited.

Leisure: Contributions required

Environmental Health: The Environmental Health department recommends conditions in terms of noise mitigation, waste provision, dust control, pile foundations, hours of construction. The Contaminated Land Officer notes that the application is for new residential properties which are a sensitive end use and could be affected by any contamination present.

REPRESENTATIONS

1 objection has been received from a local resident and their objection can be summarised as follows: -

- Generally like the idea of the building being turned into flats;
- Insufficient parking for the flats (only 11 spaces proposed);
- Significant parking problems in the area particularly during the evenings and weekends;
- No visitor parking proposed;
- Parking situation worse following conversion of Chapel on South Park Road into apartments and recently converted mill on Brown Street into 16 apartments (with no parking);
- Allowing this permission will exacerbate the traffic problems in the area;
- Scheme may encourage parking on both sides of Hatton Street.

APPLICANT'S SUPPORTING INFORMATION

A Design & Access Statement was submitted with the application. The application was also accompanied by a Transport Assessment.

OFFICER APPRAISAL

The principle of the development:

The site lies within a Predominantly Residential Area on the adopted Macclesfield Borough Local Plan where residential uses are acceptable in principle. The application needs to be assessed against Local Plan Policy BE1 (Design Guidance), BE20 (Locally Listed Buildings), H2, (Environmental Quality in Housing Developments), H13 (Protecting Residential Areas), and Development Control Policies DC1, DC3, and DC38, which relate to the standard of design, amenity and space standards. Policy DC6 relates to circulation and access.

The site is considered to be in a suitable and sustainable location. It is a previously developed site, within an area surrounded by housing, which is within walking distance of public transport links and to services. Although the proposal would not provide affordable housing offered through a housing association, the accommodation to be provided would fall at the lower section of the market. The scheme achieves high quality housing in a town centre location.

It is not considered that the loss of the existing offices will have a significant impact of employment, given the site's location, the quality of office space provided and the limited parking and servicing.

Design and impact on the architectural merit of the building and character and appearance of the area:

There are a number of buildings which are valued for their contribution to the local scene or for their historical associations. These buildings do not merit listing on a national scale. However, Local Planning Authorities can draw up lists of locally important buildings and to formulate Local Plan Policies for their protection. This former labour exchange building is such a locally listed building as it displays evidence of local historic interest and makes an important contribution to the street scene. Only minor external work is proposed as part of this application, therefore no objections are raised to the scheme on this issue as the development would not adversely affect the architectural and historic character of the building. As the exterior of the building will largely be unaffected by this conversion the Conservation Officer concludes that this conversion will be acceptable with the character and appearance of the building and area. Conditions are recommended to control the details of any materials, rainwater goods, conservation roof lights and replacement windows and doors.

Highways Access, Parking and Safety issues:

Whilst the site is located close to Macclesfield town centre and so is highly accessible, there is already considerable pressure for on-street parking spaces in the area.

As office premises, the national parking assessment for this size of building would be 22 spaces. Whereas only about 8 spaces are actually available within the rear curtilage, a deficit of 14 spaces. A limited number of further spaces could be provided off-road around the front of the property, but at the expense of kerbside spaces available to the general public.

A Transport Assessment accompanied this application which is being assessed by the Strategic Highways Manager; Members will be updated in due course of their response. No transport assessment was submitted with the previous submission.

The supplied plans demonstrate 11no. spaces, 7no. situated within the rear courtyard area of the site accessed off Armitt Street , 2no. to the front of Peak House on the junction of Armitt Street & South Park Road, the final 2no. are located to the front of Peak House on Hatton Street in proximity to no. 28 Hatton Street.

As residential development, the requirement is for 1 space for each of the 1 bedroom units and two spaces for each of the 2-bedroom units, a total of 18 spaces, though this can be varied in central locations. There would therefore be a deficit of 7 (previously deficient by ten spaces) against the Council's parking guidelines.

Use	Policy Requirements	Proposed	Deficiency
Office	22 Spaces	8 Spaces	10 Spaces
Residential	18 Spaces	11 Spaces	7 Spaces

Although this implies a slight improvement in parking pressures compared to reuse as offices or the previous scheme, residential parking demand peaks in the evening, so a change of use will exacerbate the evening and overnight on street parking levels.

Unlike the previous scheme, these plans illustrate dedicated bin storage. The scheme also provides 12no. secure cycle storage in the basement which is considered particularly important in view of the car parking shortfall.

Residential Amenity:

It is not considered that there would be any impact on residential amenity to the existing surrounding properties caused by these proposed through overlooking, loss of privacy or overbearing. That being said, an assessment on any amenity implications on future occupiers of the development would also need to be assessed.

No amenity space is provided for the apartments, in the form of private gardens or communal space, either hard or soft landscaped. Whilst this is unfortunate, it would be unreasonable to refuse this scheme on the basis given the existing site layout, that is not new build and given the permissions approved in the area for other flatted schemes.

The scheme proposes parking on the internal courtyard of the existing building, whilst it is accepted that this area is used for parking and services of the existing offices, having parking so close to bedroom windows with no separation distances or mitigation would lead to a loss of residential amenity to those apartments through noise and disturbance of car movements and associate activities. However, it is considered that there would be an element of 'beware beware', and there are other town centre apartments with parking in proximity to ground floor bedrooms.

The internal layout of the scheme proposes to put the bedrooms of the apartments towards the rear of the building. Whilst this is understandable as the rear of the building would be the quieter side as it is away from the road, this does lead to other implications. As it is a u-shaped building some of the bedroom windows would look into each other. Previously there was concern that there would be a loss of privacy to the bedroom of those apartments that

look directly at each other. Bedroom windows of apartments Nos. seven to three, seven to four, twelve to four, thirteen to two and thirteen to one would be only 4.5 metres, 7 metres, 12 metres, 10.2 metres and 9.1 metres apart respectively. During pre-application discussions a design solution has been reached which includes opaquing the affected windows up to 1.8m above floor level. This is controllable by condition.

Developer Contributions:

The development for 12 apartments triggers the requirement for the provision of Public open space [POS] and Recreation and Outdoor Sports provision [ROS] in line with current policy.

In the absence of the provision of any POS or ROS on site, commuted sums will be required for off site provision. This is especially crucial given the location of the site in a densely populated area of Macclesfield Town Centre and the absence of any on site amenity space for the residents.

A total contribution of £30,000.00 will be required and will be used to make additions, enhancements and improvements to the existing facility of South Park, just a short walk from the application site. This could be secured through the submission of a S.106 legal agreement, which at the time of writing this report is awaited, following confirmation from the applicants agent that this figure will be paid.

Other Materials Planning Considerations:

Contaminated Land:

The application area has a history of use as a Silk Mill and Dye Works and therefore the land may be contaminated. The application is for new residential properties which are a sensitive end use and could be affected by any contamination present. The Contaminated Land team has no objection to the above application subject to the standard contaminated land conditions.

Waste Provision:

The Environmental Health Team have requested a condition regarding waste provision, however, the proposed layout includes a 6m² bint store in proximity to the access off Armitt Street, and as such a condition would be unduly onerous.

Ecology Implications:

The only potential ecological issue associated with this proposed development relates to the potential presence of roosting bats. A bat survey has not been undertaken or submitted. Considering the lack of suitable foraging habitat in the vicinity of the building and the abundance of alternative possible more appealing roosting opportunities offered by the surrounding buildings, it is unlikely to have an impact upon protected species.

CONCLUSIONS AND REASON(S) FOR THE DECISION

As Members are aware, the presumption in favour of sustainable development is at the heart of the National Planning Policy Framework (*paragraph 14*) and that housing applications

should be considered in the context of this presumption. In addition the Council has a deliverable 7.15 years supply of housing for the years April 2013 to March 2018, in accordance with Paragraph 49 of the NPPF. It is considered that this revised scheme has generally overcome the concerns with the previous submission.

It is accepted that the site is in a sustainable location and that the Council have approved other flatted schemes in the area, whilst there would be a degree of availability pressure on the parking in the surrounding roads, the reduction in the number of units and the increase in parking spaces have on balance overcome the previous concerns and the benefits of the provision of housing in a sustainable location is considered to outweigh this harm.

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

Should this application be the subject of an appeal, authority shall be delegated to the Northern Area 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.

1. A03FP - Commencement of development (3 years)
2. A04EX - Materials to match existing
3. A09EX - Rainwater goods
4. A17EX - Specification of window design / style
5. A20EX - Submission of details of windows
6. A21EX - Roof lights set flush
7. A25GR - Obscure glazing requirement
8. A22GR - Protection from noise during construction (hours of construction)
9. A23GR - Pile Driving
10. A17MC - Decontamination of land
11. NOISE MITIGATION
12. Dust Control

