

DELEGATED REPORT

Application Number	23/4093M
Proposal	The proposed new rear extension and new accommodation block at Upton Grange Care Home, in order to bring the premise's residential accommodation up to modern living standards in order to allow the care home to function to its full potential.
Location	UPTON GRANGE, 214, PRESTBURY ROAD, MACCLESFIELD, CHESHIRE, SK10 4AA
LDFC	11-Dec-2023
Expiry Date	25-Dec-2023
Constraints	Listed Building

DESCRIPTION OF SITE AND CONTEXT

The application relates to an existing care home situated on the outskirts of Macclesfield, close to Prestbury. The property is Grade II listed and has been previously extended.

The site lies within the settlement of Macclesfield

DETAILS OF PROPOSAL

The application seeks Listed building consent a single storey and two storey rear extension.

RELEVANT HISTORY

17/5547M Removal of conditions 4 & 5 on approval 17/2151M - Listed building consent for proposed orangery to side elevation
Approved 30 November 2017

17/4201M Variation of conditions 4 & 5 on approval 17/2150M - Proposed orangery to side elevation.
Approved 31 October 2017

17/2151M Listed building consent for proposed orangery to side elevation
Approved 14 June 2017

17/2150M Proposed orangery to side elevation
Approved 14 June 2017

POLICIES

CHESHIRE EAST LOCAL PLAN STRATEGY (CELPS)

- MP 1 - Presumption in Favour of Sustainable Development
- PG 2 - Settlement Hierarchy
- SD 1 - Sustainable Development in Cheshire East
- SD 2 - Sustainable Development Principles
- SE 1 - Design
- SE 2 - Efficient Use of Land

SE 7 - The Historic Environment
SE 8 - Renewable and Low Carbon Energy
Appendix C: Parking Standards

CHESHIRE EAST SITE ALLOCATIONS AND DEVELOPMENT POLICIES DOCUMENT (SADPD)

PG 9 - Settlement Boundaries
GEN 1 - Design
GEN 5 - Aerodrome Safeguarding
HER 1 - Heritage assets
HER 4 - Listed buildings
HOU 11 - Extensions and Alterations
HOU 12 - Amenity
HOU 13 - Residential Standards
ENV 7 - Climate Change
INF 3 - Highways Safety and Access

OTHER MATERIAL CONSIDERATIONS

National Planning Policy Framework (2023)
Cheshire East Design Guide SPD

CONSULTATIONS (EXTERNAL TO PLANNING)

No consultations received.

VIEWS OF THE PARISH / TOWN COUNCIL

Macclesfield Town Council *Macclesfield Town Council planning committee ask that the application is approved by the conservation officer.*

OTHER REPRESENTATIONS

No representations have been received at the time of writing this report.

OFFICER APPRAISAL

PRINCIPLE OF DEVELOPMENT

The site lies within the Macclesfield settlement boundary and is a Grade II Listed Building. The principle of the proposed works is acceptable so long as the development pays special attention to the character or appearance of the area and Grade II Listed Building, is appropriate in terms of scale, height and materials, and accords with local plan policies.

DESIGN & IMPACT ON LISTED BUILDING

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in assessing planning applications the local planning authority has a duty to have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest. A decision relating to listed buildings and their settings must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 (see in particular sections 16, 66 and 72) as well as satisfying the relevant policies within the

National Planning Policy Framework and the Local Plan.

Paragraph 196 of the NPPF advises that in determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality
- the desirability of new development making a positive contribution to local character and distinctiveness.

As outlined within para 205, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Policy SE1 of the CELPS sets out the design criteria for new development which is underpinned by achieving high quality design. Policy SD2 of the CELPS further details the design matters that should be considered including; height, scale, form and grouping of development, choice of materials, external design features, massing of development and impact upon the street scene. Policy SE7 supports proposals which do not cause harm to or better reveal the significance of heritage assets. Policy HER 4 of the SADPD requires that proposals that affect a listed building should have special regard to the desirability of preserving the building, its setting and any features of special architectural or historic interest that it possesses.

The position and size of the proposed two storey extension would not harm the character of the listed building as it would be built off more modern extensions and would be built away from the main historic element of the listed building.

The rear of the property has over the years been subject to several additions, some of which are included in this proposal however, it still retains a good size rear garden which was titled a pleasure garden in old maps of the area. The spacious setting of the listed building is one of the main features it has retained over the years and forms the backdrop to the listed building. This would be significantly compromised by the proposed large single storey extension which would significantly reduce the space around the listed building.

Although the side and rear elevations of the main house have been subject to some modern alterations, the main façade of the building has remained largely untouched and still presents the symmetrically arranged and classically influenced design concepts typical of the Regency period. This is the main view of the listed building when entering the property and this view would be significantly impacted by the large modern extension which would be visible when entering the property and would detract from the setting of the listed building.

Whilst the extensions are considered acceptable by the Council's Conservation area on the basis that *the new built contemporary property would not necessarily compromise appreciation and understanding of one of the main elements of the listed house's significance, namely its original Regency façade all be it with the addition of a modern addition*, officers do not agree with this advice and consider that the single storey extension does not respect the character of the existing building nor the proportions, detailing, or fenestration of the host building. It is noted that the Conservation officer has not raised an objection.

While it is noted that the degree of impact on the significance of the designated heritage asset would have less than substantial harm, it is considered that the proposal would still lead to the appreciable loss of significance, contrary to CELPS policy SD1, SD2, SE1, SE7, policy HER4 of the SADPD and section 16 of the NPPF.

Planning and Heritage Balance

Paragraph 202 of the NPPF states that *where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use* .

To be of public benefit, the proposal must ensure benefits to the wider community and not just the private individuals or corporations. It is noted from the information provided that weight can be given to the benefit of the proposal and the modernization of the facilities within the building.

However, it has not been demonstrated that the proposal is essential in order to maintain the care home as a viable business and whether the proposal would just generate further profit to the business owner. The proposal would cause an appreciable loss of significance to the appearance of the asset and would be highly visible and prominent from the highway when entering the site.

As a result, it is considered that it has been demonstrated that the weight to the benefits of modernizing some of the existing bedrooms outweighs the impact on the appearance of the designated heritage asset or represents a public benefit.

As such, the proposals fail to comply with CELPS policy SD1, SD2, SE1, SE7, policy HER4 of the SADPD and section 16 of the NPPF.

AMENITY

Policy HOU 12 of the SADPD requires that development proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties through loss of privacy, loss of sunlight or daylight or visual intrusion.

Policy HOU 13 of the SADPD sets out the spacing standards between buildings that will allow the adequate degree of light, privacy, and quality and quantity of outdoor amenity space.

The position and size of the extensions would ensure the impact on the neighbouring properties is acceptable.

HIGHWAYS - PARKING

The additional bedrooms would have no significant highway implications and would comply with Appendix C of the CELPS and INF3 of the SADPD.

NATURE CONSERVATION

Subject to appropriate conditions relating to ecological enhancement, lighting and nesting birds and bats the impact would have an acceptable impact on ecology and no objections are raised by the Council's Nature Conservation Officer.

TREES

1. Planning History

17/5547M, 17/4201M, 17/2150M, 17/2151M, 04/2347P, 44719P

No previous application has had any significant impact on the trees relevant to the current application. The trees have remained largely unaffected by earlier developments or modifications. This indicates that the current application is the first to potentially influence the existing landscape significantly. Therefore, careful consideration must be given to this application to ensure that any proposed work does not negatively affect the tree s health, stability, or aesthetic value.

2. Trees on Site

An Arboricultural report has been submitted. Trees on site mainly consist of early mature/mature native species with the addition of non-native specimen trees. A total of 27 trees/groups have been surveyed within the report by use of the VTA inspection method. Ref. BS5837:2012 section 4.5.1, all tree/groups have been allocated a B categorisation apart from T3 which has been given a category C.

3. Protected Trees

Trees within the site are not protected by tree preservation orders (TPO) and the site does not lie within a designated conservation area; however, all trees and hedgerows are of a material consideration.

4. Consultation Comments

4a) Mitigation for tree loss

Trees proposed for removal include T3, section of G1, G2, T8, T9, T10 and T17 however no replanting has been recommended within the Arboricultural Report. Consideration of the layout, design and its contextual surroundings i subject to specific guidance in Section 5.6 of BS5837:2012 (Clause 5.6) and Policy SE 5 (CELPS) advises where the loss of significant trees is unavoidable, developments should ensure the sustainable management of trees, woodlands and hedgerows including the provision of new planting within new development to retain and improve canopy cover, enable climate adaptation resilience, and support biodiversity to ensure a net environmental gain.

Furthermore, the specific loss of G1 is unclear, and it s difficult to identify the individual loss of many of the trees due to the map layers used as well as an evaluation of the extent of the impact on existing trees, the AIA should clearly identify and be marked on a plan with a dashed outline or similar, any tree removal.

4b) Tree protection scheme insufficient.

Ref. BS5837:2012 section 5.5.6, to avoid disturbance to the physical protection, it is essential to make allowance for, and plan, all construction operations which will be undertaken in the vicinity of trees. Not all areas have been included within the Tree Protection Plan (Appendix 1), including space for site huts, temporary toilet facilities (including their drainage) and other temporary structures; space for storing (whether temporary or long-term) materials, spoil and fuel and the mixing of cement and concrete. The impact assessment should also be updated to reflect these changes and include any mitigation if disturbance can t be avoided.

4c) Additional tree loss

It is evident that there are more trees on site than initially assessed. This is particularly noticeable in the northeastern area surrounding the front and entrance of the site. It appears that the extent of tree loss may be greater than suggested. The Ecology Appraisal and the Arboricultural Report seem to be at odds with each other, making the impact on the green infrastructure unclear. Ref BS5837:2012 section 4.2.4. b) & e).

Page 9 of the Ecology Appraisal states that "*four significant trees lie close to the development footprint and will probably be lost.*" When cross-referencing these against the Arboricultural Report, they are identified as T3, T4, T5, and T6 in the report. However, the only tree recommended for removal is T3. Clarification is needed before an outcome can be made.

Additionally, the AIA needs to address the following:

4c) The need for arboriculture supervision for hand dig on trees to be retained in areas affecting the RPA s and proposed installation of drainage.

4d) Method statement for the construction of drainage south of the proposed structure with the RPA s of retained trees.

4e) Change of levels and proposed spot levels are absent from the TPP and lack of topographical survey providing current data.

If approved conditions would be included to address the omissions listed above.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposals would not preserve the historic integrity and significance of this listed building.

The proposals would result in a visually prominent and alien addition to this Grade II listed building and would have an adverse impact on its setting, character and its significance. The harm identified is less than substantial, but no public benefits are identified which would outweigh the harm to the heritage asset. As such the proposals would be contrary to CELPS policy SD1, SD2, SE1, SE7, policy HER4 of the SADPD and section 16 of the NPPF. The application for listed building consent is therefore recommended for refusal.

Recommendation: **Refuse approval**

Case officer: Matthew Keen

Signing Officer: Noted and agreed - RL

Date: 04-Oct-2024

Robert Lee