

Application No: 21/1706M

Location: 67, LONDON ROAD, ALDERLEY EDGE, SK9 7DY

Proposal: Change of Use from retail shop (A1) to mixed use comprising a retail shop and café (A1/A3), extending out over private forecourt on the front elevation and rear extension for kitchen together with the erection of extraction equipment to the rear of the building

Applicant: Mr Nurretin Karrakulak, Bramhall Gourmet Ltd

Expiry Date: 20-May-2021

SUMMARY

This application proposes erection of a ground floor extension to the rear of no.67 London Road and the associated amalgamation of internal floorspace and the installation of a fixed structure to accommodate external seating to the front. The site is located in a predominantly shopping area.

It is considered that the proposal is environmentally, socially and economically sustainable and accords with the development plan and the Framework. The site is located very sustainably within the village centre of Alderley Edge and the proposal represents an efficient use of land that will enhance the vitality and viability of Alderley Edge which is identified as a Local Service Centre.

It is considered that the proposal represents sustainable development and accords with the development plan policies outlined in the report and national planning policy and guidance.

SUMMARY RECOMMENDATION:

Approve subject to comments from Environmental Protection and conditions

REASON FOR REPORT

The application is to be presented at Northern Planning Committee because it has been 'called-in' to committee at the request of Cllr Craig Browne on the 20th April 2021 due to the following concerns:

- “- potential conflict with saved MBC policy BE3 owing to the impact on the Conservation Area*
- potential impact on residential amenity of neighbouring residents on The Avenue*

(CELPs SE1)

- the absence of details and swept path analysis relating to refuse collection vehicles*
- encroachment onto the public footpath on London Road and impact on adjacent tree*
- compliance with the Alderley Edge Neighbourhood Plan (Shop Front Design Guide)."*

DESCRIPTION OF SITE AND CONTEXT

The application site is located to the eastern side of London Road, Alderley Edge. The site is located within Alderley Edge Village Centre and is adjacent to a Predominantly Residential Area and a Conservation Area, as identified by the Local Plan.

The buildings are of a typical Victorian retail frontage. The unit sits centrally within the main retail frontage, which extends to the north and south along both sides of London Road. The character is a mix of traditional and contemporary. There is a traditional underpass access from London Road to the adjoining units.

The unit affords an expanse of quite dated, aluminium framed glazing. The upper floors are traditional in appearance, with original timber sash windows at first floor and the original timber formed dormer windows to the second.

The building consists of original local brickwork with stone mullions, plinths and quoins with a slate roof over. The rear elevation has been subject to many changes over several years, with the addition of poorly constructed outbuildings, the blocking up of original window openings and the replacement of some existing sash windows with deteriorating UPVC casements and solid fire doors. The unit is currently vacant.

Existing vehicles access the rear of the site from The Avenue, parallel to London Road (to the east). Large three storey residential properties set within generous mature gardens line The Avenue and Chapel Road, sharing a common boundary with the car park.

DETAILS OF PROPOSAL

Full planning permission is sought for the erection of an extension over a private forecourt on the front elevation and an extension for a kitchen together with the erection of extraction equipment to the rear of the building.

Due to the recent changes to the Town and Country Planning Use Classes Order, planning permission is no longer required for the change of use from retail to a mixed use of restaurant and retail as they now both fall under class E.

RELEVANT HISTORY

18/5001M Erection of a ground floor extension to the rear of no.67 London Road and the associated amalgamation of internal floorspace and demolition of existing retail space to create a c.2,000 sq.ft unit (Class A1); reconfiguration of floorspace at first and second floor to create five two-bedroom apartments (Class C3); installation of a dormer window and all associated physical works and car parking.
65 and 67 London Rd - Refused 19 March 2019

POLICIES

Cheshire East Local Plan Strategy – adopted 27th July 2017

MP1 Presumption in Favour of Sustainable Development

PG1 Overall Development Strategy

PG2 Settlement Boundaries

PG7 Spatial distribution of development

SD1 Sustainable development in Cheshire East

SD2 Sustainable development principles

PG1 Overall development hierarchy

PG7 Spatial distribution

PG2 Settlement Hierarchy

SE1 Design

SE7 The Historic Environment

Appendix C – Parking Standards

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.

Saved Macclesfield Borough Local Plan Policies

AEC1 – Shopping Area

AEC3 – Upper Floor Development

BE2 – Historic Fabric

DC2 – Extensions and Alterations

DC3 - Amenity

DC6 - Circulation and access

DC9 - Tree protection

DC14 - Noise

DC38 - Space light and privacy

Alderley Edge Neighbourhood Plan;

AE7: Encouraging Visitor Support for Local Businesses

AE8: Supporting a Vibrant Village Centre

AE12: Local and Historic Character

AE15: Promoting Accessibility to Public Transport

Other Material Considerations

National Planning Policy Framework (NPPF)

National Planning Practice Framework (NPPG)

Cheshire East Design Guide

National Policy:

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

Of particular relevance are paragraphs 2, 4, 6, 8, 9, 11, 12 and 15.

CONSULTATIONS (External to Planning)

Highways: no objection

Environmental Protection: Require more information with regards noise and odour

VIEWS OF THE PARISH / TOWN COUNCIL

Alderley Edge Parish Council: *“The Parish Council recommends refusal of this application. It is considered excessive extension on to the pathway on London road which could lead to passing issues – Macclesfield Borough development plan CO 1 supports the primacy of pedestrian access and movement. Front design not sensitive to existing shop front design codes of AENP retaining character features, it is lacking in any softening with landscaping. The siting and appropriateness of ducting at rear is questionable and is not sensitive development to adjoining land of heritage area. Refuse bins are sited to rear and access for collection in extremely limited– Macclesfield Borough Plan DC6 access is through narrow lane.”*

OTHER REPRESENTATIONS

Representations from 13no. properties have been received; below is a summary of the relevant comments:

- No other unit along London Road has a permanent structure to the front for dining. The permanence of the structure would cause a permanent restriction of the paved area.
- The noise and smells will cause a nuisance to the residents to the rear.
- No provision is made for refuse collection.
- The development to the rear would make it harder for vehicles to turn around in the alley to the rear.
- The alterations would be detrimental to the conservation area.

OFFICER APPRAISAL

Principle of Development

The site is located within the boundary with Alderley Edge village centre. Policy SD 1 states that development should wherever possible contribute to creating a strong, responsive and competitive economy, prioritise investment and growth within the Principal Towns Key and Local Service Centres, contribute to the creation of sustainable communities, ensure that development is accessible by public transport, walking and cycling, provide a locally distinct, high quality, sustainable, well designed and durable environment, support the achievement of vibrant and prosperous town and village centres, make efficient use of land, protect the best and most versatile agricultural land and make best use of previously developed land where possible and prioritise the most accessible and sustainable locations.

Policy PG 2 states in the Local Service Centres, small scale development to meet needs and priorities will be supported where they contribute to the creation and maintenance of sustainable communities. The proposal would contribute to the economic wellbeing of Alderley Edge re-using a currently vacant unit within the centre of the village. It would rationalise the space to the rear adding order and demarcation and thus the proposals comply with policy in principle.

Neighbourhood Plan Policy AEC1 prescribes that change of use from A1, A2, and A3 to non-shopping uses will not normally be allowed. The recent changes to the use class order mean that the proposed change from retail to retail/restaurant no longer requires permission as both uses are considered to be class E uses. The principle of the development is acceptable.

Heritage and Design Issues

Policies SE1 and SD2 seek to ensure that new development respects the character of the area and is of an appropriate design. This is consistent with the provisions of the NPPF and is supported through the Cheshire East Design Guide. The site is adjacent to the Alderley Edge Conservation area and thus policies BE2 (MBLP) and SE7 (CELPS) apply.

Several other properties along London Road contain awnings and external seating to the front elevation with Gusto, a few doors down from the application site containing a fixed structure to enclose the seating area, similar to the proposal. While this is the only fixed structure along London Road the other examples of external seating also display a sense of permanence with planters and awnings permanently in position.

The extension to the rear elevation would be single storey and would project no further than the existing two storey element. The extraction system would not be highly visible from outside the site.

The design proposal is simple in style to the rear and it is considered acceptable in this context to utilise the space to the rear of the retail frontage. It would be an efficient design solution and would improve the present run-down position that is in need of modernisation. It is not considered to be cramped or overdeveloped as it would reflect the urban context of the site and would comply with policies SE1, SD2 and the Cheshire East Design Guide.

The site itself is not within a conservation area but it does adjoin the conservation area along the eastern boundary of the site. A Heritage Statement has been submitted in support of the application and the Conservation Officer considers that there would be no impact on the setting of the Conservation Area. Therefore, the proposals comply with the requirements of Policies SE7 and BE2.

Amenity

CELPS Policy SE1 states that development should ensure an appropriate level of privacy for new and existing residential properties. MBLP Policy DC3 states that development proposals should not significantly injure the amenities of adjoining or nearby residential properties through loss of privacy, loss of sunlight/daylight, visual intrusion, noise and disturbance and traffic generation. MBLP Policy DC38 sets out guidelines of space between buildings.

Only a ground floor extension would be constructed to the building and by virtue of separation distance to surrounding residential properties, light exposure and privacy are not considered to be harmed.

Environmental Protection requested further information with regards to the impact on noise disturbance as well as an odour assessment. The submission statements conclude that, subject to mitigation, the impact of the noise and odour on residential properties would not be significant.

This needs to be assessed and verified by the Council's Environmental Protection service and will be included in an update.

Highways

As the proposed seating area is not contained within Highways land, no objections are raised by the Strategic Infrastructure Manager.

PLANNING BALANCE

While the objections are noted, the proposed scheme is considered to be acceptable.

The issues raised in representation have been duly considered and the proposals are considered to comply with National and Local Policy. The development will regenerate this section of the frontage, which assists in improving the vitality and viability of Alderley Edge as a Local Service Centre.

Policy MP1 of the CELPS states that *"Planning applications that accord with the policies in the Development Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise."*

Accordingly the application is recommended for approval subject to comments from Environmental Protection and conditions.

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Planning and Enforcement Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

RECOMMENDATION:

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A06EX - Materials as application
4. NPPF

