

Application 09/1300M

Location: MACCLESFIELD DISTRICT HOSPITAL, VICTORIA ROAD, MACCLESFIELD, CHESHIRE, SK10 3BL

Proposal: PROPOSED ERECTION OF :- A 3 STOREY 75 ONE BED CARE HOME; A 3 STOREY BUILDING INCORPORATING A TOTAL OF 542 SQ M OF RETAIL IN 3 GROUND FLOOR UNITS WITH 16 APARTMENTS (8 ONE BED & 8 TWO BED) ON THE UPPER 2 FLOORS; A 3 STOREY OFFICE BUILDING OF 3,599 SQ M; 15NO. 2.5 STOREY TOWNHOUSES IN 7 BLOCKS; ASSOCIATED CAR PARKING AREAS, ACCESS ROADS & OPEN SPACE; ADDITIONAL HOSPITAL RELATED CAR PARKING AT PROPOSED FIRST FLOOR DECK. (OUTLINE APPLICATION).

Applicant: KEYWORKER HOMES (MACCLESFIELD) LTD and EAST CHESHIRE NHS TRUST

Expiry Date: 01-Sep-2009

Date Report Prepared: 09 October 2009

### **SUMMARY RECOMMENDATION**

Approve the amendment to the description to include a D1 use on the ground floor of the office block, subject to further discussion on the delivery of commuted sum payments in respect of amenity and playspace, which are to be included within the legal agreement.

### **MAIN ISSUES**

- Whether the minor alteration to include a D1 use on the ground floor of the office block raise any further planning issues;
- Whether the proposal has any adverse impact on the residential amenity of nearby residents, or raise any highways issues;
- Whether there are any other material considerations; and
- How the commuted sum payment in respect of amenity and playspace is delivered.

### **REASON FOR REPORT AND CONTEXT**

This application was originally referred to the Strategic Planning Board as the proposal relates to a large scale major development (the site area is 3.3 hectares, including the Clocktower building).

It has been recently ascertained that a reference to a D1 use on the ground floor of the B1 office block building was omitted from the application description, although the submitted plan has not changed as this previously identified treatment and consultation rooms. D1 uses are effectively non residential institutions and would be the same as that approved for Building 6 under application 09/1577M.

In addition, when the application was considered by the Strategic Board, Members granted permission for the development subject to a legal agreement. One of the clauses of that agreement related to a contribution towards public open space. Keyworker Homes (the developer), Leisure Services and Planning Officers have been discussing this matter and officers consider that it is appropriate to update Members on this issue. At the Strategic Board meeting in July it was resolved that this matter was to be resolved between the Chairman of the Strategic Board, Ward Member and Head of Planning and Policy; however, there appears to be a large difference between the commuted sum payment requested by Leisure Services and that offered by the developer and this is why the matter had come back before the Strategic Board.

## **DESCRIPTION OF SITE AND CONTEXT**

The report and subsequent update report which was considered by the Strategic Board at its meeting on 29.07.09 is attached as background papers to this report. The attached reports set out the historical background, planning history, context and details of the proposed outline application, in addition to the policies, which are considered relevant when determining this application. Permission was granted for 5 interconnected applications (subject to condition and a legal agreement) at the Strategic Board meeting on 29.07.09.

## **ALTERATIONS TO THE PROPOSAL**

Reference was made in the previous report under the heading 'Proposal' to the office block as follows: -

### **Offices**

*This building would be a three-storey block located to the west of the Clocktower building. This building would benefit from parking provided in the proposed parking deck. A total gross floor area of 3,561m<sup>2</sup> is proposed with overall dedicated parking for 100 cars. The offices are intended to provide accommodation for the hospital, NHS staff and related health facilities and services.*

The Planning Statement which accompanied the application referred to the offices being intended to provide accommodation for the hospital, NHS staff and related health facilities and services and this was indicated on the floor plans which were submitted with the application. Whilst the submitted application form for the office block sought approval for 3 599 sq m of use class B1, the developer had assumed that the element of D1 use could be

used as being ancillary to the main use. Negotiations have advanced with the Health Trust and it is now evident that the likely use of the ground floor of the office block will now be predominantly for hospital related uses falling under the use class D1 and as a result the developer would like this to be formalised.

This building would remain exactly the same as before externally and would be served by parking provided by the proposed parking deck. The total floor area would remain as 3 599m<sup>2</sup>, which would be divided into 2 400m<sup>2</sup> of B1 (office) use on the first and second floors and 1 199m<sup>2</sup> of D1 use on the ground floor. Some of the ground floor would incorporate communal public floor space serving both uses.

## **RECONSULTATION**

Renotification letters have been sent out to consultees and neighbours.

## **OFFICER APPRAISAL**

On the basis that the building which currently exists on site is used for hospital related uses, it is considered that the D1 use proposed for the ground floor of the office block building is entirely appropriate. It is not considered that this use would have any greater impact on existing residents or proposed residents than the B1 use previously granted approval by the Council. This D1 use would also accord with the uses included within the Planning Brief for the site. This change of use will raise no further landscape, nature conservation, conservation area or listed building issues.

## **LEGAL AGREEMENT**

The minutes of the Strategic Board meeting held on 29.07.09 refer to this application being subject to the satisfactory completion of a S106 Legal Agreement which would comprise the following Heads of Terms:-

- Commuted sum payments in respect of amenity and playspace
- Provision of a Travel Plan and associated monitoring charges
- Highways matters including funding for parking study and any Traffic Regulation Order
- Monitoring costs

Discussions have been held between the developer and officers from both Leisure Services and Development Management in relation to both the way that the commuted sum payments in respect of amenity and playspace are to be delivered and the cost to the developer. These discussions are on going, however it would appear that a different solution may be offered to that put forward to members at the previous meeting (Strategic Board - 29.07.09). One option is for the developer to make a payment to the Council to cover various works which would then be carried out in West Park. An alternative solution would be for the developer to carry out works within the park within a time scale to be agreed.

It is anticipated that further details will be provided to Members by way of an update report prior to the Committee meeting on 21.10.09.

### **CONCLUSIONS AND REASON(S) FOR THE DECISION**

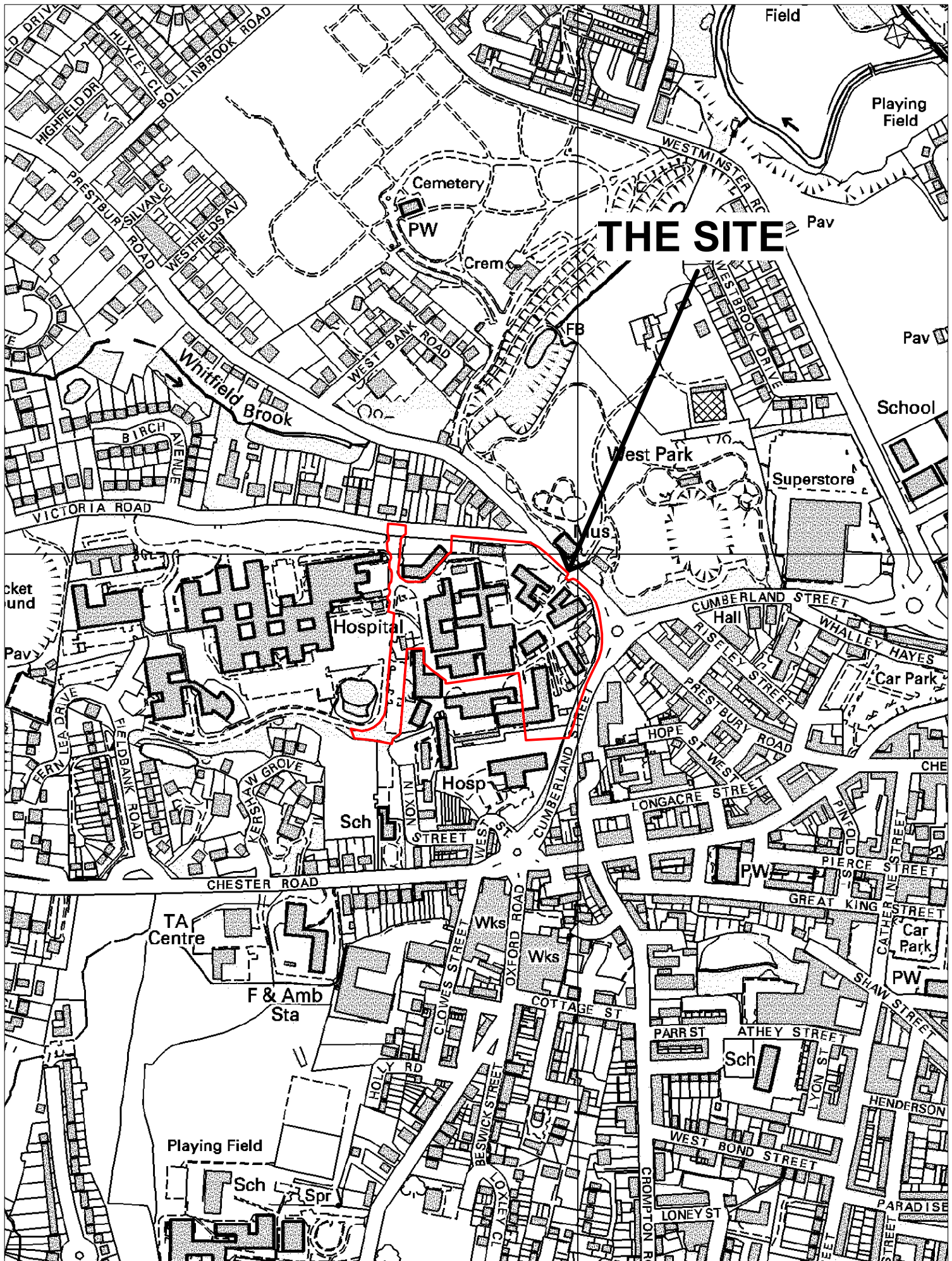
It is considered that the amended description to include a D1 use is acceptable. Further details will be provided to Member's prior to the meeting in relation to the commuted sum payments in respect of amenity and playspace issue.

### **SUBJECT TO**

Comments are awaited from consultees who have been made aware of the proposed alteration to the description. Conditions should be attached in accordance with those recommended in earlier reports and further discussions with the developer.

### **HEADS OF TERMS**

- Commuted sum payments in respect of amenity and playspace
- Provision of a Travel Plan and associated monitoring charges
- Highways matters including travel plan modifications/monitoring
- Monitoring costs



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