

Planning Reference No:	09/3565M
Application Address:	Site Of Vernon County Infant School, Bulkeley Road, Poynton, Cheshire, Sk12 1nw
Proposal:	Outline Planning For New Build Development Of 73 Extra Care Apartments And Associated Extra Care Facilities And Car Parking (Scale Of Development Only) - All Other Matters Inc Access And Siting Reserved For Future Consideration
Applicant:	Mrs Nuala Keegan, Cheshire East Council
Application Type:	Outline Planning
Grid Reference:	392163 383385
Ward:	Poynton
Earliest Determination Date:	2 December 2009
Expiry Date:	15 January 2010
Date Report Prepared	10 December 2009

SUMMARY RECOMMENDATION

Approve subject to conditions

MAIN ISSUES

- Whether the scale of development is acceptable
- Impact upon the amenity of the locality
- Highway safety

1. REASON FOR REPORT

This is a major application for residential development which is submitted by the Adult Services of Cheshire East Council. Whilst it is of a scale that would normally be reported to the Northern Committee, it is considered that given the fact that the Council is the Applicant, then it is appropriate for the Strategic Planning Board to consider the strategic planning issues it raises.

2. DESCRIPTION OF SITE AND CONTEXT

The site comprises Vernon County Infant School and its playing field. The School is due to merge with the Junior School immediately adjacent for the start of the 2011 academic year. Presently the Junior School is being extended to accommodate the junior and infants school under the same roof. This is part of the Transforming Learning Communities initiative of the former Cheshire County Council, which addresses reducing school rolls.

The Infants school building which is the subject of this application is sited on the Bulkeley Road frontage of the site with the playground and associated playing field located to the rear, the playing field extending to the Georges Close frontage of the site. The existing school is an imposing red brick building dating from the 1930's and is of a single storey

appearance with a tall, steeply pitched roof. The site is bounded by Bulkeley Road, Georges Close and Georges Road East and Georges Road West. The surrounding area is predominantly residential, with Victorian and Edwardian terraced housing predominating to Bulkeley Road, with bungalows to the other boundary to the west at Georges Close, adjoining the playing pitch. The main shopping street in Poynton, Park Lane, is located some 100m to the north.

3. DETAILS OF PROPOSAL

The application is submitted in outline form. Only the scale of development is being applied for at this stage. Scale is defined as being the height, width and length of the building relative to its surroundings.

The development comprises an Extra Care Building comprising 73 (33 no x 1 bed and 40 no 2 bed) apartments for people over the age of 55 (Use Class C3) together with communal facilities common to the Extra Care 'Village' model, such as dining room and servery, communal lounge/ village hall, fitness suite/ medical consultation rooms and hairdressing room and communal laundry facilities.

The tenure mix is put forward as being 50% for social rent, 25% for sale and 25% for shared ownership. In common with all Extra Care units, the communal facilities in the 'Village' such as a restaurant, are intended to be open to the public. Indicatively there are 28 car parking spaces (including 4 designated spaces for drivers with disabilities) shown to the side of the proposed building to enable landscape to the frontage.

The Extra Care 'model' has developed to allow older people to live independently with their own front door within a community but where 24 hour care is available should it be required. The level of care each resident will require would be assessed prior to their being accepted on to the scheme. Residents would all receive some level of care, which would cater to their own individual needs. This could be cooking/ cleaning/ help with bathing etc.

One third of residents would receive high levels of care (defined as being 10 hours per week of care); one third with medium levels of care requirement (2 and a half to 10 hours per week) and one third of residents would require low levels of care (up to 2 and a half hours per week).

4. RELEVANT HISTORY

09/0011P - New Build Extension, Remodelling & Refurbishment Of The Existing Junior School Building To Provide A Community Primary School, New Children's Centre, Pre-School & After School Club. The Proposals Include New Build Entrance, New Building Teaching Block Vernon County Junior School, Clumber Road, Poynton, approved 27 March 2009

09/0698M - Outline Planning New Build Development Of 90 Extra Care Apartments & Associated Extra Care Facilities And Car Parking - Vernon County Infant School, Bulkeley Road, Poynton : withdrawn 1 June 2006

5. POLICIES

The Development Plan consists of the North West of England Plan Regional Spatial Strategy to 2021 (RSS), the saved policies of the Structure Plan Alteration: Cheshire 2016,

the Cheshire Replacement Waste Local Plan 2007 and the saved policies of the Macclesfield Borough Local Plan.

Regional Spatial Strategy

Relevant policies of the RSS include: DP1 Spatial Principles; DP2 Promote Sustainable Communities; DP3 Promote Sustainable Economic Development; 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; Policy L1 Health, Sport, Recreation, Cultural and Education Services Provision; L2 Understanding Housing Markets; L4 Regional Housing Provision; L5 Affordable Housing; RT2 Managing Travel Demand; RT9 Walking and Cycling; EM1 Integrated Enhancement and Protection of the Region's Environmental Assets; EM3 Green Infrastructure; EM16 Energy Conservation and Efficiency; EM18 Decentralised Energy Supply; MCR3 Southern Part of the Manchester City Region.

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

Local Plan Policy

Relevant policies of the Local Plan include; BE1 Design Guidance; RT1 and RT3 Open Space; H2 Environmental Quality in Housing Developments; H9 Affordable Housing; H13 Protecting Residential Areas; DC1 and DC5 Design; DC3 Residential Amenity; DC6 Circulation and Access; DC8 Landscaping; DC9 Tree Protection; DC17 and DC18 Water Resources; DC35, DC36, DC37, DC38 relating to the layout of residential development; DC40 Open Space; DC57 Residential Institutions; T3 Pedestrians; T4 Access for people with restricted mobility; and T5 Provision for Cyclists.

The site is designated as Open Space within the Plan with policies RT1 and RT3 being most relevant in spatial terms.

Cheshire Replacement Waste Local Plan (Adopted 2007)

Policy 11 (Development and waste recycling)

Other Material Considerations

National policy guidance set out in PPS1 Delivering Sustainable Development, PPS3 Housing, PPG13 Transport, PPG17 Sport and Recreation are of most relevance to the proposed development.

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

6. CONSULTATIONS (External to Planning)

Sport England: No objection to the proposal subject to a condition that there be no loss of playing pitch.

Highways: No objection to the level car parking provision indicatively proposed. Considers that further liaison will be required concerning swept path analysis and servicing vehicles and whether a more detailed transport assessment will be required for the reserved matters stage, if outline permission is granted.

Environment Agency: No objection subject to conditions. Have confirmed that due to the area of built development being less than a hectare then a Flood Risk Assessment is not required.

United Utilities: No objection to the proposal provided the site is drained on a separate system, with only foul drainage connected into the foul sewer.

Leisure Services: No reply at time of report preparation. Has had pre-application discussions regarding upgrading facilities to the playing pitch.

Housing Strategy & 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 2004 Housing Needs Study (for the former Macclesfield borough) suggests a requirement for sheltered accommodation of 1,200 private market units and 827 affordable units. This proposal for 73 extra care units, 55 of which are to be affordable units in Poynton will help to address local housing need in this category. The scheme is therefore supported in principle.

Environmental Health: No objections subject to a condition controlling hours of construction, dust creation during construction and contaminated land

Ecologist: No objection subject to conditions concerning replacement pond provision and provision for breeding birds.

7. REPRESENTATIONS

Eight objections received on grounds of increased traffic especially with all the other developments in the area such as the Waitrose scheme; impact of older persons on the delivery of health care for everyone; scale of development/3 storeys being out of keeping with the locality; excessive amount of accommodation for the elderly; insufficient car parking proposed; impact of trees to be planted on overshadowing; access should be to Georges Road West rather than Bulkeley Road and lack of detail.

Poynton with Worth Parish Council raise no objection in principle to the proposal but wish to raise their concern about the level of parking proposed which they consider could lead to more on street parking which could be a danger to schoolchildren. Consider this issue needs addressing further in the future application.

8. APPLICANT'S PRE-APPLICATION CONSULTATION

A community engagement exercise was carried out and a number of customer feedback forms have been submitted with the application (15 comment forms in total) of which 13 are not supportive of the scheme – issues raised include the height of the proposal being out of keeping, the loss of the school building and the loss of the playing field, lack of parking

provision and increased traffic, the potential for the public open space to be a magnet for anti-social behaviour. The two supportive forms were interested in moving into the facility when complete.

9. APPLICANT'S SUPPORTING INFORMATION

The information that has been submitted alongside the plans and drawings include:

- i) Planning Statement;
- ii) Housing Needs Assessment;
- iii) PPS3 Sequential Analysis;
- iv) Transport Assessment
- v) Community Engagement survey forms;
- vi) Ecological Survey
- vii) Arboricultural Survey;

These documents can be viewed online as background information. The planning statement states in support of the application that:

The proposal has been prepared in the context of current local, regional and national planning policy guidance, and accompanying background material.

The ageing population indicates a strong and continuing demand for extra care accommodation:

- i) The over 65 population will increase from 125,00 to 176,000 (a 40% increase) from 2008 to 2025.
- ii) The over 85 population will increase by 75% from 16,300 to 28,600 from 2008 to 2025
- iii) The older population in Cheshire is growing quicker than the UK average

The development site extends to 1.82 hectares and comprises previously developed land and a school playing field on a site which is very close to Poynton centre. The proposed development is situated in close proximity to a range of key services and facilities, and is well served by public transport which provides frequent transport services to surrounding settlements.

To mitigate for the loss of 15% of the area of the playing pitch that could be lost, the Applicant has offered drainage upgrades to the existing pitch and that the wider Community will be able to utilise the facilities outside of School hours.

10. 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.

This application follows on from an outline application for a 90 bed Extra Care facility on the site earlier this year, which was withdrawn due to Officer concerns about the scale of development. The proposal is an scheme for 73 units on a reduced (indicative footprint) submitted in outline form with only the scale of development sought at this stage.

Matters such as access, layout, landscaping and appearance are all reserved for further consideration.

Principle of Development

PPS1 states that sustainable development is the core principle underpinning the planning process. Planning should facilitate and promote sustainable patterns of development through protecting and enhancing the natural and historic environment, and ensuring high quality development through good design and efficient use of resources.

Development which contributes to the creation of safe, sustainable, mixed and liveable communities is encouraged. The concentration of mixed use developments, use of previously developed land, building in sustainable locations and those well served by a variety of public transport is a key to this approach.

The requirement in PPS3 is that planning authorities create sustainable and mixed communities which meet the different household needs of its population. These needs will be based on tenure, price and the accommodation requirements of specific groups such as older people.

Policy L4 of the Regional Spatial Strategy sets out the framework for regional housing provision. Targets for housing provision and criteria by which to appropriately achieve those targets are set out in the policy. It is stated that Local Authorities should work in partnership with developers and other housing providers to address the housing requirements (including local needs and affordable housing needs) of different groups. This should be achieved taking account of the spatial principles of the RSS and advice in national guidance PPS3.

Affordable Housing provision is dealt with in policy L5. This policy sets out delivery mechanisms to secure provision of affordable housing. One of the objectives is to ensure that wherever possible, the property remains affordable and available in perpetuity. Half the proposed units are intended to be for social rent. This level of affordability will ensure that the community has a choice in tenure. This can be controlled by condition.

Policy R2 deal with managing travel demand with a key objective being to ensure that major new developments are located where there is good access to public transport, backed by effective provision for pedestrians and cyclists to minimise the need to travel by private car. This is also emphasised in policy RT9.

Overall, from a spatial planning viewpoint, the proposed scale of development in locational and strategic terms complies with over-arching strategic policy framework. The proposal is

accessible and provides an appropriate mix of dwelling units in a sustainable location. On this basis, the proposal is considered acceptable in principle.

Development Plan Principles

The site is allocated in the Local Plan as Existing Open Space. Policy RT1 indicates that redevelopment on such land will normally be permitted where the building footprint does not harm the integrity of the open space.

Given that this is an outline application which seeks permission for only the scale of development at this stage, Sport England have commented that they have no objection subject to the proposal being built out without any loss of the playing pitch to the rear. An objection from Sport England requires that the scheme be referred to the Secretary of State.

The indicative plans submitted with the application details a loss of circa 15% of the playing pitch which would be a cause for concern for Sport England had this application not been submitted in outline form with no siting details sought at this stage. To compensate for this loss the Applicant puts forward a potential mitigation scheme which would include enhancement to drainage that would require an up to date assessment of playing pitch provision in the area; which has yet to be completed. An up to date assessment of facilities will enable better consideration of the mitigation package that is proposed.

Public access to the playing pitch is also to be incorporated as a significant enhancement which could address Sport England concerns about the loss of any part of the playing pitch and could be regarded as suitable mitigation. A condition is suggested by Sport England, which enable them to raise no objection to the principle of this development proposal. The condition which has been suggested and is recommended stipulates that there is no loss of playing pitch, including ancillary areas of the pitch.

Such a condition, taken with the suggested condition concerning the landscape management plan will provide for the safeguarding and enhancement of the playing pitch and would also ensure that the integrity of the playing pitch is not harmed. This would comply with policy RT1 of the Plan.

Policy DC57 of the Local Plan sets out criteria for residential institutions. The site must be close to local facilities such as bus services, local shops and other community facilities and is normally sited in a residential area. A concentration of specialist housing and care facilities should be avoided. Amenity of neighbouring property should not be harmed. A reasonable sized private garden with a pleasant aspect must be provided. Adequate parking and safe access should be provided.

The site is centrally located, in a predominantly residential area and is within walking distance of all the facilities in the town centre. The site is also very accessible via public transport facilities and cycle parking facilities are indicatively provided. The proposal is considered to comply with policy DC57.

Design and Impact on character of the area

The application seeks only to achieve an 'in principle' determination upon a scale of development comprising 73 extra care residential units. Indicative plans have been

provided which illustrate a potential development in the form of a 'I shaped' block of 2/ 3 storeys to the Clumber Road frontage with the rear of the site laid out as upgraded open space, however, siting and layout could potentially be anywhere within the site. The 3 storey elements of the proposed building are indicatively shown to be 11m high, the building footprint is indicated as being 80m wide and 65m deep arranged around a central courtyard layout. Indicatively, parking is accommodated to the side of the building together with a landscape buffer strip.

Although indicative plans are submitted which demonstrate a building situated to the frontage of Bulkeley Road, it should be borne in mind that these plans are indicative. The indicative elevations show a variety of design features, including the use of gables/balconies to break up the 3 storey elements to the frontage and the use of 2 storey heights on critical interface points where the building is closest to the Victorian terrace housing in Georges Road East and the Juniors School; the use of different roof design features and balconies, all of which assist in breaking up the bulk of the building and assist in creating visual interest in the street scene.

The stepping down of the built form at the ends and corners helps to break up the building gives the impression of the building that has domestic scale in keeping with the area surrounding the site. The transition from two through to three storey development further away from the frontage and into the site, away from neighbours will, it is considered, minimise the scale and bulk of the development.

Whilst the immediate locality is mainly 2 storey development, the existing Infants school building is an imposing building in its own right, which, together with the Junior school immediately adjacent, has a significant presence to the Bulkeley Road frontage and has a steeply pitched roof which adds to the height/ bulk and massing of the building. Whilst the building is not as tall as the proposed building, the set back nature of the proposal and the landscaping proposed will all soften its impact, if sited to this frontage.

The form and shape of the building is also proposed to be broken up through a number of architectural features such as the projecting balconies, different materials and cladding and the relatively high level of glazing, all of which adds visual interest and breaks up the building, resulting in a less dominant and bulky scale and mass, particularly to the frontage and side elevations.

Overall, whilst there is no precedent for 3 storey development in the immediate area, the indicative proposals show a design treatment that is not so out of scale with what is already in situ or in the environment so as to be out of character to raise concern in planning terms to the use of 3 storey development in the main.

Whilst submitted in indicative form only, the proposal is considered to show that this height of building and footprint can be accommodated on this site without undue impact upon the character of the area that would make this proposal unacceptable. To ensure there is no loss in playing field which would be detrimental to the integrity of the open space, elements of the indicative footprint of the building may need to be re-configured, however, this could still be achieved and considered further via reserved matters.

Overall, in site planning terms, the indicated density, heights and scale of development is considered to be entirely achievable on this site and subject to good design principles being

adhered to and the appropriate use of sympathetic building materials, would add visual interest to the locality. The height of the building can be controlled by condition

Highways

Bus routes are located to Dickens Lane and Park Lane and London Road, all within walking distance of the site. The buses serve the local area and Macclesfield in one direction and Stockport in the other direction. This is considered to be in accordance with the objectives of policies DC6 and DC57 of the local plan.

The amended proposal has an indicative 28 car parking spaces, including 4 spaces allocated for drivers with disabilities. The Highways Engineer has raised no objections to the proposed development in terms of indicative parking provision. Given the likely age and states of health of those in need of 'extra care', car usage is likely to be low. Furthermore the site is in a very sustainable location and on site cycle storage and a travel plan is required to encourage the use of public transport, car sharing and cycling by workers, residents and visitors, allied to the very sustainable location of the site and the indicative secure bike storage, all intended to encourage cycling, and the fact that care workers tend to live locally, the Highways Engineer considers the parking levels to comply with Government Guidance.

Objections have been raised to the proposal on the grounds of inadequate parking provision on site, leading to parking on the residential streets surrounding the site. The Parish Council has also expressed this concern. They consider this issue should be addressed further at reserved matters stage.

The advice within PPG13 is clear that developers should not be compelled to provide parking that they do not consider necessary unless there are specific highway safety reasons for doing so. Whilst the objections from neighbours are noted, there is no reason to consider that the scale of development is such that it will lead to on street parking to the detriment of highway safety.

Landscaping and tree protection

Policies DC8 and DC9 of the local plan require schemes to have appropriate landscaping and ensure the retention of trees of amenity value. Policy EM1 of the RSS seeks to avoid damage to landscape assets, enhance biodiversity assets and mitigate any unavoidable loss in resources. The site has no special designation of landscape interest. The tree officer is of the opinion that the proposal is acceptable subject to standard conditions concerning trees

Landscaping is a reserved matter which will be dealt with at a later date.

Ecology

The application is accompanied by an Ecological Statement. There are ponds on site. The Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places,

- In the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment

and provided that there is

- No satisfactory alternative and
- No detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK implemented the Directive by introducing The Conservation (Natural Habitats etc) Regulations 1994 which contain two layers of protection

- A requirement on Local Planning Authorities ("LPAs") to have regard to the Directive's requirements above, and

- A licensing system administered by Natural England.

Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements. "This may potentially justify a refusal of planning permission."

PPS9 (2005) advises LPAs to ensure that appropriate weight is attached to protected species "Where granting planning permission would result in significant harm [LPAs] will need to be satisfied that the development cannot reasonably be located on any alternative site that would result in less or no harm. In the absence of such alternatives [LPAs] should ensure that, before planning permission is granted, adequate mitigation measures are put in place. Where ... significant harm ... cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused."

PPS9 encourages the use of planning conditions or obligations where appropriate and again advises [LPAs] to "refuse permission where harm to the species or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm."

The converse of this advice is that if issues of detriment to the species, satisfactory alternatives and public interest seem likely to be satisfied, no impediment to planning permission arises under the Directive and Regulations.

In this case, consideration is given to the findings of the protected species (GCN) survey submitted with the application. This report has established that there are no species of note on the site and therefore a license from Natural England is not required in this instance.

The Nature Conservation Officer is also of the opinion that given the location of the ponds within the site and the urban nature of the surrounding topography, there is little potential in the hinterland to be habitat for the Great Crested Newt. On this basis, the information submitted with the application is considered appropriate.

Renewable energy and impact upon climate change

Policy EM18 of the Regional Spatial Strategy deals with decentralised and renewable energy supply. In advance of local targets being set through the Cheshire East Local Development Framework, EM18 requires that all major developments secure at least 10% of their predicted energy requirements from decentralised and renewable or low carbon sources.

The applicant has submitted in supporting information that the proposal will exceed the requirements of the Building Regulations by 25% by achieving Code for Sustainable Homes Level 3. Whilst this would be achieved by the use of improved thermal efficiency through high levels of insulation, the use of efficient heating devices and good design to maximise solar gain and minimise thermal heat loss, a condition is necessary to ensure compliance with the policy framework.

Reduced water consumption and increased use of sustainable construction materials will also minimise the impact of the development on the environment.

The Cheshire Waste Local Plan requires developments to minimise waste through better construction practices and seeks to ensure adequate provision for recycling both during construction and occupation phases. No details are available at this stage. Accordingly, planning condition is recommended to ensure the scheme addresses this issue.

11. CONCLUSIONS AND REASON(S) FOR THE DECISION

It is considered that the proposal would provide a valuable contribution towards meeting a specialist housing need for a vulnerable group of people within the Borough. The proposal will also deliver 50% affordable housing. It is the Government's firm commitment that older people should not have to live in housing that no longer caters to their needs. The scale of development being mainly 3 storey is considered to be acceptable in this location. The general area is densely urban with older, taller terraced housing predominating to Bulkeley Road. In principle, it is felt that the scale of development proposed will not have an significant impact upon the character, amenity or highways conditions of the area.

The detailed matters concerning where the building is located within the site, what it looks like, where and how the site is accessed and what the landscape proposals encompass will all be the subject of future application/s.

The issues raised in representations have been considered, however, suitable conditions can be imposed to address the material planning considerations and on this basis the proposal is considered to be acceptable.

12. RECOMMENDATION: Approve subject to the following conditions

- 1. Submission of reserved matters**
- 2. Tree retention**
- 3. Implementation of reserved matters**

- 4. Tree protection**
- 5. Time limit for submission of reserved matters**
- 6. Tree pruning / felling specification**
- 7. Protection for breeding birds**
- 8. Commencement of development**
- 9. Ground levels to be submitted with reserved matters application**
- 10. Decontamination of land**
- 11. Protection from noise during construction (hours of construction)**
- 12. Pile Driving**
- 13. Submission of construction method statement**
- 14 Travel plan to be submitted**
- 15. Scale parameters**
- 16. Showering/changing facilities**
- 17. SUDS to be submitted**
- 18. Details of parking etc. to be provided**
- 19. Dust mitigation to be submitted**
- 20. Cycle storage**
- 21. No impact on playing pitch**
- 22. Renewable energy**
- 23. Provision of affordable housing**
- 24. Reserved matters to include fully detailed waste audit**
- 25. Contaminated land**
- 26. Min age 55**

Location Plan

