

Application No: 10/2393M

Location: 195 197 And 199, Wilmslow Road, Handforth,  
SK9 3JX

Proposal: Erection Of Retirement Living Housing Complex For The Elderly  
Comprising 28 X One Bedroom And 12 X Two Bedroom Apartments In A  
Part Two/Part Three Storey Blocks (Cat li Type Accommodation),  
Communal Facilities, Landscaping And Car Parking

Applicant: Mccarthy & Stone Retirement Lifestyles Ltd

Expiry Date: 28-Oct-2010

Ward Wilmslow North

**Date Report Prepared: 15 February 2011**

## **SUMMARY RECOMMENDATION**

Approve with conditions

## **MAIN ISSUES**

- Housing policy and supply
- Provision of affordable housing
- Design, layout and density
- The scale of the proposal – impact of height, mass, bulk, character and appearance of the area
- Impact on residential amenity
- Impact on landscape, trees
- Heads of Terms for a Legal Agreement

## **REASON FOR REPORT**

This application is brought before Members in line with the Council's Constitution, any development in excess of 10 dwellings should be determined by Committee. The application seeks permission for 40 flats for older persons.

## **DESCRIPTION OF SITE AND CONTEXT**

The site currently comprises three detached bungalows fronting onto Wilmslow Road, Handforth. Each property is served by a vehicular access from that road and are set back from the road frontage within spacious gardens.

The road runs along the eastern boundary of the site, which is surrounded on the other three sides by residential properties with the exception of no 195 which adjoins a bungalow which is in use as a children's day nursery. Wilmslow Road itself is a busy main road from Stockport to Handforth/Wilmslow and has traffic regulation orders in place on both sides of the street for the entire length of the road in the vicinity of the site.

The general character of the wider area varies in nature from detached houses to terraced houses, although a 3 storey block of apartments is located close to the roundabout to the south. The area itself is generally residential.

With the exception of 195 Wilmslow Road, which is occupied, both 197 and 199 are unoccupied and in varying states of dereliction and disrepair. These are all relatively small buildings set with large blocks and when brought together as a building plot, the site is 0.42 hectares. The bungalows are unobtrusive in the street scene and the vegetation to the boundaries creates a leafy suburban appearance. 201a is to the north of the development site and is located in a backland position and there is a depth of development in the area.

## **DETAILS OF PROPOSAL**

This application involves the demolition of the three bungalows that comprise 195, 197 and 199 Wilmslow Road and their replacement with a three storey apartment block comprising 30 one bedroomed flats and 10 two bedroomed flats and a communal lounge and visitors overnight room, managers office and car parking for 19 cars set within landscaped grounds. There would be 19 car parking spaces to the frontage accessed via a single drive.

The Applicant is a developer of such older persons accommodation and their core business provides sheltered residential accommodation for the over 55's. Their flats are generally occupied by widows who are over 70 years and are seeking to down size. The service charge likely to be levied for on going costs on this development would be in excess of £50 per week for the 2 bedroomed units.

## **RELEVANT HISTORY**

### **197/199 only**

03/322p DEMOLITION OF 2 DWELLINGS AND ERECTION OF 12 DWELLINGS  
(RESUBMISSION OF APPLICATION 03/0797P) – refused, Appeal dismissed 6  
July 2004

## **POLICIES**

### ***Regional Spatial Strategy for the North West to 2021***

DP1- Spatial Principles, promoting sustainable development  
DP2- Promote Sustainable Communities  
DP5- Manage Travel Demand  
EM2- Remediating Contaminated Land  
EM18 – Decentralised Energy Supply  
MCR3 (Southern Part of the Manchester City Region)  
L2 – Understand Housing Markets  
L4 – Regional Housing Provision

### ***Macclesfield Borough Local Plan (2004)***

#### **Built Environment**

BE1- Design Guidance

#### **Development Control**

DC1 – New Build  
DC3 –Amenity  
DC5- Natural Surveillance  
DC6 – Circulation and Access  
DC8 – Landscaping  
DC9 – Tree Protection  
DC36- Road Layouts and Circulation  
DC37- Landscaping  
DC38- Space Light and Privacy  
DC40 – Children’s Play Provision and Amenity Space  
DC41 – Infill Housing Development

#### **Environment**

NE17- Nature Conservation in Major Developments

#### **Housing**

H1- Phasing policy  
H2- Environmental Quality in Housing Developments  
H5- Windfall Housing  
H8 – Provision of Affordable Housing  
H9 - Occupation of Affordable Housing  
H13- Protecting Residential Areas

#### **Implementation**

IMP1- Development Sites

Of the remaining saved Structure Plan policies, only policy T7: Parking is of relevance.

## **Cheshire Replacement Waste Local Plan (Adopted 2007)**

Policy 11 (Development and waste recycling)

### **Other Material Considerations**

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Statement 3: Housing

Planning Policy Statement 13: Transport

By Design – better places to live; Safer Places – the Planning System and Crime Prevention  
– A Companion Guide to PPS1

Interim Planning Policy on the Release of Housing Land

Interim Planning Policy Statement – Affordable Housing

### **CONSIDERATIONS (External to Planning)**

**Environmental Health (Contaminated Land)** - No objection is raised, subject to a condition requiring a Phase I investigation, and a remediation scheme if necessary.

**Environmental Health (Noise and Amenity)** – No objection subject to standard conditions regarding hours of work and dust mitigation during construction.

**Housing Strategy and Needs Manager** - The need for affordable housing provision in the Borough is well documented. Despite recent changes in the economy, there remains a local affordability issue, with Macclesfield being one of the least affordable places in the region. The Housing Needs Survey for the former Macclesfield borough identifies a need for about 200 affordable homes per annum. The priority is therefore for the provision of affordable housing. The policy would support the provision of 25 % which results in 10 units

**Landscape Officer** - The Landscape Officer raises no objections.

**Leisure Services** - No objection in principle to the application subject to commuted sum payments in lieu of on site amenity and recreation space

**Strategic Highways Manager**- No objection subject to conditions and satisfactory completion of Section 106 agreement for h travel plan issues

### **OTHER REPRESENTATIONS**

One objection and 5 letters of support have been received to date.

Copies of all these comments are available on the Web-site but in précis, the objection relates to lack of on site parking provision (19 car parking spaces for 40 flats). The respondent considers there to be insufficient parking provided for the number of units.

The letters of support appear to be handouts submitted by local businesses who consider their trade would be enhanced by the proposal. The occupier of 195 Wilmslow Road supports the proposal on the grounds that they consider it will enhance Handforth.

## **APPLICANT'S SUPPORTING INFORMATION**

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

- Supporting Planning Statement
- Design and Access Statement
- Ecological Assessment
- Transport Assessment
- Phase 1 Contamination Assessment
- Marketing Report
- Valuation Report from Hallams in respect of the existing dwellings
- HCA Viability Appraisal
- Affordable Housing Statement
- Statement of Community Involvement

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

## **OFFICER APPRAISAL**

Section 38 of the Planning and Compensation Act 2004 requires a plan led approach to decision making in that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

In this case the development plan consists of the Regional Spatial Strategy for the North West, the Cheshire Replacement Waste Local Plan and the Macclesfield Borough Local Plan.

### **Principal of Development**

The Site is located in the Predominantly Residential area as defined in the Macclesfield Borough Local Plan 2004 therefore there is no objection in land use terms to the redevelopment of this site for a retirement living housing complex.

However, as the scheme provides more than 15 units Local Plan policies H8 and H9 are applicable and this Council should negotiate for 25% of dwellings as affordable housing having regard to the individual circumstances including the criterion 4 of H8.

The presumption in PPS3 is that affordable housing will be provided on the application site so that it contributes towards creating a mix of housing. However, where it can be robustly justified, off-site provision or a financial contribution in lieu of on site-site provision (of broadly equivalent value) may be accepted as long as the agreed approach contributes to the creation of mixed communities in the local authority area.

### **Planning Policy and Supply of New Housing**

PPS3 states at Para 69 that in determining planning applications for housing, Local Planning Authorities should have regard to a number of criteria including achieving a good mix of housing reflecting the accommodation requirements of specific groups, using land effectively

and efficiently and 'ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, the spatial vision for, the area and does not undermine wider policy objectives..'

Para 71 goes on to state that where the Local Planning Authority can not demonstrate an up to date five years supply of housing. They should 'consider favourably' planning applications for housing having regard to the policy in PPS3 (Para 69) and the wider planning objectives for the area.

It is accepted that at present the Council can not demonstrate a 5 year supply and thus the Council needs to give favourable consideration to this proposal having regard to the criteria listed in Para 69 of PPS3.

Whilst there is no objection, in land use terms and housing supply terms to the principle of the development of the site for residential purposes, paragraph 69 requires Local Planning Authorities to ensure that proposed development is in line with planning for housing objectives, reflects the need and demand for housing in and the spatial vision for the area and does not undermine wider policy objectives. The affordability of scheme is considered relevant in this regard;

## **Affordable Housing**

The scheme provides more than 15 units accordingly there is a policy requirement for affordable housing provision.

Local Plan policies H8 and H9 require 25% of dwellings as affordable housing having regard to the individual circumstances including the criterion 4 of H8.

The presumption in PPS3 is that affordable housing will be provided on the application site so that it contributes towards creating a mix of housing. However, where it can be robustly justified, off-site provision or a financial contribution in lieu of on site-site provision (of broadly equivalent value) may be accepted as long as the agreed approach contributes to the creation of mixed communities in the local authority area. (PPS3 para 29)

The SHMA 2010 shows an annual affordable housing need of 6 x 1 or 2 bed older persons housing in the Wilmslow and Alderley Edge sub-area per year and 19 general needs 1 and 2 bed properties per year. In the overall former borough of Macclesfield there is a need for 83 x 1 or 2 bed older persons affordable housing per year.

Councillors will be aware that the emerging Interim Policy Statement on Affordable Housing (adopted February 2011) states that in settlements of more than 3,000 population, the exact level of affordable provision will be determined by:

- local need,
- site characteristics,
- general location,
- site suitability,
- economics of provision,
- proximity to local services and facilities,

- other planning objectives,

and that, the general minimum proportion for any site will normally be 30%.

However, as this application was registered prior to the introduction of this policy, and the applicant could not have foreseen its contents, it is considered reasonable that the affordable housing requirement should be based on the previous policy requirement of a 25% affordable housing contribution. This equates to 10 units, with the Housing Strategy Manager has advised that the tenure mix should be 50% to be social rent and 50% intermediate tenure and be 7 x 1 bed units and 3 x 2 bed units

The Applicant has submitted a HCA Toolkit Viability Appraisal and Affordable Housing statement as part of this application. These documents conclude that having regard to , inter alia, development economics, market conditions , the need for financing and the specialised nature of this kind of build project, which requires the whole building to be completed (and financed) before any revenue can be achieved that a total of £147,169 can be provided for affordable housing. This will not achieve the 25% requirement of the Councils affordable housing policy.

The viability of individual schemes is a material consideration in deciding planning applications. Since 2008 there has been significant downturn in the housing market and particularly on brownfield sites where costs of redevelopment are proportionally higher than greenfield sites. Developers have sought and continue to seek to negotiate a lower provision of affordable housing on the basis that the Council's normal requirements would render redevelopment unviable.

Accordingly the Council has appointed a local firm of Independent Chartered Surveyors to undertake their own appraisal of the site and the development costs/residual values. The results of the Council's own independent appraisal generally concurs with the Applicants Viability Appraisal, however, the Councils surveyor does consider that there is greater ability within this development to deliver a larger contribution to affordable housing than has been put forward initially by the Applicant (the offer put forward initially being circa £147,000).

Enquiries were made with Registered Social Landlords who operate in the Handforth area to establish the amount they could realistically pay in order to deliver the units as affordable housing.

- Contour Housing Association have advised they would not be interested in taking on any apartments for sale or rent at affordable levels in this scheme, due to ongoing issues with mortgage availability for shared ownership flats and that 3 units for rent would be difficult for their Supported and Sheltered team to manage as they would not have any jurisdiction over the management company on the scheme in case of any dispute or other issue.
- CPPHT provided figures they could offer of £45,000 for each 1 bed unit £55,000 for each 2 bed unit in order to deliver the properties as a mix of social rent and intermediate rent, advising against looking at low cost home ownership options. The average amount CPPHT can pay per unit is £48,000.
- Plus Dane Group gave indicative figures of £60,000 per unit for a small number of social rent, but were concerned with service charges. (these are likely to be in the region of in excess of £50 per week for the 2 bedrooomed units). They confirm they would generally prefer to have their stock in separate buildings due to management.

The service charge would however represent an additional cost payable by the Housing Trust and the Council's Independent Chartered Surveyors advice in connection with this scheme is

that this would likely have an adverse impact upon the purchase prices to be paid by the any local Registered Social Landlord for the flats.

The Applicants have indicated proposed sale prices of £165,000 for each one bedroomed flat and £220,000 for each two bedroom flat which on the basis of the 25% allocation outlined would produce a total figure of £1,815,000 cost to the development to provide the affordable housing policy.

However on the basis of the information currently available the Council's own Independent appraisal indicates that it is not viable for this scheme to provide the necessary affordable housing to fulfil the requirements of the Council's affordable housing policy unless an appropriate Social Housing Grant or Local Authority Funding is available.

Whilst the Council would generally prefer to see affordable housing provided on-site in line with Government guidance to encourage the development of sustainable and balanced communities. It is considered that there may be physical or other circumstances where an on-site provision would not be practical or desirable. Such circumstances might include where:

- the provision of the affordable housing elsewhere in the locality would provide a better mix of housing types
- management of the affordable dwellings on site would not be feasible
- it would be more appropriate to bring back existing vacant housing into use as affordable units
- the constraints of the site prevent the provision of the size and type of affordable housing

Having regard to the practicalities of such provision in this case, the Council's own Independent Valuation and Appraisal of the scheme indicates that only 2 units could be purchased in this scheme whilst still maintaining viability. This would be unattractive to a Registered Social Landlord to remotely manage and control.

The particular circumstances of this area in which the site is located require consideration. The area contains a high proportion of social housing. It is considered that there would be benefits in building a mixed and stable community by virtue of seeking the maximum provision of market housing to assist in the provision of a better mix of housing types in the locality, which has a greater proportion of social rented housing than most wards in the Borough.

In addition there would be a likely practical difficulty in the management of a small number of flats 'pepper-potted' in isolation within this block for a remotely operating Registered Social Landlord and the likely problems of dispute resolution within the block between the management company and the Registered Social Landlord, it is considered that in these particular circumstances it would be more appropriate to seek a commuted sum in lieu of on site affordable provision in this case.

Having regard to the Viability Appraisal submitted by the Applicant and the Council's own Independent Valuations and Appraisal of the development, Officers have reached a negotiated amount of £350,000 to be provided by the Applicant in lieu of provision of on site affordable housing. This is significantly more than the initial offer from the Applicant.



The particular circumstances of this case at this time it is considered that seeking a commuted sum in lieu of affordable housing provision is acceptable and complies with the planning policy framework and all material considerations which require the Local Planning Authority to consider viability as part of the consideration of the application.

### **Layout, Design and Street Scene**

Local Plan policies BE1, H2, H13, DC1 and DC35 address matters of design and appearance. Policy BE1 states that the Council will promote high standards of design and new development should reflect local character, use appropriate materials and respect form, layout, siting, scale and design of surrounding buildings and their setting. Policy H2 requires new residential development to create an attractive, high quality living environment. Policy DC1 states that the overall scale, density, height, mass and materials of new development must normally be sympathetic to the character of the local environment, street scene, adjoining buildings and the site itself.

Para 16 of PPS3 concerns assessing design quality include the extent to which the proposed development (inter alia):

- Is well integrated with, and complements, the neighbouring buildings and the local area more generally in terms of scale, density, layout and access.
- Facilitates the efficient use of resources, during construction and in use, and seeks to adapt to and reduce the impact of, and on, climate change.
- Takes a design-led approach to the provision of car-parking space that is well integrated with a high quality public realm and streets that are pedestrian, cycle and vehicle friendly.
- Creates, or enhances, a distinctive character that relates well to the surroundings and supports a sense of local pride and civic identity.

This proposal comprises a 'T' shaped block of two and three storeys. The main frontage is articulated with a mix of two and three storey façade development which have footplates that are set back at first and second floor levels. This gives the appearance of individual blocks within the central portion which reduce to a dormer frontage adjoining the Orchard Day Nursery and two storeys adjoining 201 Wilmslow Road.

The scheme maximises the amount of development with a 47m wide block. The block extends circa 50m into the site which is indicated as having garden areas to all facades. Parking is accommodated to the front of the building together with extensive landscaping to the frontage.

The block would be set back 20m from the street frontage and would mirror the prevalent building line in this part of the street. The maximum height of the 3 storey elements of the scheme is circa 10.2 m. This is lower than the block known as Hampton Court which sets a precedent for 3 storey development in this area.

The form and shape of the building is also proposed to be broken up through a mix of 2 and 3 storey development and the utilisation of a variety of architectural features, including the use of dormers, gabled and ridged roof styles, small areas of render and string courses, all of which add visual interest and helps breaks up the building mass, resulting in a less dominant and bulky scale and mass, particularly to the frontage and side elevations.

Material to this determination is a consideration of whether the detailed design aspects of this scheme address the issues raised by the Inspector of the 2004 Appeal concerning 197/199 Wilmslow Road. In that case the Inspector accepted that the redevelopment of the site at a

higher density would inevitably change the character and appearance of the site, the scheme was considered that the layout (on a north/south orientation and cul de sac design within the site) would create a cramped development and compromise to an unacceptable degree the feeling of spaciousness which made a pleasant contribution to the character and appearance of the area.

It is considered that by virtue of the incorporation of no 197 into the development site and the central location of the proposed building within the more extensive development site, together with the landscaping to the frontage and side elevations that the scheme overcomes the previous schemes shortcomings in design terms.

Overall, whilst this is a large building, it is considered to be adequately designed to respect the character of the area and introduce interest in the street scene.

### **Amenity of adjoining Residents**

Properties in Wallingford Road are located to the west of the application site circa 25 metres from the rear elevation (2 storeys) of the proposed block which contain no primary windows. The view from these dwellings will be altered but the distances are not so close as to be overbearing.

The gable elevation extends some 50 metres into the site and comprises 2 storeys where it is sited in between nos 201 and 201a Wilmslow Road, with 201a being a backland 2 storey dwelling to the north will be located. There are no primary windows looking out into this area.

As the block extends further to the rear of the site it becomes a 3 storey building and contains both bedroom and living room windows for 4 individual flats on the upper floors of the proposed block. The block is sited 22m from the shared boundary. There is no direct overlooking into habitable rooms within No. 201a given the orientation of the building and 201a has a sizeable rear garden that is well screened by landscaping. It is considered that whilst there will be parts of the rear garden that will be seen from the upper floors within the proposal, the distances involved and the generous size of the adjoining garden together with landscaping that can be augmented in this scheme will protect the amenities and privacy within the garden for the residents of No. 201a Wilmslow Road.

It is considered that the proposed development will adequately safeguard the privacy and amenity of adjoining residents.

### **Highways and Parking**

The Highways Engineer raises no objection to the proposal subject to Travel Plan initiatives being undertaken in accordance with the submitted Transport Statement. Overall, the Highway Engineer accepts the information submitted by the Applicant that the occupiers of such flats are generally widows in their 70's and 80's who, if they own a car upon entering into the development, soon forego the use of their car. It should also be noted that residents will require parking permits which will be allocated on a first come first served basis.

A transport statement has been submitted with the application which elaborates upon survey evidence of car parking take up by residents within the Applicants other sites nationally, which demonstrates that car ownership rates within the developments already established are relatively low due to the age of the residents. This, coupled with the Applicants management of car parking within their sites, enables a much reduced level of parking provision.

Paragraph 75 of PPG13 Transport states that walking is the most important mode of travel at the local level and the greatest potential to replace short car trips, particularly under 2km.

The site is directly adjacent to the public transport network, it is a sustainable location being located close to the bus stops on Wilmslow Road and Handforth. This is considered to be in accordance with the objectives of policies DC6 and DC57 of the local plan.

It is also expected that the Applicant will develop a travel plan which will incorporate green travel measures such as information packages for residents about public transport. All these measures are considered to be sustainability benefits which weigh in favour of the development.

### **Trees, Landscaping and Ecology**

The site does not contain any trees of significant amenity value, comprising mainly of self seeded Ash and Willow and root suckers of previously felled Poplar. An early mature Oak stands adjacent to the northern site boundary alongside the access driveway to 201a Wilmslow Road. A modest specimen, which has been previously crown reduced and now presents a reformed crown, is shown for retention on the submitted layout and has some future growth potential. The tree is not affected by the proposed development, but will require protection during the construction phase as well as group of early mature Oak and Ash standing offsite within the adjacent Day Nursery which overhang the site to the south.

The proposal presents a reasonable area of landscaped space along the Wilmslow Road frontage which currently contains a rather untidy specimen of Hawthorn and a linear group of small Cypress. Every opportunity should be made to exploit this area for 'high forest' plantings such as Lime, Oak, Beech, Maple to enhance the road frontage character and entrance to the town. The removal of the poor quality Hawthorn and other smaller trees and shrubs, including some semi mature multi stemmed self set Ash adjacent to the proposed electricity service station within the front garden will provide additional space for such plantings.

The soft and hard landscape proposals are generally acceptable to the Landscape Officer. It is considered that the car parking areas to the frontage are well screened. If the application is approved the Landscape Officer recommends that landscape and boundary conditions are imposed. No objection is therefore raised from a landscape perspective.

No ecological issues are raised by this development.

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

The site comprises previously developed land in a sustainable location, with access to a range of local services and facilities nearby and has good public transport links. The proposal complies with relevant Development Plan policy. Material considerations exist in this case to allow a financial contribution in lieu of on site affordable housing provision. The design of the scheme is acceptable and sympathetic to the existing urban environment. The impact of the development on adjoining land uses and the living conditions of neighbours is within acceptable standards. The proposal will have no adverse impact in terms of highway safety, trees, landscape or ecology.

On the basis of the above information, a recommendation of approval is made:

### **SUBJECT TO**

Conditions and the satisfactory completion of a S106 Legal Agreement comprising:

## HEADS OF TERMS

- Provision of a commuted sum in lieu of affordable housing provision on site (£350,000)
- Provision of commuted sum in lieu of on site leisure provision (£37,000)
- Monitoring costs
- Age restriction of occupation of flats (55 years plus or spouse thereof)

### **Community Infrastructure Levy (CIL) Regulations**

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The provision of a commuted sum payment in lieu of affordable housing is necessary, fair and reasonable to provide sufficient affordable housing in the area, and to comply with National Planning Policy.

The commuted sum in lieu of Public Open Space is necessary, fair and reasonable, as the proposed development will provide 40 flats, the occupiers of which will use local facilities as there is no open space on site, as such, there is a need to upgrade/enhance existing facilities. The contribution is in accordance with the Council's Supplementary Planning Guidance.

The age restriction is necessary due to the restricted amount of parking proposed

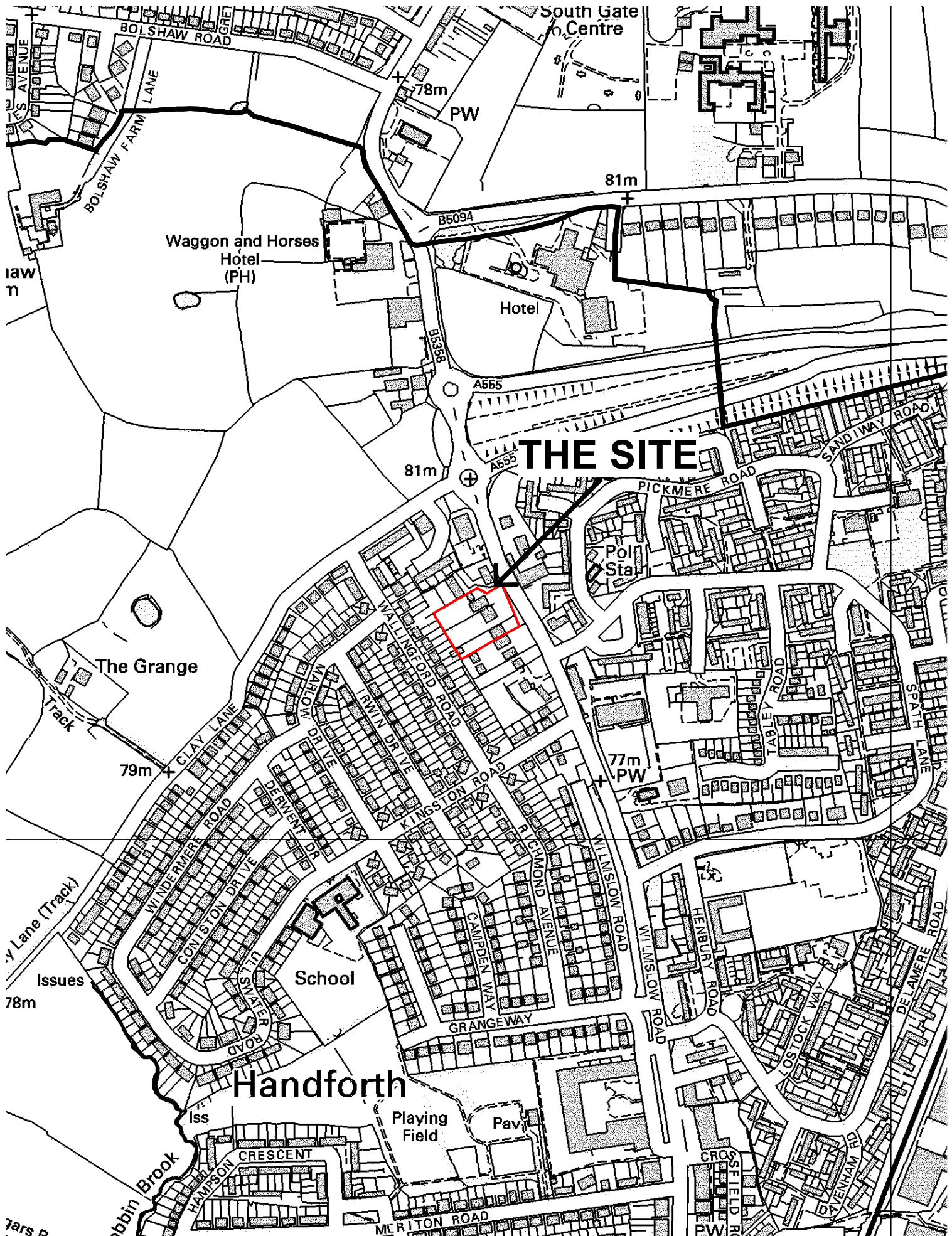
All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development.

### Application for Full Planning

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

1. Landscaping - submission of details
2. Tree retention
3. Submission of samples of building materials
4. Construction of access
5. Implementation of ecological report
6. Tree protection
7. Development in accord with revised plans (unnumbered)
8. Commencement of development (3 years)
9. Landscaping (implementation)
10. Protection for breeding birds
11. Closure of access

12. Refuse storage facilities to be approved
13. Protection from noise during construction (hours of construction)
14. Pile Driving
15. Details of ground levels to be submitted
16. Bin store and electricity sub station details tbs
17. Phase II contaminated land investigation



10/2393M 195 197 AND 199, WILMSLOW ROAD, HANDFORTH, SK9 3JX  
 NGR 385,560:384,240

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