

ENGLISH HERITAGE

NORTH WEST OFFICE

Mr Nick Turpin
Cheshire East Council
Development Management
Town Hall
Macclesfield
Cheshire
SK10 1DP

Direct Dial: 0161 242 1430
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Our ref: P00135910

18 May 2012

Dear Mr Turpin

**Notifications under Circular 01/2001 & GDPO 1995
LAND AT CHURCHILL WAY, DUKE ST, ROE ST, SAMUEL ST, PARK LN,
WARDLE ST, WATER ST, EXCHANGE ST, WELLINGTON ST & GT.KING ST,
MACCLESFIELD TOWN CENTRE.
Application No 12/1213M 12/1212M**

Thank you for your letter of 13 April 2012 notifying English Heritage of the above application.

Summary

The above application would bring forward the large scale development of a series of surface car parks on the south-western edge of Macclesfield town centre. In their current form the car parks do not fulfil the potential of such a prominent site located immediately next to the retail core of the town. There is clear potential for an appropriate form of sustainable development and national planning guidelines require that such a development should contribute to the protection and enhancement of the built and historic environments simultaneously with achieving economic and social benefits.

The current proposals would affect a series of important historic assets, described below. However, we believe that the application fails to adequately assess the impact on key assets, and, from the information that is provided, would result in substantial harm to the significance of heritage assets, particularly Christ Church and the Christ Church Conservation Area.

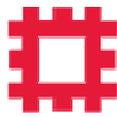
We have summarised, below, where amendments to the proposals should be considered to avoid harming the historic environment. In circumstances where a proposed development would lead to substantial harm to the significance of historic assets, local planning authorities should refuse consent, unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that



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outweigh that harm. From an historic environment perspective we cannot support the application in its current form and if the application is considered as it is now, without significant amendments, we advise that permission should be refused.

English Heritage Advice Context and Heritage Assets:

The application site incorporates a large part of the south western side of Macclesfield town centre, extending from Great King Street at the northern end of the site to Park Lane in the south. The proposals comprise a total of 48,390 m² of mixed use development, the majority of which comprises A1 retail and multi storey car parking for 873 vehicles. The retail area would enclose a new street, partly based on the original alignment of Silk Street, to the centre of the site. The scheme would also incorporate an eight screen cinema, with integrated parking and associated A3 uses on the western side of Churchill Way, enclosing Water Street and Wellington Street.

The original street pattern was previously cleared from the site, probably during the construction of Churchill Way, and the site is largely used for surface car parking and creates a fragmented townscape on the south western edge of the town centre.

From an historic environment viewpoint the proposed development would affect a series of important heritage assets. The scheme immediately adjoins the Christ Church Conservation Area, by breaking through the terrace in Roe Street with the proposed demolition of five terraced houses. The character and appearance of the conservation area is derived largely from the grain and enclosure of the terraced streets which contrast with the scale of several key landmark buildings, notably Christ Church and the former Sunday School both of which are listed in grade II* by virtue of their national significance. Christ Church was built in 1775-76 and funded by Charles Roe, who built the first silk mill in Macclesfield. The tower is one of the most significant landmarks in Macclesfield and the original design was actually heightened to satisfy Roe's demand that it should appear as high on the skyline as the tower of St Michael's Church. The former Sunday School, built 1813-14, is four storeys high with ten bays. It is recessed behind the principal building line of Roe Street to achieve a greater status in the street scene and is an imposing building that forms a key landmark in this part of Macclesfield. The proposals would have a considerable impact on the settings of both buildings.

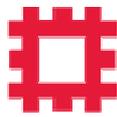
The south eastern boundary of the site immediately adjoins the Park Green Conservation Area and is close to the High Street Conservation Area. Within Park Green many of the buildings are listed, including Barclays Bank, which is listed in grade II*, and the neighbouring Unitarian Church, which is grade II.



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There is no designated archaeology (i.e. of nationally important remains) in the proposed development site and the area is not known to retain deposits that should be preserved at the expense of any development. The limited archaeological work that has been carried out in the centre of Macclesfield suggests that, while there may be important vestiges of the medieval town in some locations, these levels have largely been obliterated by later development. However, the archaeological remains of the industrial era are likely to survive within the proposed development area and these remains are likely to be of local and, potentially, of regional importance. The limited knowledge of the surviving archaeology in the area also means that there is the potential for unexpected discoveries.

Assessment of Significance:

The Environment Statement Vol. 1, submitted with the application, correctly refers to the National Planning Policy Framework (NPPF), particularly paragraph 128, which states that *“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. ...”*

However, the cultural heritage assessment submitted with the application is deficient in this respect and the LPA should ensure that the information provided is sufficient to fully understand the potential impact of the scheme. For example, paragraph 12.47 of the ES Vol. 1 describes the key assets in the Christ Church Conservation Area but fails to refer to Christ Church itself. Most of the plan bases, submitted with the application, omit Christ Church, whilst Figure 4.2, “Sensitive Receptors and Site Constraints”, fails to refer to the grade II* listed building despite the proximity of the proposed cinema block. Similarly, Figure 4.2 makes no reference to the grade II* Barclays Bank building in Park Green, or adjoining Unitarian Church, despite the impact of the proposed multi storey car park on their settings. It is our clear view that as currently proposed the scheme would certainly impact on the settings of each of the II* listed buildings near the site, particularly Christ Church and the former Sunday School and the LPA should ensure that the full impact is explained within the application.

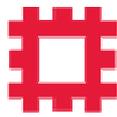
NPPF paragraph 129 requires that *“LPAs should identify and access the potential significance of any heritage assets that may be affected by a proposal...”* In this respect the Archaeological and Cultural Heritage Assessment, in ES Vol. 2, appears, in our view, to be inadequate in allowing the LPA to assess the significance of the heritage assets which are identified. The assets are catalogued and briefly described



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but the significance of the assets is not assessed. For example, the terrace in Roe Street is not assessed with respect to its contribution to the character and appearance of the Christ Church Conservation Area, while the significance, including setting, of the former Sunday School is not properly described or analysed. The Archaeological and Cultural Heritage Assessment is actually dated March 2007 and the policy section refers to PPG15 and 16 which have clearly been superseded.

In further analysing significance it may be helpful to refer to the four 'heritage values' in our Conservation Principles document. For example, in understanding the significance of Christ Church an assessment of its 'historic' and 'aesthetic' value within the wider context of Macclesfield would help inform an understanding of the reasons for the buildings significance, particularly in relation to the visibility of the tower, and how the development would impact on that significance.

Potential Impact of the Proposed Cinema Block:

Based on the information provided it appears that the scale and massing of the cinema block would have a harmful impact on the setting of the grade II* Christ Church and also on the setting of the Christ Church Conservation Area. Photomontages 4 and 6, looking east and west towards the cinema block give an indication of the scale and mass of the building and the impact it would have in obscuring views of Christ Church from the east. Our view is that the level of harm would be 'substantial'. The NPPF (paragraph 132) advises that harm to significance can result from development within the setting of a heritage asset and that substantial harm to grade I and II* listed buildings should be wholly exceptional. Further, the NPPF states that LPAs should refuse consent for development that would lead to substantial harm unless it can be demonstrated that the harm is necessary to achieve substantial public benefit.

The impact on the setting of the conservation area would also be considerable. Whilst the proposed terrace of houses would provide an active frontage on the eastern side of Water Street, it is clear from Photomontage 4 that the mass of the cinema would project well above the terrace. Furthermore, the terrace seen in that view is three storeys high whilst the majority of the proposed terrace is only two storeys. Additional views could be requested to further assess the massing of the cinema block, for example from the northern and southern ends of Water Street and west of the entrance to the church. However, while we support the principle of incorporating a residential elevation to Water Street, and also support the contemporary architectural approach to using traditional forms and materials, we remain concerned about the impact of the cinema.

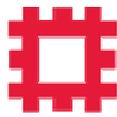
The cinema has been included in the scheme to help diversify and strengthen the



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economy of the town centre, which is clearly a public benefit. However the definition of sustainable development in the NPPF is based on three dimensions: economic, social and environmental, which specifically includes the built and historic environment. NPPF paragraph 8 emphasises this holistic approach: *“Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.”* In our view, due to the harmful impacts of the proposals on the historic environment the current scheme does not meet the requirements of sustainable development within the NPPF.

Equally, the current proposals appear to be contrary to Local Plan policy BE3 with respect to conservation areas, which states *“Development will only be permitted in or adjoining a conservation area which preserves or enhances the character or appearance of the conservation area. Special attention will be paid to matters of bulk, height, materials, colour and design.”*

We therefore recommend that significant amendments are sought in respect of the cinema aspect of the scheme, potentially removing the basement car park and separating the cinema and ancillary A3 units into two distinct building forms to reduce the height and perceived mass of the development. If the building was lower, and did not impact significantly on views of Christ Church tower from the Castle Street, there would be more potential to increase the footprint of the building to immediately enclose the frontage of Great King Street which would provide a more effective townscape solution to the prominent corner of Great King Street and Churchill Way. An amended scheme of this nature would also reduce the impact on the grade II* former Sunday School building to the east of Churchill Way.

Potential Impact of Mulberry Square and Roe Street:

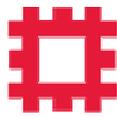
The environs of the Sunday School would be improved by the proposed creation of a public space in the area currently occupied by a surface car park. Although the open setting of the Sunday School would be artificial to an extent as the rear of the building was intended to back on to an area of high density development. However, the enclosing retail building to the east side of the square would be lower than that illustrated in previous pre-application schemes, allowing the Sunday School to impose itself on the public space and maintain its presence in the street scene. The use of copper as a reference to the historic associations with the area should add a layer of interest and relevance to the new building, which will need to be carefully conditioned to ensure that the quality of detailing matches the ambitions for the public space. The copper would be treated, however if it were allowed to weather naturally it would add a further level of complexity to the scheme.



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The single storey pavilion building should enclose the northern edge of the space, screening the Tesco store more effectively than the pre-application proposals, although the quality of the space will be determined by the potential to reduce traffic impacts from Churchill Way, the ability to manage car parking within the space as well as the actual extent to which Tesco is screened and in this respect the height and footprint of the pavilion should be maximised.

The application proposes the demolition of five terraced houses which currently form part of the continuous terrace that encloses the southern side of Roe Street (Drawing no. D0003 rev. P1). It is unclear whether this would include the total demolition of nos. 37 and 35 Roe Street as the Design and Access Statement suggests that the front elevations would be incorporated into the new development. However, the proposed demolition is more extensive than previously indicated in pre-application schemes; the continuity of the terrace will be severed and the proposals should be treated as 'substantial' harm to the character and appearance of the conservation area under the requirements of NPPF paragraph 133. The current proposals are also contrary to Local Plan policy BE4, which confirms that "*conservation area consent will not be granted for the demolition of buildings or structures which make a positive contribution to the character or appearance of the area.*"

The potential harm to the historic environment indicates that the current proposals do not meet the requirements for sustainable development in the NPPF and the LPA should satisfy itself that the public benefits that would be realised from the new retail street are sufficient to justify the harm and that the level of harm is 'necessary' to secure those benefits. From an historic environment viewpoint the end terrace at the corner of Roe Street and Duke Street is of less significance to the main terrace of houses. It was a later addition to the terrace, has been significantly altered and, if a wider connection was required into the new development, its removal would not impact on the integrity of the terrace as a whole. In this respect it is disappointing that it has not been possible to resolve the townscape issues related to the TJ Hughes building as part of the current town centre redevelopment proposals.

Potential Impact of the proposed Silk Street Retail Area:

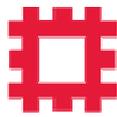
The NPPF confirms that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development and is indivisible from good planning. Section 7 of the NPPF, 'Requiring Good Design', explains that it is proper to promote local distinctiveness and to "*... address the connections between people and places and the integration of new development into the natural, built and historic environment.*"



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The entirely introverted nature of the proposed Silk Street would result in blank service elevations enclosing Duke Street and Churchill Way. Various architectural devices have been incorporated to add relief to the elevations. However they would remain as inactive frontages to public streets. The objective of creating a level internal pedestrian street also causes the Churchill Way frontage to work against the topography of the site by forming increasingly high elevations rather than stepping down to recognise the topography of the area.

The proposals contrast significantly with the original grain and permeability of this part of the town centre. The 1871 and 1966 OS maps, included with the application, indicate that the original Silk Street only extended for approximately half the length of the proposed street, it did not cut through Roe Street and benefitted from two east - west links, Charles Street and Cotton Street, which effectively created a series of perimeter blocks. The current proposals would be introverted rather than integrated into the built environment.

The NPPF advises that *“Local Planning Authorities should have local design review arrangements in place to provide assessment and support to ensure high standards of design. They should also when appropriate refer major projects for a national design review. In general, early engagement on design produces the greatest benefits. In assessing applications, local planning authorities should have regard to the recommendations from the design review panel.”* Pre-application advice has previously been provided by CABI, as well as English Heritage, and further advice from Design Council / CABI or Places Matter, the regional design review service, could increase the potential of achieving a development that would be better integrated into the Macclesfield townscape.

Potential Impact of the Multi Storey Car Park:

The upper levels of the multi storey car park have been set back, to reduce the perceived mass of the building, and the actual elevations to Park Lane (section 16) and Wardle Street (section 13) appear to be consistent with the existing sense of enclosure.

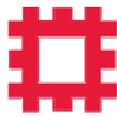
However, photomontage 10 indicates that the car park would extend well above the organic grain of the buildings that enclose the corner of Park Lane and Mill Street in a single mass and the setting of the Park Lane Conservation Area would be fundamentally changed. We are unconvinced that the approach to setting back the elevations of the upper levels will effectively reduce the perceived scale and mass of the car park and therefore advise that further consideration is given to reducing the height of the building by one, or potential two, levels and that a lower building is modelled in further photo montages to assess the impact on the setting of the Park



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Green Conservation Area and the related listed buildings.

Archaeological Potential and Response:

The impact of a development on archaeological remains is a material consideration in determining planning applications. The NPPF indicates that the potential impact of development proposals on heritage assets, including those with archaeological interest, should be assessed as part of any proposal and that a LPA should seek to avoid or minimise conflict between the conservation of a heritage asset and any aspect of the proposal. The NPPF states that *“Where a site on which development is proposed includes or has potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.”* Where any heritage assets are to be partially or wholly lost as a result of a development scheme, LPAs should require the recording of those assets.

Therefore, the LPA should ensure that a written archaeological strategy is agreed to enable important archaeological information to be recovered in the event of the development going ahead. The strategy should set out the targeted archaeological response that enables the investigation and recording of key locations within the development site as part of the development process. The strategy needs to include a suitable level of post-excavation analysis, writing up, publication (if appropriate) and archiving of all locally and regionally important remains.

The record must be delivered by the archaeological contractor to the Cheshire Historic Environment Record for future public reference. The contractor should also be required to complete and submit an entry on OASIS (On-Line Access to the Index of Archaeological Investigations) prior to project completion, and to deposit a digital project report with the Archaeological Data Service, via the OASIS form, upon completion.

There is likely to be considerable public interest in the story of Macclesfield’s past and we recommend that the archaeological strategy be required to include engagement with the public during the course of the investigations; for example, by allowing site open days or guided tours if this is possible and / or by regularly updating notice boards on the ground and on the internet.

Recommendation

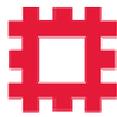
We have no doubt that an appropriate form of development would enable the application site to make a more positive contribution to Macclesfield town centre, and built environment of the town, than the current surface car parks.



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However, the current application proposes a layout, form and scale of development which largely follows the same principles as that proposed during pre-application consultations and in respect to which we have previously raised concerns. For the reasons summarised above we believe that aspects of the scheme would be harmful to the historic environment and we advise the local planning authority to ensure that adequate measures are taken to secure environment gains, simultaneously with economic and social benefits, to achieve the sustainable development of the site. We have outlined, above, where the assessment of the significance of heritage assets should be improved and where amendments to the proposals should be considered. However, we cannot support the application in its current form and if the application is considered as it is now, without changes to mitigate the harm to the historic environment, we advise that permission should be refused.

Please contact me if we can be of further assistance. We would be grateful to receive a copy of the decision notice in due course. This will help us to monitor actions related to changes to historic places.

Yours sincerely

Graeme Ives

Historic Areas Advisor

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