

# Northern Planning Committee

## Agenda

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**Date:** Wednesday 17th April 2013  
**Time:** 2.00 pm  
**Venue:** The Capesthorne Room  
Town Hall, Macclesfield SK10 1EA

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Members of the public are requested to check the Council's website the week the Northern Planning Committee meeting is due to take place as Officers produce updates for some or all of the applications prior to the commencement of the meeting and after the agenda has been published.

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

### **PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT**

1. **Apologies for Absence**

To receive any apologies for absence.

2. **Declarations of Interest/Pre Determination**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests and for Members to declare if they have a pre-determination in respect of any item on the agenda.

3. **Minutes of the Meeting** (Pages 1 - 4)

To approve the Minutes of the meeting held on 27 March 2013 as a correct record.

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**Please Contact:** Sarah Baxter 01270 686462  
**E-Mail:** [sarah.baxter@cheshireeast.gov.uk](mailto:sarah.baxter@cheshireeast.gov.uk) with any apologies or request for further information  
[Speakingatplanning@cheshireeast.gov.uk](mailto:Speakingatplanning@cheshireeast.gov.uk) to arrange to speak at the meeting

#### 4. **Public Speaking**

A total period of 5 minutes is allocated for each of the planning applications for Ward Councillors who are not members of the Planning Committee.

A period of 3 minutes is allocated for each of the planning applications for the following individuals/groups:

- Members who are not members of the planning committee and are not the Ward Member
- The relevant Town/Parish Council
- Local Representative Groups/Civic Society
- Objectors
- Supporters
- Applicants

#### 5. **12/3786M-Erection of a three-storey office building for B1 & D1 uses, and 34 dwellings (outline), Macclesfield District Hospital, Victoria Road, Macclesfield for Keyworker Homes & East Cheshire NHS (Pages 5 - 24)**

To consider the above application.

#### 6. **12/3779M-Change of use of Ingersley and Henbury buildings to form 36 apartments together with associated car parking and development, Macclesfield District Hospital, Victoria Road, Macclesfield for Keyworker Homes & East Cheshire NHS (Pages 25 - 44)**

To consider the above application.

#### 7. **12/3784M - Change of use of the Ingersley and Henbury buildings to form 36 apartments. Works to curtilage buildings within the overall grounds of the Grade II Listed Clocktower building, including alterations associated with the residential conversion of the Ingersley and Henbury buildings, together with the demolition of the Education and Training building and the Pavillion building (Listed Building Consent), Macclesfield District Hospital, Victoria Road, Macclesfield for Keyworker Homes & Eas (Pages 45 - 52)**

To consider the above application

#### 8. **12/4814M-Regularisation of stables and yard, two additional stables, horse walker, change of use of store into stables, Florence Stables, Woodford Lane, Newton, Macclesfield for Mr P Jackson (Pages 53 - 62)**

To consider the above application.

9. **13/1004M-Extension to time limit Full planning 10/0223M, Change of Use from Farmhouse and adjacent barns to office use.Erection of two storey building, Stanely Hall Farm, Stanley Hall Lane, Disley for Disley Golf Club Limited**  
(Pages 63 - 72)

To consider the above application.

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**CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Northern Planning Committee**  
held on Wednesday, 27th March, 2013 at The Capesthorne Room - Town  
Hall, Macclesfield SK10 1EA

**PRESENT**

Councillor R West (Chairman)  
Councillor W Livesley (Vice-Chairman)

Councillors C Andrew, L Brown, B Burkhill, H Gaddum, L Jeuda, D Mahon,  
D Neilson and P Raynes

**OFFICERS IN ATTENDANCE**

Ms S Dillon (Senior Lawyer), Mr Harries (Development Control Engineer),  
Miss L Thompson (Planning Officer) Mr P Wakefield (Principal Planning  
Officer) and Miss B Wilders (Principal Planning Officer)

**120 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mrs A Harewood,  
Mrs O Hunter, J Macrae and Stockton.

**121 DECLARATIONS OF INTEREST/PRE DETERMINATION**

In the interest of openness in respect of application 13/0085M,  
Councillor D Mahon declared that he was the Ward Councillor for the area.

It was noted that Members had received correspondence in relation to a  
number of applications on the agenda.

**122 MINUTES OF THE MEETING****RESOLVED:**

That the minutes of the meeting be approved as a correct record and  
signed by the Chairman.

**123 PUBLIC SPEAKING****RESOLVED:**

That the public speaking procedure be noted.

124      **12/3786M-ERECTION OF A THREE-STOREY OFFICE BUILDING FOR B1 & D1 USES, AND 34 DWELLINGS (OUTLINE), MACCLESFIELD DISTRICT HOSPITAL, VICTORIA ROAD, MACCLESFIELD FOR KEYWORKER HOMES & EAST CHESHIRE NHS**

(During consideration of the application, Councillor Mrs H Gaddum arrived to the meeting however she did not take part in the debate or vote on the application).

Consideration was given to the above application.

(Councillor M Hardy, the Ward Councillor and Mr Binks, representing the applicant attended the meeting and spoke in respect of the application).

**RESOLVED;**

That the application be deferred for the following reasons:-

- (1) Shortfall of parking in relation to the Office Block building
- (2) Shortfall in provision in relation to Public Open Space
- (3) Car parking layout
- (4) Further detailed work on the traffic management both on and off the site
- (5) Provision of affordable housing

(This decision was contrary to the Officers recommendation of approval).

125      **12/3779M-CHANGE OF USE OF INGERSLEY AND HENBURY BUILDINGS TO FORM 36 APARTMENTS TOGETHER WITH ASSOCIATED CAR PARKING AND DEVELOPMENT, MACCLESFIELD DISTRICT HOSPITAL, VICTORIA ROAD, MACCLESFIELD FOR KEYWORKER HOMES & EAST CHESHIRE NHS**

Consideration was given to the above application.

(Councillor M Hardy, the Ward Councillor spoke in respect of the application).

**RESOLVED:**

That the application be deferred for the following reasons:-

- (1) Shortfall of parking in relation to the Office Block building
- (2) Shortfall in provision in relation to Public Open Space
- (3) Car parking layout
- (4) Further detailed work on the traffic management both on and off the site
- (5) Provision of affordable housing
- (6) Reassessment of education advice in the report

(As a result of the decision in respect of the previous application, the Officers recommendation was amended from one of approval to one of deferral).

(During consideration of the application, Councillor Miss C Andrew left the meeting and returned as a result she did not take part in the debate or vote on the application).

- 126      **12/3784M-CHANGE OF USE OF THE INGERSLEY AND HENBURY BUILDINGS TO FORM 36 APARTMENTS. WORKS TO CURTILAGE BUILDINGS WITHIN THE OVERALL GROUNDS OF THE GRADE II LISTED CLOCKTOWER BUILDING, INCLUDING ALTERATIONS ASSOCIATED WITH THE RESIDENTIAL CONVERSION OF THE INGERSLEY AND HENBURY BUILDINGS, TOGETHER WITH THE DEMOLITION OF THE EDUCATION AND TRAINING BUILDING AND THE PAVILLION BUILDING (LISTED BUILDING CONSENT), MACCLESFIELD DISTRICT HOSPITAL, VICTORIA ROAD, MACCLESFIELD FOR KEYWORKER HOMES & EAST**

Consideration was given to the above application.

**RESOLVED:**

That the application be deferred in order to assess the impact of the deferrals on the previous two connected applications.

(As a result of the decision in respect of the previous two applications, the Officers recommendation was amended from one of approval to one of deferral).

(The meeting adjourned for a short break).

- 127      **13/0085M-RESIDENTIAL DEVELOPMENT CONSISTING OF A TOTAL OF 23 DWELLINGS, INCLUDING 10 APARTMENTS AND 13 HOUSES AND ANCILLARY CAR PARKING.OUTLINE PLANNING, PEACOCK FARM, WILMSLOW ROAD, HANDFORTH, MACCLESFIELD FOR PENSYCOR LTD, PENSYCOR LTD**

Consideration was given to the above application.

(Mr Sedman, the agent for the applicant attended the meeting and spoke in respect of the application).

**RESOLVED:**

That for the reasons set out in the report and in the update to Committee, the application be refused for the following reasons:-

1. R04LP      - Inappropriate development in the Green Belt
2. R07RD      - Development unneighbourly

3. Loss of tree subject to a Tree Preservation Order
4. Threat to the continued well being of existing trees which are the subject of a Tree Preservation Order.

128      **12/4882M-A FARMING & FOOD VISITOR CENTRE INCLUDING ACCESS, CAR PARKING, PEDESTRIAN ROUTES, VISITOR CENTRE, BIO-DOME, MOBILE FIELD SHELTERS AND LANDSCAPING, LAND WEST OF MAG LANE, HIGH LEGH, WARRINGTON FOR DAVID FRYER, DAVID FRYER MANAGEMENT**

Councillor B Livesley arrived to the meeting during consideration of the application; as a result he did not take part on the debate or vote on the application).

Consideration was given to the above application.

(Councillor S Wilkinson, the Ward Councillor, Rebecca Thurston, representing the applicant, Emma Clarke (the applicant was also present to assist with answering any questions), a Supporter and Iain Clark, a Supporter attended the meeting and spoke in respect of the application.

**RESOLVED:**

That for the reasons in the report and in the update to Committee, the application be refused for the following reason:-

The proposed development represents an inappropriate form of development which would be harmful to the Green Belt. In addition, the proposals would have a significant impact upon the openness of the Green Belt, would represent encroachment and would have an adverse visual impact upon the Green Belt. Substantial weight is attached to the harm identified above and there are no very special circumstances to justify the development which would outweigh this harm. Therefore the proposals are contrary to policy GC1 within the Macclesfield Local Plan 2004 and guidance within The Framework.

129      **WITHDRAWN 13/0107M-EXTENSION OVER EXISTING SINGLE STOREY AND OTHER ALTERATIONS (REVISED FROM 12/1758M - NOW PROPOSED TO BE SET BACK FROM FRONT), BRAMBLE COTTAGE, FREE GREEN LANE, LOWER PEOVER FOR MR ALAN MORAN**

This item was withdrawn by the Northern Area Manager prior to the meeting due to concerns regarding errors on the submitted plans

The meeting commenced at 2.00 pm and concluded at 5.28 pm

Councillor R West (Chairman)



Application No: 12/3786M

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

Proposal: Erection of a three-storey office building for B1 & D1 uses, and 34 dwellings (outline)

Applicant: KEYWORKER HOMES & EAST CHESHIRE N H S

Expiry Date: 15-Feb-2013

**Date Report Prepared:** 15 March 2013 & updated 5 April 2013

This application is required to be determined by Committee as it is an application for major development.

#### **SUMMARY RECOMMENDATION**

**Approve subject to conditions and the prior completion of a S106 legal agreement**

#### **MAIN ISSUES**

- Whether the principle of the development is acceptable
- Whether the proposed layout and means of access are acceptable
- The impact of the proposal on the setting of the listed buildings
- Whether the parking arrangements are acceptable
- The impact of the proposal on nearby residents
- Affordable housing
- Public Open Space/leisure provision

#### **UPDATE ON REASONS FOR DEFERRAL**

As Members will be aware, this application and the subsequent two applications, 12/3779M & 12/3784M were deferred at the last meeting in order for the following issues to be given further consideration:

- Parking layout, with particular regard to the proposed office development
- Traffic management
- Level of affordable housing being provided

- Level of contributions being offered for POS/ROS

Each of these issues will be addressed in turn.

### Parking Layout

Following the last meeting, the applicant's have re-considered the proposed parking layout associated with the office development. A revised masterplan has been submitted which provides for an additional 7 parking spaces for the office taking the total number proposed to 45 spaces. The extra 7 spaces have been possible by:

- An additional 4 spaces in the proposed car park to the north of the office building
- An additional 2 spaces in the main car park area to the north east of the office building
- An additional 1 space to the south east of the office building

Whilst it is acknowledged that 45 spaces is still less than the maximum requirement for the office building, it is an improvement to the scheme that was presented to the last meeting and represents a further improvement over the existing situation.

Members may recall, and as noted in the original report, whilst it is acknowledged that when considered in isolation, the amount of parking proposed for the office (45 spaces) is below what would be required to meet emerging standards (62), overall the proposed scheme represents an improvement in parking terms over and above the existing situation on site. The applicant's have provided additional information regarding existing parking arrangements as outlined below:

- The redevelopment will have 43 more formal car parking spaces than what currently exist on site (162 spaces compared to the current 119 spaces)
- The proposed residential element comprises 200% parking for the houses, together with 2 visitor spaces. This represents an improvement over the current car parking arrangement for the existing 3 blocks of nursing accommodation (41 spaces for 42 bedrooms)
- The proposed 1850 sq m of office/D1 space has 45 parking spaces which equates to 2.44 spaces per 100 sq m. In comparison, the current site has 4686 sq m of office/D1 space with 78 formal spaces which equates to 1.7 spaces per 100 sq m
- The proposed redevelopment includes 4 new parking spaces for Nixon Street

Whilst the concerns raised by Members are noted, it is not considered that there are justifiable grounds to refuse the proposal on highways grounds. Paragraph 32 of the NPPF states that decisions should take account of, amongst other things, whether "*improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. **Development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe***".

In this case, as stated, the proposal would result in an improvement relative to the existing situation on site, no objections are being raised by the Strategic Highways and Transportation Manager and the applicant's have sought to make further improvements to the proposal in

order to address Member concerns. On that basis, as stated in the original report, no objections are raised to the proposal on highways grounds.

### Traffic Management

In addition to the extra provision of parking spaces for the office building, the applicant's have also confirmed that they are willing to accept a condition which requires a car park management plan to be submitted to and approved by the Council and state that this could potentially include measures such as:

- Placing yellow lines along West Park Drive, which is in the process of being adopted by the Council
- The erection of appropriate signage within the site to advise where parking can and cannot take place
- The on site car parking (both residents and office) being on a permit holder only basis
- The NHS Trust advising staff, through the use of staff newsletters and staff notice boards, of where it is and is not acceptable for staff to park
- The NHS Trust advising patients and visitors to the hospital, in its various correspondence, of where it is acceptable for visitors and patients to park

It is considered that it would be reasonable to attach a condition to any consent granted requiring the submission and approval of a car park management plan, to include a number of measures as outlined above. However, it should be noted that as the provision of yellow lines along West Park Drive would require a Traffic Regulation Order (TRO), this matter would need to form part of a S106 legal agreement. As such the Heads of Terms as stated within the original report have been amended to reflect this.

### Affordable Housing

Whilst noting the discussion that took place at the last meeting, the applicants have confirmed that, for the reasons previously given and as set out in the original report, there is no scope to increase the amount of affordable housing being proposed by this and the subsequent application (12/3779M).

For the reasons outlined in the original report, in this case the amount of affordable housing being proposed is considered acceptable.

### POS/ROS

Whilst noting the discussion that took place at the last meeting, the applicants have confirmed that, for the reasons previously given and as set out in the original report, there is no scope to increase the amount of commuted sums being proposed for POS/ROS by this and the subsequent application (12/3779M).

For the reasons outlined in the original report, in this case the amount of commuted sums being proposed for POS/ROS is considered acceptable.

## **DESCRIPTION OF SITE AND CONTEXT**

The application site comprises a number of existing buildings including the education and training building, three blocks of nursing accommodation, the pavilion building and the Arley building. The site is located towards the southern end of the Macclesfield Hospital site. The education and training building and the pavilion building are curtilage listed buildings and are currently used by the hospital as offices, consulting rooms and training rooms. The Arley building is used as offices. The buildings are of mixed age and construction with the education and training building being a two storey building constructed from a mixture of natural and re-constituted stone, the nursing accommodation being two storey brick buildings and the Arley and Pavillion buildings being single storey brick buildings.

The education and training building is located to the north of the Ingersley and Henbury Buildings and to the east of a decked car park. The Pavillion building is located to the rear of the Ingersley building, with the Arley building and nursing accommodation located to the south of the site, to the west of the Regency hospital and residential properties on Nixon Street and to the east of Macclesfield Day Nursery, located on Chester Road.

## **DETAILS OF PROPOSAL**

Outline planning permission is sought for the erection of a three storey office building (1858 sq metres floorspace) to replace the education and training building and for the erection of 34 dwellings. The dwellings are to be a mixture of 2 and 2.5 storey. Approval is sought for layout and means of access with all other matters reserved. Vehicular access to the office building is to be via the main hospital entrance with access to the dwellings to be taken from the new access point off Cumberland Street (adjacent to Morrisons and Kids Allowed). Scale parameters have been provided and indicate a ridge height of 15.55m and an eaves height of 11.35m for the office building. Four different house types are proposed with maximum ridge heights of 9.45m, 8.14m and 6.6m with eaves heights of 5.3m, 5.06m and 4.26m respectively. 200% parking provision is proposed for the dwellings (2 spaces per dwelling) together with 2 visitor spaces, with 23 spaces proposed adjacent to the office building with an additional 15 spaces to the front of the Ingersley building giving a total of 38 spaces. Additionally, as part of this proposal, 4 additional parking spaces are proposed on Nixon Street.

An application for listed building consent which covers the demolition of the education and training building and the pavilion building is also being considered by the Council (12/3784M), a report on which is on this agenda. Additionally the Council is considering a full application for the conversion of the Ingersley and Henbury buildings to apartments (12/3779M). A report on this application is also on this agenda.

## **RELEVANT HISTORY**

The Macclesfield Hospital site has an extensive history, the most relevant applications to this proposal are outlined below:

12/1254M - Erection of additional hospital related car parking at proposed first floor deck.  
Approved 25.06.12

09/1300M - 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 (TO BE DIVIDED UP INTO 2 400 SQ M OF B1 ON THE FIRST AND SECOND FLOORS AND 1 199 SQ M OF D1 USE ON THE GROUND FLOOR); 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). Approved 18.12.09

09/1296M - 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). Approved 18.12.09

09/1295M - 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 SEPERATE OUTLINE PLANNING APPLICATION. (LISTED BUILDING CONSENT). Approved 18.12.09

## **POLICIES**

### **Regional Spatial Strategy**

The Secretary of State for Communities and Local Government has announced that North West Regional Strategy will be revoked. An Order will be laid in Parliament to formally revoke the strategy, until that happens the policies should still be given weight as part of the Development Plan according to their degree of consistency with the NPPF.

- DP1 Spatial Principles
- DP2 Promote Sustainable Communities
- DP5 Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility
- DP7 Promote Environmental Quality
- EM1 Integration and Protection of the Region's Environmental Assets
- L4 Regional Housing Provision
- L5 Affordable Housing
- RT2 Managing Travel Demand
- EM18 Decentralised Energy Supply

## **Local Plan Policy**

NE11 Nature Conservation  
BE1 Design Guidance  
BE16 Setting of listed buildings  
H2 Environmental Quality in Housing Developments  
H5 Windfall Housing Sites  
H13 Protecting Residential Areas  
C2 Macclesfield Hospital  
T2 Public Transport  
DC3 Amenity  
DC6 Circulation and Access  
DC8 Landscaping  
DC9 Tree Protection  
DC38 Space, Light and Privacy

## **Other Material Considerations**

National Planning Policy Framework  
Interim Planning Statement: Affordable Housing  
Blue Zone Macclesfield District Hospital Development Brief  
Macclesfield Borough Council Supplementary Planning Guidance on s106 (Planning) Agreements

## **CONSULTATIONS (External to Planning)**

**Highways:** originally raised concern regarding an under provision of parking spaces for visitors to the residential properties. However, the proposal has been amended during the course of the application and 6 visitor spaces are now proposed along the southern access road that leads towards Nixon Street.

As the overall amount of office space is being reduced by this proposal and the full application (12/3779M), the demand for parking associated with the office use should be reduced by this proposal.

No objections are therefore raised by highways.

**Environmental Health:** no objections.

**Housing:** object due to the fact that no affordable housing is being provided as part of the proposed development.

**Leisure :** request a commuted sum of £172,900 for public open space and recreation/outdoor sports provision.

**Cheshire Police:** comments awaited.

**English Heritage:** no comment.

**Environment Agency:** no objection subject to a condition regarding an existing culvert.

**Manchester Airport:** no safeguarding objections.

**United Utilities:** no objections.

## **VIEWS OF THE PARISH / TOWN COUNCIL**

Not applicable.

## **OTHER REPRESENTATIONS**

One letter of representation has been received from a resident of the Clock Tower. Whilst it is stated that they do not generally object to the development, the following issues are raised:

- Concern about increased noise, air pollution and volume of traffic from the proposed dwellings
- Concern regarding water pressure to properties on site
- Traffic calming measures required between Morrisons and the development site
- Development will result in loss of parking spaces for the hospital and existing problems with hospital staff parking in residents spaces
- Suggest a restriction on construction hours of 8am – 5pm, Monday to Friday, 9am – 5pm Saturday and no work on Sundays or Bank Holidays

Macclesfield Civic Society – the applications represent a major proposal within the hospital site which merits careful study. However, the Society welcome a mixed use proposal involving conversion of Listed Buildings to affordable social housing and the provision of new small private housing to accommodate local needs. The office use appears acceptable as part of the mixed development. Clearly much will depend upon the evaluation of the transport assessment and site specific impacts on trees and the residential amenities of existing and proposed occupiers. In principle the scheme is welcomed.

## **APPLICANT'S SUPPORTING INFORMATION**

The following documents have been submitted in support of the application:

- Planning Statement
- Design & Access Statement
- Heritage Appraisal
- Transport Assessment
- Flood Risk Assessment
- Waste Management Plan
- Tree survey Report
- Ecological Survey and Assessment

Copies of these documents are available to view on the application file.

In addition, a financial appraisal of the development, together with that proposed by application 12/3779M, has been submitted during the course of the application. This is not available to view on the application file due to the sensitive nature of the information contained within the appraisal.

The Planning Statement provides a background to the proposals. The education and training building is currently used by a number of NHS departments although many are soon to be re-located. The Arley building is used as offices but again, staff are soon to be re-located. The pavilion building due to its age and condition is only used as overflow consulting rooms and private offices. It is acknowledged that the site is allocated as a community use on the Local Plan where policy C2 states that permission will normally be granted for health and related developments, however it is argued that as the apartments are likely to be occupied by the NHS trust, that there would be no conflict with policy. Reference is also made to the fact that at the time of submission, the Council could not demonstrate a five year housing supply and to the presumption in favour of sustainable development in the NPPF.

## **OFFICER APPRAISAL**

### **Principle of Development**

Paragraph 14 of the NPPF states that at the heart of the NPPF is a presumption in favour of sustainable development. For decision taking this means:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole
  - specific policies within the Framework indicate development should be restricted

Paragraph 7 of the NPPF states that there are three dimensions to sustainable development: economic, social and environmental.

The application site, together with the wider hospital site, is allocated as a proposed community use on the Macclesfield Local Plan where policy C2 applies.

Policy C2 states that the site of Macclesfield Hospital is “allocated for health purposes and planning permission will normally be granted for health and related developments”.

Part of the proposal is for offices that are currently intended to be used by the NHS. As such, this element of the proposal is considered to comply with policy C2. The proposal is also for housing which is not considered to fall within the terms of policy C2 in that it is not health related developments. However, given that the needs of the hospital are such that the buildings are to become vacant in the near future, and given that the site is located in a suitable and sustainable location for housing, no objections are raised to the principle of housing on the site subject to compliance with other relevant policies and guidance.



### **Housing (including the need for affordable housing)**

As stated, there is no objection to the principle of housing on the site.

In accordance with the Council's Interim Planning Statement: Affordable Housing, there would be a requirement for 30% of the houses to be provided to be affordable.

The proposal is for a total of 34 dwellings. As submitted none of the dwellings are proposed to be affordable. The applicant's state that the proposal together with application 12/3779M should be seen as a second phase of the Hope Park development, the first phase of which comprised the Blue Zone development brief area. The first phase included the provision of 67 dwellings, 36 of which were affordable apartments in the Clock tower. This equates to a 54% provision of affordable housing. Additionally reference is made to the fact that as part of this application, some existing blocks of nursing accommodation are to be demolished and that these total 42 units of accommodation.

The Council's Housing department are objecting to the proposal due to the lack of affordable housing being proposed on either this site or the adjacent site covered by application 12/3779M. In accordance with the Council's policies, housing state that of the 34 dwellings proposed by this application, 10 should be affordable with 7 provided as rented accommodation and 3 as intermediate housing.

The housing department do not accept that this should be seen as a second phase of development as the site lies outside of the Blue Zone Development Brief boundary and the Clock tower development was grant funded meaning that it was not subsidised by the developer. Additionally, the fact that 42 units of nursing accommodation is being demolished as part of the application and is being replaced by open market housing on both sites only adds to the justification that affordable housing should be provided on this scheme in line with the Council's normal requirements. The Housing department advise that even if the proposal is accepted as a second phase, there would be a requirement for an additional 5 units of affordable accommodation. At the present time there is an identified need for affordable housing in Macclesfield.

The comments provided by housing are outlined below:

*"However it appears that although 36 dwellings of affordable housing were provided at the Clock Tower, the delivery was not as a requirement of a planning obligation from the outline planning for the Blue Zone, approved under application 09/1300M and the redevelopment of the Clock Tower, approved under application 09/1296M was for all 36 properties to be provided as affordable housing. In addition to this the Housing Association which provided the affordable homes at the Clock Tower received a significant amount of grant funding from the Homes and Communities Agency to facilitate the development of affordable homes as part of the National Affordable Housing Programme 2008 – 2011, for the NAHP 2008/11 the HCA's prospectus stated at 181 – **Our aim is to provide grant where this is purchasing additional affordable housing outcomes, and where the level of developer contribution represents an appropriate response to the site economics. We will not fund the simple purchase by a housing association of affordable housing delivered with developer contributions through a planning obligation.***

*Although affordable housing was provided at the Blue Zone due to it not being required as part of a planning obligation, grant funding being utilised and as the new applications are outside the Blue Zone boundary there is no reason why there should not be a requirement for affordable housing to be provided for these 2 applications as per the requirements of the Interim Planning Statement: Affordable Housing.”*

The applicants take issue with the comments made by the Housing Officer stating that the Clocktower development was grant funded meaning that it was not subsidised by the developer. They state that the affordable housing units at the Clocktower were sold to the Registered Social Landlord at a discounted price in line with standard practice and whilst there was some grant funding assistance, this was due to higher than normal conversion costs due to the listed status of the clocktower and did not subsidise the entire costs of the affordable housing provision. For the housing officer to suggest that the applicant did not subsidise the affordable housing in Phase I is entirely misleading and inaccurate.

Notwithstanding the comments made and received in relation to this issue, in addition to the arguments being put forward with regard to the overprovision of affordable housing on Phase I of the development, the applicants are also arguing that there are other material considerations to justify the fact that no affordable housing is being provided as part of the development. These other material considerations are considered later in the report.

### **Impact on the setting of the listed buildings**

Local Plan policy BE16 states that development which would adversely affect the setting of a listed building will not normally be approved.

As part of this proposal, changes are proposed to the land around the Ingersley and Henbury buildings and within proximity of the Clock tower building. Parking is to be provided to the front of the Ingersley building. Access arrangements are also changing meaning that additional traffic would be utilising the Cumberland Street entrance. The proposed office building would be located adjacent to the Henbury building and two curtilage listed buildings are to be demolished.

The Council's Conservation Officer has been consulted on the application and raises no objections to it, noting that there will be no adverse impact on the setting of the listed buildings on site.

### **Highways**

Access to the buildings is currently via the main hospital entrance. However as part of this proposal, access arrangements will be altered with all access to the dwellings to be taken from Cumberland Street and access to the office building remaining from the main hospital entrance on Victoria Road. 68 parking spaces are proposed for the new dwellings, 2 per dwelling plus 2 visitor spaces and 38 spaces for the office building.

The Strategic Highways Manager has been consulted on the application and considers that the impact on the highway network from the development would be minimal. With regard to

parking, the amount of parking provided for the residential properties is considered to be adequate.

With regard to the office proposal, the proposed parking spaces are to be split with 23 spaces proposed adjacent to the building and accessed via the main entrance and 15 spaces proposed to the front of the Ingersley building and accessed off Cumberland Street. This is not ideal as it could lead to one area being under subscribed and the other over subscribed. Emerging Council parking standards stipulate 1 parking space per 30 square metres, which implies a provision of 62 spaces. There is therefore a considerable shortfall in dedicated parking provision for the offices (shortfall of 24). However this applies equally to the existing office building which it replaces and which is dependent on other parking provision, principally the staff car park to the west. Additionally between them the existing office buildings affected by this application and 12/3779M have approximately 100 parking spaces whereas their combined floorspace equates to a demand for 150 spaces. Therefore it is considered that the demand for car parking beyond the application site area should if anything be less than now or in the past.

Refuse/recycling facilities are proposed within the proposed office with in garden facilities proposed for the dwellings. A cycle shelter providing 7 covered cycle storage spaces is proposed to the front of the proposed office building.

No objections are raised to the proposal on highways grounds.

### **Amenity**

Local Plan policies H13, DC3 and DC38 seek to protect the residential amenity of existing and future occupiers.

With regard to the proposed office building, it would be sited to the north of the Henbury building, to the north east of the Ingersley building and to the west of the converted clock tower. Given the fact that it would be in a similar position to the education and training building which is to be demolished, its relationship relative to the Henbury, Ingersley and Clock tower buildings and its proposed scale, it is not considered that it would result in a significant impact on the residential amenity of existing occupiers located in the Clock tower or future possible residents in the Henbury and Ingersley buildings.

With regard to the dwellings, some of these would be built on or near to the footprint of existing buildings on site. Plots 30-34 would be located to the west of the properties/garden areas of properties located on the northern side of Nixon Street, with the rear elevations of the new dwellings at right angles to and facing towards the rear gardens of the properties. All of the new dwellings contain habitable room windows in the rear elevation and the distance between the rear elevations and the boundary of the rear garden at 21 Nixon Street (the nearest property) varies between 10 and 12m. Additionally the side garden area of Plot 34 would partially overlap the side elevation of 21 Nixon Street with the side elevation containing a number of windows at ground and first floor. 21 Nixon Street is set at a lower level than the hospital site. There are currently two, two storey accommodation blocks located on the part of the hospital site that would be occupied by Plots 29-34 and these are located closer to the shared boundary with 21 Nixon Street. The block to the south is end on to the gardens with the end gable being blank and not containing any windows. The block to the north has its

longest elevation adjacent to the boundary with 21 Nixon Street and contains a number of windows at ground and first floor, some of which appear to be habitable. There is currently existing screening along the boundary between the hospital site and 21 Nixon Street. As originally submitted, there was concern regarding the impact of Plots 31-34 on the residential amenity of the occupiers of 21 Nixon Street. However, during the course of the application, the house types for Plots 31-34 have been amended from three storey to two storey dwellings. As such, the impact of these dwellings on the rear elevation/garden area of 21 Nixon Street is now considered to be acceptable.

Additionally, as with application 12/3779M, there was some initial concerns regarding the inter relationship between Plots 1-4 and apartments 1&2 and 16&17. However, the amended plans have adequately addressed these concerns.

With regard to the inter relationships between the proposed dwellings, there was initial concern regarding the relationship between Plots 17 & 18 and Plot 21 due to a breach of DC38 guidelines. The amended masterplan has re-positioned Plots 17 & 18 and Plots 21 – 24 such that the initial concerns have been overcome. Additionally, the distance between the rear of Plots 27 & 28 and the side of Plot 29 falls short of that advised by DC38 by 2.1m (11.9m as opposed to 14m). Whilst this is not ideal, no objections are raised to this relationship. The rear elevation of Plots 27 & 28 are south facing and it is considered that this factor together with the fact that Plots 29 & 30 are two storey dwellings rather than 3 storey as originally proposed means that the outlook from the rear elevations of Plots 27 & 28 would be acceptable.

### **Layout/Scale/Appearance of the Development**

This application seeks approval of layout at this stage and indicative scale parameters and designs have been submitted.

As noted above, the siting of the proposed office building is considered to be acceptable and no objections have been raised by the highways department in relation to the proposed road and parking layout.

The layout of the proposed dwellings is considered to be acceptable.

The scale parameters as submitted are considered to be acceptable, subject to the necessary change required in order to overcome amenity concerns.

Additionally the design details submitted at this stage, although indicative, are also generally considered to be acceptable.

### **Ecology**

An ecological survey was submitted with the application and the Council's Nature Conservation Officer has been consulted. He advises that the only likely ecological constraint on the proposed development is the potential presence of roosting bats and breeding birds.

No evidence of bats was recorded during the surveys undertaken however due the suitability of some of the buildings on site to support bat roosts and difficulties in accessing some parts

of the buildings for survey purposes the ecologist who undertook the survey recommended that a bat activity survey be undertaken to establish the presence/absence of roosting bats. Further survey work has been carried out during the course of the application following advice received from the Council's Nature Conservation Officer. No conclusive evidence of a bat roost was recorded and based on past knowledge of the site, the Council's Nature Conservation Officer is satisfied that bats are not reasonably likely to be present or affected by the proposed development. The tests of the Habitats Directive are therefore not triggered by this proposal.

If planning consent is granted, standard conditions will be required to safeguard breeding birds.

### **Public Open Space/Outdoor sport and recreation provision**

In accordance with the Council's policies, the development triggers the need for both Public Open Space (POS) and Recreation / Outdoor Sports (R/OS) provision. The Council's leisure services department has been consulted on the application and advises that in the absence of any POS or R/OS provision onsite, a commuted sum for offsite provision will be required. The commuted sum for POS provision, based on 34 dwellings and 1858 sq metres of office accommodation is £120,450, with the R/OS provision being £52,450. This results in a total figure of £172,900.

The commuted sums would be used to make additions, improvements and enhancements to the play, amenity, recreation and sporting facilities within West Park Macclesfield, situated just a very short walk from the proposed development site. The commuted sums would be required upon commencement of development and the spend period would be 15 years from receipt.

During the course of the application, an amended masterplan has been provided which indicates the provision of on site public open space located to either side of the Henbury building (total area of 555 sq metres). It is proposed to locate benches within these areas and to make them available to both office workers and to residents. However, it should be noted that these areas fall within the site edged red of application 12/3779M and as such would not affect the commuted sums being sought in relation to this application.

The applicant's agent has been informed of the requirements regarding POS and R/OS on both this application and 12/3779M and is willing to offer a total of £114,000 towards off site POS and R/OS provision across the two applications. Leisure Services have advised that £78,250 of this amount should be allocated to this proposal in order to provide £51,000 for children's play and £27,250 for recreation and outdoor sport (R/OS).

### **Trees/Landscaping**

A tree survey report has been submitted with the application and the Council's Forestry Officer has been consulted. Part of the site is covered by a Tree Preservation Order.

During the course of the application, the position of proposed dwellings 19/20 has been amended slightly following concerns raised by the forestry officer. He is now satisfied that the siting of these proposed dwellings can be accommodated without significant detriment to

trees located within the vicinity. With regard to the overall proposal, on balance, he considers that the direct and indirect impact on the tree cover is significantly off set by the net gains established in respect of the trees located on the western boundary of the site. Adequate space to accommodate some additional planting has also been established which also off sets tree losses. Subject to the imposition of appropriate conditions, the forestry officer considers that the development should proceed from an arboricultural perspective.

With regard to landscaping, the Council's Landscape Officer has been consulted and raises no objections subject to a number of conditions/comments. It is considered that the landscape masterplan is generally in keeping with the landscape works approved and implemented on the Blue Zone development brief site. If the application is approved the landscape masterplan should be revised to make some amendments and to include further details for specific areas.

## **Other Matters**

### **Housing Supply**

Paragraph 14 of the NPPF states that at the heart of the NPPF is a presumption in favour of sustainable development. For decision making this means:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework taken as a whole; or
  - specific policies in the framework indicate development should be restricted

With regard to housing, paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.

The applicant's agent makes reference to the fact that at the time the application was submitted, the Council could not demonstrate a five year housing supply as is required by the NPPF. However, during the course of the application, the Council has published an up to date Strategic Housing Land Availability Assessment (SHLAA) which demonstrates a housing supply in excess of that required by the NPPF i.e. five years plus a buffer.

However, in accordance with Paragraph 14 of the NPPF, the presumption in favour of sustainable development still applies.

## **Education**

The proposal does not generate any requirement for a financial contribution towards school places. The education department advise that based on standard guidelines the 34 dwellings proposed would generate 6 primary aged pupils and 4 secondary aged pupils who would be accommodated within local schools.

## **Decentralised Energy Supply**

In line with policy EM18 of the RSS, were permission to be granted for the proposal, 10% of the predicted energy supply should come from decentralised and renewable or low carbon sources, unless it can be demonstrated by the applicant that, having regard to the type of development and its design that this is not feasible or viable. This matter could be adequately controlled by condition.

## **Viability/Other Material Considerations**

As previously stated, as submitted no affordable housing was being provided as part of the proposal. This is contrary to the Council's policies. Additionally, the applicants do not consider that the request to provide full contributions towards off site open space provision is justified. The applicant's have submitted various documents in support of their contention that affordable housing is not required to be provided as part of the proposal. These include a viability appraisal supported by two independent valuations and a letter submitted in response to the Council's queries relating to the viability appraisal. Each of the considerations put forward by the applicants will be considered in turn.

### *Viability*

As stated, a viability appraisal has been submitted by the applicants during the course of the application. Following the receipt of the appraisal, the Council commissioned an independent assessment of it. This concludes that the applicants have not provided enough information to support their view that they are unable to provide any affordable housing or additional S106 contributions as part of the proposal. In particular concern was raised with regard to the land valuation which does not appear to have been calculated in accordance with the RICS guidance note: Financial Viability in planning. The RICS guidance defines site value as *'site value should equate to the market value subject to the following assumption; that the value has regard to the development plan policies and all other material planning considerations and disregards that which is contrary to the development plan'*. Whilst it is noted that the developer profit levels are far below normal levels required by developers, in this instance Keyworker Homes are acting as a contractor in respect of the conversion and letting to the NHS and therefore a contractors level of profit is appropriate as the development is effectively de-risked. However, a normal level of developer return would be expected on the residential new build units and the office development.

The applicants advise that as developer profit is already minimal without any affordable housing, the only basis upon which affordable housing could be provided as part of the scheme is if the receipt to the Trust for the sale of the land is less than that which has been agreed. The applicants advise that the Trust is mandated to sell their assets at or above market value.

Further information has been requested regarding the land value, the terms of arrangements for the NHS to occupy the site and regarding programming and phasing. At the time of writing, additional information regarding land value and programming and phasing has not been received. Information has very recently been received regarding the arrangements for the NHS to occupy the site.

### *Required Level of Affordable Housing*

The applicant's contend that the level of affordable housing being requested by the Council is not justified as it is considered that there was an overprovision of affordable housing on Phase I and that this negates the need to provide affordable housing.

Additionally, as there are currently 42 units of accommodation on the application site, as a result of the proposal there would be a net reduction in the number of dwellings on site.

### *Benefits to the Hospital*

It is stated that the proposal, together with that proposed by application 12/3779M, will deliver very clear benefits to the hospital which would not come forward if the scheme is refused planning permission. These include:

- Proposed development includes a high quality building for office/D1 uses which would significantly improve the facilities for those NHS operations that will remain on the site. These would otherwise have to remain in substandard accommodation which the Trust does not have the capital resource to improve
- 36 high quality keyworker apartments at BMA standard which assists in attracting and retaining the best medical staff
- Reduced maintenance and utilities costs, reduced carbon emissions and a net reduction in capital charges to the trust. The proposals would enable the Trust to reduce backlog maintenance liability, reducing the strain on the Trust's capital resources enabling more patient centred improvements. If permission were refused, the Trust would be left with an underutilised site and vacant buildings, where running costs would drain their capital resources to the detriment of patient centres investment
- The committed relocation of certain NHS operations from the existing premises would be financed through the sale of the site. The refusal of planning permission would mean that these costs would have to be covered by the Trust's own capital resources to the detriment of patient centred investment
- The agreed revenue to the Trust for the sale of the land would not just cover the enabling works for the proposed development, but will also provide capital receipts to fund a third endoscopy room as well as surgical theatre refurbishment, together with money towards a new dedicated pay on exit patient and visitor car park immediately adjacent to the hospital entrance. The applicant's state that these projects will not be possible without the Trust receiving the capital receipt from the sale of the land following the grant of planning permission.

The applicants state that the requirement for the full 30% affordable housing provision would result in the highly beneficial scheme being shelved and that any reduction in the monies received by the Trust would prevent the patient centred improvements outlined above being provided. It is argued that the community benefits from the hospital improvements outweigh the community benefits of delivering affordable housing on the site, especially given that Phase I over provided in terms of affordable housing.

### *Improvements to Heritage Assets*



The proposal would bring improvements to a heritage asset.

### *Conclusions on Viability/Other Material Considerations*

As stated within the report, as submitted neither this application or the application for full permission 12/3779M proposes the provision of affordable housing. However, the 1 and 2 bedroom apartments proposed by 12/3779M are to be occupied by the NHS Trust for the first 21 years following completion of the development. Whilst it is not considered that the viability argument put forward by the applicants can be accepted at this time due to concerns regarding the land value used in that appraisal, it is considered that in this case there are other compelling factors weighing in favour of the proposal.

Firstly, Keyworker Homes have now verbally agreed to the provision of 5 affordable units as part of this proposal. This is subject to further discussions with the NHS Trust who would also need to agree to this as joint applicant's.

Assuming that the 5 affordable units are to be provided, this would ensure that across Phase I and II of the development, a 30% provision of affordable housing would be provided. Whilst this argument on its own is not accepted by officers, in combination with other benefits of the scheme it is considered to add weight to the argument in favour of the proposal. Additionally, following lengthy discussions with the applicants, it seems likely that were the Council to require the full provision of affordable housing, across both schemes the development would be unlikely to proceed, meaning that the sympathetic conversion of two listed buildings together with a new build office and residential scheme in a suitable and sustainable location would not take place. Whilst the occupation of the residential units by the NHS Trust proposed by the full application (12/3779M) is not to be controlled by condition or legal agreement, it will nevertheless mean that for at least the first 21 years following completion, the apartments will be occupied by employees of the NHS Trust.

Additionally it is noted that the sale of the land by the Trust would enable the release of capital which would enable improvements to be made to hospital facilities. It is acknowledged that this would bring about benefits to the wider community. It is also acknowledged that the proposal would result in some improvements to the listed buildings that are to be converted and to the setting of these buildings.

Members are advised that these benefits should not be at the cost of socially sustainable development and the planning system does not exist to provide a form of subsidy to the hospital trust. However, in this particular case, the wider provision of affordable housing across both sites is considered to be a compelling argument.

Paragraphs 203 to 206 of the NPPF relate to planning conditions and obligations with paragraph 205 stating that *"where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled"*.

In this case, based on the particular circumstances of the applications, it is considered that for the reasons outlined above, a more flexible approach to the normal requirements for the provision of affordable housing and POS/ROS provision is acceptable and will ensure that a development that will bring wider benefits will go ahead.

## **Heads of Terms**

If the Council are minded to approve the application, the following Heads of Terms would be required within a S106 legal agreement:

- Provision of 5 units of affordable housing
- Commuted sum of £51,000 towards the off site provision of public open space (children's play) and £27,250 towards recreation/outdoor sport provision
- Traffic Regulation Order for the provision of yellow lines to restrict parking along West Park Drive

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

There is no objection to the principle of an office building and housing on the site. Initial concerns regarding parking provision and amenity have adequately been overcome by the receipt of amended plans. Whilst the proposal fails to comply with Council policies regarding affordable housing and the provision of POS/ROS, for the reasons outlined within the report, in this case it is considered that there are other material considerations that weigh in favour of the proposal. The development is considered to be sustainable socially, economically and environmentally and meets the objectives of the NPPF.

The concerns raised by Members at the last meeting and the reasons for deferral have been carefully considered. However, for the reasons set out within the executive summary at the start of the report, it is considered that the provision of an additional 7 parking spaces for the office together with the proposed car parking management measures which will be secured by condition and by a S106 have attempted to address Member concerns. In any event, it is not considered that a highways reason for refusal could be sustained given that the proposal together with other proposals on the site would result in an improvement relative to the existing parking situation on site. Additionally, for the reasons stated within the report, it is considered that in light of the circumstances of the application, the amount of affordable housing and commuted sums towards POS/ROS is acceptable.

The application is therefore recommended for approval.

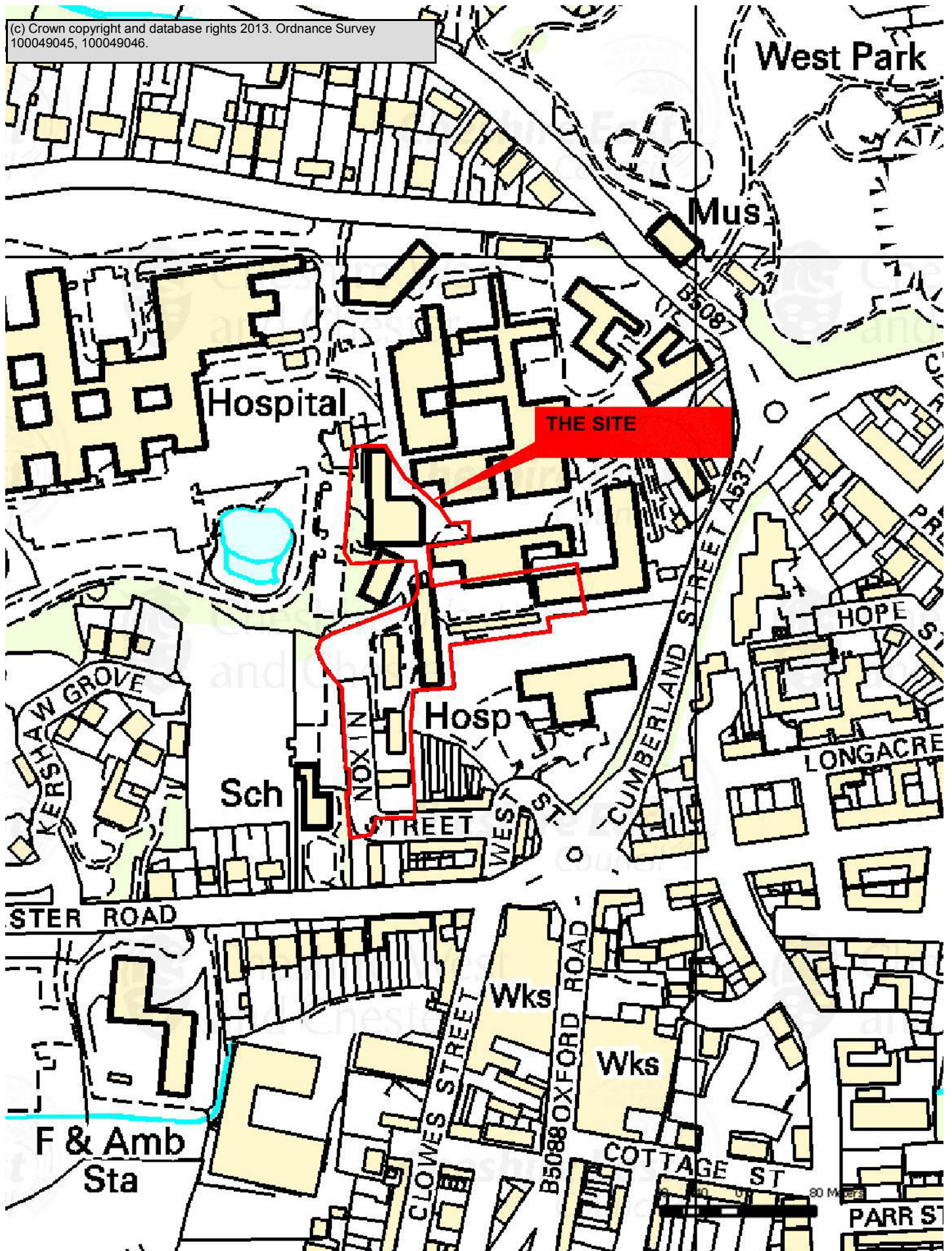
## **Application for Outline Planning**

**RECOMMENDATION:** Approve subject to a Section 106 Agreement and the following conditions

1. A01OP - Submission of reserved matters
2. A03OP - Time limit for submission of reserved matters
3. A06OP - Commencement of development
4. A09OP - Compliance with parameter plans

5. A01AP - Development in accord with approved plans
6. A22GR - Protection from noise during construction (hours of construction)
7. A02HA - Construction of access
8. A01HP - Provision of car parking
9. A04HP - Provision of cycle parking
10. A06LP - Limitation on use
11. A09LS - Landscaping submitted with application for reserved matters
12. A10LS - Additional landscaping details required
13. A16LS - Submission of landscape/woodland management plan
14. A12LS - Landscaping to include details of boundary treatment
15. A04LS - Landscaping (implementation)
16. A08MC - Lighting details to be approved
17. A19MC - Refuse storage facilities to be approved
18. A23MC - Details of ground levels to be submitted
19. A02TR - Tree protection
20. A03TR - Construction specification/method statement
21. A04TR - Tree pruning / felling specification
22. Pile driving restrictions
23. Phase II Contaminated Land
24. Phasing programme for implementation of landscape works
25. Breeding birds
26. 10% Decentralised Energy Supply
27. Survey of existing culvert
28. Scheme to limit surface water run off
29. scheme to manage the risk of flooding from overland flow of surface water
30. Roofing materials for plots 1-16 to be agreed to reflect tiling material on the pavilion building to be demolished
31. No use of Nixon Street access for construction traffic
32. Submission and approval of car parking management scheme

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Application No: 12/3779M

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

Proposal: Change of use of Ingersley and Henbury buildings to form 36 apartments  
together with associated car parking and development

Applicant: KEYWORKER HOMES & EAST CHESHIRE N H S

Expiry Date: 15-Feb-2012

**Date Report Prepared:** 15 March 2013 & updated 5 April 2013

## REASON FOR REPORT

This application is required to be determined by Committee as it is an application for major development.

### SUMMARY RECOMMENDATION

**Approve subject to conditions and  
the prior completion of a S106  
legal agreement**

### MAIN ISSUES

- Whether the principle of housing on the site is acceptable
- The impact of the proposal on the setting of the listed buildings
- Whether the access and parking arrangements are acceptable
- The impact of the proposal on nearby residents
- Affordable housing
- Public Open Space/leisure provision

## UPDATE ON REASONS FOR DEFERRAL

As Members will be aware, this application, the previous one (12/3786M) and the subsequent one (12/3784M) were deferred at the last meeting in order for the following issues to be given further consideration:

- Parking layout, with particular regard to the proposed office development
- Traffic management
- Level of affordable housing being provided
- Level of contributions being offered for POS/ROS

Each of these issues, particularly those relating to parking layout and traffic management, were addressed in some detail in the previous report.

### Parking Layout

With regard to parking layout, the amount of parking being provided for the apartments proposed by this application meets the Council's emerging parking guidelines. Additionally 3 visitor spaces are proposed. No objections are therefore raised to the parking layout proposed as part of this application.

Whilst the concerns raised by Members are noted, it is not considered that there are justifiable grounds to refuse the proposal on highways grounds. Paragraph 32 of the NPPF states that decisions should take account of, amongst other things, whether *"improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. **Development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe**"*.

### Traffic Management

The applicant's have confirmed that they are willing to accept a condition which requires a car park management plan to be submitted to and approved by the Council and state that this could potentially include measures such as:

- Placing yellow lines along West Park Drive, which is in the process of being adopted by the Council
- The erection of appropriate signage within the site to advise where parking can and cannot take place
- The on site car parking (both residents and office) being on a permit holder only basis
- The NHS Trust advising staff, through the use of staff newsletters and staff notice boards, of where it is and is not acceptable for staff to park
- The NHS Trust advising patients and visitors to the hospital, in its various correspondence, of where it is acceptable for visitors and patients to park

It is considered that it would be reasonable to attach a condition to any consent granted requiring the submission and approval of a car park management plan, to include a number of measures as outlined above. However, it should be noted that as the provision of yellow lines along West Park Drive would require a Traffic Regulation Order (TRO), this matter would need to form part of a S106 legal agreement. As such the Heads of Terms as stated within the original report have been amended to reflect this.

### Affordable Housing

Whilst noting the discussion that took place at the last meeting, the applicants have confirmed that, for the reasons previously given and as set out in the original report, there is no scope to increase the amount of affordable housing being proposed by this and the previous application (12/3786M).



For the reasons outlined in the original report, in this case the amount of affordable housing being proposed is considered acceptable.

### POS/ROS

Whilst noting the discussion that took place at the last meeting, the applicants have confirmed that, for the reasons previously given and as set out in the original report, there is no scope to increase the amount of commuted sums being proposed for POS/ROS by this and the previous application (12/3786M).

For the reasons outlined in the original report, in this case the amount of commuted sums being proposed for POS/ROS is considered acceptable.

### **DESCRIPTION OF SITE AND CONTEXT**

The application site comprises the Ingersley and Henbury buildings together with surrounding land and access. The site is located towards the southern end of the Macclesfield Hospital site. Both buildings are Grade II Listed buildings and are currently used by the hospital, primarily as offices, though they appear to be in a mixed use comprising offices and hospital consulting rooms etc. The Ingersley building is a two storey, rectangular shaped building constructed primarily from stone. The Henbury building is a two and a half storey building, also constructed from stone. Vehicular access to the buildings is currently via the main hospital entrance, with a one way system operating around the Ingersley building. Parking is available to the side and rear of the Ingersley building and to the front of the Henbury building. The Grade II Listed Clock tower building which has recently been converted to residential accommodation is located to the north of the site, with the recently constructed care home and new build residential flats located to the east and the Regency Hospital located to the south.

### **DETAILS OF PROPOSAL**

Planning permission is sought for the residential conversion of the Ingersley and Henbury buildings. The Ingersley building is to be converted to 27 apartments, 25 one bedroom and 2 two bedroom, with the Henbury building being converted to 9 apartments, 4 one bedroom and 5 two bedroom. As part of the proposal, a number of unsympathetic extensions to the Ingersley building are to be removed. Vehicular access to the buildings is to be amended, with access to the main hospital entrance to be blocked off by bollards with access to be taken from the new access point off Cumberland Street (adjacent to Morrisons and Kids Allowed).

An application for listed building consent for the proposed development is also being considered by the Council (12/3784M), a report on which is on this agenda. Additionally the Council is considering an outline application for a three storey office building and 34 new build dwellings (12/3786M). A report on this application is also on this agenda.

### **RELEVANT HISTORY**

The Macclesfield Hospital site has an extensive history, the most relevant applications to this proposal are outlined below:

12/1254M - Erection of additional hospital related car parking at proposed first floor deck. Approved 25.06.12

09/1300M - 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 (TO BE DIVIDED UP INTO 2 400 SQ M OF B1 ON THE FIRST AND SECOND FLOORS AND 1 199 SQ M OF D1 USE ON THE GROUND FLOOR); 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). Approved 18.12.09

09/1296M - 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). Approved 18.12.09

09/1295M - 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 SEPERATE OUTLINE PLANNING APPLICATION. (LISTED BUILDING CONSENT). Approved 18.12.09

07/3054P – New entrance to rear of Ingersley building. Approved 25.02.08.

## **POLICIES**

### **Regional Spatial Strategy**

The Secretary of State for Communities and Local Government has announced that North West Regional Strategy will be revoked. An Order will be laid in Parliament to formally revoke the strategy, until that happens the policies should still be given weight as part of the Development Plan according to their degree of consistency with the NPPF.

DP1 Spatial Principles

DP2 Promote Sustainable Communities

DP5 Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility

DP7 Promote Environmental Quality

EM1 Integration and Protection of the Region's Environmental Assets

L4 Regional Housing Provision



L5 Affordable Housing  
RT2 Managing Travel Demand  
EM18 Decentralised Energy Supply

### **Local Plan Policy**

NE11 Nature Conservation  
BE1 Design Guidance  
BE2 Historic Fabric  
BE15 Buildings of Architectural and Historic Importance  
BE16 Setting of listed buildings  
BE19 Change of Use of Listed Buildings  
H2 Environmental Quality in Housing Developments  
H5 Windfall Housing Sites  
H13 Protecting Residential Areas  
C2 Macclesfield Hospital  
T2 Public Transport  
DC2 Extensions and Alterations  
DC3 Amenity  
DC6 Circulation and Access  
DC8 Landscaping  
DC9 Tree Protection  
DC38 Space, Light and Privacy

### **Other Material Considerations**

National Planning Policy Framework  
Interim Planning Statement: Affordable Housing  
Blue Zone Macclesfield District Hospital Development Brief  
Macclesfield Borough Council Supplementary Planning Guidance on s106 (Planning) Agreements

### **CONSULTATIONS (External to Planning)**

**Highways:** initially raised concern regarding an under provision of parking spaces for the proposed apartments. Amended plans have been received during the course of the application, increasing the amount of parking proposed. No highways objections are raised to the amended plans.

**Environmental Health:** no objections.

**Housing:** object due to the fact that no affordable housing is being provided as part of the proposed development.

**Leisure :** request a commuted sum of £68,000 for public open space and recreation/outdoor sports provision.

**Cheshire Police:** comments awaited.

**English Heritage:** application should be determined in accordance with national and local policy guidance and on the basis of the Council's expert conservation advice.

**Environment Agency:** no objection subject to a condition regarding an existing culvert.

**Manchester Airport:** no safeguarding objections.

**United Utilities:** no objections.

## **VIEWS OF THE PARISH / TOWN COUNCIL**

Not applicable.

## **OTHER REPRESENTATIONS**

One letter of representation has been received from a resident of the Clock Tower. Whilst it is stated that they do not generally object to the development, the following issues are raised:

- Concern about increased noise, air pollution and volume of traffic from the proposed dwellings
- Concern regarding water pressure to properties on site
- Traffic calming measures required between Morrisons and the development site
- Development will result in loss of parking spaces for the hospital and existing problems with hospital staff parking in residents spaces
- Suggest a restriction on construction hours of 8am – 5pm, Monday to Friday, 9am – 5pm Saturday and no work on Sundays or Bank Holidays

Macclesfield Civic Society – the applications represent a major proposal within the hospital site which merits careful study. However, the Society welcome a mixed use proposal involving conversion of Listed Buildings to affordable social housing and the provision of new small private housing to accommodate local needs. The office use appears acceptable as part of the mixed development. Clearly much will depend upon the evaluation of the transport assessment and site specific impacts on trees and the residential amenities of existing and proposed occupiers. In principle the scheme is welcomed.

## **APPLICANT'S SUPPORTING INFORMATION**

The following documents have been submitted in support of the application:

- Planning Statement
- Design & Access Statement
- Heritage Appraisal
- Transport Assessment
- Flood Risk Assessment
- Waste Management Plan
- Tree survey Report
- Ecological Survey and Assessment

Copies of these documents are available to view on the application file.

In addition, a financial appraisal of the development, together with that proposed by application 12/3786M, has been submitted during the course of the application. This is not available to view on the application file due to the sensitive nature of the information contained within the appraisal.

The Planning Statement provides a background to the proposals and explains that the Ingersley and Henbury buildings are soon to become vacant as existing services located within the buildings are moved to other NHS premises on and off site. It is stated that the apartments within the buildings have been designed primarily as one bedroom as it is likely that they are to be occupied by key workers of the NHS trust. It is acknowledged that the site is allocated as a community use on the Local Plan where policy C2 states that permission will normally be granted for health and related developments, however it is argued that as the apartments are likely to be occupied by the NHS trust, that there would be no conflict with policy. Reference is also made to the fact that at the time of submission, the Council could not demonstrate a five year housing supply and to the presumption in favour of sustainable development in the NPPF.

## **OFFICER APPRAISAL**

### **Principle of Development**

Paragraph 14 of the NPPF states that at the heart of the NPPF is a presumption in favour of sustainable development. For decision taking this means:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole
  - specific policies within the Framework indicate development should be restricted

Paragraph 7 of the NPPF states that there are three dimensions to sustainable development: economic, social and environmental.

The application site, together with the wider hospital site, is allocated as a proposed community use on the Macclesfield Local Plan where policy C2 applies.

Policy C2 states that the site of Macclesfield Hospital is “allocated for health purposes and planning permission will normally be granted for health and related developments”.

The proposal is for housing which is not considered to fall within the terms of policy C2 in that it is not health related developments. Whilst the applicant states that the proposed apartments are likely to be occupied by key workers of the NHS trust, in the absence of a mechanism to control occupation i.e. a S106 legal agreement, there is no guarantee that this will be the

case. It is understood that the NHS have signed a 21 year lease to occupy the buildings. However, given that the needs of the hospital are such that the buildings are to become vacant in the near future, and given that the site is located in a suitable and sustainable location for housing, no objections are raised to the principle of housing on the site subject to compliance with other relevant policies and guidance.

### **Housing (including the need for affordable housing)**

As stated, there is no objection to the principle of housing on the site. As a windfall housing proposal, Local Plan policy H5 applies. The proposal is considered to comply with policy H5 in that the site is close to the town centre and is accessible to a wide range of jobs, shops and services.

In accordance with the Council's Interim Planning Statement: Affordable Housing, there would be a requirement for 30% of the houses to be provided to be affordable.

The proposal is for a total of 36 apartments, 29 one bedroom and 7 two bedroom. None of the apartments are proposed to be affordable in the sense that the applicant is not proposing to enter into a S106 agreement with the Council to control the management, tenure and long term future of the occupancy of the apartments. As stated, the applicants have indicated that the apartments would be occupied by key workers of the NHS trust for at least a period of 21 years from completion. In addition they state that the proposal together with application 12/3786M should be seen as a second phase of the Hope Park development, the first phase of which comprised the Blue Zone development brief area. The first phase included the provision of 67 dwellings, 36 of which were affordable apartments in the Clock tower. This equates to a 54% provision of affordable housing. Additionally reference is made to the fact that as part of application 12/3786M, some existing blocks of nursing accommodation are to be demolished and that these total 42 units of accommodation.

The Council's Housing department are objecting to the proposal due to the lack of affordable housing being proposed on either this site or the adjacent site covered by application 12/3786M. In accordance with the Council's policies, housing state that of the 36 apartments proposed by this application, 11 should be affordable with 7 provided as rented accommodation and 4 as intermediate housing. The housing department do not accept that this should be seen as a second phase of development as the site lies outside of the Blue Zone Development Brief boundary and the Clock tower development was grant funded meaning that it was not subsidised by the developer. Additionally, the fact that 42 units of nursing accommodation is being demolished as part of the outline application (12/3786M) and is being replaced by open market housing on both sites only adds to the justification that affordable housing should be provided on this scheme in line with the Council's normal requirements. The Housing department advise that even if the proposal is accepted as a second phase, there would be a requirement for an additional 5 units of affordable accommodation. At the present time there is an identified need for affordable housing in Macclesfield.

The comments provided by housing are outlined below:

*"However it appears that although 36 dwellings of affordable housing were provided at the Clock Tower, the delivery was not as a requirement of a planning obligation from the outline*

*planning for the Blue Zone, approved under application 09/1300M and the redevelopment of the Clock Tower, approved under application 09/1296M was for all 36 properties to be provided as affordable housing. In addition to this the Housing Association which provided the affordable homes at the Clock Tower received a significant amount of grant funding from the Homes and Communities Agency to facilitate the development of affordable homes as part of the National Affordable Housing Programme 2008 – 2011, for the NAHP 2008/11 the HCA's prospectus stated at 181 – **Our aim is to provide grant where this is purchasing additional affordable housing outcomes, and where the level of developer contribution represents an appropriate response to the site economics. We will not fund the simple purchase by a housing association of affordable housing delivered with developer contributions through a planning obligation.***

*Although affordable housing was provided at the Blue Zone due to it not being required as part of a planning obligation, grant funding being utilised and as the new applications are outside the Blue Zone boundary there is no reason why there should not be a requirement for affordable housing to be provided for these 2 applications as per the requirements of the Interim Planning Statement: Affordable Housing."*

The applicants take issue with the comments made by the Housing Officer stating that the Clocktower development was grant funded meaning that it was not subsidised by the developer. They state that the affordable housing units at the Clocktower were sold to the Registered Social Landlord at a discounted price in line with standard practice and whilst there was some grant funding assistance, this was due to higher than normal conversion costs due to the listed status of the clocktower and did not subsidise the entire costs of the affordable housing provision. For the housing officer to suggest that the applicant did not subsidise the affordable housing in Phase I is entirely misleading and inaccurate.

Notwithstanding the comments made and received in relation to this issue, in addition to the arguments being put forward with regard to the overprovision of affordable housing on Phase I of the development, the applicants are also arguing that there are other material considerations to justify the fact that no affordable housing is being provided as part of the development. These other material considerations are considered later in the report.

### **Impact on the setting of the listed buildings**

Local Plan policy BE16 states that development which would adversely affect the setting of a listed building will not normally be approved.

As part of this proposal, changes are proposed to the land around the Ingersley and Henbury buildings and within proximity of the Clock tower building. Parking is to be provided to the front and rear of the Ingersley building and to the front of the Henbury building. Access arrangements are also changing meaning that additional traffic would be utilising the Cumberland Street entrance.

Additionally a number of later additions to the Ingersley building are to be removed as part of the proposal.

The Council's Conservation Officer has been consulted on the application and raises no objections to it, noting that there will be no adverse impact on the setting of the listed buildings on site.

## **Highways**

Access to the buildings is currently via the main hospital entrance. However as part of this proposal, access arrangements will be altered with all access to be taken from Cumberland Street with a one way access system around the Ingersley building. 29 parking spaces are proposed for the Ingersley building, 15 spaces are proposed for the Henbury building, with the provision of 2 additional visitor spaces. Two cycle shelters are proposed to the rear of the Ingersley building (27 covered cycle storage spaces) with one proposed to the front of the Henbury building (15 covered cycle storage spaces). Refuse/recycling facilities are also proposed adjacent to the Ingersley and Henbury buildings.

The Strategic Highways Manager has been consulted on the application and considers that the impact on the highway network from the development would be minimal. With regard to parking provision, it is now considered that the amount of parking proposed is sufficient as it allows for 1 space per 1 bed apartment and 2 spaces per 2 bed apartments, with an additional 1 space for the Henbury building together with 2 visitor spaces between the two buildings. This is in line with the Council's emerging parking guidelines. As such, no highways objections are raised to the proposal.

With regard to comments made in representation regarding traffic calming measures, these are not considered necessary given the nature and length of the access road and given the volumes of traffic that would be generated by the proposal.

## **Design**

Minimal alterations are proposed to the buildings to be converted, with the most significant alterations being the demolition of unsympathetic, modern additions to the Ingersley building which are to be welcomed. The design and layout of the proposed parking and access arrangements are considered acceptable from a design point of view.

## **Amenity**

Local Plan policies H13, DC3 and DC38 seek to protect the residential amenity of existing and future occupiers.

With regard to the Ingersley building, the front elevation faces towards the Clock tower building, is located to the east of the new nursing home, faces towards the Regency Hospital to the rear and lies to the east of the Henbury and education and training building. As proposed by the outline application (12/3786M), new residential properties would be constructed to the rear of the Ingersley, with a new three storey office building proposed to replace the education and training building. All proposed elevations of the Ingersley building contain habitable room windows, some of which are principal windows to habitable rooms.

With regard to the Henbury building, no principal habitable room windows are proposed in either side elevation, with the principal habitable room windows being to the front and rear of

the building. The rear elevation of the building overlooks an existing decked staff car park that has just recently been extended, with the front of the building currently overlooking the pavilion building. As proposed by the outline application, the pavilion building would be replaced by new residential properties.

The end elevation of Plot 1 of the Clock tower faces directly towards apartment 6 of the Ingersley building and contains two windows which appear to serve a habitable room (kitchen/living/dining room), though these are not the only windows that serve this room. Apartment 6 of the Ingersley contains a principal habitable room window facing towards Plot 1 (bedroom). The submitted masterplan indicates a distance of approximately 16m between these two properties. Local Plan policy DC38 requires a minimum distance of 21m front to front between principal habitable room windows and 25m, back to back. 14m is required where a principal habitable room window faces a non habitable room or blank wall. In this case as it appears that the windows to Plot 1 are not sole or principal windows to the room in question, and as there is 16m between the properties, the proposals comply with DC38 guidelines.

Apartment 1 and apartment 18 of the Ingersley building have principal habitable room windows facing towards the care home. However, the masterplan indicates a distance of 25m between these elevations which is compliant with policy DC38.

The relationship between the proposed apartments to the rear of the Ingersley building and the existing pavilion building is considered to be acceptable.

During the course of the application, the internal layout of some of the apartments within the Ingersley building has been amended in order to ensure a satisfactory relationship between the Ingersley building and Plots 1-4 proposed under application 12/3786M. The relationship now complies with guidelines contained within Local Plan policy DC38.

With regards to the impact of the proposal on the amenity of nearby residents in terms of traffic and the resulting noise and disturbance, the proposed change to the access arrangements means that traffic accessing the Ingersley and Henbury buildings would access the site via Cumberland Street rather than via the main hospital entrance. This would take additional traffic past residential properties located within the Blue Zone Development Brief Area including residents of the Clock Tower and the new build apartments. However, given the level of traffic involved, it is not considered that the impact is such that it would result in a significant impact on levels of amenity presently enjoyed.

### **Ecology**

An ecological survey was submitted with the application and the Council's Nature Conservation Officer has been consulted. He advises that the only likely ecological constraint on the proposed development is the potential presence of roosting bats and breeding birds.

No evidence of bats was recorded during the surveys undertaken however due the suitability of some of the buildings on site to support bat roosts and difficulties in accessing some parts of the buildings for survey purposes the ecologist who undertook the survey recommended that a bat activity survey be undertaken to establish the presence/absence of roosting bats. Further survey work has been carried out during the course of the application following advice

received from the Council's Nature Conservation Officer. No conclusive evidence of a bat roost was recorded and based on past knowledge of the site, the Council's Nature Conservation Officer is satisfied that bats are not reasonably likely to be present or affected by the proposed development. The tests of the Habitats Directive are therefore not triggered by this proposal.

If planning consent is granted, standard conditions will be required to safeguard breeding birds.

### **Public Open Space/Outdoor sport and recreation provision**

In accordance with the Council's policies, the development triggers the need for both Public Open Space (POS) and Recreation / Outdoor Sports (R/OS) provision. The Council's leisure services department has been consulted on the application and advises that in the absence of any POS or R/OS provision onsite, a commuted sum for offsite provision will be required. The commuted sum for POS provision, based on 36 open market apartments is £64,500, with the R/OS provision being £3,500. This results in a total figure of £68,000.

The commuted sums would be used to make additions, improvements and enhancements to the play, amenity, recreation and sporting facilities within West Park Macclesfield, situated just a very short walk from the proposed development site. The commuted sums would be required upon commencement of development and the spend period would be 15 years from receipt.

During the course of the application, an amended masterplan has been provided which indicates the provision of on site public open space located to either side of the Henbury building (total area of 555 sq metres). It is proposed to locate benches within these areas and to make them available to both office workers and to residents. If these areas of on site open space are considered acceptable to the Council then this would reduce the amount of commuted sums being sought for off site contributions. Comments have been received from the Council's leisure services department in relation to the on site POS proposed. Whilst the areas proposed are considered less than ideal, if they are accepted having regard to the overall impact and benefits of the scheme, then it is considered that further facilities would need to be provided within them e.g. all weather footpath, interpretation, green gym (minimum 5 pieces and landscaping. These matters could be adequately controlled by condition.

The on site POS being offered will provide for amenity space but would not be suitable for children's play.

The applicant's agent has been informed of the requirements regarding POS and R/OS on both this application and 12/3786M and is willing to offer a total of £114,000 towards off site POS and R/OS provision across the two applications. Leisure Services have advised that £35,750 of this amount should be allocated to this proposal in order to provide £32,250 for children's play and £3,500 for recreation and outdoor sport (R/OS).

### **Trees/Landscaping**

A tree survey report has been submitted with the application and the Council's Forestry Officer has been consulted on the application. He concludes that the change of use



associated with both the Ingersley and Henbury buildings can be implemented with the loss of a single group of low value trees. On balance the forestry officer raises no objection to the application, subject to the imposition of appropriate conditions, with the development proposals broadly having a neutral impact on the retained tree cover with the tree losses accepted and mitigated by replacement planting.

With regard to landscaping, the Council's Landscape Officer has been consulted and raises no objections subject to a number of conditions/comments. It is considered that the landscape masterplan is generally in keeping with the landscape works approved and implemented on the Blue Zone development brief site. If the application is approved the landscape masterplan should be revised to make some amendments and to include further details for specific areas.

## **Other Matters**

### **Housing Supply**

Paragraph 14 of the NPPF states that at the heart of the NPPF is a presumption in favour of sustainable development. For decision making this means:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework taken as a whole; or
  - specific policies in the framework indicate development should be restricted

With regard to housing, paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.

The applicant's agent makes reference to the fact that at the time the application was submitted, the Council could not demonstrate a five year housing supply as is required by the NPPF. However, during the course of the application, the Council has published an up to date Strategic Housing Land Availability Assessment (SHLAA) which demonstrates a housing supply in excess of that required by the NPPF i.e. five years plus a buffer.

However, in accordance with Paragraph 14 of the NPPF, the presumption in favour of sustainable development still applies.

## **Education**

The proposal does not generate any requirement for a financial contribution towards school places. The education department has advised that only developments containing more than 10, two bed units trigger a requirement to consider education contributions.

## **Decentralised Energy Supply**

In line with policy EM18 of the RSS, were permission to be granted for the proposal, 10% of the predicted energy supply should come from decentralised and renewable or low carbon sources, unless it can be demonstrated by the applicant that, having regard to the type of development and its design that this is not feasible or viable. This matter could be adequately controlled by condition.

## **Other Comments made in Representation**

Other comments raised in representation that have not already been considered elsewhere within the report are water pressure and the restriction of construction hours.

With regard to water pressure, this is not a material planning consideration and is an issue that would need to be addressed by the developer in conjunction with united utilities.

A condition is proposed which restricts the hours of construction to Monday to Friday, 8am to 6pm and Saturdays 9am to 2pm with no work on Sundays or Public Holidays. These hours are as suggested by the Environmental Health department and allow 1 hour later working than requested in representation and restrict working to 3 hours earlier on Saturdays. Notwithstanding the comments made in representation, the hours suggested by Environmental Health are considered to be reasonable given the nature and location of the site.

## **Viability/Other Material Considerations**

As previously stated, no affordable housing is being provided as part of the proposal. This is contrary to the Council's policies. Additionally, the applicants do not consider that the request to provide full contributions towards off site open space provision is justified. The applicant's have submitted various documents in support of their contention that affordable housing is not required to be provided as part of the proposal. These include a viability appraisal supported by two independent valuations and a letter submitted in response to the Council's queries relating to the viability appraisal. Each of the considerations put forward by the applicants will be considered in turn.

### *Viability*

As stated, a viability appraisal has been submitted by the applicants during the course of the application. Following the receipt of the appraisal, the Council commissioned an independent assessment of it. This concludes that the applicants have not provided enough information to support their view that they are unable to provide any affordable housing or additional S106 contributions as part of the proposal. In particular concern was raised with regard to the land valuation which does not appear to have been calculated in accordance with the RICS guidance note: Financial Viability in planning. The RICS guidance defines site value as '*site value should equate to the market value subject to the following assumption; that the value has regard to the development plan policies and all other material planning considerations and disregards that which is contrary to the development plan*'. Whilst it is noted that the developer profit levels are far below normal levels required by developers, in this instance Keyworker Homes are acting as a contractor in respect of the conversion and letting to the

NHS and therefore a contractors level of profit is appropriate as the development is effectively de-risked. However, a normal level of developer return would be expected on the residential new build units and the office development.

The applicants advise that as developer profit is already minimal without any affordable housing, the only basis upon which affordable housing could be provided as part of the scheme is if the receipt to the Trust for the sale of the land is less than that which has been agreed. The applicants advise that the Trust is mandated to sell their assets at or above market value.

Further information has been requested regarding the land value, the terms of arrangements for the NHS to occupy the site and regarding programming and phasing. At the time of writing, additional information regarding land value and programming and phasing has not been received. Information has very recently been received regarding the arrangements for the NHS to occupy the site.

#### *Required Level of Affordable Housing*

The applicant's contend that the level of affordable housing being requested by the Council is not justified for a number of reasons.

Firstly, it is considered that as there was an overprovision of affordable housing on Phase I, this negates the need to provide affordable housing.

Secondly, it is considered that the as the 36 apartments proposed would be leased by the NHS and as these would be replacing 42 units of existing keyworker accommodation on the site, there is a net decrease in keyworker accommodation. On that basis they consider it unreasonable to expect the proposed conversion to incorporate affordable housing. Whilst the applicants acknowledge that the existing accommodation is located within the outline application area (12/3786M), they consider that as the two applications are interrelated, it is perfectly reasonable to treat the proposal as a single hybrid application. Additionally, as the 36 apartments are to be block leased by the NHS, it is not possible to separate the buildings to be sold to a registered social landlord for use as general affordable housing.

#### *Benefits to the Hospital*

It is stated that the proposal, together with that proposed by application 12/3786M, will deliver very clear benefits to the hospital which would not come forward if the scheme is refused planning permission. These include:

- Proposed development includes a high quality building for office/D1 uses which would significantly improve the facilities for those NHS operations that will remain on the site. These would otherwise have to remain in substandard accommodation which the Trust does not have the capital resource to improve
- 36 high quality keyworker apartments at BMA standard which assists in attracting and retaining the best medical staff
- Reduced maintenance and utilities costs, reduced carbon emissions and a net reduction in capital charges to the trust. The proposals would enable the Trust to reduce backlog maintenance liability, reducing the strain on the Trust's capital

resources enabling more patient centred improvements. If permission were refused, the Trust would be left with an underutilised site and vacant buildings, where running costs would drain their capital resources to the detriment of patient centres investment

- The committed relocation of certain NHS operations from the existing premises would be financed through the sale of the site. The refusal of planning permission would mean that these costs would have to be covered by the Trust's own capital resources to the detriment of patient centred investment
- The agreed revenue to the Trust for the sale of the land would not just cover the enabling works for the proposed development, but will also provide capital receipts to fund a third endoscopy room as well as surgical theatre refurbishment, together with money towards a new dedicated pay on exit patient and visitor car park immediately adjacent to the hospital entrance. The applicant's state that these projects will not be possible without the Trust receiving the capital receipt from the sale of the land following the grant of planning permission.

The applicants state that the requirement for the full 30% affordable housing provision would result in the highly beneficial scheme being shelved and that any reduction in the monies received by the Trust would prevent the patient centred improvements outlined above being provided. It is argued that the community benefits from the hospital improvements outweigh the community benefits of delivering affordable housing on the site, especially given that Phase I over provided in terms of affordable housing.

#### *Improvements to Heritage Assets*

The proposal would bring improvements to a heritage asset.

#### *Conclusions on Viability/Other Material Considerations*

As stated within the report, as submitted neither this application or the application for outline permission 12/3786M proposes the provision of affordable housing. However, the 1 and 2 bedroom apartments proposed by this application are to be occupied by the NHS Trust for the first 21 years following completion of the development. Whilst it is not considered that the viability argument put forward by the applicants can be accepted at this time due to concerns regarding the land value used in that appraisal, it is considered that in this case there are other compelling factors weighing in favour of the proposal.

Firstly, Keyworker Homes have now verbally agreed to the provision of 5 affordable units as part of the outline proposal (12/3786M). This is subject to further discussions with the NHS Trust who would also need to agree to this as joint applicant's.

Assuming that the 5 affordable units are to be provided, this would ensure that across Phase I and II of the development, a 30% provision of affordable housing would be provided. Whilst this argument on its own is not accepted by officers, in combination with other benefits of the scheme it is considered to add weight to the argument in favour of the proposal. Additionally, following lengthy discussions with the applicants, it seems likely that were the Council to require the full provision of affordable housing, across both schemes the development would be unlikely to proceed, meaning that the sympathetic conversion of two listed buildings together with a new build office and residential scheme in a suitable and sustainable location would not take place. Whilst the occupation of the residential units by the NHS Trust

proposed by this application is not to be controlled by condition or legal agreement, it will nevertheless mean that for at least the first 21 years following completion, the apartments will be occupied by employees of the NHS Trust.

Additionally it is noted that the sale of the land by the Trust would enable the release of capital which would enable improvements to be made to hospital facilities. It is acknowledged that this would bring about benefits to the wider community. It is also acknowledged that the proposal would result in some improvements to the listed buildings that are to be converted. A number of unsympathetic additions would be removed from both listed buildings which would serve to improve their appearance.

Members are advised that these benefits should not be at the cost of socially sustainable development and the planning system does not exist to provide a form of subsidy to the hospital trust. However, in this particular case, the wider provision of affordable housing across both sites is considered to be a compelling argument.

Paragraphs 203 to 206 of the NPPF relate to planning conditions and obligations with paragraph 205 stating that *“where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled”*.

In this case, based on the particular circumstances of the applications, it is considered that for the reasons outlined above, a more flexible approach to the normal requirements for the provision of affordable housing and POS/ROS provision is acceptable and will ensure that a development that will bring wider benefits will go ahead.

### **Heads of Terms**

If the Council are minded to approve the application, the following Heads of Terms would be required within a S106 legal agreement:

- Commuted sum of £32,250 towards the off site provision of public open space (children's play) and £3,500 towards recreation/outdoor sport provision
- Traffic Regulation Order for the provision of yellow lines to restrict parking along West Park Drive

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

There is no objection to the principle of housing on the site and the conversion of the listed buildings which secures improvements to the appearance of the buildings is welcomed. Initial concerns regarding parking provision and amenity have adequately been overcome by the receipt of amended plans. Whilst the proposal fails to comply with Council policies regarding affordable housing and the provision of POS/ROS, for the reasons outlined within the report, in this case it is considered that there are other material considerations that weigh in favour of the proposal. The development is considered to be sustainable socially, economically and environmentally and meets the objectives of the NPPF.

The concerns raised by Members at the last meeting and the reasons for deferral have been carefully considered. However, for the reasons set out within the executive summary at the start of the report, it is considered that the proposed car parking management measures which will be secured by condition and by a S106 have attempted to address Member concerns. In any event, it is not considered that a highways reason for refusal could be sustained given that the proposal together with other proposals on the site would result in an improvement relative to the existing parking situation on site. Additionally, for the reasons stated within the report, it is considered that in light of the circumstances of the application, the amount of affordable housing and commuted sums towards POS/ROS is acceptable.

The application is therefore recommended for approval.

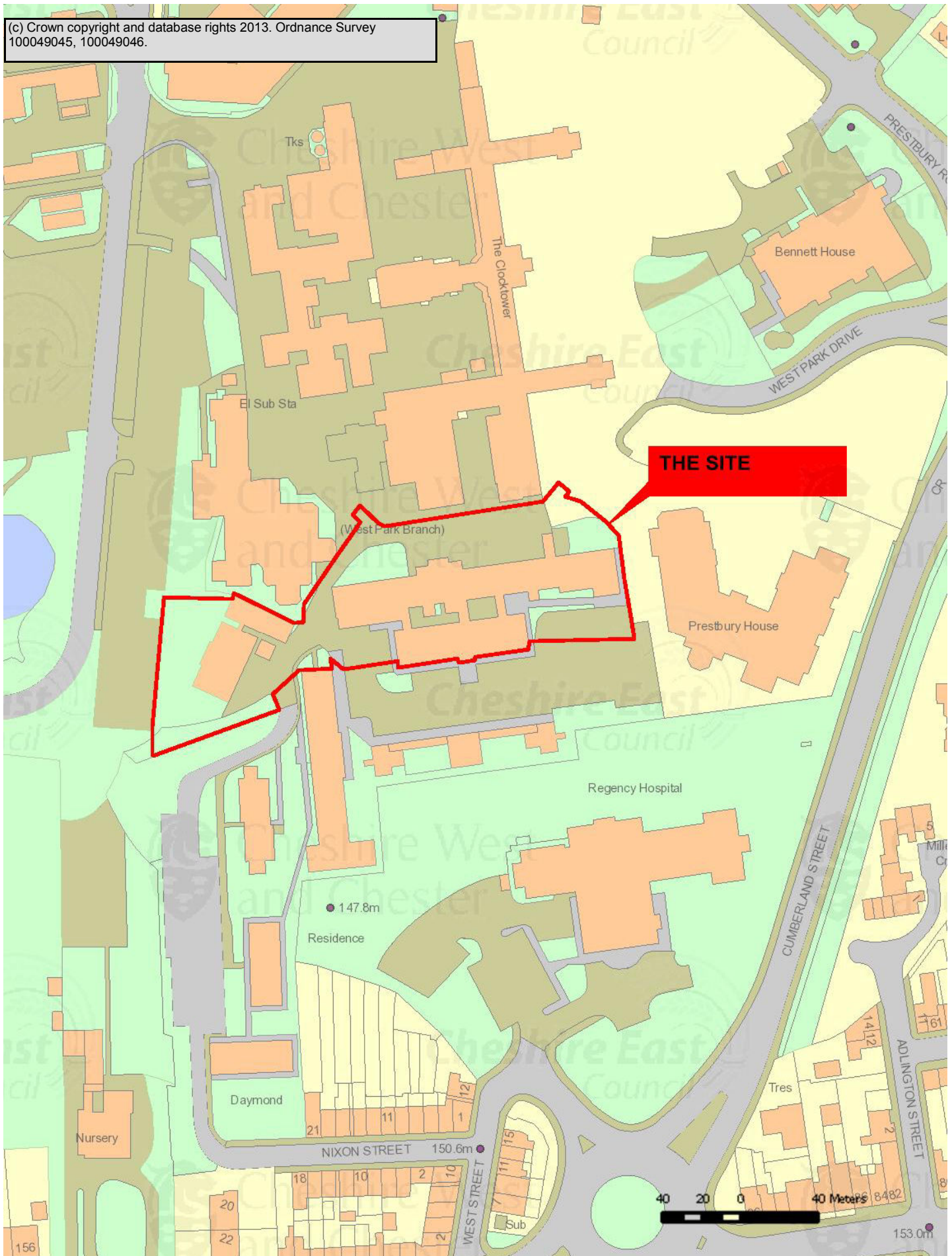
#### Application for Full Planning

RECOMMENDATION: Approve subject to a Section 106 Agreement and the following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A05EX - Details of materials to be submitted
4. A09EX - Rainwater goods
5. A20EX - Submission of details of windows
6. A22EX - Roofing material
7. A22GR - Protection from noise during construction (hours of construction)
8. A02TR - Tree protection
9. A04TR - Tree pruning / felling specification
10. A01LS - Landscaping - submission of details
11. A04LS - Landscaping (implementation)
12. A02HA - Construction of access
13. A01HP - Provision of car parking
14. A04HP - Provision of cycle parking
15. A08MC - Lighting details to be approved
16. A19MC - Refuse storage facilities to be approved
17. Pile Driving restrictions
18. Dust control measures
19. Phase II Contaminated Land Report
20. Survey of existing culvert

- 21. Scheme to limit surface water run off
- 22. scheme to manage the risk of flooding from overland flow of surface water
- 23. Breeding birds
- 24. Decentralised Energy Supply
- 25. Submission and approval of a car parking management plan

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Application No: 12/3784M

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

Proposal: Change of use of the Ingersley and Henbury buildings to form 36 apartments. Works to curtilage buildings within the overall grounds of the Grade II Listed Clocktower building, including alterations associated with the residential conversion of the Ingersley and Henbury buildings, together with the demolition of the Education and Training building and the Pavillion building (Listed Building Consent)

Applicant: KEYWORKER HOMES & EAST CHESHIRE N H S

Expiry Date: 11-Jan-2013

**Date Report Prepared:** 15 March 2013 & updated 5 April 2013

## REASON FOR REPORT

This application has been brought to Committee as the parallel application for full planning (12/3779m) is an application for major development and under the Council's terms of delegation is required to be determined by Committee.

<b>SUMMARY RECOMMENDATION</b>	<b>Approve subject to conditions</b>
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### MAIN ISSUES

- The impact of the proposal on the architectural and historic integrity of the listed buildings (Ingersley and Henbury)
- Whether the demolition of the education and training building and the pavilion building is acceptable

## DEFERRAL AT PREVIOUS COMMITTEE

The application was deferred at the last meeting of the Northern Planning Committee following the deferral of the previous two applications.

## **DESCRIPTION OF SITE AND CONTEXT**

The application site comprises the Ingersley, Henbury, education and training and pavilion buildings together with surrounding land and access. The site is located towards the southern end of the Macclesfield Hospital site. All of the buildings are curtilage Grade II Listed buildings and are currently used by the hospital, primarily as offices. The Ingersley building is a two storey, rectangular shaped building constructed primarily from stone. The Henbury building is a two and a half storey building, also constructed from stone. The education and training building is a two storey building constructed from a mixture of natural and re-constituted stone and the pavilion building is a brick built single storey building. Vehicular access to the buildings is currently via the main hospital entrance, with a one way system operating around the Ingersley building. The Grade II Listed Clock tower building which has recently been converted to residential accommodation is located to the north of the site, with the recently constructed care home and new build residential flats located to the east and the Regency Hospital located to the south.

## **DETAILS OF PROPOSAL**

Listed building consent is sought for internal and external alterations to the Ingersley and Henbury buildings in association with their residential conversion and for the demolition of the education and training building and the pavilion buildings.

An application for full planning permission for the proposed development is also being considered by the Council (12/3779M), a report on which is on this agenda. Additionally the Council is considering an outline application for a three storey office building and 34 new build dwellings (12/3786M). A report on this application is also on this agenda.

## **RELEVANT HISTORY**

The Macclesfield Hospital site has an extensive history, the most relevant applications to this proposal are outlined below:

09/1300M - 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 (TO BE DIVIDED UP INTO 2 400 SQ M OF B1 ON THE FIRST AND SECOND FLOORS AND 1 199 SQ M OF D1 USE ON THE GROUND FLOOR); 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). Approved 18.12.09

09/1296M - 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). Approved 18.12.09

09/1295M - 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 SEPERATE OUTLINE PLANNING APPLICATION. (LISTED BUILDING CONSENT). Approved 18.12.09

07/3054P – New entrance to rear of Ingersley building. Approved 25.02.08.

## **POLICIES**

### **Regional Spatial Strategy**

The Secretary of State for Communities and Local Government has announced that North West Regional Strategy will be revoked. An Order will be laid in Parliament to formally revoke the strategy, until that happens the policies should still be given weight as part of the Development Plan according to their degree of consistency with the NPPF.

DP7 Promote Environmental Quality

EM1 Integration and Protection of the Region's Environmental Assets

### **Local Plan Policy**

BE2 Historic Fabric

BE15 Buildings of Architectural and Historic Importance

BE17 Demolition of Listed Buildings

BE18 Listed Building Consent

### **Other Material Considerations**

National Planning Policy Framework

### **CONSULTATIONS (External to Planning)**

**English Heritage:** application should be determined in accordance with national and local policy guidance and on the basis of the Council's expert conservation advice.

**National Amenity Societies:** no comments received.

### **VIEWS OF THE PARISH / TOWN COUNCIL**

Not applicable.

### **OTHER REPRESENTATIONS**

Macclesfield Civic Society – the applications represent a major proposal within the hospital site which merits careful study. However, the Society welcome a mixed use proposal involving

conversion of Listed Buildings to affordable social housing and the provision of new small private housing to accommodate local needs. The office use appears acceptable as part of the mixed development. Clearly much will depend upon the evaluation of the transport assessment and site specific impacts on trees and the residential amenities of existing and proposed occupiers. In principle the scheme is welcomed.

## **APPLICANT'S SUPPORTING INFORMATION**

The following documents have been submitted in support of the application:

- Planning Statement
- Design & Access Statement
- Heritage Appraisal

Copies of these documents are available to view on the application file.

The Heritage Statement concludes that careful consideration of the comparative values of the buildings reveals that only the Ingersley and Henbury blocks possess the joint potential of further enhancing the setting of the listed building and the practical capability for re-use. The education block and pavilion, although of respective historical and aesthetic interest, are of lower significance, with the former in fact exerting a negative impact upon the aesthetic values of the site on account of past schemes of unsympathetic extension.

The emergent design for Hope Park phase II has targeted the sympathetic renovation and conversion of the Ingersley and Henbury blocks as part of the wider scheme for site redevelopment

## **OFFICER APPRAISAL**

### **Principle of Development**

The principle of altering listed buildings is acceptable provided that the architectural and historic integrity of the listed buildings is maintained.

The principle of demolishing listed buildings is in most cases not acceptable. Section 12 of the NPPF advises that as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

### **Alteration to the Ingersley and Henbury Buildings**

#### Ingersley Building

Relatively minor external alterations are proposed to the Ingersley building to facilitate the change of use to apartments. Probably the most significant change involves the removal of a number of unsympathetic additions including a single storey extension to the rear and a two storey lift shaft to the front. Additionally an existing escape staircase is to be removed and a number of new/altered window and door openings are proposed.

Internally the layout is to be significantly altered, although it is unlikely that much of the original layout remains given the historical use of the building.

#### Henbury Building

Very minor alterations are proposed to the Henbury building and only involve one of the side elevations. An existing external staircase and steps are to be removed and three door openings are being changed to windows.

Internally some changes are proposed to the layout, though much of the proposed layout mirrors the existing.

It is considered that the changes proposed, subject to the imposition of appropriate conditions regarding finishes and materials, would respect the architectural and historic integrity of the buildings. With regard to both buildings, it is considered that the proposed removal of unsympathetic additions will improve the overall appearance of the buildings.

The Council's Conservation Officer has been consulted on the application and raises no objections to the proposed changes to the Ingersley and Henbury buildings.

### **Proposed Demolitions**

#### Education and training block

According to the submitted Heritage Statement, the Education and training block was built as a fever (isolation) hospital in 1853-46 and was part of the workhouse. In the c20th the building was subject to major extension which almost doubled the overall footprint. The original building was rectangular in plan with front and rear projections, two storeys in height and orientated along the north south axis. A major extension exists to the southern end - this conceals much of the original exterior fabric – and there are other smaller additions elsewhere. The original building is of coursed rubble beneath tiled gabled roofs, much in keeping with Ingersley and the main hospital block. By contrast the extensions adopt a range of different, unsympathetic materials.

Due to a number of unsympathetic alterations and extensions, it is considered that the heritage value of the education and training block is limited. No objections are therefore raised to its demolition as it is considered that its demolition and replacement with a more appropriate building would serve to enhance the setting of the remaining listed buildings.

#### Pavilion building

According to the submitted Heritage Statement this range, comprising three small individual blocks connected by covered arcades, is located south of Ingersley and is orientated along the east west axis. The plan is symmetrical with the central block bearing a date stone of 1894. Unlike the other buildings, it is constructed of brick with hipped roofs to the blocks and gabled roofs to the arcades, all tiled. Its style is clearly different from that adopted by all of the workhouse buildings, and its original function is unclear. The building resembles structures more commonly associated with parks and gardens. Old mapping shows that it was built on a neighbouring plot of land which seems not to have been part of the workhouse site. A path

ran from Ingersley to the pavilion, thus suggesting some connected purpose, but the first map showing the plot as part of the (now) hospital dates from 1968. It is therefore unclear as to whether the pavilion is a curtilage building in accordance with the 1990 Planning (etc.) Act.

Whilst the pavilion building is considered to be of interest, it does not appear to have a historic connection to other listed buildings on site and indeed it is questionable as to whether it is in fact curtilage listed. Whilst its loss is unfortunate, given the above, it is considered that its heritage significance is limited and provided that there could be some mitigation attributed to its loss in the form of using the same roof tile pattern on the new build houses as currently exists on this building and across the rest of the site this would help to mitigate for the loss of this building.

No objections have been raised by the Council's Conservation Officer to the demolition of these buildings.

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

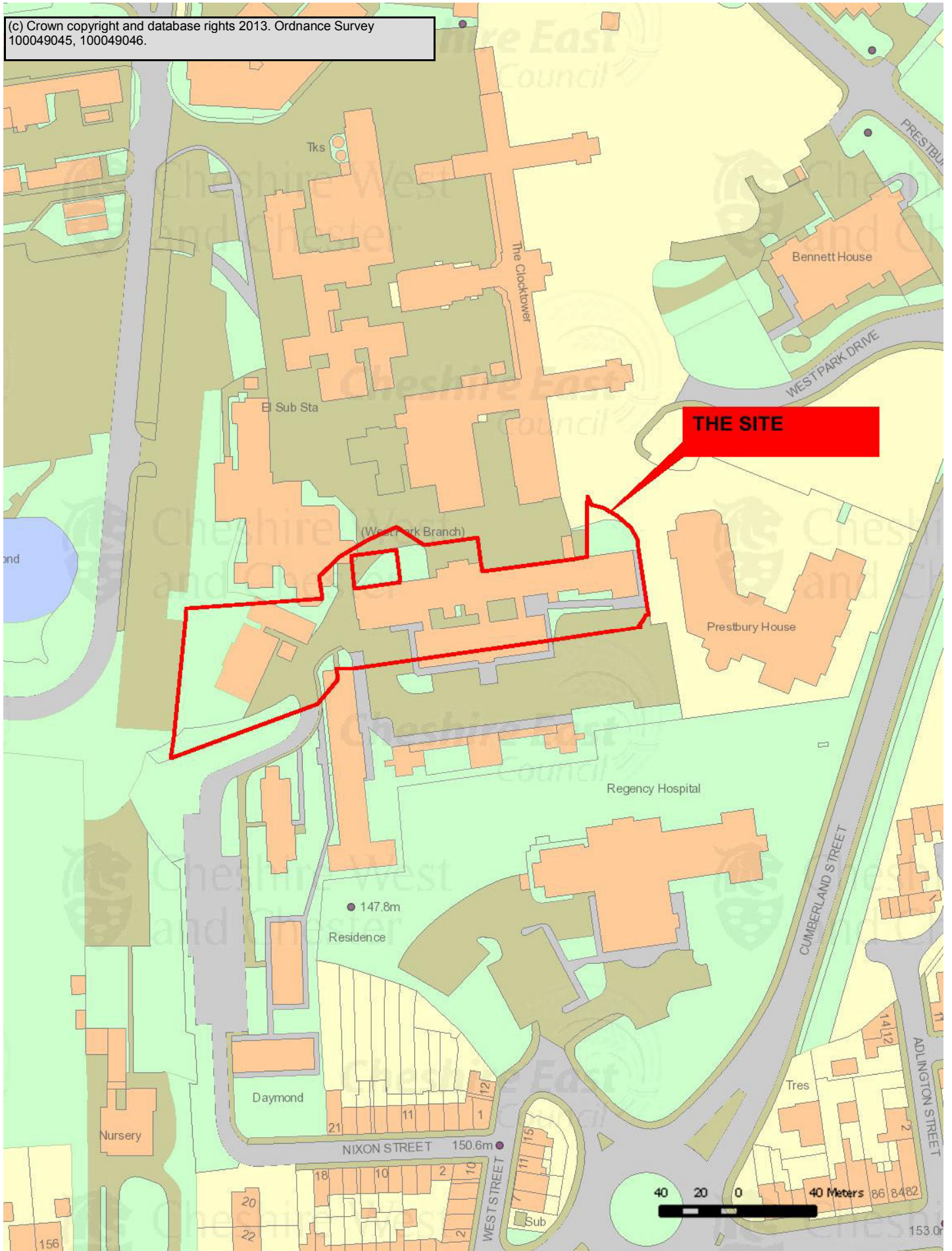
The proposed internal and external alterations to the Ingersley and Henbury buildings are considered to be acceptable as they would respect the architectural and historic integrity of the buildings. Similarly the demolition of the education and training building and the pavilion building is acceptable as in the case of the education and training building, it is considered that the heritage value of this building is limited and it is questionable as to whether the pavilion building is in fact curtilage listed. In any event, it does not appear to have any historical connection to the other listed buildings on site.

Application for Listed Building Consent

RECOMMENDATION: Approve subject to following conditions

1. A07LB - Standard Time Limit
2. A01AP - Development in accord with approved plans
3. A05EX - Details of materials to be submitted
4. A09EX - Rainwater goods
5. A20EX - Submission of details of windows
6. A22EX - Roofing material

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**Draft Committee Report**

Suzanne Loomes

Application No: 12/4814M

Location: FLORENCE STABLES, WOODFORD LANE, NEWTON,  
MACCLESFIELD, CHESHIRE, SK10 4LH

Proposal: Regularisation of stables and yard, two additional stables, horse walker,  
change of use of store into stables.

Applicant: Mr P Jackson

Expiry Date: 11-Mar-2013

**Date Report Prepared: 08.04.2013**

**SUMMARY RECOMMENDATION**

Approve subject to conditions

**MAIN ISSUES**

- Whether the proposal is acceptable in the Green Belt
- Impact on residential amenity
- Highways implications

**REASON FOR REPORT**

This application has been referred to Northern Planning Committee at the discretion of the Head of Planning & Policy.

**DESCRIPTION OF SITE AND CONTEXT**

The application site comprises a range of buildings and land used for equestrian purposes, manege, housing a horse walker and hardstanding / parking area. The site is located within the Green Belt, as identified in the Macclesfield Borough Local Plan, surrounded by open and relatively flat countryside.

**DETAILS OF PROPOSAL**

The site is currently used as a livery and provides stabling for 18 horses. This application seeks retrospective planning permission for:

- two timber stables
- conversion of existing barn to stabling (9 stables)/tack/staff room
- 7 loose boxes in linear development
- Midden
- Yard/parking/turning area
- horse walker

- and the use of the site as an equestrian centre.

### **RELEVANT HISTORY**

06/0084P - Proposed ménage A/C 04-Apr-2006 (a condition attached to this approval prevented the commercial use of manege)

It would appear that Florence Farm had had stables for a significant number of years, although there is no record of a specific planning permission on the Council's system. This could be because they had planning permission or because planning permission was granted prior to the computerised records began in 1977. Florence Farm has been paying business rates since 1<sup>st</sup> April 2007.

### **POLICIES**

#### **North West of England Plan Regional Spatial Strategy to 2021**

DP1 (Spatial principles applicable to development management)

DP7 (Criteria to promote environmental quality)

#### **Macclesfield Borough Local Plan 2004 – saved policies**

NE11 – Nature Conservation

BE1 – Design guidance

GC1 – New Buildings (Green Belt)

GC8 – Reuse of buildings (Green Belt)

DC1 – Design (New Build)

DC3 – Amenity

DC6 – Circulation and Access

DC32 – Equestrian facilities

#### **Other Material Planning considerations:**

Supplementary Planning Guidance – Equestrian Facilities (Borough of Macclesfield)

National Planning policy Framework

Since the NPPF was published on 27<sup>th</sup> March 2012, the saved policies within the Macclesfield Borough Council Local Plan are still applicable but should be weighted according to their degree of consistency with the NPPF.

### **CONSULTATIONS (External to Planning)**

**Highways:** no objection

**Environmental Health:** concerns raised

**Environment Agency:** no comment to make

### **VIEWS OF THE PARISH / TOWN COUNCIL**

Prestbury Parish Council – No objection on the condition that the stables remain full livery so not to increase traffic.

Mottram St. Andrew Parish Council – object for the following reasons;

1. The Macclesfield Borough Local Plan (2004) DC3 The proposed development will injure the amenities of adjoining and nearby properties as is clear from the objections raised by neighbours. The key concerns of the Parish Council relate to the unacceptable impact of vehicles accessing the site and Parking on Woodford Lane by vehicles unable to negotiate the entrance to the site, together with the effect on privacy, the overbearing effect and noise and smells. The ménage on the site has planning permission limited to domestic use only and shall at no time be used for commercial purposes, (06/0084P) for the expressed reason of having regard to the location of the site, consequent issues of amenity, highway safety and possible conflict with policies relating to the Green Belt and Open Countryside contained within the development plan. The Parish Council is of the view that these matters remain relevant to the site. DC6 The site does not provide safe and convenient vehicular access as Woodford Lane enters Lees Lane opposite Mill Lane at a dangerous cross roads on a busy road, and on a stretch where there have been numerous accidents. The Parish Council and Cheshire East Highways have been working together for many months to try to resolve this situation. The proposed continued use of the applicant site is considered likely to attract significant additional traffic to Lees Lane and Woodford Lane.
2. The application indicates opening hours as 24/7, 365 days per year, this is not considered reasonable for access to the site as the disturbance to local residents is intolerable, This issue could appropriately be controlled however by the imposition of a condition controlling the times of access to the site for delivery vehicles and Clients.
3. The Site has shared access over a neighbour's driveway and a shared connection to a neighbour's septic tank which concerned the Parish Council that these matters do not appear to have been acknowledged in the application and any restrictions thereon could have a significant impact on the viability of the application.
4. DC32 The Parish Council observed that the applicant's proposed development at the site should not be regarded as small, It does create off site highway hazards, access to the site is far from satisfactory and there is harm being caused to residential amenity.
5. Green Belt the Parish Council considered that any adverse impact on green belt policy will be dealt with by the principal authority.

#### **OTHER REPRESENTATIONS**

Prestbury Amenity Society - In view of the fact that there have been stables and their outbuildings there for a number of years, the Amenity Society has no objection to the current Plans.

14 objections have been received to date (multiple objections have been received from some of the residents during the lifetime of the application), the main planning points raised in objection are summarised below:

- whilst pleased to see business flourishing, existing livery already at Lumb Brook Livery
- Lumb Brook Livery has 25 Stables, a farm ride and a cross country course
- 47 stables, from 2 yards.
- large horseboxes, trailers, trucks, farm machinery all trying to manoeuvre down narrow lane

- increased traffic on a single carriageway/too much traffic/traffic travelling fast/dangerously/cars forced to reverse/horns blaring when cars meet/constant traffic/no through road/no speed bumps
- The Lane has one particularly blind bend adjacent to Florence Farm.
- cars turning around using residents driveways/damage to driveways/potholes
- no street lighting along lane
- no footpaths along lane
- no speed limit along lane
- huge increase in both the quantity and size of vehicles going up and down the lane
- damage to grass verges
- It would be counter-productive, when the Parish Council is looking at ways to reduce the traffic impact and improve safety on the lane,
- Driveways blocked
- Drone from yard blower
- Unsuitable location
- public footpaths off Woodford Lane
- safety of young children/walkers
- noise
- smells
- dangerous junction of Woodford lane onto Lees lane
- if the planning officers dealing with all the Lumb Brook stables applications had known about unauthorised livery stables at Florence stables already operating they would not have granted such a large expansion on Lumb brook stables on a single track no through road with a blind bend half way down.

The applicants have sent the LPA a copy of a letter they have sent to their neighbours in response to these comments.

#### **APPLICANT'S SUPPORTING INFORMATION**

A covering letter and Design & Access Statement were originally submitted with the application. During the lifetime of the application further supporting information has been received, this includes; a summary of vehicular movements and a letter from the British Horse Society. The full details of these documents can be viewed on the Council's website.

#### **OFFICER APPRAISAL**

##### **Principle of Development**

As a form of outdoor sport and recreation the use of the land for equestrian purposes is appropriate in the Green Belt, subject to compliance with the aforementioned policy.

##### **Policy**

The application site is located within the North Cheshire Green Belt and therefore policies GC1 and DC32 of the Local Plan and the SPG: Equestrian Facilities are applicable. The wording of the NPPF has relaxed the approach to such facilities in the Green Belt from 'essential facilities' to 'appropriate facilities'.

Para. 89 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, unless it is for the provision of appropriate

facilities for outdoor sport and outdoor recreation as long as it preserves the openness of the Green Belt. Section 3 of the NPPF seeks to support a prosperous rural economy.

Macclesfield Borough Local Plan policy DC32 and the Supplementary Planning Guidance deal specifically with equestrian facilities (within the former Macclesfield borough) and state that these will normally be allowed in the countryside provided that the criteria outlined are met. These relate to the need for the development, its impact on the area and on nearby residents, access and parking provision and the requirement for residential accommodation.

The number of stables (18) clearly exceeds the three which are defined as small scale in policy DC32 & the SPD. However, criteria 9, states that larger scale facilities should utilise redundant buildings or be sited within an existing complex of buildings. The situation at Florence stables is considered to have utilised a former agricultural building which is sited opposite a former row of stables. The two more recently erected stables are situated between these two buildings and at 90 degrees to them, forming a courtyard style development. This complex of buildings is considered to be in compliance with criteria 9.

Officers have raised concern in terms of the availability of sufficient land for supplementary grazing and turning out for exercise. The SPD notes that the British Horse Society (BHS) suggest that between 1 and 2 acres (0.4-0.8ha) of pasture can provide grazing for a single horse during the summer months. The application forms state that the site area is 0.32ha. Clearly this is significantly below the guidance as the site accommodates 18 horses. However, an existing horse walker forms part of this application and the supporting documentation, refers to the availability of additional land at Lumb Brook Livery. Moreover, the BHS have submitted a letter of support for the application. This letter states that the establishment on Woodford Lane, is currently one (of only two) BHS Approved Centres in the area. The BHS scheme approves 'approves establishments that demonstrate the highest standards of equine welfare, equestrianism and customer service and whose facilities are maintained and improved to best meet the development needs of a high profile sport which extends from community participation to international success and offers a recreational interest for all ages'.

Whilst it is acknowledged that the proposal does not fully accord with all of the requirements of Policy DC32 or the SPD, in particular the availability of land associated with the business, the contents of the letter from the BHS are noted. As such it is not considered that the proposal would warrant sufficient harm to the interest of safeguarding animal welfare to recommend the application for refusal.

### **Green Belt**

The change of use of the former store to stabling is not considered to have a materially greater impact upon the openness of the Green Belt, and therefore is not deemed to be inappropriate development.

The horse walker replaces a similar previous structure (the Design & Access statement states the former 6 horse walker was removed from the site in 1997 and replaced in 2006). The horse walker was installed at the same time as the manage which was approved in 2006 so that it is positioned between the manege and the hedge which demarks the boundary of the yard. Having regard to the number of horses on the site, the horse walker will allow them to be adequately exercised, particularly during the winter months, and is therefore considered to

be required in the interests of animal welfare, and will support an appropriate outdoor recreational use. Having regard to the fact that it replaces a previous structure, this element of the livery is not considered to have a significant impact upon the openness of the Green Belt in this case. Consequently, the proposed horse walker is not considered to be inappropriate in the Green Belt, and therefore complies with the objectives of policies GC1 and DC32 of the Macclesfield Borough Local Plan. Furthermore, as previously noted, the NPPF requires local planning authorities to support equestrian enterprises where appropriate, and as a facility that will support the operation of the equestrian business on the site, the horse walker is considered to be acceptable.

Overall the development is considered to provide appropriate facilities for equestrian use and is not inappropriate development in the green belt. The structures have a limited impact on the openness of the green belt and are well located so as to minimise any landscape impact.

### **Highways**

A significant number of comments have been received in relation to matters of highway safety. Following a site visit the Strategic Highways Manager raises no objections to the proposal.

The Officer noted that this site operates and generates traffic along Woodford Lane in a similar way to the established equestrian livery at Lumb Brook Livery at the end of this rural cul-de-sac. There is no through traffic on the lane. His inspection found little or no verge over-riding from large vehicles and indeed less than could normally be expected on a rural lane serving a farming operation.

The officer also noted that traffic flows are very low and whilst the lane is narrow for much of its length there is no material evidence that vehicular conflict is a difficulty. The junction with Wilmslow Road is of a good standard.

Accordingly the proposal is considered to accord with policy DC6 of the MBLP and paragraph 32 of the NPPF.

### **Design/impact on the character and appearance of the area**

The design and form of the buildings/structures are typical for a rural area (predominantly timber stabling and corrugated metal agricultural store painted green) and the impact upon the character and visual amenity of this Green Belt area is considered to be acceptable. The horse walker is considered to be as discreetly sited as possible, whilst the walker has a relatively large circumference it is relatively low lying and its functional appearance is not out of keeping to the setting.

### **Amenity**

Between them the amenity policies outlined above, aim to protect the living conditions of adjoining residential properties from harmful loss of amenity e.g. unacceptable noise, smells, dust that would significantly injure the amenities of adjoining or nearby residential property.

Residential properties are located in close proximity to the site, in particular Florence Farm and Florence stables, which is situated around 20m from the main complex of buildings. A large number of the objections relate to amenity concerns, in particular noise and smells.

The Environmental Protection Team note that these properties are located in a rural area where background noise is relatively low. The Services' main concerns relate to the potential loss of residential amenity by virtue of noise from vehicular movements to and from the site, and general on site noise.

Whilst it is noted that there are potential for odours from manure to emanate from the site, the midden is situated at a reasonable distance from the nearest dwellings. The officer notes that this may be aggravated at certain times of the year or under certain weather conditions. However, due to the rural location it is not considered unreasonable that there would be a certain degree of agricultural/equestrian odour.

The Environment Protection Team note that regular vehicular activity would occur from deliveries, owner movements and regular waste disposal. The extent of stabling would indicate that the number of deliveries could be substantial. The applicants supporting information outlines their methods of buying in bulk to minimise deliveries, it is also considered appropriate to condition the hours of delivery, should Members resolve to approve the application.

According to the supporting information, the muck heap removal is carried out 2/3 times a year. The manure is removed from site by tractor and trailer to fields 2 miles from the site. Again, noting the rural location this is not deemed to be uncommon or excessive.

Due to the nature of the livery business, owners do not have to attend the site every day; some according to the supporting information only attend weekly. This is because they are on full livery and the horses are exercised by the stable staff (the horses are mainly competition horses and therefore require limited time in the field, and generally go in the horse walked for exercise once a day).

The information submitted by the applicants, outlines the vehicular movements during the week and at weekends. It is the weekends where access to and from the site is more frequent, as this when shows/events are taking place.

The yard is unlocked at 8am and closed again usually by 7pm at the weekends. The gates are then closed landlocked for the night. An hours of operation condition has been considered, however, horses may require 24hour care if they become ill, accordingly, such a condition would be unreasonable and is unlikely to meet the tests of Circular 11/95: The Use of Conditions.

Whilst the business undoubtedly generates vehicular movements, noise and smells, it is not considered to cause significant harm to residential amenity to warrant a recommendation of refusal given the nature of the livery business. Furthermore the business has been operating since 2007 and the applicants' letter to their neighbours states that nothing has changed onsite for the last 5 years. Florence Farm only accepts full and part liveries, hence the staff carry out all, or most of the equestrian care. This reduces the amount of journeys for the owners, subsequently reducing traffic and the potential numbers of people on site.

### **Ecology**

The Nature Conservation Officer has been consulted and advises that the construction of the stables buildings at this site may have had an adverse impact upon protected species, particularly great crested newts, if they were present at the time the works were undertaken.

However, the retrospective nature of the application means it is now impossible to determine whether any adverse impacts did occur or assess their significance. The proposed horse walker is too minor in nature to pose a significant risk to protected species. As such the scheme is not considered to raise concerns in terms of policy NE11.

### **Other matters**

Comments have included issues surrounding the shared access and restrictive covenants, following the submission of a Certificate B and the appropriate notices being served; these matters are civil matters and fall outside of the jurisdiction of the planning department.

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

Whilst the objections are noted, the development is considered to have an acceptable impact in terms of the impact on the North Cheshire Green Belt, highway safety and residential amenity, subject to a condition controlling the hours of delivery. The proposal accords with policies in the Framework to promote a sustainable and prosperous rural economy.

Whilst not all elements of the development are fully in compliance with the entirety of Policy DC32, the additional supporting information, namely in terms of the letter from the British Horse Society, demonstrates that the scheme is considered to be acceptable in terms of animal welfare. Accordingly a recommendation of approval is made.

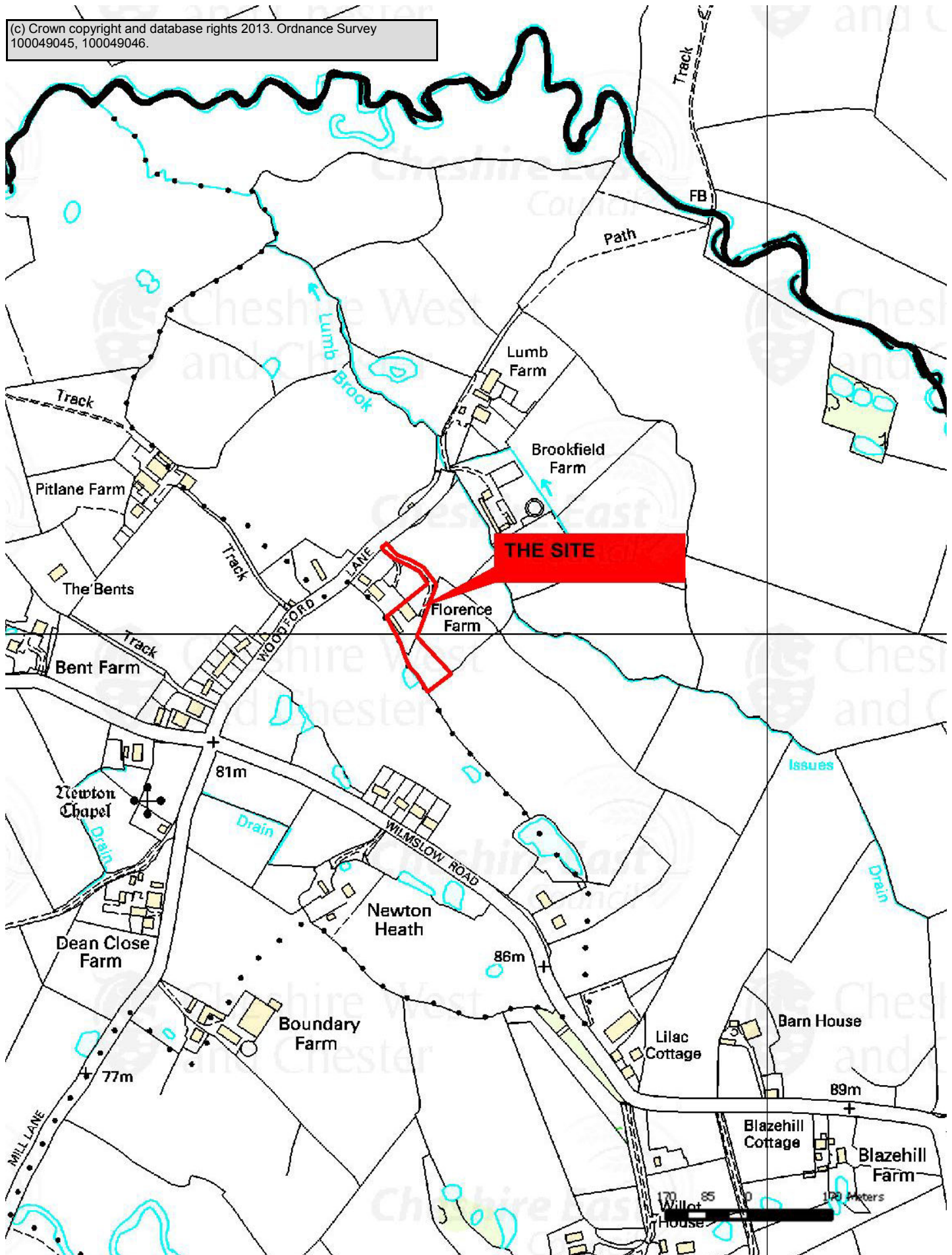
Application for Full Planning

### **RECOMMENDATION:**

1. A01AP - Development in accord with approved plans
2. A20GR - Hours of deliveries



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Application No: 13/1004M

Location: STANLEY HALL FARM, STANLEY HALL LANE, DISLEY, SK12 2JX

Proposal: Extension to time limit Full planning 10/0223M, CHANGE OF USE FROM FARMHOUSE AND ADJACENT BARNs TO OFFICE USE. ERECTION OF TWO STOREY BUILDING

Applicant: DISLEY GOLF CLUB LTD

Expiry Date: 25-Apr-2013

**Date Report Prepared** 5<sup>th</sup> April 2013

**SUMMARY RECOMMENDATION** Approve subject to conditions

**MAIN ISSUES** The main issue is whether or not there have been any significant material changes in policy/circumstances since the application was previously approved.

## **REASON FOR REPORT**

The scheme of delegation requires that applications for retail or commercial/ industrial or other proposals which seek to create between 1,000sqm to 9,999sqm or between 1 ha -2ha to be referred to the Planning Committee.

## **EXECUTIVE SUMMARY**

The principle of this development has already been accepted under planning application 10/0223M, which was approved on the 13<sup>th</sup> April 2010 by Members. This application seeks permission to extend the time limit imposed on planning approval 10/0223M.

The scheme remains identical to the previously approved scheme and the site circumstances remain the same. The key consideration therefore is as to whether the proposed development accords with both Local Plan Policies and the newly published National Planning Policy Framework and whether there are any other material considerations, which would suggest otherwise.

It is concluded that key policies against which the previous 2010 application was assessed conform to the policies set out within the NPPF. The emphasis on supporting sustainable

economic development is considered to add more weight in favour of this proposal. This application is therefore recommended for approval subject to conditions.

## **DESCRIPTION OF SITE AND CONTEXT**

The proposed development site comprises of a group of historical buildings made up of a farmhouse and crux barn which are Grade II listed as well as a hay barn. More recent additions to the group include a large portal frame building and a smaller ancillary stone building.

The site is located within an isolated rural location within the grounds of Disley Golf Club. Apart from the main farmhouse, the existing buildings on site are used in association within the Golf Club as a green keepers department for storage of associated machinery, tools and materials as well as green keeper's staff facilities.

The existing site is sandwiched between a small access track and woodland area to the south and the golf course to the north. The main golf club house and car park is located approx 70m east of the site. The nearest residential properties are located on Hilton Road more than 150m away.

Access to the site is via a long private driveway, which runs form Stanley Hall Lane.

The site is designated within the Local Plan as the North Cheshire Green Belt.

## **DETAILS OF PROPOSAL**

This application seeks an extension of time to planning approval 10/0223M. The proposal is two fold and seeks full planning consent for the following:

- Change of use of the existing farmhouse, crux barn and hay barn to form offices (B1 use) for a proposed Business Centre. The proposal seeks to include the demolition of small lean to building and the erection of a circular 'hub' extension. The scheme proposes associated landscaping, 20 parking spaces and cycle storage.
- The creation of new green keeping yard. The new courtyard is to be sited to the north west of the existing farmhouse and will include the erection of a new portal frame building, which will provide Green keeping welfare and store facilities at ground floor and basement level. An extension to an existing portal shed and small link extension are also proposed. Access to the Courtyard will be served via the existing track sited to the south west of the site.

Members are also advised that this application is accompanied by planning application, which has been submitted concurrently with application 13/1004MM and seeks an extension of time to the Listed Building Consent for the same proposal. Application 13/1003M is still awaiting determination.

## RELEVANT HISTORY

- 13/1003M      Extension of time for Listed Building Consent 10/0139M: Change of use from farmhouse and adjacent barns to office use. Erection of two-storey building.
  
- 10/0223M      Change of use from farmhouse and adjacent barns to office use. Erection of two storey building (Full)  
Stanley Hall Farm, Stanley Hall Lane, Disley,  
Approved 13.04.2010
  
- 10/0139M      Change of use from farmhouse and adjacent barns to office use. Erection of two storey building (Listed Building Consent)  
Stanley Hall Farm, Stanley Hall Lane, Disley  
Approved 10.03.2010
  
- 02/3028P      Subdivision into 2 no dwellings and refurbishment (Listed Building Consent)  
Stanley Hall Farm Stanley Hall Lane Disley  
Approved with conditions 2003
  
- 02/3049P      Subdivision of vacant dwelling into 2 dwellings  
Stanley Hall Farm Stanley Hall Lane Disley Stockport sk122jx  
Approved with conditions 2003
  
- 66142P        Revised application for proposed equipment stores and green keepers toilets  
Stanley Hall Farm Disley Golf Club Disley  
Approved 1991
  
- 68292P        Addition of covered terrace to existing clubhouse  
Disley Golf Clubhouse Stanley Hall Farm, Stanley Hall Lane, Disley  
Approved 1991
  
- 63855P        Proposed green keepers equipment store  
Disley Golf Club, Stanley Hall Lane, Disley  
Refused 1990
  
- 10584P        New clubhouse car park & access road (detail)  
Disley golf club, Disley  
approved with conditions 1977
  
- 12874P        New Clubhouse  
Disley golf club adjacent to Stanley hall ,Disley  
Approved with conditions 1977
  
- 9700P         Club-house car park access (outline)  
Adj Stanley Hall Stanley Hall Lane Disley  
Approved with conditions 1977

## **POLICIES**

### **The National Planning Policy Framework (NPPF)**

#### **Regional Spatial Strategy (RSS)**

The Secretary of State for Communities and Local Government has announced that North West Regional Strategy will be revoked. An Order will be laid in Parliament to formally revoke the strategy, until that happens the policies should still be given weight as part of the Development Plan according to their degree of consistency with the NPPF.

DP1 Spatial Principles

DP2 Promote Sustainable Communities

DP4 Make the Best Use of Existing Resources and Infrastructure

DP5 Manage Travel Demand; Reduce the Need to Travel and Increase Accessibility

DP7 Promote Environmental Quality

DP9 Reduce Emissions and adapt to Climate Change

RDF4 Green Belts

L1 Health, Sport, Recreation, Cultural and Education Services Provision

RT2 Managing Travel Demand

RT9 Walking and Cycling

EM1 Integrated Enhancement and Protection of the Region's Environmental Assets

MCR3 Southern Part of the Manchester City Region

#### **Local Plan Policy**

NE11 & NE17 Nature Conservation

BE1 Design Guidance

BE15, BE16, BE17 and BE19 Buildings of Architectural and Historical Importance

GC1 New Buildings

GC8 Reuse of Buildings

RT18 Golf Courses

DC1 New Build

DC2 Extensions and Alterations

DC3 Amenity

DC6 Circulation and Access

DC8 Landscaping

DC9 Tree Protection

DC33 Outdoor Commercial Recreation

DC64 Floodlighting

#### **CONSULTATIONS (External to Planning)**

**Strategic Highways Manager:** – No objections subject to conditions.

Members are advised that no highways objections were raised with regard to the previous scheme;

Both courtyard areas will be accessed via the existing the existing private access track road. The access to the Business Centre is to remain but alterations to improve the access are proposed. Within the 2010 application, the Strategic Highway Manager advised that traffic generation by the proposed development would be minimal. The proposal seeks to provide 20

car parking spaces with additional parking provision available at the Golf Club. No concerns with regard to highways safety were therefore raised within the previous application.

**Environmental Health:** - No comments received

**Ministry of Defence Safeguarding** – No safeguarding objections have been received. However, no safeguarding concerns were raised within the 2010 application.

**Contaminated Land** –The application site is currently used as a storage facility for Disley Golf Club for machinery and chemicals, therefore, there is potential for the site to be contaminated. A planning condition requesting a contaminated land survey prior to the commencement of development is advised.

**The Public Rights of Way Officer** –

Public Footpath 63 Disley runs through part of the site in which the proposed new dwelling is to be sited. An application to divert this footpath was submitted to the Local Planning Authority at the time of the 2010 consent. The outcome of this is unknown therefore, confirmation from the Public Rights of way Team will be reported to Committee in an update.

**Cheshire East Archaeological Planning Advisory Service** –

Raise no objections subject to conditions-

The Councils Archaeological Officer advises that although the site has been much altered in the past, development works may reveal earlier activity around the existing building such as a rubbish tip, former boundaries and demolished structures. Two conditions which request that 7 days notice is given to the Archaeological Officer prior to the commencement of development and access is provided during construction works, are advised.

**VIEWS OF THE PARISH / TOWN COUNCIL-** No objections

## **OTHER REPRESENTATIONS**

This application has been advertised by means of a site notice, neighbour notification and a press advert. The last date for comments is the 17th April 2013. At the time of writing this report, no comments had been received.

## **APPLICANT'S SUPPORTING INFORMATION**

A Heritage, Design and Access Statement, Bat and Barn Owl Survey and a Structural Report has been submitted in support of the application.

In summary, it is stated that; the condition of the existing buildings has deteriorated; necessitating investment, but there has been a realisation that they do not provide facilities for green keeping activities or staff to meet standards of a modern Golf Club. The welfare provisions are considered to be wholly inadequate, being minimal, located in separate buildings and provides no allowance for, other than male facilities. It is therefore considered that the existing buildings are not utilised efficiently in their current form.

The existing Crux barn is utilised for small storage, however the volume of the building makes it unexploitable for any more intensive storage use due to the restricted size of the openings of the building.

The applicant advises that it was considered that it may be possible to provide better staff facilities within the existing structures, however, the intensification of other uses would require modification to the listed structures which are unlikely to be acceptable.

The proposed domestic use of Stanley Hall Farm was considered to be appropriate due to the need for subdivision of the large volumes. The proposed office provides a realistic but relatively low key alternative which is more compatible with the golf course activity and proposed to retain as much historic fabric as possible

The applicant states that the current green keeping facilities inefficiently occupy the barn buildings, therefore a unique opportunity now exists to combine investment to the conservation and creative re-use of the farm house and other buildings which make up the historical group of Stanley Hall Farm.

It is considered that the proposed Business Centre will provide a viable and secure future for the buildings. Approval will allow the building to be managed together and retain their individual identities.

## **OFFICER APPRAISAL**

### **Scope of the application**

Extensions to the time limits for implementing existing planning permissions was brought into force on 1 October 2009. The new system was introduced in order to make it easier for developers to keep planning permissions alive for longer during the economic downturn. The Government's advice is for Local Planning Authorities to take a positive and constructive approach towards applications that improve the prospects of sustainable development being brought forward quickly.

It is the Government's advice for Local Planning Authorities to only look at issues that may have changed significantly since that planning permission was previously considered to be acceptable in principle. In short, it is not intended for Local Planning Authorities to re-open debates about principles of any particular proposal except where material circumstances have changed, either in development plan policy terms or in terms of national policy or other material considerations such as Case Law.

### **Principle of the development**

The principle of the development was previously accepted under application reference 10/0223M. Therefore, the assessment that needs to be made in relation to this application is whether there has been a material change in circumstances since the previous permission was granted, that would result in a different decision being made on the proposal.



## Policy

The RSS and Local Plan policies relevant at the time of the previous application remain relevant, through the weight added to them now need to be considered in light of the publication of the National Planning Policy Framework in March 2012.

At the heart of the NPPF is the presumption in favour of sustainable development. The Framework also however places strong emphasis on securing sustainable economic growth in order to create jobs and prosperity.

Although policies within Chapter 2 of the NPPF seek to ensure the vitality and viability to town centres by ensuring that town centre uses, such as office accommodation are appropriately allocated. Planning application for small scale rural offices and other small scale developments are however excluded from the requirement to undertake a sequential test.

Paragraph 28 of the NPPF states that; policies should support economic growth in rural areas in order to create jobs and prosperity, by taking a positive approach to sustainable new development. The framework promotes strong rural economies and advises that :

- Support should be made for the sustainable growth and expansion of all types of business and enterprise in rural area, both through the conversion of existing buildings and well-designed new buildings; and
- Support should be given to sustainable rural development and leisure developments that benefit business in rural areas, communities and visitors and which respect the character of the countryside

The site is located in a rural location and approx 0.5miles from Disley Village in which there is access to public amenities such as shops, post office and public transport provision (i.e. bus and train station).

Paragraph 7 of the NPPF states that there are three dimensions to sustainable development. These are as follows (in brief);

- an economic role - contributing to building a strong , responsive and competitive economy
- a social role - support strong, vibrant and healthy communities by creating a high quality environment
- an Environmental role – contribution to protecting and enhancing our natural, built and historic environment

Whilst it is acknowledged that site may not be in the most easily accessible location the benefits of ensuring the retention, maintenance and long-term future of a Grade II Listed Building is considered to be a weighty material planning consideration. The proposed Green keeping yard is required in order to maintain the up keep of the existing Golf course and is therefore considered to be the most appropriate location having regard to the nature of the proposal.

The policies contained within the Macclesfield Borough Local Plan relevant to this application are considered to be consistent with the Framework. The proposed development is therefore considered to be a sustainable form of development and complies with Local Plan Policies and the objectives set out within the National Planning Policy Framework.

### **On site circumstances**

There have been no material change in circumstances on this site since this application was determined.

### **RECOMMENDATION**

In light of the above, it is considered that there has been no significant change in circumstances since the previous 2010 permission was granted. The proposed development and policies set out within the Macclesfield Borough Local Plan policies are considered consistent with the policies set out within the National Planning policy Framework.

The proposed green keeper's courtyard is considered appropriate development within the Green Belt and will have an acceptable impact in terms of its visual impact upon the character and landscape setting of the surrounding area. The proposed development will provide a more appropriate use of the existing Grade II Listed Buildings, which will ensure their maintenance and long-term future.

It is considered that the conversion of the existing buildings for office accommodation and the creation and enhancement of golf keeping facilities will allow for the creation of new jobs to the area and the sustainability of an existing outdoor leisure facility, which in turn will support Disleys rural economy.

At the time of writing this report, no objections had been raised with regard to the extension of time of the permission.

Government advice is that consultation on extension of time applications should be proportionate. Subject to no objections from Consultees this application is therefore recommended for approval subject to conditions.

Application for Extension to Time Limit

RECOMMENDATION: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP\_1 - Development in accord with approved plans
3. A02EX - Submission of samples of building materials
4. A01LS - Landscaping - submission of details
5. A04LS - Landscaping (implementation)
6. A06EX - Materials as application
7. A07EX - Sample panel of brickwork to be made available
8. A21EX - Roof lights set flush
9. A01HP - Provision of car parking
10. A04HP - Provision of cycle parking
11. A17MC - Decontamination of land
12. Render
13. Applicant to provide Archeologist with 7 day notice prior to commencement of development
14. Access should be provided for the Archeologist
15. Bat Boxes
16. B1 use only
17. Nesting Boxes
18. Phasing/ Implementation.

