

Application No: 24/4391/FUL
Application Type: Full Planning
Location: Land West of Alderley Road, Wilmslow, SK9 1PZ
Proposal: Demolition of existing buildings and erection of care home with associated parking, landscaping and access improvements.
Applicant: Mr J P Singleton (McGoff Group Properties Ltd)

Summary

The proposal is demolition of existing buildings and erection of a new residential care home with associated parking, landscape and access. The development would include 66 bedrooms providing nursing, residential and dementia care. The site is currently in use as a builder's merchant and car wash.

There have been questions in relation to the Council's 'Home First' strategy of care aimed at keeping people living independently for as long as possible. However, the delivery of 66 bed care units would help relieve an identified unmet need including the provision of specialist dementia care and would also add to the Council's housing land supply.

Concerns have been raised over the parking provision being below the required standards in CELPS Appendix C and regarding land contamination, following previous use as a petrol filling station. There is further information relating to contamination requested by condition. Following receipt of justification within a Highways Technical Note, the parking has been found to be acceptable.

The proposals have been considered at pre-application stage and several matters addressed. The submitted design, although taller than immediately surrounding buildings is found to be acceptable within the street context. Separation distances are acceptable and no significant amenity issues are identified. Landscaping is considered acceptable subject to conditions. Further information is required to confirm acceptable drainage. The proposal would be exempt from Biodiversity Net Gain and ecological enhancements can be secured by condition. Additional conditions are required including relating to airport safety, noise mitigation and tree protection.

Summary recommendation

Approve subject to conditions

1. REASON FOR REFERRAL

1.1. The application relates to a 'Small-Scale Major Development' and under the terms of the Constitution, it is required to be determined by the Northern Planning Committee.

2. DESCRIPTION OF SITE AND CONTEXT

2.1. The application site is 0.38 hectares, within the settlement boundary of Wilmslow, a Key Service Centre as identified in the Cheshire East Local Plan Strategy. The site lies between two main roads, Alderley Road and Knutsford Road B5086, converging at the roundabout to the north. It is at the northern end of the area known as Fulshaw Park, a roughly triangular

area bounded by these two roads. The site is currently in use as a builder's merchant and carwash, having previously been used as a petrol station.

3. DESCRIPTION OF PROPOSAL

- 3.1. The proposal is for demolition of the existing buildings and construction of a new build 66 bed care home to provide nursing and residential care for a range of needs including dementia care within a specialist unit.

4. RELEVANT PLANNING HISTORY

- 4.1. 21/2921M Partial change of use of building into café with external decking, ancillary to existing car wash. Approved with conditions 25 Oct 2022.
- 4.2. 19/4940M Variation of condition 8 (Opening hours) on application 18/5937M. Allowed at appeal ref APP/R0660/W/20/3257633 11 Jan 2021.
- 4.3. 18/5937M Change in use of land from former petrol station to a hand car wash and valet business with associated single-storey building and canopy (amendments to 16/5610M) Approved with conditions 24 Sep 2019.
- 4.4. 16/5610M Change of use of land from a former petrol filling station to a hand car wash and valet business with associated single-storey building and canopy. Allowed at appeal APP/R0660/W/17/3186936 7 March 2018.
- 4.5. 08/1783P Retention of portacabin for storage sales and office use. Approved with conditions. 8 Oct 2008.
- 4.6. 99/1333P Retention of portacabin for storage office and sales use. Approved with conditions 15 Sep 1999.
- 4.7. 99/0633P Retrospective application for extension to portacabin and new racking for storage. Approved with conditions 23 Jun 1999
- 4.8. 78900P Four replacement petrol storage tanks lines vents and fills. Approved 19 Sept 1994.
- 4.9. 64059P Proposed new access from Alderley Road and seal off existing access from Donkey Lane. Approved 29 Aug 1990.
- 4.10. 63129P Demolish existing cement store and erect portal frame building to replace. Approved 06Jun 1990
- 4.11. 60869P Demolish existing prefab showroom/trade counter and erect modular units to replace. Approved 13 Dec 1989.
- 4.12. 34343P New diesel facility including a 4000 gallon underground tank service station. Approved 28 Jul 1983
- 4.13. 23331P Installation of 8000 Gallon underground spirit storage tank. Approved 30 Jul 1980.
- 4.14. 20609P Redevelopment of Garage. Approved with conditions 02 Jan 1980

5. NATIONAL PLANNING POLICY

- 5.1. The National Planning Policy Framework (NPPF) was first published by the Government in March 2012 and has since been through several revisions. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF is a material consideration which should be taken into account for the purposes of decision making.
- 5.2. The latest version of the NPPF was released in December 2024, with further amendments in February 2025. Of particular relevance are chapters in relation to: Achieving sustainable development, Decision making, Promoting healthy and safe communities, Making effective use of land, Achieving well designed places and Conserving and enhancing the historic environment.

6. DEVELOPMENT PLAN POLICY

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions on planning applications to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Cheshire East Local Plan Strategy (2010 – 2030) was adopted in July 2017. The Site Allocations and Development Policies Document was adopted in December 2022. The policies of the Development Plan relevant to this application are set out below, including relevant Neighbourhood Plan policies where applicable to the application site.
- 6.2. Relevant policies of the Cheshire East Local Plan Strategy (CELPS) and Cheshire East Site Allocations and Development Plan Policies Document (SADPD)

Cheshire East Local Plan Strategy (LPS)

MP1 Presumption in Favour of Sustainable Development
PG1 Overall Development Strategy
PG2 Settlement Boundaries
PG7 Spatial distribution of development
SC3 Health and Wellbeing
SC4 Residential Mix
SD1 Sustainable development in Cheshire East
SD2 Sustainable development principles
SE 1 Design
SE 3 Biodiversity and Geodiversity
SE 4 The Landscape
SE 6 Green Infrastructure
SE 7 The Historic Environment
SE 8 Renewable and Low Carbon Energy
SE12 Pollution Land Contamination and Land Instability
CO 1 Sustainable Travel and Transport
CO 2 Enabling Business Growth Through Transport Infrastructure
Appendix C Parking Standards

Site Allocations and Development Policies Document (SADPD)

PG 9 Settlement boundaries
GEN 1 Design Principles
GEN 5 Aerodrome safeguarding
ENV 5 Landscaping
ENV 6 Trees, hedgerows and woodland implementation
ENV 7 Climate Change

ENV 12 Air Quality
ENV 14 Light Pollution
ENV 15 New development and existing uses
ENV 16 Surface water management and flood risk
HER 1 Heritage assets
HER 7 Non-designated heritage assets
HOU 1 Housing Mix
HOU 2 Specialist Housing Provision
HOU 8 Space, accessibility and wheelchair housing standards
HOU 12 Amenity
HOU 13 Residential standards
INF 3 Highway safety and access
INF 9 Utilities

6.3. Wilmslow Neighbourhood Plan

Policies of the Neighbourhood Plan relevant to the consideration of this application are:

LSP2 Sustainable Spaces
LSP3 Sustainable Spaces
NE 5 Biodiversity Conservation
TH1 Gateways into Wilmslow
TA1 Residential Parking Standards
TA5 Cycling in Wilmslow
H2 Residential Design
H3 Housing Mix
REC 3 Open Space Implementation

7. Relevant supplementary planning documents or guidance

7.1. Supplementary Planning Documents and Guidance do not form part of the Development Plan but may be a material consideration in decision making. The following documents are considered relevant to this application:

7.2. SuDS SPD
Ecology and Biodiversity Net Gain SPD
Developer Contributions SPD
Cheshire East Design Guide SPD
Housing SPD
Housing Strategy 2013-2023
Vulnerable and Older Persons' Housing Strategy 2020-2024

8. **CONSULTATIONS (External to Planning)**

8.1. **United Utilities:** Drainage strategy acceptable in principle, further detail needed. Condition requested.

8.2. **Environmental Protection:** Noise impact assessment accepted, to be conditioned. Informatives/ conditions provided in relation to hours of construction, dust management, floor floating, piling. Conditions for travel plan prior to first occupation. Insufficient information submitted in relation to contaminated land (see also below).

8.3. **Contaminated Land:** Contamination is present, proposal is sensitive end use. Site is on a Principal Aquifer, Environment Agency comments should be reviewed. Phase 1 & Phase 2

reports received but some concerns remain. Unknown costs associated with remedial works. No formal objection raised, conditions requested.

8.4. **Environment Agency:** Consulted, no response received.

8.5. **Highways:** Concern over amount of parking provision for staff and visitors. Parking provision accepted on receipt of Technical Note (revised).

8.6. **Adult Social Care:** The Council promotes a 'Home First' strategy to optimise independence as long as possible. Queries over the data that has informed the modelling for the submission, pricing policy and staff recruitment. Financial model should not rely on local authority funding.

8.7. **Strategic Housing:** No objection

8.8. **NHS** – consulted, no response received.

8.9. **GreenSpaces:** Revisions following preapp acceptable, no further comments.

8.10. **Archaeology:** Unlikely to disturb below ground archaeological deposits, no recommendations.

8.11. **Cheshire Constabulary** – Advises Secured by Design application. Advice on specific elements and features provided.

8.12. **Airport safeguarding** – conditions requested relating to exterior lighting, solar panels, landscaping and dust. An informative is requested in relation to crane and tall equipment notification.

9. REPRESENTATIONS

9.1. **Wilmslow Town Council** - Recommends refusal. Key points summarised:

- significant over development of the plot contrary to WNP H2
- parking significantly below recommended for a care home of this size, contrary to WNP TA 1 and CEC local plan, no acceptable alternative available in the area.
- out of character for the area, contrary to WNP T4.
- If minded to approve - construction vehicles on-site condition.

9.2. **Travis Perkins**

- Concerns over description of development, no notice served on client with an interest in the land. Loss of builders merchant and associated jobs.
- air quality concerns
- Passive ventilators – query over appropriateness in warmer weather
- Noise from adjacent public house and roads
- Shading to gardens
- Very little soft landscaping, over development

9.3. **Representations from Members of the public**

Objections received from two individual members of the public, plus one letter on behalf of Residents of Wilmslow (ROW). Key points summarised as follows:

- Parking concerns , query over assumption that most staff will walk from the local area. Surrounding roads subject to parking restrictions. Parking standards not met. No acceptable alternative car parking in the area.
- Queries over traffic assessment – proximity of cycle routes and railway stations, provision of cycle parking.
- Efficient use of the site – housing units rather than carehome.
- Queries in Planning Need Assessment - No mention of other nearby carehome site, other nearby homes with dementia care/ dementia friendly.
- Wilmslow Manor Care home – numerous applications, confusing.
- Inconsistency in impermeable area and drainage strategy
- Query over land contamination
- Construction vehicle parking concerns. Working hours need to be enforceable conditions.
- Staff on existing businesses unlikely to remain employed on the site.
- Distances to nearest builders merchant and hand car wash.
- No mention of future of trade counter / offices for TP.
- Scale of building – footprint and height, much higher than surroundings (except for chapelwood, mostly screened). Over development on constrained site.
- Built form/hard landscaping to external amenity space ratio does not reflect similar developments in the area.
- Concerns over provision on site external amenity space for the needs of occupants/visitors/staff.
- Concern over shaded areas of gardens.

Procedural Matters

9.4. Neighbours have been consulted and a site notice was erected by the site boundary.

10. OFFICER APPRAISAL

Principle of the Development

- 10.1. SADPD Policy PG9 states that within settlement boundaries, development proposals (including change of use), will be supported where they are in keeping with the scale, role and function of that settlement and do not conflict with any other relevant policy in the local plan. Policy SD 1 seeks to provide appropriate infrastructure to meet needs of the local community among other criteria. The site is within the settlement boundary of Wilmslow, a key service centre as defined in policy PG 2 of the CELPS. The site is considered to be in a sustainable location. It is a previously developed site within walking distance of public transport links and to services. Policy EG3 of the CELPS seeks to retain existing employment sites for employment use which needs to be addressed in an application submission.
- 10.2. Policy SC 4 of the Cheshire East Local Plan Strategy states the following : *Development proposals for accommodation designed specifically for the elderly and people who require specialist accommodation will be supported where there is a proven need; they are located within settlements; accessible by public transport; and within a reasonable walking distance of community facilities such as shops, medical services and public open space.*
- 10.3. The proposal is for a 66 bed home offering some nursing and dementia care. The site is brownfield in nature and therefore its redevelopment to provide residential accommodation for older persons in a sustainable location aligns with general principles of national and local policy. The principle of the development is found to be acceptable.
- 10.4. Comments made in a representation include reference to the application description and notification. The application description would not be required to specifically reference

individual existing businesses on the site. The application form includes certificate B relating to notification.

Housing Land Supply

10.5. The Cheshire East Local Plan Strategy was adopted on the 27th July 2017 and forms part of the statutory development plan. The plan sets out the overall strategy for the pattern, scale and quality of development, and makes sufficient provision for housing (36,000 new dwellings over the plan period, equating to 1,800 dwellings per annum) in order to meet the objectively assessed needs of the area.

10.6. As the plan is more than five years old, deliverable housing land supply is measured using the local housing need figure (plus 5% buffer), which is currently 2,603 dwellings per year rather than the LPS figure of 1,800 dwellings per year.

10.7. The National Planning Policy Framework (NPPF) identifies the circumstances in which relevant development plan policies should be considered out-of-date. These include:

- Where a local planning authority cannot demonstrate a five year supply of deliverable housing sites (with appropriate buffer) or:
- Where the Housing Delivery Test Measurement indicates that the delivery of housing was substantially below (less than 75% of) the housing required over the previous three years.

10.8. In accordance with the NPPF, the council produces an annual update of housing delivery and housing land supply. The council's most recent Housing Monitoring Update (base date 31 March 2024) was published in April 2025. The published report identifies a deliverable five year housing land supply of 10,011 dwellings which equates to a 3.8 year supply measured against the five year local housing need figure of 13,015 dwellings.

10.9. The 2023 Housing Delivery Test Result was published by the Department for Levelling Up, Housing & Communities on the 12 December 2024 and this confirms a Housing Delivery Test Result of 262%. Housing delivery over the past three years (7,392 dwellings) has exceeded the number of homes required (2,820). The publication of the HDT result affirms that the appropriate buffer to be applied to the calculation of housing land supply in Cheshire East is 5%.

10.10. In the context of five-year housing land supply, relevant policies concerning the supply of housing should be considered out-of-date and consequently the 'tilted balance' at paragraph 11 of the NPPF is engaged.

Need for Care Home

10.11. Policy HOU2 of the SADPD advises that the delivery, retention and refurbishment of supported and specialist housing, which meets an identified need, will be supported. Supported and specialist housing should be designed to satisfy the requirements of the specific use or group it is intended for, whilst being adaptable and responsive to changing needs over the lifetime of the development and meet the requirements of other relevant local plan policies.

10.12. Cheshire East Council's strategy is 'Home First' to optimise independence for as long as possible, supporting people to remain in their own home. Adult services have commented that the proposals do not appear to consider alternative provision such as extra care housing or more specialist care. Furthermore, that the layout did not appear to offer a great deal of flexibility and operational considerations for the increasing complexity of service users.

- 10.13. The applicant is advised that the financial model should not rely on the local authority funding places and would have no obligation if a service user can no longer cover the weekly care fees. A query was raised over the demand and capacity data that informed the modelling for the submission.
- 10.14. The needs assessment states that it has considered other recent applications for care home beds to take into account other provision, with a need for beds outstanding. This is particularly relating to dementia care. The current proposal would relieve some of this unmet need having regard for the unmet need including provision of specialist dementia care and as such it is considered to comply with policy HOU 1.
- 10.15. Matters such as staff recruitment and retention policies and demonstration of viability issues would not be determinative in the planning assessment. The proposal is to include dementia care within the development as well as more general residential and nursing care.

Design and Impact on the Character of the Area

- 10.16. New development should respect and enhance the existing architectural design themes, materials and scale within the immediate area and also not to detrimentally impact built heritage assets without clear and convincing justification given to outweigh any defined harm. The most applicable policies for consideration are SD1, SD2, SE1 and SE7 of the CELPS and GEN 1, HER 1, HER 4 of the SADPD, as well as chapters 12 and 16 of the NPPF.
- 10.17. The location is on a key entry point into Wilmslow. It is within an area where buildings are predominantly 2 storey, some with an additional storey within the roof space, maintaining lower eaves than on full three storey buildings. The site lies at the north of the Fulshaw Park area as identified on appendix 6 map in the Wilmslow Neighbourhood plan. Policy TH4: Three Wilmslow Parks is therefore relevant.
- 10.18. The character of Fulshaw Park is described in WNP Appendix 7 as *“essentially a quiet residential area that has many mature trees and landscaping creating green tunnels of foliage over the roads in places. Dwellings are mostly 2-storey detached houses, but there are also examples of 3-storey dwellings, purpose built apartments, detached bungalows and dormer bungalows, semi-detached houses and apartments formed by subdividing large detached properties. They are from a mixture of periods and occur in groups with some having direct access onto the road and some being accessed via a cul-de-sac”*
- 10.19. The Local Area Assessment in the Design and Access Statement are noted as selective and not all appear to be taken from the public realm and so do not give a clear sense of setback or screening. Many buildings in the area are setback from the main road and many benefit from mature planting and trees for screening. Some of this screening is from planting adjacent to the highway within tree lined streets, nonetheless even where not within the respective sites the general character is of mature trees and hedges providing a soft landscaped frontage.
- 10.20. Although at the northern end of this area and bounded by the busy Alderley Road, much of this character is evident in the trees and scale of buildings around the site. The approach from the south is sylvan in character with trees and hedges defining frontages. The Kings Arms public house is immediately to the north, and buildings related to the builder's merchant use to the west of the site. To the east and south are mainly residential properties, some larger properties set within spacious gardens. Development character intensifies in terms of density/scale in proximity to the Fulshaw Cross roundabout, but this is mitigated and enriched by the mature trees on and around the roundabout. Beyond this landscape buffer, to the north, the Chapelwood scheme introduces a larger footprint/taller building typology but it is heavily screened in key views. The roundabout is a transition point in terms of character and the sense

of approaching the town centre, rather than an outlying suburb . There is mixed architectural character/detailing ranging from traditional Victorian to post war within proximity of the site. Donkey Lane retains an informal character. The site boundary to southwest is defined by mature conifers, with limited landscaping including self-set trees on the Donkey Lane frontage. The current appearance and use of the site is a visual detractor in the area.

- 10.21. The proposal is a reverse T shaped building with garden area to the north west and parking to the south. The applicant has sought pre-application advice and a number of design alterations have been included in response to this, in terms of scale, layout on the site and boundaries. The proposed building would be a three-storey building, with the second floor within the roof space with dormer windows which brings the eaves level lower than a full three storey building. The southern element of the site projects close to the road frontage but is set back above ground floor level, which would help to reduce the visual scale as seen from the road. There is some visual interest provided in the layering and variation of details to the elevational treatments, incorporating some traditional features. Street scene drawings are provided. A levels plan has been submitted which indicates acceptable proposed site levels. Although the building is taller than those surrounding there is a visual separation particularly with the carpark to the Kings Arms pub to the north, and the sites own car park to the south. Taking account of the varied elevational treatment creating the upper floor partially within the roof space and the variation in the building line between the blocks set back of above ground floor level at the southern end, it would be acceptable visually in the street context. The proposed materials of brick with cladding for the walls appears acceptable in this location subject to conditions for specifications, including for the roof covering.
- 10.22. Donkey Lane to the south is a narrow one-way route with a semi-rural character, despite its proximity to the busier roads and the existing use on the site. It is characterised by one and a half and two storey buildings, one of which, opposite the site is identified as a non-designated heritage asset. The existing boundary includes self-seeded trees and bushes which help to provide screening of the existing uses on the site. Landscaping is proposed on the southern edge of the car parking adjacent to Donkey Lane and includes planting to soften this boundary. The layout has been amended since pre-app stage with the relocation of the substation away from the prominent southeast corner, replacing this with tree planting.
- 10.23. An energy report is included setting out proposals to incorporate sustainable energy solutions within the scheme. Details of such measures would be subject to assessment under building regulations. The proposal includes solar panels. These would need to be shown on proposed elevations which can be by condition.

Parking, Highways safety and Traffic Generation

- 10.24. The site is proposed for a 66 bed care home where most vehicle trips would typically be for staff and visitors. Submitted information indicates 65 full time and 20 part time staff although they would work shift patterns. The parking provision is for 30 spaces with 1 space for ambulance drop off, 3 accessible spaces and 4 electric vehicle charging. The site is located on a busy road within a residential area. The access to the site would be to the south, off Alderley Road. Refuse and service delivery vehicles would use this access and a turning area is proposed within the site.
- 10.25. The Strategic Highways team raised concern over the parking provision being 10 spaces below the standards within the CELPS appendix C for this type of development. There are parking restrictions on roads around the site with the exception of a single track one way route Donkey Lane to the south of the site, and a residential cul-de-sac off this, The Stablings. Concerns over parking are also reflected in representations from members of the community and the town council.

- 10.26. In comparing developments, it is necessary to distinguish between different types which may all provide residences for older people but would have different needs in terms of car parking requirements. The current application is for a C2 care home where there would be several staff accessing the site but residents would not have their own transport, compared to retirement complexes comprising flats where occupants are more likely to own and use vehicles themselves.
- 10.27. A review of care home applications within Cheshire East includes the following. Recently approved 24/0999M at The Towers in Macclesfield was a 74 bed C2 use care home, a ratio of 0.3 spaces per bed, in a town centre accessible location with a public car park opposite. Wilmslow Manor House ref 22/4163M was allowed at appeal with a cumulative ratio of 0.38 spaces per bedroom. The Inspector noted the full carpark but surrounding roads without parking restrictions.
- 10.28. The current application would equate to around 0.45 spaces per bed. This is a higher ratio than those cited above, but for a site between two main roads with limited potential for on street parking to accommodate overspill.
- 10.29. The 130 bus stop is adjacent to the site, with buses 7 days a week. These run approximately hourly services during the daytime Monday to Friday and a reduced timetable at weekends. Wilmslow Train Station is approximately 0.9 miles from the site. It is noted that staff working shifts outside of office hours would be less well served by public transport. There would be some balance in the likelihood of fewer visitor cars late at night, although evenings may be periods more popular for visitors outside of working hours, with more limited public transport alternatives. The revised submitted Technical Note references a typical staff profile being at its busiest on weekdays between 9 and 5. This corresponds with the period when the site would be best served by the bus service. It is noted that the site is approximately 0.4 miles (around 10 minutes walk as calculated by google maps) from several town centre car parks to the north which could serve visitors to residents.
- 10.30. Details are included for a covered cycle storage facility for 6 cycles. The requirement under Appendix C for C 2 uses is 1 space per 10 units for sheltered residential accommodation or 1 space per 10 staff for hospitals. The care homes use would not fall within either of these categories but taking into account the anticipated number of staff at any one time this would be considered acceptable.
- 10.31. A Technical Note was submitted by the agent (and subsequently revised). It is likely that there would be 25 staff on site at any one time, and some of these may walk/cycle or use public transport to get to work. An estimation is provided equating to 18 staff cars being on site leaving 12 for visitors. Strategic Highways have responded noting that there are other public car parks within walking distance of the site which could be used for visitors if the site car park is full. A Traffic Regulations Order has been suggested by the agent to introduce parking restrictions on Donkey Lane / The Stablings. It is considered however that such restrictions could also adversely affect residents on these roads and their visitors and is considered not necessary. The Strategic Transport consultee has raised no objection, given the staffing ratio and information submitted.
- 10.32. The building to the east of the site is part of the current use by Travis Perkins. It is understood that this use would remain. It is currently served for deliveries through the site which is used as a builder's merchant. The nature of the use of the retained building and access would therefore change, with access off the Knutsford Road. No objection has been raised by Highways in this regard.
- 10.33. Taking into account the above it is considered that the proposals would be acceptable under policies SD 1 and CO 2 of the CELPS and INF 3 of the SADPD.

Landscaping and Trees

- 10.34. CELPS policy SE 5 requires that all developments should ensure the sustainable management of trees, woodlands and hedgerows including the provision of new planting within new development to retain and improve canopy cover, enable climate adaptation resilience and support biodiversity.
- 10.35. The application has been supported by an Arboricultural Statement confirming the presence of one tree of arboricultural significance within influencing distance of the development, and which is located outside the south west corner of the site. The tree is afforded formal protection by group G1 of the Macclesfield Borough Council (Wilmslow – 9 Knutsford Road) Tree Preservation Order 2005. Lower quality tree cover is located along the southern Donkey Lane boundary and the western boundary of the site. Only low-quality trees which are not considered worthy of formal protection will be lost to development.
- 10.36. The submitted drainage layout does not appear to raise any significant issues for retained trees.
- 10.37. A landscaping masterplan has been submitted, indicating new tree planting will result in an increase in existing tree cover around the boundaries and within landscaped areas to that which already exists. The Arboricultural Statement provides a working methodology which will minimise the effects of development on retained trees and is accepted as appropriate to condition should the application be approved as submitted. The arboricultural officer has provided suggested conditions relating to tree protection and construction measures, and requirement for engineered no dig hard surfaces for areas of hardstanding indicated on the tree protection plan.
- 10.38. Following preapp, changes have been made to the initial design to provide a range of outdoor amenity spaces, sun terraces and balconies that would benefit from a variety of sun and shade with areas of planting. Wide paths and seating areas are included. The Landscape officer has commented that the submitted landscaping plan is acceptable in landscaping terms. A condition is requested for implementation of landscaping. Further comments regarding boundary design in terms of designing out crime is considered below.

Cheshire Constabulary

- 10.39. Cheshire East Residential Design Guide volume 2, section 124-136 (page 31) sets out a summary of key issues for designing out crime through the police initiative 'Secured by Design'. The Cheshire Constabulary have advised the applicant to apply for a Secured by Design Award to ensure that the development meets police preferred standards of safety and security for the occupants. The applicant/developer is advised to address the recommendations within the consultation response on the application file, many of which are not specifically relevant to the planning application but would help to promote safety and security. As a minimum, the constabulary recommends Secured by Design standard doors and windows.
- 10.40. Details relating to boundaries and bench positions can be addressed at landscape detail stage by condition.

Amenity

- 10.41. SADPD Policies HOU 12 and HOU 13 between them require that development proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of

residential properties, sensitive uses, or future occupiers of the proposed development due to 1. loss of privacy; 2. loss of sunlight and daylight; 3. the overbearing and dominating effect of new buildings; 4. Environmental disturbance or pollution; or 5. traffic generation, access and parking. Policy HOU13 provides standards for housing allow light and privacy between buildings, with reference to Table 8.2 in the SADPD. Policy SE1 of the CELPS states that development should ensure an appropriate level of privacy for new and existing residential properties.

- 10.42. It is understood that the buildings to the west are to remain commercial premises. There are a number of nearby residential properties, the closest are No. 9 Knutsford Road and those on the eastern end of Donkey Lane, facing the site. The Kings Arms Hotel is situated to the north. The separation distances are considered acceptable under the above policy and it is not considered that there would be significant harm to neighbouring amenity.

Environmental Protection

- 10.43. Policy ENV15 relates to new development and existing uses. New development must effectively integrate with existing uses and existing uses must not have unreasonable restrictions placed on them as a result of it. A principal consideration in this instance would be possible environmental disturbance.

Noise mitigation

- 10.44. The proposal includes demolition of existing buildings and construction of a new care home. The site is located in close proximity to a main road, a public house, commercial premises and will have new mechanical plant fitted.
- 10.45. A noise impact assessment (NIA) has been submitted which corresponds to the proposed layout. Any amendments to the layout must comply with the NIA or the NIA may need to be reviewed accordingly. The impact of the noise from traffic noise, commercial noise and installed mechanical plant on the proposed development has been assessed in accordance with BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings and BS4142:2014 Methods for rating and assessing industrial and commercial sound.
- 10.46. The report recommends noise mitigation measures designed to achieve BS8233: 2014 and WHO guidelines; to ensure that future occupants of the properties are not adversely affected by noise from commercial activity / noise from the development/ transportation noise sources.
- 10.47. The report's methodology, conclusion and recommendations are accepted. Conditions are requested for implementation of the recommendations of the report prior to occupation, and for the mitigation to be maintained for the purpose originally intended throughout the use of the development.

Environmental disturbance during construction.

- 10.48. Informatives are requested for hours of construction, demolition and grounds works and associated deliveries to and from the site. Pile foundations should be undertaken using a system which will cause the least possible degree of noise and vibration to the occupiers of nearby dwellings. Recommendations are provided including notification of the Regulatory and Health services of the commencement and times of piling work. Floor floating, the polishing of large surface wet concrete floors is proposed, should be notified prior to the commencement of work. A site specific dust management plan is required to be retained at the development site. Details of what the plan should include can be found within the Environmental Protection consultation response on the application file and to form part of an informative to a decision in the case of an approval.

10.49. A resident group representation has requested enforceable conditions relating to noise. The Environmental Protection consultation response sets out that noise generative works outside of the restricted hours may result in action to serve a legal notice on the property or construction site under the Control of Pollution Act 1974. Paragraph 56-57 of the NPPF sets out criteria for planning conditions, including that they should be kept to a minimum and only imposed where they are necessary. As the matter of construction noise is covered by separate legislation outside of the planning process it would not be necessary to duplicate this within a planning condition and as such would not be in line with the NPPF. Informatives can be included to remind developers of their responsibilities.

10.50. Wilmslow Town Council have requested a condition for construction vehicles to be on-site which can be included in the case of an approval.

Air Quality

10.51. The scheme is considered not to be of a scale that would require an air quality impact assessment, however, there is a need for consideration of the cumulative impact of a larger number of developments in a particular area. A travel plan condition is requested prior to first occupation with a means of promoting low carbon transport options for staff. Transport options are also considered within the Highways section of the report.

Contaminated Land

10.52. The site has a history of use as a petrol filling station, builders' yard and commercial use and planning history. Contamination has been identified within the site. The proposed end use is a sensitive use and could be affected by contamination present or brought to the site. Initial comments referenced receipt of a Phase II ground investigation report, and the need for a Phase I Preliminary Risk Assessment.

10.53. Additional information has been provided in support of the application. The Phase I assessment was carried out retrospectively. A conceptual model should be formulated prior to undertaking intrusive works, in order to inform the scope of the site investigation. A conceptual model should include risks to potable water supplies and off site receptors as well as on site development. The Environmental Protection Team advised that the Conceptual Model requires updating.

10.54. The Phase II ground investigation was constrained by a number of factors. It is evident from more recent ground investigation works that contamination is still present on the site. Works were previously undertaken to render the site suitable for a commercial use. The Environmental Protection Team note in their comments that it would have been useful to have an overlay of the former petrol filling station with the ground investigation locations as it is not clear whether areas of potentially more significant contamination have been suitably investigated. Additional queries are raised including in relation to grounding gas risk assessment and groundwater monitoring.

10.55. Contamination has been encountered within soils and shallow groundwater on the site. It is currently unclear from the information provided as to whether the extent is limited to certain areas or whether it is more widespread, given the constraints of the site investigation.

10.56. The site is on a Principal Aquifer. Environmental Protection Team have advised that the Environment Agency will have comments on the Controlled Waters assessment. The Environment Agency have been consulted but no response received.

10.57. Additionally, a condition relating to soil or soil forming conditions to be brought to the site is requested, due to the sensitive proposed end use.

10.58. Given the uncertainties there may be unknown costs associated with remedial works which would have an impact on the financial viability of the scheme. The Environmental Protection Team have advised that further information prior to determination of the application would reduce uncertainties and provide more clarity. It is considered that the viability of the scheme would be a matter for the applicant / developer and not a material consideration for the determination of the application. There is no in principle objection with regard to contaminated land, the issue being about the potential unknown costs of remediation. In the event of an approval of the application, conditions have been provided by the Environmental Protection team for the outstanding information which would need to be satisfactorily provided prior to commencement of development on the site. As such even if approved subject to conditions, the scheme would not be developed unless pre-commencement condition requirements are met. It is therefore considered that it would not be justified to refuse the application on the grounds of the missing information relating to the contamination and remediation.

Drainage and Flood Risk

10.59. The site is within flood zone 1 where there is a low risk of flooding. It is within a settlement location where there are existing public sewers which the proposal is intended to connect into. The Proposed Impermeable Area drawing does appear to represent a slightly different layout to that of the proposed site plan and landscaping plan, however these differences are not of significance in the determination of the proposal, particularly as the drainage strategy plan does reflect the proposed site and landscaping plans.

10.60. United Utilities have provided comment that the proposals are considered acceptable in principle but there is insufficient information on the detail of the drainage design. A condition is requested for further information and additional advice is provided in the consultation response, including sustainable drainage systems (SuDS), water efficiency and United Utilities infrastructure.

Developers Contributions

10.61. Under Policy IN2 of the CELPS, developer's contributions will be sought to make sure that the necessary physical, social, public realm, economic and green infrastructure is in place to deliver development, and to mitigate adverse impacts of development.

10.62. Based on the floor plan for C2 accommodation with bedrooms rather than independent living units, housing contributions would not be required. Due to the type of care home proposed, requirements of SE6 and REC 3 are not required on the basis that residents would be typically remaining at the facility with less use of off-site provision. The NHS have been consulted and no response received.

Nature Conservation

10.63. An ecology report was submitted in support of the application. The existing building on the site was found to offer negligible potential to support roosting bats. It is considered that bats should not present a constraint on the proposed development and sufficient information has been submitted for the Local Planning Authority to reach an informed decision in accordance with Circular 06/2005.

10.64. The proposed works are accepted as exempt from mandatory BNG through the de-minimis exemption. The deemed BNG condition therefore does not apply and a biodiversity metric is not considered necessary in this instance.

10.65. The submitted landscape masterplan indicates that general birdboxes, sparrow terraces and bat boxes are proposed to be installed. Further with details are to be submitted following advice from an ecologist. It is advised that bird and bat box locations and models are included within the landscape plan and secured through an appropriate compliance condition. It is recommended that any proposed bird boxes are not positioned on south facing elevations, to safeguard the chicks from overheating.

10.66. Subject to conditions to for appropriate bird and box locations and details, the proposal is considered to comply with Policy SE3 of the CELPS and policies ENV1, ENV2 of the SADPD

11. PLANNING BALANCE / CONCLUSION

11.1. The proposal would provide increased level of employment on an existing brownfield site within a key service centre.

11.2. The 64 bed care home would provide residential care for older persons including nursing and dementia care. The principle of the proposed development is found to be in accordance with the Development Plan and would deliver 1- bedroom spaces in an appropriate highly sustainable location. The delivery of 66 bed care units would help relieve an identified unmet need including the provision of specialist dementia care and would also add to the Council's housing land supply.

11.3. Although taller than immediately surrounding buildings, the proposed design is found to be acceptable in design, incorporating landscaping and tree planting to boundaries.

11.4. Following receipt of additional justification the proposal is considered on balance to be acceptable in terms of parking provision and impact on the local highway network.

11.5. There is some outstanding information required with regards to mitigation of contamination on the site. This could have significant financial implications for developers but can be addressed by condition and is therefore not considered to be an in-principle matter to the decision.

11.6. Other environmental matters including impact on amenity, ecology, trees, air quality, noise and environmental disturbance are acceptable subject to conditions. Outstanding drainage matters can be conditioned.

11.7. On this basis the proposal is considered to represent economic, environmental and social benefits, acceptable under relevant policies of the development plan and the NPPF. The proposal is recommended for approval.

12. RECOMMENDATION

Approved subject to conditions

1. Plans
2. Time for commencement
3. Materials
4. Cycle parking
5. Drainage details
6. Landscaping details and implementation including boundaries
7. Accordance with submitted noise mitigation measures
8. Method statement for piling and floor floating to be submitted

9. Dust Management Plan for minimising dust emissions during demolition / construction
10. Details of external energy efficiency measures eg solar panels
11. Biodiversity enhancements
12. Tree protection and special construction measures
13. Engineered designed 'no dig' hard surface construction
14. Contaminated land – updated Phase I, Phase II and where necessary, Remediation Strategy
15. Contaminated Land – Verification Report.
16. Contaminated Land – soil forming materials
17. Contamination not previously identified
18. Construction vehicles on-site
19. Accordance with Travel Plan
20. 10% of energy to be secured from decentralised and renewable or low carbon sources
21. Parking provided in accordance with submitted details prior to first occupation
22. Details of a sustainable surface water drainage scheme and a foul water drainage
23. Nesting Birds

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval / refusal) prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation with the Chair of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

