

Application No: 10/2589M

Location: VERNON LODGE, COPPERFIELD ROAD, POYNTON
Proposal: RESIDENTIAL DEVELOPMENT OF 30 NO. UNITS IN TOTAL (14 NO. 3 BEDS/5 PERSON DUPLEX HOUSES, 14NO. 2 BED/4 PERSON APARTMENTS, 2NO. 1 BED/2PERSON APARTMENTS) INCLUDING 38 NO. PARKING SPACES & ASSOCIATED LANDSCAPE & FENCING.

For MR NIGEL BENNETT, CHESHIRE PEAKS & PLAINS HOUSING TRUST

Registered 12-Aug-2010
Policy Item No
Grid Reference 391910 382781

Date Report Prepared: 1 November 2010

SUMMARY RECOMMENDATION

Approve with conditions, subject to the completion of a legal agreement

MAIN ISSUES

- Demand for Affordable Housing in Poynton
- Scale, Design and Layout of the proposed development
- Impact on the character of the area
- Impact on residential amenity
- Traffic generation and parking
- Impact on Protected Species

REASON FOR REPORT

The proposed development is for 30 dwellings, therefore in line with the Council's Constitution, it should be determined by Members of the Northern Planning Committee.

DESCRIPTION OF SITE AND CONTEXT

The site comprises Vernon Lodge, a predominantly three storey building providing sheltered accommodation for the elderly (37 units), which is owned and managed by Cheshire Peaks and Plains Housing Trust, a Registered Social Landlord. The building no longer meets the required care standards, and therefore is due to be demolished.

The existing building fronts onto Copperfield Road and Weller Avenue. There is a lawned area to the rear of the building, and a small car park to the side of the building.

The site is located within a Predominantly Residential Area, as defined by the Local Plan. The area is suburban, providing family housing in semi-detached properties, and elderly person's accommodation in bungalows.

DETAILS OF PROPOSAL

Cheshire Peaks and Plains Housing Trust seek full planning permission for a replacement three-storey building on the footprint of the existing building, to provide 30 units of Affordable Housing (which are available to rent at a reduced rate) comprising 14 No. 3 bed family houses, 14 No. 2 bed apartments, 2 No. 1 bed apartments, with 38 car parking spaces, to meet local housing needs.

RELEVANT HISTORY

None.

POLICIES

Local Plan Policy

BE1 – Design
DC1 – Scale and design
DC3 – Amenity
DC5- Layout and surveillance
DC6 - Circulation and access
DC8 &DC37 – Landscaping
DC9 – Tree protection
DC35 – Materials and finish
DC38 –Space, light and privacy
H1 –Phasing Policy (Housing)
H2 - Environmental Quality in Housing Developments
H13- Protecting Residential Areas
PDC5- Housing and Community Uses

National Planning Policy

PPS1 – Delivering Sustainable Development
PPS3 – Housing

CONSULTATIONS

Environmental Health:

No objection, subject to a condition requiring a Phase II Investigation (In respect of any land contamination, and remediation works if required, and an Environmental Regulation Informative.

Fire Safety:

No objection, recommendations made to the applicant.

Forestry Officer:

Initial concerns were raised in respect of the potential conflict between Silver Birch and properties opposite. Revised plans have been submitted to address this issue. They advise that the crown of the Silver Birch is to be lifted and reduced to reduce impact on adjoining dwellings. The Forestry Officer raises no objection to the revised plans.

Highways:

No objection, subject to conditions.

Housing:

The views of the Housing Department are awaited, however, they have been consulted by CPPHT and have agreed verbally that there is a demand for Affordable Housing in this area; however, the tenure is still to be agreed.

Landscaping:

The Landscape Officer advises that the impact on existing landscape features is acceptable, landscape elements of the design have been improved as far as practicable within the site layout as proposed. The design as a whole is of a different, more urban character to the surrounding area, but this is insufficient to raise an objection on landscape grounds.

Leisure:

The Leisure department advise that the development is well above the threshold for the provision of Public Open Space (POS) as identified in the Supplementary Planning Guidance on S106 agreements.

In the absence of the on site provision of POS we will be requiring a commuted sum for the provision of offsite play and amenity facilities. The contribution for a commuted sum for the provision of Recreation / Outdoor Sport has been waived as the development provides 100% affordable housing.

The required POS commuted sum is £84,000 and will be used to make additions, improvements and enhancements to the facilities at the following locations;

- Barnaby Road
- Dickens Lane / Fleetbank Farm
- Poynton Brook amenity open space
- Off road amenity footpath network and incidental open space

Ministry Of Defence (Woodford Aerodrome):

No safeguarding objections

Nature Conservation:

No objection, subject to the submission of an appropriate mitigation/compensation statement, ***prior to the determination of the application.***

VIEWS OF THE PARISH / TOWN COUNCIL

Marginal recommendation for refusal on the grounds of Cramped Development. The following comments were made:

The accommodation proposed was thought not to be suitable for families, and risked replicating mistakes made in social housing in the 1960s. The committee also noted that the proposed development is out of character with neighbouring properties, which comprise mainly small bungalows.

OTHER REPRESENTATIONS

In total, 27 individual objections were received contained within 22 letters; furthermore a petition has been submitted with 113 signatories. In summary, the following objections have been raised:

1. General negative impact on existing community

- Increased noise / nuisance levels resulting from increase in population
- Disruption to village life due to building work
- Change to demographic of the area with the introduction of families and disruption caused by younger residents
- Loss of community asset (existing building used by wider community)
- Fear of increased anti-social behaviour / crime
- General over development of the village (population and building)

2. Traffic

- Increased pressure on existing parking
- Increased traffic and pressure on roads

3. Layout and Design

- Over development of the plot, loss of green space
- No children's play area/equipment
- Building design and landscaping is unsuitable for proposed use (no gardens and too dense)

- No detailed provisions of bin store/recycling points and concern over negative impact
- Design is out of keeping with the area
- Back to back design unacceptable – similar to designs of inner cities 50 years ago! Unsuccessful for families.

4. Pressure on services

- Increased pressure on local services, including schools, police and refuse collection
- Lack of garden provision resulting in increased pressure on existing open spaces for play, leisure and utility
- No provision of services for an influx of children

5. Communication of proposals

- Objection to definition of previous building as comparable to new proposal
- Lack of notification of nearby residents by post
- Original proposal to turn the site into accommodation for over 55's reneged upon

6. Impact on ecological environment

- Felling of mature trees and loss of green space (negative impact on ecological environment)

APPLICANT'S SUPPORTING INFORMATION

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

- Design and Access Statement
- Draft Heads of Terms –retaining units as affordable
- Affordable Housing Statement
- PPS3 Housing Self Assessment Checklist
- Ecological Walkover Assessment, including Bat Inspection Surveys
- Methodology and Bat Mitigation Report (awaited)

OFFICER APPRAISAL

Principle of Development

As indicated above, the application site is situated within a Predominantly Residential Area; therefore subject to the development complying with the Development Plan policies, no objection is raised to the principal of this development.

A Housing Needs Assessment was carried out as part of the Council's Strategic Housing Market Assessment which confirmed that there is a genuine demand for 2/3/4 bed accommodation in Poynton.

The proposal seek to provide a mix of affordable units, available to rent at a reduced rate, at least a 20% reduction in open market rates, to meet local housing needs. All of the units would owned and managed by Cheshire Peaks and Plains Housing Trust, and would be retained as affordable units in perpetuity, which would be secured by a legal agreement.

The site is considered to be in a relatively sustainable location, within close proximity of Poynton Town Centre, which provides a wide variety of shops and services, schools, churches and businesses. There is a bus stop immediately outside the proposed property on Copperfield Road, providing a regular bus service to the Town Centre, and a bus stop on London Rod, which connects to the A6 at Hazel Grove and provides links to Stockport, Manchester.

Assessment of the Proposals

Scale, Design & Layout

The proposed building overlaps the footprint of the existing building. The building is three storey fronting onto Copperfield Road, and two storey fronting onto Weller Avenue, which is comparable to the existing building on site.

In massing terms, there is a reduction in the height by 0.8 metres from 11 to 10.2 metres facing Copperfield Road, and a reduction in the width of the three storey structure 39.5 to 36.5 metres.

There is an increase in massing facing Weller Avenue. The width of the three storey element increases from 12 to 18.8 metres (albeit it is set 6.0metres further back), there is an increase in the height of the single/two storey element from 3.0 to 6.6 metres, and 5.8 to 7.4 metres, and there is also an increase in the rear projection by 6.3 metres.

Whilst there is a general increase in massing facing Weller Avenue, the scale of the building is still considered to fall within acceptable limits. The majority of the building facing Weller Avenue is two storey, as are the properties on this road.

The three storey element of the building has been designed with two storey dwellings fronting Copperfield Road, and Weller Close, with their own private gardens, at second floor level are a mix of self contained apartments, with balconies. The two storey building facing Weller Avenue comprises a mix of self contained apartments with balconies.

Concern has been raised about the "back to back" design of the units, due to inadequate light and ventilation. From considering the floor plans in detail, it is noted that the dwellings and apartments are open plan, therefore there is

light and air into each habitable room. Bathrooms, toilets stairways and landings are not habitable rooms and therefore do not require the same level of natural light, in any event, all of these issues are covered under Building Regulations, and the applicant would have to comply with current Building Regulation standards to build the development.

The design of the building is considered to be relatively contemporary, whilst taking on some design features of surrounding buildings. The building is to be fabricated in a red brick with rendered sections, with a grey tile roof. The key feature of the building is the roof shape, which incorporates a number of mono-pitch roof planes, to give the building an interesting design, and reduce the bulk and mass of the roof.

The scale of the new building is comparable to the existing building, and the design of the new building is considered to be a significant improvement to the existing structure and is aesthetically pleasing. The proposal is considered to be in keeping with the character of the area, and is of a sympathetic design, incorporating local design features. The proposal is therefore considered to comply with policies DC1 and BE1 of the Local Plan.

The site measures 0.42 hectares, which equates to a density of 71 dwellings per hectare, which is recognised as being quite high, however, Planning Policy Statement 3 (Housing) encourages efficient use of previously developed land, and it should be recognised, that the previous use of the site as sheltered accommodation was also at a high density.

The building has been designed to achieve Code for Sustainable Homes level 4, which is 44% better than current Building Regulation Standards. For information, level 6 would be a zero carbon building, which is very difficult to achieve.

38 car parking spaces are proposed in total, which equates to 125% provision. 12 fronting onto Weller Avenue, and 26 within a car park located to the rear of the building. Within the car park is an enclosed bin shelter, for use by residents of the apartments.

Amenity

The building has been designed to meet the Space, Light and Privacy Standards as set out in Policy DC38 of the Local Plan. The building complies with this policy, and is not considered to raise any significant amenity issues. It should also be recognised that the building is located on the footprint of an existing building, and therefore the amenity issues are similar.

Ecology

The EC 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, if there is:

- no satisfactory alternative
- no detriment to the maintenance of the species population at favourable conservation status in their natural range
- a specified reason such as imperative, overriding public interest.

The UK implemented the EC Directive in The Conservation (Natural Habitats etc) Regulations 1994 which contain two layers of protection:

- a licensing system administered by Natural England which repeats the above tests
- a requirement on Local Planning Authorities ("LPAs") to have regard to the Directive's requirements.

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

In PPS9 (2005) the Government explains that LPAs "should adhere to the following key principles to ensure that the potential impacts of planning decisions on biodiversity are fully considered..... In taking decisions, [LPAs] should 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..... If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused."

With particular regard to protected species, PPS9 encourages the use of planning conditions or obligations where appropriate and advises, "[LPAs] should 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 species detriment, development alternatives and public interest seem likely to be satisfied, no impediment to planning permission arises under the Directive and Regulations.

Bats

Bat surveys undertaken at Vernon Lodge have confirmed that there is a low level of bat roosting activity within the building. The roost is likely to be used during the autumn period and the ecologist who undertook the surveys suspects that the roost may be used for mating purposes; however this usage is not certain. The bat species concerned is common and widespread in Cheshire.

In the absence of mitigation the loss of the roost as a result of this development would have a moderate impact on the local scale but a very low

impact on the species as a whole. The demolition of the building could however result in the killing or injuring of any bats present when the works were undertaken.

The Nature Conservation Officer has agreed an appropriate format for a mitigation/compensation statement which the applicant's ecologist is in the process of preparing it.

The Nature Conservation Officer anticipates that the proposed mitigation will be adequate to address the adverse impacts of the development, however ***planning consent must not be granted until this has been submitted and agreed.***

Having regard to the above it is considered that replacement roosting facilities is an appropriate form of mitigation. The proposed mitigation/compensation is likely to reduce the potential adverse impacts of the development to a low level. It is considered that that the mitigation/compensation put forward is a material consideration which if implemented would conserve and enhance the existing protected species in line with LP Policy NE11 and is therefore, on balance considered to be acceptable.

The Council is obliged to assess the development against the three tests prescribed by the Habitat Regulations when determining the application.

The alternative to the replacement building would be of course to retain the existing building, however, as noted above, the current building does not meet current care standards, and therefore at some point in time this building could be subject to major renovation and possible extension works to create family housing or sheltered housing, which could have an equally significant impact upon any present bats.

The recommended mitigation proposes a bat roost which is to be incorporated within the new building, which will provide a new appropriate roost for the bats. The proposed mitigation will provide a new habitat which will allow the future protection of the bats in perpetuity.

The proposed scheme to demolish the existing building could have a substantial impact upon the presence of bats however in this particular case the number of bats on site is considered to be low.

The proposal is in the over-riding public interest because it will provide 30 affordable houses, which is of a significant benefit to the local community. With a combination of appropriate mitigation measures, the development should maintain the protected species and their habitat.

In this particular case the view is taken that whilst the proposed replacement dwelling would satisfy the minimum of the tests prescribed by the habitat regulations, it is considered that due to the low presence of bats at this property the impact of the replacement building on any existing habitat would be minimal and any harm would be sufficiently outweighed by the mitigation

put forward by the applicant. The view is taken that the mitigation put forward is a material consideration which if implemented will further conserve and enhance the existing protected species in line with Local Plan policy NE11 and is therefore on balance, considered to be acceptable.

Highways

In regard to the assessment of the traffic impact of the development, this is a minor application in highway terms and the peak generation is likely to be no more than 25 trips in and out in the peak hours. Therefore, even with no allowance made for any the existing traffic generation from the sheltered development and all traffic from the development proposals taken as being new trips added to the existing traffic flows, no capacity problems will occur on the road network in the vicinity of the site.

The car parking provision is 38 spaces on the site, this equates to a provision of approximately 125%. With regard to policy PPG 13 states that Authorities *"should revise their parking standards to allow for significantly lower levels of off-street parking provision, particularly for developments in locations, such as town centres, where services are readily accessible by walking, cycling or public transport"*. The proposed allocation of one space per dwelling and the remainder used for visitor parking is considered an acceptable level of provision as the site is readily accessible to all modes of transport and also has a considerable amount of safe on-street parking available close to the site.

A number of trees have been shown close to the junction at Copperfield Road, these will need to be omitted as they would interfere with junction visibility.

In summary, the development would not cause traffic congestion problems on the local road network as the traffic generation is minimal and the parking allocation with the site meets policy considerations, there is also the availability of on-street parking should the need arise.

No highway objections are raised subject to conditions.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The Strategic Housing Market Assessment indicates that there is a genuine demand for affordable housing within Poynton. The proposed development seeks to provide 30 affordable units, on previously developed land in a sustainable location. Whilst the density of the development is recognised as being quite high, the proposed scale and design of the building is considered to be comparable to the existing building. The design of the building is quite contemporary; however, traditional materials are proposed to ensure that the building is in keeping with the character of the local area.

The views of the Design and Housing Officers are awaited, and are important in the consideration in this application.

In the absence of the outstanding views, a recommendation of approval is made, subject to

- Submission of a Bat Mitigation/Compensation statement
- Conditions (below)
- Completion of a legal agreement (Heads of Terms below)

As there are a number of outstanding issues, an update report will be provided to members in advance of the Committee.

HEADS OF TERMS

Affordable Housing

All of the units are to be available for rent at affordable level and are to be retained in perpetuity as affordable housing. The tenure of the units is to be agreed with the Housing Department

Open Space

A commuted sum is required to offset the requirement for the provision of offsite play and amenity facilities.

The required POS commuted sum is £84,000 and will be used to make additions, improvements and enhancements to the facilities at the following locations;

- Barnaby Road
- Dickens Lane / Fleetbank Farm
- Poynton Brook amenity open space
- Off road amenity footpath network and incidental open space

We are still in discussions with the applicant about the amount of the commuted sum; however, this should be resolved by the Committee.

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.

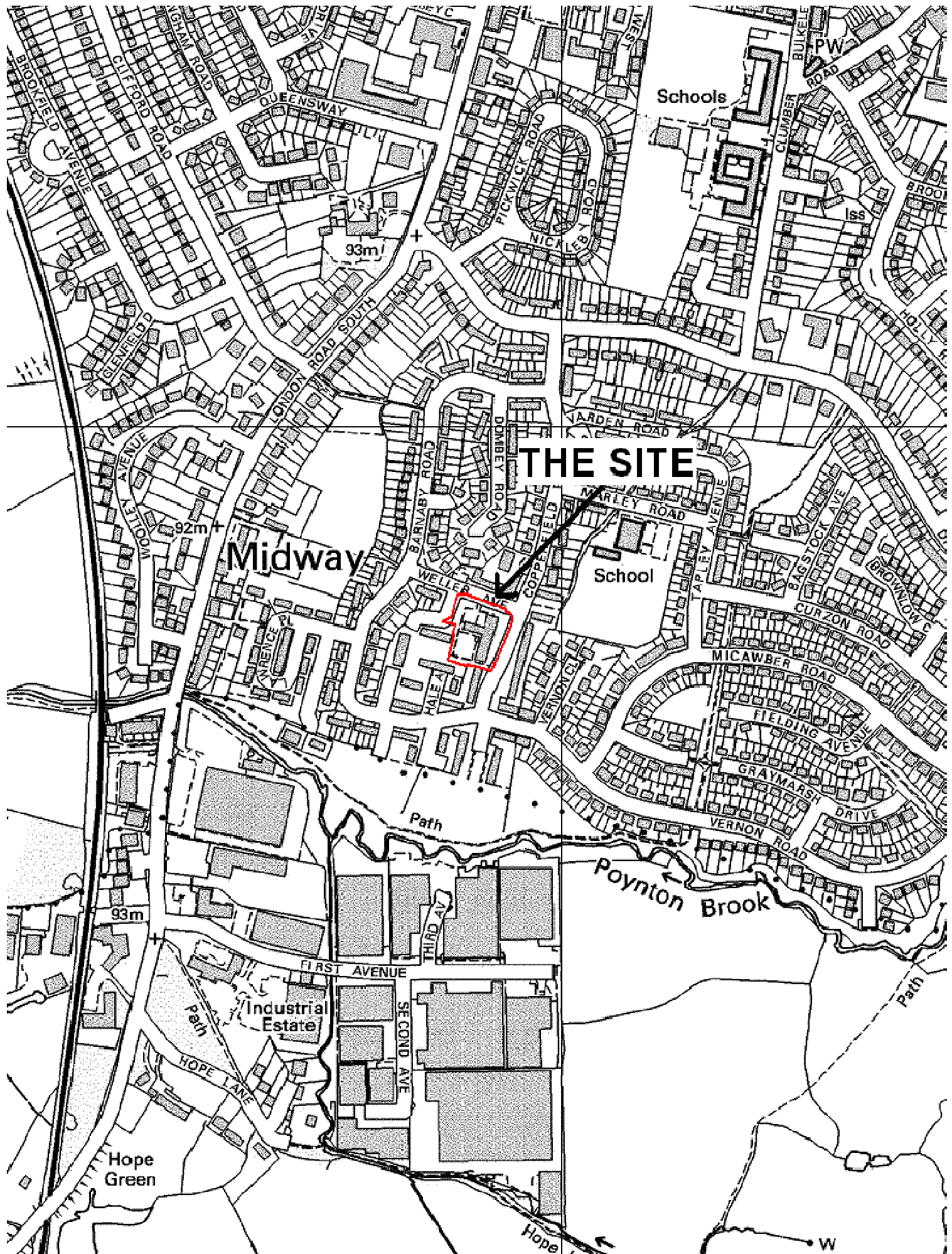
In this instance it is considered that a commuted sum is required in lieu of Public Open Space provision, as the proposed development will provide 30 family units, the occupiers of which will use local facilities as there is no open space on site, as such, there is a need to upgrade/enhance existing facilities.

In respect of these matters it is considered that the works 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 following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A06EX - Materials as application
4. A01LS - Landscaping - submission of details
5. A04LS - Landscaping (implementation)
6. A01TR - Tree retention
7. A23GR - Any pile driving to be approved in advance with LPA
8. A22GR - Protection from noise during construction (hours of construction)
9. A06GR - No windows to be inserted
10. A01GR - Removal of permitted development rights
11. A01HP - Provision of car parking
12. A07HA - No gates - new access
13. A08MC - Lighting details to be approved
14. A02NC - Implementation of ecological report
15. Phase II Land Contamination Survey required
16. Provision of visibility splays prior to occupation
17. Provision of bat and bird boxes



10/2589M VERNON LODGE, COPPERFIELD ROAD, POYNTON
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