

Application No: 15/5858M

Location: Cheshire County Council, County Offices, Chapel Lane, Wilmslow, Cheshire, SK9 1PU

Proposal: Variation of condition 2 on approval of 14/5471M Demolition of the former Council office buildings and associated car parking and erection of an assisted living development (Use Class C2) comprising 57 assisted living apartments integrated with communal wellbeing and support facilities and care provision tailored to individual resident needs, set in attractive landscaping with associated car parking and construction of additional vehicular access from Alderley Road

Applicant: Pegasus Life

Expiry Date: 01-Mar-2016

SUMMARY:

The site is identified as a housing allocation in the Macclesfield Borough Local Plan, where there is a presumption in favour of sustainable development.

The application seeks approval for changes to the approved scheme, which are minor in themselves but taken together amount to a material change to the external appearance of the development. These changes are in-keeping with the character of the locality.

As the proposal is not classified as use class C3 (dwellinghouses) there is no affordable housing requirement. However, the development will provide suitable accommodation to enable an ageing population within Cheshire East to live full independent lives for as long as possible. It is considered that the proposal would make a valuable contribution towards meeting an identified housing need for elderly people within the Borough, as well as continuity in their care, which is a material consideration of significant weight. Contributions towards off-site provision of open space will also be secured, which is a further benefit of the proposal. Subject to conditions, the proposal is considered to be acceptable in terms of its impact upon highway safety, design and residential amenity satisfying the environmental sustainability role.

A number of economic benefits will also arise from the development including additional trade for local business and the creation of employment. The proposal is a sustainable form of development, and a recommendation of approval is therefore made subject to conditions and a s106 agreement.

RECOMMENDATION:

Approve subject to a prior legal agreement and conditions

PROPOSAL

The application seeks permission to vary condition 2 of the planning permission by replacing the approved plans with revised versions. The changes requested are:

Plans

- Revised ground floor layout;
- Layouts of balconies rationalised, apartment areas amended accordingly;
- Projection of chimneys from the face of brick facades reduced from 2 bricks to 1 brick deep.
- A list of revised plans is supplied. It is also requested that landscaping details are added to the list of approved plans.

Elevations

- Reduction of height of the chimneys;
- Raise of external finish levels by 150mm (roof ridge level and parapet level remain unchanged);
- Rationalisation of layouts of windows (including the addition of transoms) and balconies;
- The addition of two windows on first and second floors and increase in size of one on the third floor on the North elevation of the East block;
- Change of external service doors on the North elevation of the East block;
- Change of tile facade cladding to dark red brick;
- Change of coping material to GRC; and
- Change of window frames and metalwork finish from "champagne" to dark grey.

SITE DESCRIPTION

The application site is now under construction. It previously comprised 2 former Council office buildings. One was an attractive 3 to 3.5 storey Victorian building and the other is a two-storey flat roof 1960/70s building. The remainder of the site comprised a car park and grassed area with substantial tree cover protected by Tree Preservation Order. The site is allocated for Housing in the Macclesfield Borough Local Plan, and is surrounded by a Predominantly Residential Area.

RELEVANT HISTORY

14/5471M Demolition of the former Council office buildings and associated car parking and erection of an assisted living development (Use Class C2) comprising 57 assisted living apartments integrated with communal wellbeing and support facilities and care provision tailored to individual resident needs, set in attractive landscaping with associated car parking and construction of additional vehicular access from Alderley Road Granted subject to s106 29/7/2015

15/3865D Discharge of condition 10 (drainage) on approved 14/5471M Approved 29/2/2016

15/3920D Discharge of conditions 17 & 22 on approval 14/5471M Approved 5/2/2016

16/0062M Non-Material Amendment to 14/5471M Current

16/0572D Discharge of conditions 18 (environmental management plan), 19 (remediation strategy) and 21 (method statement) on approval 14/5471M Approved 4/3/2016

16/0827D Discharge of condition 7 on approval 14/5471M Current

16/1114D Discharge of condition 13 on application 14/5471M Current

NATIONAL & LOCAL POLICY

National Policy:

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs 14 and 19.

Development Plan:

The Development Plan for this area is the adopted Macclesfield Borough Local Plan 2004, which allocates the site as a housing site within the Settlement Zone Line.

The relevant Saved Policies of the Macclesfield Borough Local Plan are:

NE11 Nature conservation;

BE1 Design Guidance;

H2 Environmental Quality in Housing Developments

H4 Housing sites in urban areas

H9 Affordable Housing;

H13 Protecting Residential Areas;

DC1 and DC5 Design;

DC3 Residential Amenity;

DC6 Circulation and Access;

DC8 Landscaping;

DC9 Tree Protection;

DC35, DC36, DC37, DC38 relating to the layout of residential development;

DC40 Children's Play Provision and Amenity Space

T3 Pedestrians;

T4 Access for people with restricted mobility;

T5 Provision for Cyclists.

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

MP1 Presumption in favour of sustainable development

PG1 Overall Development Strategy

PG2 Settlement hierarchy

PG3 Green Belt

PG6 Spatial Distribution of Development

SD1 Sustainable Development in Cheshire East

SD2 Sustainable Development Principles

IN1 Infrastructure

IN2 Developer contributions

SC1 Leisure and Recreation

SC2 Outdoor sports facilities

SC3 Health and Well-being

SC4 Residential Mix

SC5 Affordable Homes

SE1 Design
SE2 Efficient use of land
SE3 Biodiversity and geodiversity
SE4 The Landscape
SE5 Trees, Hedgerows and Woodland
SE6 Green Infrastructure
SE9 Energy Efficient Development
SE12 Pollution, Land contamination and land instability
SE13 Flood risk and water management
CO1 Sustainable Travel and Transport
CO4 Travel plans and transport assessments

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs:

14. Presumption in favour of sustainable development.

56-68 Requiring good design

CONSULTATIONS:

Highways: No objections

Environmental Protection: No objections

Wilmslow Town Council: No objections

Environment Agency: No comments

Housing: No objections

Tree Officer: No objections

REPRESENTATIONS:

At the time of report writing no objections had been received to the application.

Representations have been received from Wilmslow Health centre, making comments regarding the boundary treatment and possible closure of their access to Bedells Lane.

APPRAISAL

The key issues to be considered in the determination of this application are set out below.

Principle of Development

The site is an allocated housing site within the Settlement Zone Line as designated in the adopted Macclesfield Borough Local Plan 2004, where there is the presumption in favour of sustainable development.

The issue in question is whether this proposal represents sustainable development and whether there are other material considerations associated with this proposal, which are a sufficient material consideration to outweigh the presumption in favour of sustainable development.

Sustainability

The National Planning Policy Framework definition of sustainable development is:

“Sustainable means ensuring that better lives for ourselves don’t mean worse lives for future generations. Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world. We must house a rising population, which is living longer and wants to make new choices. We must respond to the changes that new technologies offer us. Our lives, and the places in which we live them, can be better, but they will certainly be worse if things stagnate. Sustainable development is about change for the better, and not only in our built environment”

There are, however, three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and

These roles should not be undertaken in isolation, because they are mutually dependent.

APPRAISAL

The key issues are:

- Impact upon amenity of neighbouring property
- Impact upon nature conservation interests
- Protected trees
- Impact upon character of the area
- Highway safety

ENVIRONMENTAL SUSTAINABILITY

Design / character

Paragraph 56 of the NPPF notes that “the Government attach great importance to the design of the built environment. Good Design is a key aspect of sustainable development, indivisible from good planning”.

Policy BE1 of the local plan requires new development to achieve the following design principles:

- Reflect local character
- Respect form, layout, siting, scale and design of surrounding buildings and their setting
- Contribute to a rich environment and add to the vitality of the area
- Be human in scale and not normally exceed 3 storeys
- Use appropriate facilities

It is considered that the revised proposals do not detract from the design of the approved scheme, which was the subject of amendment and reduction in height to meet design objectives and assessments.

Residential Amenity

No additional issues arise in respect of the revised plans.

Highways

No additional issues arise in respect of the revised plans.

Trees

No additional issues arise in respect of the revised plans.

Nature Conservation

No additional issues arise in respect of the revised plans.

ECONOMIC SUSTAINABILITY

The Framework includes a strong presumption in favour of economic growth.

Paragraph 19 states that:

‘The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth’

With regard to the economic role of sustainable development, the proposed development will make a contribution towards job creation in the locality though its construction and subsequent management.

SOCIAL SUSTAINABILITY

The development was assessed to have a positive impact in terms of the provision of housing to meet particular needs in the locality and improvement of open space provision. These aspects have not changed as a result of the amended plans.

RESPONSE TO REPRESENTATION

The issues of boundary treatment and access between the development car park and the health centre will be considered in the forthcoming application(s) to discharge condition 5 and 9 of the planning permission, which are prior to occupation conditions. Issues relating to the joint parking strategy for the car parks within the triangular road system were examined in the previous report and are covered by planning conditions.

Conclusion – The Planning Balance

The site is within the Settlement Zone Line of Macclesfield, where there is a presumption in favour of sustainable development.

The revisions to the approved plans are acceptable in design terms. Subject to conditions, the proposal is considered to be acceptable in terms of its impact upon highway safety and residential amenity satisfying the environmental sustainability role.

Heads of terms

A section 106 legal agreement has been entered into for the development, requiring a contribution towards off-site open space improvements.

Community Infrastructure Levy (CIL) Regulations

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

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

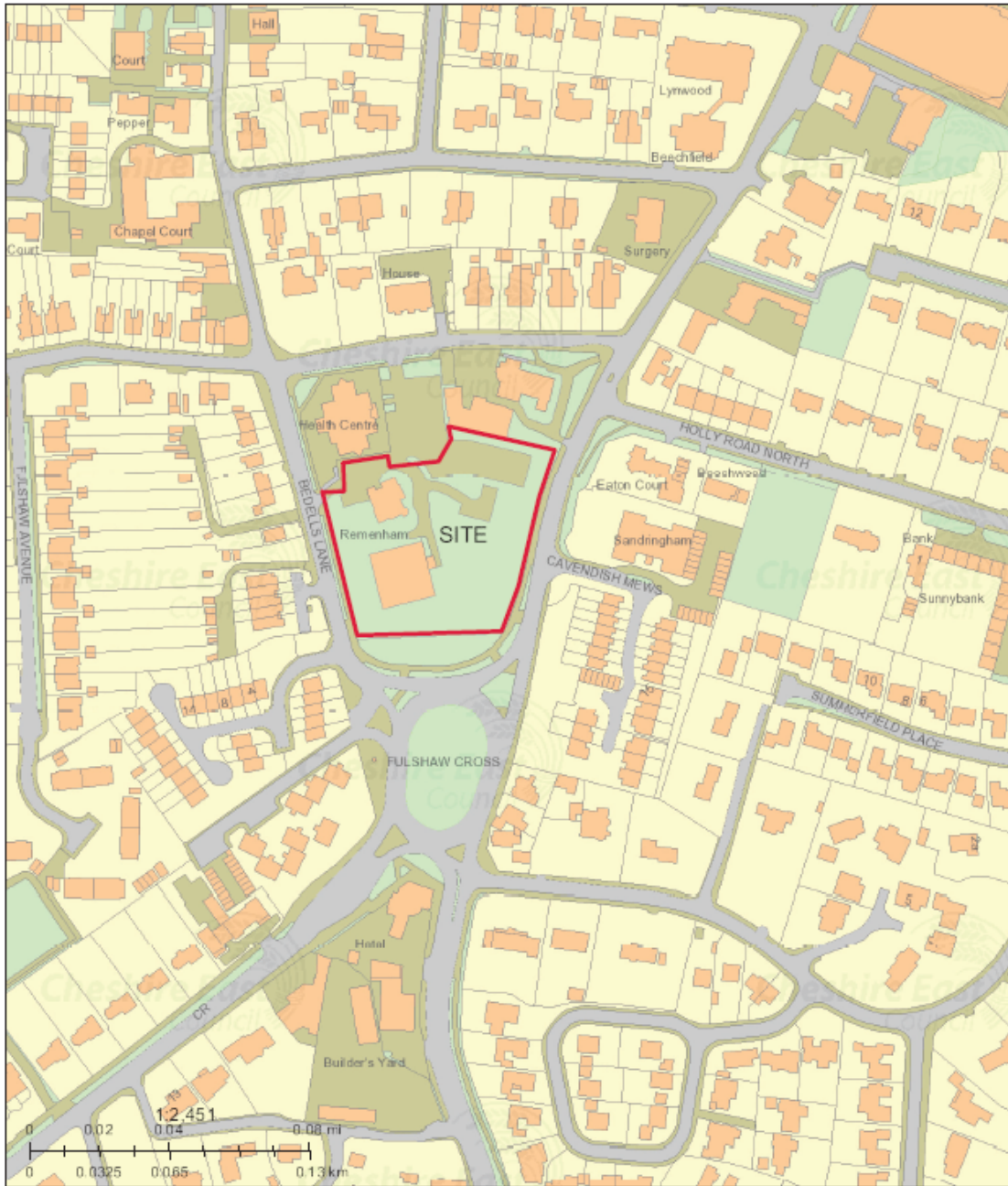
The commuted sum in lieu of public open space is necessary, fair and reasonable, as the proposed development will provide 57 extra care units of accommodation. The occupiers of which will use local facilities as there is no open space on site, as such, there is a need to upgrade / enhance existing facilities. The contribution is in accordance with the Council's Supplementary Planning Guidance.

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

RECOMMENDATION

Approve subject to a prior section 106 agreement (deed of variation) to tie in the revised scheme to the existing legal agreement, and the following conditions:

15/5858M



March 21, 2016



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1. A01AP - Development in accord with approved plans
2. A02EX - Submission of samples of building materials
3. A02FP - Commencement of development
4. A02LS - Submission of landscaping scheme
5. A04LS - Landscaping (implementation)
6. A06NC - Protection for breeding birds
7. A12LS - Landscaping to include details of boundary treatment
8. A16LS - Submission of landscape/woodland management plan
9. NS1 - Measures to ensure that Bedells Lane access is exit only, that Alderley Road is not used by non-residents / visitors, and a parking enforcement regime to be submitted
- 10.NS1_1 - Surface water drainage details to be in accordance with agreed details under application 16/3865D
- 11.NS1_2 - Communal facilities not to be open to non-residents
- 12.Provision of car parking prior to occupation
- 13.Submission of operational plan
- 14.Access method statement to be complied with in accordance with details agreed under application 15/3920D
- 15.Development to be carried out in accordance with the submitted arboricultural report
- 16.Travel plan required
- 17.Development to be carried out in accordance with Ecological report
- 18.Dust emissions scheme in accordance with details agreed under application 15/3920D
- 19.Environmental Management Plan to be complied with details agreed under application 16/0572D
- 20.Remediation strategy to comply with details agreed under application 16/0572D
- 21.Scheme for storage of refuse and recyclable materials to be agreed and complied with
- 22.Site construction method statement to be complied with in accordance with details agreed under application 16/0572D

