

Application No: 09/1296M

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

Proposal: CHANGE OF USE AND ALTERATIONS TO GRADE II LISTED
CLOCKTOWER BUILDING TO PROVIDE 36 AFFORDABLE FOR RENT
APARTMENTS, 161 SQ M COFFEE SHOP, 183 SQ M GYM AND
ANCILLARY ACCOMMODATION; ASSOCIATED CAR PARKING AND
EXTERNAL SITE WORKS; DEMOLITION OF 2 CURTILAGE BUILDINGS
(BUILDINGS 2 AND 9) TO ENABLE THE ASSOCIATED MIXED USE
DEVELOPMENT WITHIN THE OVERALL APPLICATION SITE AND
WHICH IS THE SUBJECT OF A SEPARATE OUTLINE PLANNING
APPLICATION. (FULL PLANNING)

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

Expiry Date: 03-Aug-2009

Type: Full Planning

Date Report Prepared: 16 July 2009

SUMMARY RECOMMENDATION

Approve with conditions, subject to the views of outstanding consultees.

MAIN ISSUES

- Five applications have been received for the redevelopment of the area at Macclesfield Hospital known as the Blue Zone – consideration needs to be given as to whether these applications are in accordance with the Development Brief for the site and whether the applicant has addressed the reasons for refusal which were attached to applications which were considered by Macclesfield Borough Council on 26.01.09.
- Whether the principle of housing is acceptable for this full planning application and if so, whether the number and type of accommodation proposed is appropriate
- Whether the proposed scheme has an acceptable impact on the Listed Building
- Whether the proposal would result in any adverse impact on protected species and if so, whether adequate mitigation can be provided
- Whether there is any impact on flooding on the site or within the locality
- Whether the proposal has any adverse impact on the residential amenity of nearby residents
- Whether there are any other material considerations
- Whether any permission granted should be accompanied by a Section 106 Agreement, and what these Heads of Terms would comprise

REASON FOR REPORT

The application has been referred to the Strategic Planning Board as the proposal is for a small scale major development (the site area is 3.3 hectares, including the Clocktower building).

DESCRIPTION OF SITE AND CONTEXT

The site is bounded by Cumberland Street, the main road leading into Macclesfield town centre from the west, Prestbury Road and Victoria Road, which provides the main access to the hospital. The site is within 1km of the town centre. Adjoining land uses include the Macclesfield District General Hospital, the Regency Hospital, and West Park. The residential

areas surrounding the hospital site include the 18th and 19th century Prestbury Road Conservation Area.

The site is located in an sustainable location in relation to the town centre, recreation facilities, community and health facilities and primary and secondary education establishments.

HISTORIC BACKGROUND

The site was developed between 1843 (on what was pasture land) to the late 20th century. The later additions (1960's onwards) are considered to have little architectural merit. Cumberland Street was constructed in the 1990's to link Chester Road and Prestbury Road.

In the 1980's the new Hospital was constructed immediately to the west of the original workhouse. This moved the centre of gravity of the hospital away from the site, which has continued to house hospital functions until approximately 18 months ago.

The Clocktower building is a Grade II Listed Building. The curtilage of the listed building can be interpreted to be the original extent of the planned workhouse development, including early buildings, boundary walls, roads and landscape.

This application is an opportunity to regenerate the site by way of a sensitive refurbishment of the Clocktower building.

The East Cheshire Trust wish to follow Department of Health advice and achieve Foundation Trust status as soon as realistically possible. To achieve this goal the Trust has to demonstrate several attributes, one of which is to demonstrate sound financial management. With this in mind, the Trust decided 2-3 years ago to sell the land, which is known locally as the 'Blue Zone'. A Planning Brief was put forward, which was given recognition by Macclesfield Borough Council in November 2007. The Trust marketed the site during the Spring of 2008 and it became evident that the bids would not clear the debts which the hospital has accrued over time. The Trust has been working with Keyworker Homes since the summer of 2008, and held a public consultation event during the autumn and as joint applicants submitted 3 planning applications in early December 2008. The application for the conversion of the Clocktower (08/2621P) was refused by the former Macclesfield Borough Council on the following grounds: -

- In isolation, the use proposed would introduce an incompatible use within the existing hospital site, to the detriment of its proper operation and resultant harm caused to residential amenity.
- To develop the proposed building in isolation to the remainder of the site would jeopardise the comprehensive redevelopment of the site to the detriment of the planning of the area, contrary to the terms of the Blue Zone Planning Brief
- Development of the proposed building in isolation from the rest of the site would create incompatible development with inadequate servicing, amenity areas and relationships to existing buildings contrary to the provisions of policies BE1, H2, DC1, DC6

In addition to this current application, a total of five applications have been submitted for this site. Two relate to the 'Clocktower' building and two relate to what is commonly known as 'Building 6', and one relates to the comprehensive redevelopment of the site (an outline

scheme). Although the applications are separate submissions, the schemes are all interlinked. They are reported elsewhere on this agenda. From the Trusts perspective they aim to realise a financial payment as soon as possible following the granting of planning consent.

The main component of this application is the change of use of the Grade II Listed Clock Tower to 36 apartments available for affordable rent.

The main issue to consider in planning terms what impact this will have on the Listed Building and surrounding area. The proposal also includes a coffee shop and gym and car parking. Some of the attached structures would be removed and these fall to be considered under the application for Listed Building Consent (09/1295M).

DETAILS OF PROPOSAL

This proposal is for full planning permission. Detailed floor plans and elevations have been submitted accompanied by details of the formal landscaped garden areas.

RELEVANT HISTORY

08/2634P - Erection of 3 storey 75 x 1 bed care home, age restricted 4 storey sheltered retirement block, with 58 apartments, with ancillary accommodation, 4 storey building including retail units & 36 apartments, 4 storey office building, 14 no three storey townhouses & associated car parking, access roads and open space; and additional hospital parking deck (Outline Planning) - Refused 09.02.09

08/2722P - Change of use to Grade II Listed Clocktower building to provide 44 keyworker apartments, coffee shop, gym, laundry & ancillary accommodation, car parking & associated works, proposed demolition of curtilage buildings (2,6 & 9) to enable mixed use (Listed Building Consent) – Refused 09.02.09

08/2621P - Change of use and alterations to Grade II Listed Clocktower building (including partial demolition) to provide 44 keyworker apartments, 182 sq m coffee shop, 167 sq m gym, 24 sq m laundry & other ancillary accommodation, associated car parking and external site works (Full Planning) – Refused 09.02.09

There have been numerous other applications relating to the hospital use of the site, none of which are directly relevant to this application.

The site on Prestbury Road was undeveloped pastureland, until it was purchased for the construction of the New Union Workhouse. Construction started in 1843 and the buildings were completed in 1845. In the period between 1843 and 1871 further buildings were added in a similar architectural style but these are outside the site. In 1929 the Macclesfield Union Workhouse came under control of the newly established Public Assistance Authority. It later became Macclesfield General Hospital, West Park Branch. During the mid-to-late 20th century new buildings and extensions were constructed. The earliest of these buildings, built in the 1960's and 70's, are typically one or two storey, framed, system buildings common for the period. Some are freestanding; others are connected to the historic building by enclosed corridors, or built as extensions to the earlier buildings. Whilst these more recent additions

have served an important practical function in providing health services, they are not fit for purpose for the future health service, and are not considered to have architectural or historic merit. They detract from the character and appearance of the historic buildings. Cumberland Street was constructed in the 1990's to link Chester Road and Prestbury Road.

In the 1980's the new Hospital was constructed immediately to the west of the original workhouse and hospital buildings. This moved the centre of gravity of the hospital away from the site that, nevertheless, has continued to house hospital functions until now.

POLICIES

Regional Spatial Strategy

DP2, DP3, DP5, DP6, DP7, L2, L5, RT2, EM1, EM18

Local Plan Policy

NE2, BE1, BE2, BE3, BE15 - BE19, H1, H2, H8, RT7, T1, IMP1, IMP4, C2, DC1-DC6, DC8, DC17-DC18, DC20, DC35-DC39, DC40, DC63.

Other Material Considerations

National Planning Guidance in the form of: -

PPS1: Delivering Sustainable Development

PPS3: Housing

PPG15: Planning and the Historic Environment

PPS9: Biodiversity and Geological Conservation

PPG13: Transport

PPG25: Development and Flood Risk

Circulars of most relevance include: ODPM 06/2005 Biodiversity and Geological Conservation; ODPM 05/2005 Planning Obligations; and 11/95 The use of Conditions in Planning Permissions.

Relevant legislation also includes the EC Habitats Directive and the Conservation (Natural Habitats &c.) Regulations 1994.

In addition, the Supplementary Planning Guidance documents relating to Section 106 Agreements and the 'Blue Zone Planning Brief' is of particular relevance.

CONSULTATIONS (External to Planning)

United Utilities : No objection to the proposal providing that if possible, the site should be drained on a separate system, with foul drainage only connected into the foul sewer. Surface water should discharge to the soakaway/watercourse/surface water sewer and may require the consent of the Environment Agency. If surface water is allowed to be discharged to the public sewerage system United Utilities may require the flow to be attenuated to a maximum discharge rate determined by United Utilities. It will be necessary to provide pumps and storage for those buildings above two storeys' high to ensure an adequate supply of water.

Manchester Airport comment that the proposal does not conflict with any safeguarding criteria.

Ministry of Defence (Airport Safeguarding): No safeguarding objection to the proposal.

English Heritage comment that their specialist staff do not wish to offer any comments in relation to this application. It is recommended that the application be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice.

Contamination Land Officer: No objection to the application. The site is currently a hospital and so there is the potential for contamination of the site and the wider environment to have occurred. The application includes new residential properties, which are a sensitive end use that could be affected by any contamination present. The report submitted in support of the planning application recommends that further site investigations be carried out. It is therefore suggested that a report is submitted which requires an assessment to be made of the actual/potential contamination risks on the site. If contaminants are found then a remediation statement will be required followed by a site Completion Report that details the conclusions and actions taken at each stage.

The application area has a history of use as a hospital, which may have included the use and storage/disposal of radioactive material, and therefore radioactive materials may affect the land. A radiological survey report will be required to assess the actual/potential radiological contamination risks at the site. This may be followed by a Radiological Remediation Statement, which if approved shall be carried out.

Environmental Health Officer: No objection to this application, however concerns are raised in relation to amenity caused by noise, in particular: -

- Noise generated during the demolition and construction phase of the development
- Noise from fixed plant and equipment on the site affecting surrounding future residents
- Impact of road traffic noise on the development
- Impact of noise from non-residential uses in close proximity to residential uses (retail development)
- Noise transmission between dwellings

It is acknowledged that in any development of this scale, there is potential for a deterioration in local air quality caused by road traffic, generated both as a result of the development and changes to traffic on patterns resulting in increased congestion phase of the development.

In addition, there is potential for dust generation during the demolition and construction phase of the development.

In order to mitigate these concerns and safeguard the amenity of existing and future occupants it is recommended that a condition requiring an Environmental Management Plan be submitted prior to the development commencing and its recommendations implemented during the construction phase. Conditions relating to the locations of fixed plant and equipment, to control deliveries and to control the hours of use of non-residential uses should be attached.

The **Highways Engineer** raises no objections subject to a number of issues being resolved prior to permission being granted. These are summarised as follows: -

1. Concern is expressed towards how the Clocktower development is linked to the outline application (09/1300M) and how this proposal appears dependent on the success of the outline application to be satisfactorily implementable.
2. A full phasing management strategy for the parking locations will be required to ensure there will not be a loss of parking on the site.
3. The access road for this application appears to link with that proposed under application 09/1300M. Safeguarding measures will need to be put in place to prevent the site from becoming a thru route.

Comments are awaited from the Environment Agency, Cheshire Constabulary, Leisure Services, and the Housing Strategy and Development Officer. These will be provided in the form of an update report.

OTHER REPRESENTATIONS

No letters have been received at the time of report preparation relating to the Clocktower proposal.

APPLICANT'S SUPPORTING INFORMATION

Various supporting information has been submitted to accompany the applications for the future development of this site. These include: -

- Planning Policy Statement
- Design and Access Statement
- Heritage Impact Statement
- Flood Risk and Surface Water Assessment
- Geo-Environmental Interpretative Report
- Building Surveys
- Asbestos Reports
- Transport Assessments
- Tree Surveys and Arboricultural Assessments
- Ecological Reports
- Air Quality Assessments
- Noise Quality Assessments

All of these documents are available in full on the planning file and Council's website.

In addition, there is a letter from the East Cheshire NHS Trust, which is available for inspection on the application file. This letter states that the East Cheshire NHS Trust has been working to remove its historic debt. A key element of the financial strategy remains the sale of the land. If this were not successful the Trust would need to find other ways of repaying the debt, which would have to be generated through additional efficiency savings with the Trust. The Trust has responded to comments made by Councillors and the public during the original submission which has led to changes to the plans. These changes have reduced the value of the land significantly, but the Trust remain confident that the scheme will deliver a sustainable development for the town and its residents. The reduced sale proceeds enable financial recovery for the Trust although further impositions such as Section 106 costs

will further challenge that recovery. It is hoped that Cheshire East will see the benefit of the plans in terms of an asset to the community and also in terms of sustaining clinical services in Macclesfield for the Public.

A letter has been submitted by Keyworker Homes (the developer) which explains that since the previous refusal, the applicants and their advisors have sought to address the areas of concern which were publicly expressed regarding the previous scheme. This has resulted in a scheme which will provide a viable solution to the re-use of the visually important buildings on site and create a development which generates enough land value for the East Cheshire NHS Trust to realise its aspirations for the future of health care provision in the town.

A copy of the exhibition boards from a 4-day public exhibition illustrate the significant changes to the scheme. Further comments from the exhibition have informed the application, especially in relation to the position and form of housing on Victoria Road (addressed within the outline application).

It is important to note that the scheme stands or falls as a whole and any further significant changes to any of the constituent elements may threaten the overall viability of the scheme.

A letter of support has been submitted from the Plus Dane Group, a registered social landlord. This confirms that there is a high demand for one and two bedroom affordable apartments within walking distance of Macclesfield' town centre. Dane are supportive of Keyworker's proposals for the Clocktower building and should the planning application be approved, would be most willing to work in partnership with Keyworker Homes to undertake responsibility for the Affordable for Rent housing to be provided within the existing Clocktower building.

OFFICER APPRAISAL

Principle of Development

This is a full planning application for the conversion of the Clocktower building to 36 affordable apartments available for rent. It is considered in principle that the nature of the development proposed, within the context of its surroundings would raise no strategic issues in planning terms.

The main principles of the development are considered under the heading 'Principle of Development' under application 09/1300M, reported elsewhere on this agenda.

It should be noted that although the proposals are put forward as a suite of applications, which are wholly related and inter-dependent, however, each application needs to be assessed on its planning merits on an individual basis.

Policy

The most relevant policies in the Local Plan relate to Built Environment Policies (BE18), Transport Policies, Housing Policies and Policy C2, the latter of which sets out the criteria for all proposals that fall within the Hospital site. Where appropriate these criteria will be referred to under the subject headings in this report. Policy C2 states that the site is "allocated for

health purposes and planning permission will normally be granted for health and related developments". Any development for land uses outside of this designation would need to be fully justified. It is considered that the use proposed within the Clocktower building to provide 36 affordable units would be acceptable. A legal agreement would be required to ensure that this is the case.

Any residential development will need to adhere to Development Control policies. Policy DC38, which outlines standards relating to space, light and privacy in new housing development, is particularly relevant. New developments should adhere to the LPA's guidelines on space between buildings unless the design and layout of the scheme and its relationship to the site provide a commensurate degree of light and privacy between buildings.

DESIGN

The Clock Tower building comprises three storeys and consists of a central spine with two cross wings. The former chapel wing to the west would accommodate a gym on the ground floor with a café on the first floor. The building would comprise 36 no. one bedroom and two bedoomed apartments. Residents, other hospital staff, other occupiers of the overall site and visitors would use the gym and coffee shop. The previous scheme for the conversion of the Clocktower (08/2621P) was for 44 apartments, which would have been restricted to hospital and health related staff only. It is not considered that the external alterations have changed significantly since the previously refused scheme, however, the internal layout has inevitably changed.

Under these proposals, the Clock Tower building would be re-established as the landmark building and, given its historical background, it should be the primary focus of the site. The proposal will achieve the restoration of the building by way of a sympathetic subdivision and retention of its features. The unsightly extensions should also be removed which, in association with an appropriate landscape, should improve its setting significantly. The use is considered to be sustainable and should secure its long-term retention.

Comments from the Conservation Officer are awaited however, it is considered that the scheme and the re-use of the Clocktower building is welcomed. It is an imposing building of 1843-5 by Scott and Moffatt. Whilst many workhouses were built by the Victorians, this is a particularly early example and one of the first not to be built in an austere classical design. The Clocktower is considered to have strong architectural features and is relatively original in form.

No objections were made to the overall design of the Clocktower for application 08/2621P and therefore, no objections are expected to be raised in listed building conservation terms in relation to this proposal.

The proposals clearly respect the traditional features of the building. There were some issues regarding fenestration with the previously refused scheme and it is anticipated that the Conservation Officer will comment on this element again in light of the changes made. It is

considered that historic building issues can be satisfactorily dealt with through the imposition of planning conditions.

LANDSCAPING AND TREE IMPLICATIONS

The area immediate to the front of the Clocktower would be set-aside as a formal open garden area. A detailed landscape scheme was submitted to accompany the application but it is not considered to be acceptable and therefore, it should not be approved at this stage. The scheme should be revised following submission of a landscape Masterplan for the whole of the Blue Zone when the landscape structure has been agreed. Landscape conditions are recommended to include hard and soft landscaping details, implementation and management arrangements.

IMPACT ON NEIGHBOURS

The proposal has been assessed in relation to both the existing buildings on the site, and the outline scheme (09/1300M), which is found elsewhere on this agenda. With either scheme, the Clocktower building would remain a satisfactory distance away from surrounding buildings where there would be critical space standard requirements, which would need to be adhered to with respect to the siting of windows. Although it is accepted that this relationship is tight, it is noted that there would be a lack of private open space in relation to this proposal, this is an inevitable concession in schemes of this nature, and on balance the relationships are considered to be acceptable.

NATURE CONSERVATION FEATURES AND IMPLICATIONS

The Nature Conservation Officer has provided comments with regards to this proposal. It is noted that a protected species survey was originally prepared in respect of the Blue Zone master plan and a more recent survey undertaken specifically for bats. Both surveys appear to have been undertaken to a high standard with a greater amount of survey effort being undertaken in respect of the bat survey than is usually required for planning purposes, however, this survey was however undertaken slightly late in the year.

Bats

Two species of bats have been recorded roosting within the Clocktower building. As a result of bats being present on site and the bat survey being undertaken slightly late in the year, the ecologist who undertook the survey has advised that as a precaution all buildings on site should be regarded as supporting roosting bats until further survey work has established that bats are absent. Outline mitigation proposals have been suggested based upon this 'worse case scenario' of all buildings supporting roosting bats and replacement roosts together with suitable working practices to avoid harming/killing of bats during the construction phase have been suggested.

It is the Nature Conservation Officers view that suitable outline mitigation for the potential impact of the development upon the Clocktower bat roosts has been provided, however, no details of the number, exact size, location and orientation of the replacement roosts appears to have been included with the plans. This information must be provided prior to the determination of the application to ensure that appropriate mitigation for protected species is

being offered. Once this information has been provided, the Nature Conservation Officer will provide further comments.

Article 12 (1) of the EC Habitats Directive requires Member states to take requisite measures to establish a system of strict protection of certain animal species prohibiting the deterioration or destruction of breeding sites and resting places.

Regulation 3(4) of the Conservation (Natural Habitats &c.) Regulations 1994 provides that the local planning authority must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions.

It should be noted that since a European Protected Species has been recorded on site and is likely to be adversely affected by the proposed development, the planning authority must consider two of the three tests in respect of the Habitat Regulations, i.e. (i) that there is no satisfactory alternative and (ii) that the development is of overriding public interest. Evidence of how the LPA has considered these issues will be required by Natural England prior to them issuing a protected species license once permission has been granted.

Current case law instructs that if it is considered clear, or very likely, that the requirements of the Directive cannot be met because there is a satisfactory alternative or because there are no conceivable “other imperative reasons of overriding public interest” then planning permission should be refused. Conversely if it seems that the requirements are likely to be met, then there would be no impediment to planning permission in this regard. If it is unclear whether the requirements would be met or not, a balanced view taking into account the particular circumstances of the application should be taken.

Alternatives

The applicants’ various statements submitted to accompany this application and the ‘Blue Zone Planning Brief’ provide a clear case for the requirements for developing the site. The benefits of the scheme have been well documented in terms of the provision of affordable housing within the Clocktower building, and the sustainable re-use of buildings on the site will guarantee the future protection of the Listed Building. Given the constraints on the site, it would appear that there is no alternative way of establishing a re-use of the building without having an impact on the bats. Taking these factors into account it would be reasonable to conclude that there are no satisfactory alternatives.

Overriding public Interest

As the proposal is contributing to the provision of affordable housing it would also be reasonable to conclude that the proposal is helping to address an important social need. In addition, it is important that the development generates enough land value for the East Cheshire NHS Trust to realise its aspirations for the future of health care provision in the town.

Mitigation

In line with guidance in PPS9, appropriate mitigation and enhancement should be secured if planning permission is granted. Willingness to provide a comprehensive mitigation scheme

has been provided within the applicant's ecological survey, which essentially would incorporate replacement roosts within the application site to improve the bat habitat in this area. The Council's Nature Conservation Officer is satisfied that there is an opportunity to provide the mitigation on the site. Details of this mitigation should however, be provided before the application is determined.

On the basis of the above it is considered reasonably likely that the requirements of the Habitats Directive would be met; Members must form a view on this issue.

Bats and Trees

The bat survey submitted in respect of the Clocktower application contains a reference to undertaking a survey of mature trees on the site. However, no results for the bat survey of the trees has been provided. Clarification has been sought as to whether any trees will be lost to this part of the development and if so whether a bat survey has been undertaken of them.

Breeding Birds

No specific survey for breeding birds has been undertaken of the hospital site, however it appears likely that breeding birds will be present, associated with both the buildings and any landscaped areas. Conditions are required to ensure that the works associated with the development are carried out sensitively during the nesting season.

Landscaping

In accordance with PPS9 developments must now aim to achieve an overall gain for nature conservation. Opportunities in respect of the hospital site are perhaps limited, however the use of appropriate native species as part of the landscaping scheme and the incorporation of features for breeding birds as required by the above condition would make a contribution towards meeting this objective.

HIGHWAY AND TRANSPORT IMPLICATIONS

The rear of the Clocktower building would be used for parking and servicing. 19 parking spaces would be to the front of each end of the winged sections and 85 spaces would be available directly to the rear, however, it is unclear at the time of report preparation as to how these would be allocated. Access to the spaces will be from either Victoria Road or Fieldbank Drive access points, to the rear of the building, or, to the front of the building, via the new access road, which forms part of the outline scheme.

The Highways Engineer comments that the views of the Highway Authority should be read in conjunction with planning application numbers 09/1577M and 09/1300M. The satisfactory implementation of this application is reliant on the approval of a full application connected with the request under outline planning application 09/1300M.

It is understood that the Clocktower element of the site will be served via the existing junction with Victoria Road.

In the Transport Assessment dated Dec 2008 it considers a more intensive use of the site than that which has been submitted with the latest applications. The Highway statement then

identifies the net reduction in intensity and the proposed parking quantification for each element of the site.

The Traffic Assessment considers that the roundabout junction already operates under congested conditions and with the development proposals will only result in a marginal increase in traffic flow and queuing.

In relation to parking provision for the Clocktower, it is indicated in the Highway Statement that parking provision for the Clocktower apartments and ancillary uses is 46 spaces. No split has been provided between the apartments and ancillary use. If a 1.5 parking space per apartment provision is considered, then this would equate to a requirement for 54 spaces. It was unclear when the Highways Engineer provided comments where these 46 spaces were to be allocated and how these would be controlled and managed specifically for the Clocktower use. The site plan submitted with the Highways Statement appears to show an overall shared use facility and concern is raised that this could be used by anyone connected with any element of the whole development area, including the existing hospital. Clarification over the parking issue is being sought.

The availability of public transport in the area and close proximity to Macclesfield Town Centre help to mitigate for the low parking provision. The developer has also agreed to enter into a Section 106 agreement with regards to providing funding for the whole development site which will take the form of a parking study of the area and a residential parking scheme. Any remaining funding will be directed towards improved cycle facilities.

No Travel Plan has been provided for the Clocktower proposal, however, it is noted that a cycle store is indicated at the northern section of the Clocktower. The plan does not indicate the level of cycle provision that can be accommodated, but to facilitate sustainable travel choice, accommodation for 36 cycles will be required for long stay purposes. Short stay cycle facilities will also need to be provided.

The following issues need to be addressed/understood prior to permission being granted: -

- This development requires the creation of a new access road to the West of the site this is not included in this application but appears to be addressed in the outline application number 09/1300M which makes reference to an access road. Concern is raised that if the outline permission is refused this would compromise access to the Clocktower site. This application can therefore only be approved to follow on from the supporting transport infrastructure put forward for consideration as part of the outline scheme.
- The access road for the western element of the site would appear to be constructed on private land and is not likely to come forward for adoption. This road must be constructed to Local Authority standards and a Traffic Management Strategy must address overspill parking within the site. The turning heads must be kept clear and parking must be prevented along the access road to keep the development contained. The Highways Engineer advises that a legal agreement is required between the land owner and the developer which ensures that access to the development is maintained at all times for the western access road.

- A management strategy for the parking locations connected with the Clocktower Development will be required and confirmation of the parking allocations, due to the apparent discrepancies between the various documents/plans. The development should also be included in an overall travel plan.
- It is unclear at the time of report preparation, from the information provided whether there will be a loss of parking connected with the existing uses of the hospital and if so, how that will be addressed. Although additional parking in a decked car park is indicated on the outline application (09/1300M), care needs to be taken to ensure that if the outline application were to fail that parking would not be displaced further. It will be essential to have a full phasing management strategy for the whole site.
- There would appear to be a connection between the two new access roads that are sought approval via two separate planning applications. Safeguarding measures need to be put in place to prevent the access roads from providing a rat run.

OTHER MATERIAL PLANNING CONSIDERATIONS

The Council's current housing advice is based on PPS3, which lists the following criteria: -

1. Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in the area and does not undermine wider policy objectives *(does the application accord with the housing objectives of the Borough and wider policy objectives e.g. affordable housing and urban regeneration)*
2. Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people *(does the application meet the housing needs of the area and/or provide affordable housing)*
3. The suitability of a site for housing, including its environmental sustainability *(is the site in a suitable and sustainable location, is it previously developed land, what constraints exist)*
4. Using land effectively and efficiently *(is the density at least 30 dwellings per hectare)*
5. Achieving high quality housing *(is the site accessible to public transport and services, is the development well laid out, safe, accessible and user friendly, is there adequate open space and/or access to recreational open space, does the design complement/improve the character of the area, is the car parking well designed and integrated, does the development enhance biodiversity)*

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. The scheme achieves high quality housing in a town centre location.

Paragraphs 5.27 and 5.2.8 of the Agents Planning Statement refer to the provision of Specialist Housing, and the intention for the Plus Dane Housing group to undertake the responsibility for the provision and management of the affordable housing in partnership with

the applicants. It should be noted the Outline application (09/1300M), which essentially includes 15 dwellings and 16 apartments, does not include any affordable provision. The applicants however, suggest that the 36 apartment to be provided in the Clocktower (under this application) more than compensate for this, and when taken as a whole, the proposed provision of 36 affordable units amounts to 116% which is much greater than the 25% provision which is afforded under the Council's Local Plan policy H8 and PPS3.

At the time of report preparation comments are awaited from the Housing Strategy and Development Officer, however, it is anticipated that the officers will comment on the number of units, the size of the units, layout and will recommend that the applicants enter into a Section 106 Agreement to secure the proposals.

OTHER RELEVANT INFORMATION

Members of the committee visited the site on 21st July 2009.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The re-use of the Clocktower building for affordable housing purposes is welcomed. In addition, the proposal reflects the Planning Brief for the Blue Zone. The previous application 08/2621P was recommended for approval, however, it was refused by the former Macclesfield Borough Planning Committee following the refusal of the related outline scheme.

Given the nature of the development proposed and the loss of buildings within the curtilage of a Listed Building, it is important to ensure that the works are carried out to the Clocktower building and Building 6 before works on the residential elements and office block are commenced. However, it will be necessary for the access road (from the outline proposal 09/1300M) to be in place prior to the first occupation of the Clocktower building. It is therefore considered that a condition should be attached which requires a phasing and management plan to be submitted prior to works commencing on site.

SUBJECT TO

Comments are awaited from the Housing Strategy and Development Officer regarding the provision of affordable housing and Leisure Services Officer in relation to contributions towards open space and detailed comments are awaited from the Conservation Officer, Cheshire Constabulary and Environment Agency. In addition, further comments will be required from the Nature Conservation Officer in relation to the requested further bat survey. It is however, anticipated that the proposal will necessitate the satisfactory completion of a S106 Agreement comprising:

HEADS OF TERMS

Although comments are yet to be received from the Housing Strategy and Development Officer, in the event that the application were to be approved by the Strategic Planning Board, a Section 106 agreement would need to contain requirements for the following:

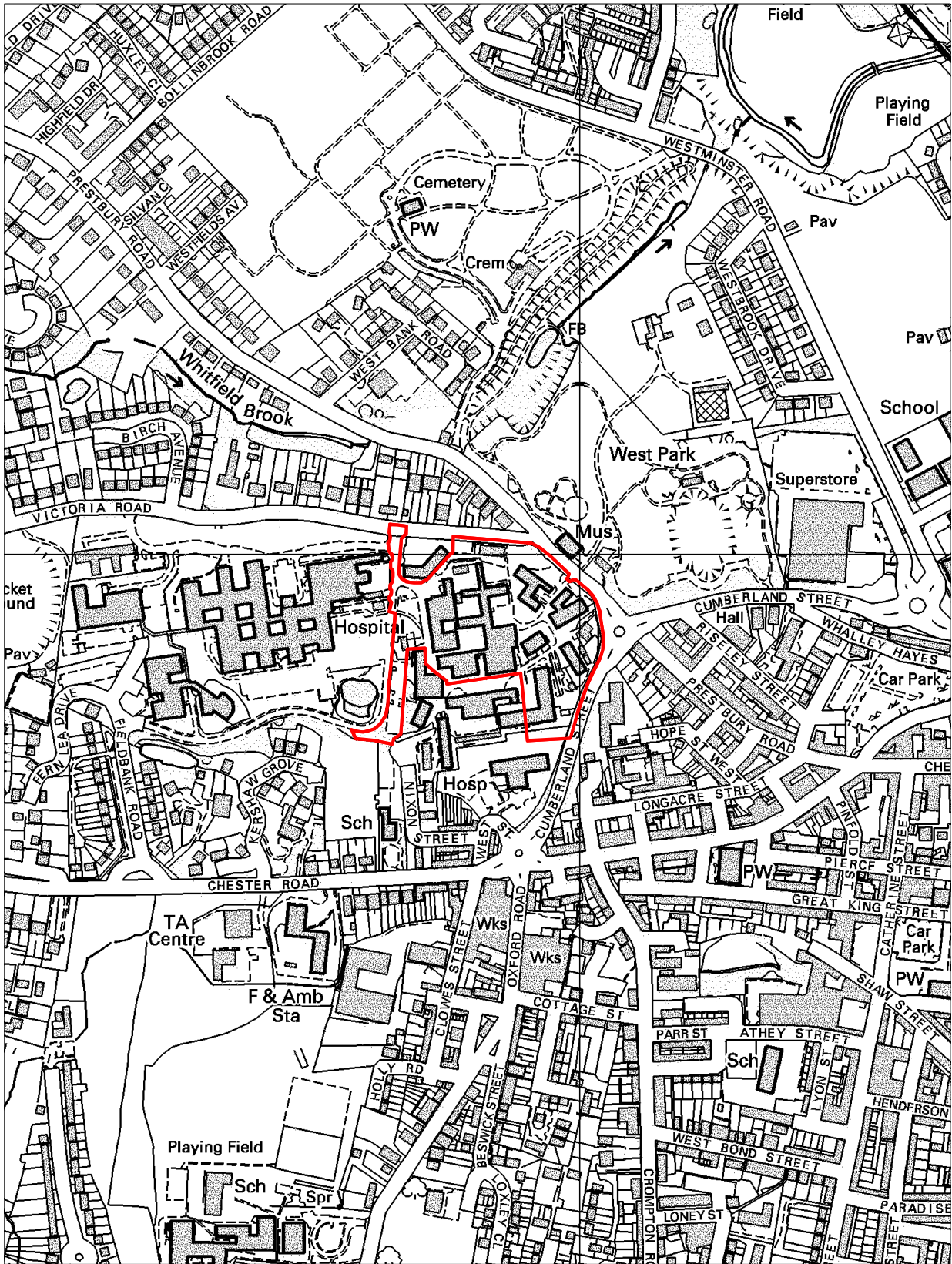
- To ensure that the proposed dwellings are genuinely affordable to hospital staff in perpetuity.

- To ensure that the developer provides funding for the whole development site, this will take the form of a parking study of the area and a residential parking scheme. Any remaining funding will be directed towards improved cycle facilities.
- Monitoring costs

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A01AP - Development in accord with approved plans
2. A03FP - Commencement of development (3 years)
3. A05EX - Details of materials to be submitted
4. A19MC - Refuse storage facilities to be approved
5. A22GR - Protection from noise during construction (hours of construction)
6. Conservation conditions - relating to external appearance of the building
7. Compliance with bat mitigation proposals
8. Short stay cycle provision
9. Long stay cycle provision
10. Highways conditions
11. Requirement for a Phasing/Management Plan to be submitted
12. A landscape management plan (for an appropriate period) including long-term design objectives, management responsibilities and maintenance schedules
13. Hard and soft landscape details required
14. Landscape implementation
15. Landscape management arrangements
16. Phasing plan for the implementation of landscape works (including opportunities for advance planting)
17. Incorporation of features into the scheme suitable for use by breeding birds
18. Survey required to check for nesting birds between 1st March and 31st August
19. Contaminated land
20. Environment Management Plan required
21. No burning of waste
22. Hours of deliveries
23. Hours of operation
24. Requirement for a Traffic Management Strategy
25. Requirement for a parking management strategy
26. Requirement for a Travel Plan - to be drawn up in conjunction with the Hospitals Travel Plan



09/1296M

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