

Application No: 15/4854M

Location: 2-6, HOLLY ROAD NORTH, WILMSLOW CHESHIRE

Proposal: Erection of retirement living housing (category II type accommodation), communal facilities, landscaping and car parking

Applicant: McCarthy and Stone Retirement Lifestyles

Expiry Date: 25-Feb-2016

## SUMMARY

The application site is located within a Predominantly Residential Area of Wilmslow, as defined by the Macclesfield Local Plan.

The Council cannot currently demonstrate a 5 year housing land supply. The development would provide 34 No. retirement living apartments, which would make a beneficial contribution to meeting an acknowledged shortfall within the Borough.

The 3 No. roles of sustainability outlined in the NPPF (social, economic and environmental) have been considered to arrive at a conclusion regarding the overall sustainability of the proposal. Benefits have been balanced against the disadvantages.

The key social benefit is that of the provision of 34 No. retirement living apartments.

The proposed development would provide some economic benefits, such as 1) employment opportunities during construction, 2) associated economic benefits to the construction industry supply chain, 3) future residents contributing to the local economy and 4) there would also be some contribution to the local economy from construction workers during the construction phase.

The proposed development has a limited and acceptable degree of impact on: 1) the street-scene and character & appearance of the area; 2) neighbouring residential amenity; 3) surrounding highways network; 4) protected trees and 5) ecology. There are no significant environmental health concerns arising from the proposal.

Balanced against these benefits, it is acknowledged that there will be a change the street-scene. There will be changes in the outlook for some residents from their properties. There would be some loss of trees. There would be some increase in the number of vehicles using the surrounding highway network. However, none of these impacts are considered to be significant and they do not justify withholding planning permission.

Bearing all the above factors in mind it is considered that the proposed development constitutes a sustainable form of development within the broad context of sustainability outlined in the NPPF. As such, in accordance with para 14 of the NPPF, the proposal should be approved without delay.

Therefore, subject to the receipt of outstanding consultations and representations, a recommendation of approval is made, subject to conditions, informative and appropriate

Heads of Terms for a) off-site contribution for affordable housing secured via a s106 Agreement.

## **RECOMMENDATION**

Approve subject to conditions and a s106 agreement

## **REASON FOR REPORT**

The proposed development is for 34 retirement apartments for the elderly, the proposal therefore qualifies as a major form of development and in line with the Council's Constitution, it should be determined by Members of the Northern Planning Committee.

## **PROPOSAL**

The proposed development comprises 2 x 1 bedroom apartments and 32 x 2 bedroom apartments

The proposal will include shared communal facilities such as; lounge areas, two refuse rooms shared garden space. The proposal will also include an on site Manager who will be present on site during normal working hours (i.e. 9am to 5pm Monday to Friday).

The applicant proposes to maintain both the grounds and the fabric of the building.

## **RELEVANT HISTORY**

14/0990M	Variation to condition 2 of application 11/0533M. For Erection of 10 No. Apartments with Basement Parking
11/0534M	Extension to time limit for 07/0961p. Erection of 9no. apartments in a 5 storey building, including attic space and basement parking (amendments to approved application ref 05/0789p). The application 07/0961p was refused on 11 July 2007. Approved on appeal Ref: App/c0630/a/08/2063072
11/0533M	Extension of time to 08/0783P 10 Apartments with basement parking Approved June 2008
08/0783P	Erection of 10No. Apartments with Basement Parking Approved with conditions, 25.06.2008
07/0961P	Amendments to approved application 05/0789P. Erection of a three-storey apartment building comprising 9 apartments, living accommodation in roof space and basement parking for 20 cars & 2 external car parking spaces. - Refused 17.07.2007 Appeal Allowed 20/06/2008
06/1914P	Erection of 10No. apartments in a 5-storey building, including attic space & basement parking. - Refused 4.10.2006.
05/0789P	Demolition of 2no detached dwellings. Erection of 3 storey apartment building comprising of 9no. apartments, living accommodation in roof space & basement parking for 17no. cars & 2no. external car parking spaces – Approved 23.05.2005

## **No. 6 Holly Road North, Wilmslow**

01/0772P	Demolition of the dwelling and the erection of No.4 terraced dwellings Refused and Dismissed at Appeal
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## **NATIONAL & LOCAL POLICY**

### **National Policy Framework**

#### **Development Plan**

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;  
DC41 Infill developments  
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  
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

### **Other material considerations**

National Planning Policy Framework  
National Planning Practice Guidance  
Cheshire East Local Plan Strategy – Submission Version  
Interim Planning Policy: Release of Housing Land (Feb 2012)  
Interim Planning Statement: Affordable Housing (Feb 2012)  
The Cheshire East Vulnerable and Older Peoples Housing Strategy (May 2014)  
Strategic Housing Market Assessment (SHMA) 2013

### **CONSULTATION RESPONSES**

**United Utilities-** In line with national planning policies new developments should incorporate sustainable forms of drainage. No objections are raised subject to the following conditions;

- This site must be drained on a separate system, with only foul drainage connected into the foul sewer.
- A surface water drainage scheme should be submitted and approved prior to the commencement of development

**Housing** -No objections subject to commuted sum in lieu of on site affordable housing provision being secured.

**Nature Conservation** – No objection subject to a condition relating to breeding birds.

**Forestry-** No objections subject to conditions

**Green Space (ANSA)** –No comments received

**Flood Risk** -No objections subject to the following conditions;

- Prior to commencement of development a drainage scheme for the sustainable disposal of water shall be submitted.
- No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods has been submitted and approved.

**Environmental Health**-No objection subject to the following

- A scheme to minimise dust control arising from the development to be submitted;
- Details of the method, timing and duration of any pile driving operations connected with the construction of the development hereby approved shall be approved in writing by the Local Planning Authority prior to such works taking place and shall be implemented in accordance with the approved details
- The hours of construction (and associated deliveries to the site) of the development shall be restricted to 08:00 to 18:00 hours on Monday to Friday, 08:00 to 14:00 hours on Saturday, with no work at any other time including Sundays and Public Holidays.

- A method statement to be submitted in relation to floor floating;
- In order to ensure that sustainable vehicle technology is a real option for future occupants at the site a condition requiring Electric vehicle Points on 30% of the parking provision (30A independent circuit preferred to allow fast charging capability) to be provided as part of the development.

**Highways**-No objection subject to an informative

**Wilmslow Town Council** - Do not object to the proposal but concerns have been expressed regarding the impact of visitor parking on adjacent streets and recommended that a minimum of 5 car parking spaces should be allocated for visitors.

## REPRESENTATIONS

Neighbour notification letters were sent to all adjoining occupants, a site notice erected near to the site. 48 letters of representation were received issues raised were as follows;

### Amenity

- *The proposed development fail to comply with the privacy standards set out within policy DC38 of the Local Plan (new building within 28.3m of Summerfield Place*
- *The proposed development will cause severe overlooking and overbearing between neighbouring properties and those on the adjacent side of Holly Road, The proposal will therefore fail to comply with policies DC3 of the Macclesfield Borough Local Plan;*
- *The noise from the parking to the rear will cause harm to residential amenity by way of noise and pollution;*
- *The proposal will cause overlooking for the occupants of Beechwood;*
- *The proposal would reduce existing level of perceived privacy for the occupants of neighbouring properties;*

### Design and character of the area

- *No landscaping or boundary details have been submitted;*
- *The proposed development will be overdevelopment and will be out of keeping with the character of the area and surrounding properties;*
- *The proposal for a three storey building will be imposing and disproportionate to surrounding properties and the size and character will be at odds with the surrounding area;*
- *Modern style balconies proposed will not be compliant with the style of the area;*
- *27 cars to the front of the property will be an eyesore and out of keeping with the character of the area;*
- *The buff brown buff proposed is not in keeping and will reduce the quality of the area; red brick is considered to be more in keeping*
- *Design of the building should be more modern;*
- *Detailed and appropriate boundary treatment should be secured as part of this development in order to ensure security;*
- *Objection to the low boundary wall along the frontage which will be out of keeping;*

## **Parking and traffic**

- *The proposed development due to increase in vehicles will cause a hazard to safety of school children walking to school;*
- *This is already a busy road with Wilmslow High school and the end of the road at pick of and drop of times;*
- *The development will exacerbate existing traffic concerns of congestion and highway safety;*
- *The pavements facilities along Holly Road are poor;*
- *Sixth formers at the school speed down the road, site is in the wrong location;*
- *Parking provision for the development is not clear from the proposed plans;*
- *Concern that there will be a lack of parking and there is no off street parking available (due to double yellow lines)*
- *No disabled parking provision is provided no parking for mobility scooter or battery recharging area;*
- *It is requested that a barrier free access via Parkway is allowed in the interest of mobility and equality.*

## **Trees**

- *It is requested that the trees to the rear of Sandringham road and protected trees are maintained as they are important feature;*
- *Objections have however been raised with the retention of trees, some are too tall and already overhang into neighbouring properties;*
- *Concern are raised with regard to size of the trees to be planted to the rear boundary;*
- *The location of the car parking will impact existing trees;*
- *It is requested that a management of tree be secured as part of the development in order to ensure they do not present a problem to occupants of neighbouring properties;*

## **Misc**

- *The abatement of the underground parking will reduce the risk of flooding;*
- *adequate precautions should be taken to ensure construction stage does not have a harmful impact upon existing level of residential amenity;*
- *The proposed apartments will be too small for two people, one bathroom is not enough;*

## **Need**

- *There is no requirement for this type of housing within this area;*
- *Already a similar development at Chapelwood;*

## **Support**

- *Support the proposed development will tidy up the existing street scene.*
- *Retirement properties are in short supply;*
- *This is a much needed development for the town;*
- *the proposal is convenience to local amenities i.e doctors, shops, library.*

## **APPRAISAL HISTORY**

Part of this site (location of No.2-4 Holly Road) has an extensive history of subsequent planning application, which has over time, and subject to various amendments established the principle of a five storey apartment block comprising of 10 apartments and underground basement parking.

Commencement of development has taken place, the 2014 consent is extant and therefore the planning history for the site should be taken as a material planning consideration in the determination of this application.

## **Principle of Development**

The site in question relates to 0.47 hectares of land, part of which currently accommodated a two storey dwelling and the other part vacant. The western part of the site was historically occupied by 2 No. dwellings on it, these however have been demolished following the granting of planning permission 08/0783P to redevelop the site.

The site is located within a Predominantly Residential Area of Wilmslow, as defined in the Local Plan, and there are numerous Protected Trees within and around the boundaries of the site.

The site lies within good walking distance of local shops and amenities and public transport provision, in line within Para 14 of the National Planning Policy Framework there is a presumption in favour of sustainable development.

The key issues are therefore:

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

## **ENVIRONMENTAL SUSTAINABILITY**

**Impact upon the character of the area** 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

Holly Road North is predominantly characterised by detached circa 1940s, two storey dwellings positioned centrally within fairly spacious plots. Modern additions to the immediate street scene have been constructed over time ‘Sunny bank’ a 1960’s three storey apartments to the southeast and a mews housing development positioned opposite, to the northeast. Properties are set back from the road and screened by mature boundary treatment consisting of hedging and trees. The road has retained a sylvan, low density character.

Initial plans submitted proposed two three storey block buildings, which incorporated underground parking to the rear of the site. The submission of amended plans has however removed all previously proposed parking to the rear of the property. The proposed three storey blocks are to be linked via a ground floor flat roof single storey link.

The development is designed in a 'rectangular shape' and will not protrude beyond the building line set by the neighbouring properties Beechwood and Sunnybank. The development proposed to incorporate a series of balconies and glazed windows. Projecting gables and bays are proposed within the rear and front elevations.

The ridge height of the building is to measure 10.9m to the ridge and 7.4m to the eaves. By way of comparison the proposed development will be approx. 0.5m higher than the neighbouring 'Sunnybank' (approx 10.4m) and 3.2m higher than Beechwood. Although larger in depth and in width the proposed development will be no higher than 10 apartments approved under the 2014 extant consent.

There is no denying that, due to the extent of the building, the proposal will introduce a substantial form of development spanning some 52m across the site. By virtue of the front gable features, projecting bay, consistent ridge heights of the two blocks as well as the uniformity in the windows on the front elevation, on approach to the site, the two buildings are likely, due to the current design, to be perceived as one and therefore appear overly prominent within the street scene.

These concerns have been raised with the applicant and revised plans are expected which will reduce the ridge height of 'block 1' (adjacent to Sunnybank) and a more detailed material palette submitted which should provide a visual break in the massing of the properties. Amended plans and details of building material will be reported to Members in an update.

The proposed building will be largely surrounded by mature trees, which along with the amendment to the design of the development will serve to reduce and soften the impact of the development. It is considered that given the characteristic of the street, the site can accommodate a larger building. Although the building will be visible, given the individual characteristic of the site, mature trees and neighbouring apartments at Sunnybank at three storeys, the proposed development (subject to revisions) is unlikely to be unduly out of keeping with the area.

Parking provision located to the front of the building, in design terms is not ideal as it will introduce a large area of hardstanding. Whilst glimpses of the parking will be softened within trees and appropriate boundary treatment along the frontage it is considered important that a condition for a comprehensive landscaping scheme be sought in order to soften the impact of the proposed area of hardstanding. Subject to additional landscaping and the retention of key tree cover, it is considered that the setting of the building in the street scene will, on balance, be acceptable.

## **Residential Amenity**

### **Light, space and privacy**

Local Plan policy DC3 seeks to protect the amenity of residential occupiers. Policy DC3 states that development should not significantly injure the amenities of adjoining or nearby residential property and sensitive uses due to matters such as loss of privacy, overbearing effect, loss of sunlight and daylight and traffic generation and car parking. Policy DC38 sets out guidelines for space between buildings.



The plans submitted propose obscurely glazed windows on all windows on the both side elevations of the development facing adjoin neighbouring properties.

In respect of distance between buildings where habitable room face non habitable room Policy DC38 advises a distance of 14m plus 2.5 per additional storey (16.5m).

The eastern side elevation of the development will be sited approx. 18m (at the nearest point) from Sunnybank. The western elevation of the development will be sited approx. 15m from the 2 storey side elevation of Beechway, which will be at a shortfall of 1.5m from the guidelines set out within policy DC38. It is however important to note that the proposed development will be no closer then the 2014 extant consent for a 5 storey apartment block, the proposed development is therefore unlikely to be any more harmful by way of privacy distance to Beechway.

No.12, 14, 16 and 18 Summerfield Place adjoin the southern boundary of the application site. Policy DC38 of the Local Plan advises that properties facing 'back to back' should achieve a privacy distance of 32m. At the closest point the rear elevation of No. 16 Summerfield Place will be approx. 29m from the rear elevation of the proposed development.

Policy DC38 of the Macclesfield Borough Local Plan sets out a guidelines to distance and advises that housing development should meet the guidelines of space between buildings unless the design and layout of a scheme and its relationship to the site and its characteristics provide a commensurate degree of light and privacy between buildings.

The proposed distance between the development and 16 Summerfield Place will have a shortfall of 3m. It is noted that there are various instance within this particular area, in which properties facing 'back to back' fall short of the space of 32m, Namley No. 18 and 20 Summerfield Drive are a distance of approx. 26m from properties on Cavendish Mews and properties, it is therefore not unreasonable to acknowledge that the proposed development would provide a commensurate degree of privacy in line within other properties within this area of Wilmslow

Having regard to boundary treatment, positon of mature trees and additional planting it is considered that the proposed privacy distance are unlikely to result in a significantly harmful impact upon the amenities for the occupants of Summerfield Place in particular occupants of NO18 and 16.

DC38 requires development of three storey to be of 28m 'front to front'. The front elevation of the development will be approx. 44m from properties on the adjacent side of Holly Road North, the proposed development therefore conform to policy DC38. It is noted that properties on the adjacent side of Holly Road North have amenity space to the rear and therefore the positioning of the proposed development is unlikely to raise any significant concerns of overlooking and will be commensurate with the characteristics of development within this particular street.

All four corners of the proposed development on front and rear elevation propose balconies. A condition to provide appropriate 1.8m screens on the each balcony, where appropriate is advised to prevent privacy concerns that may arise from overlooking into immediate garden and habitable rooms.

## **Noise**

Concerns have been raised from the occupants of neighbouring properties with regard to the noise pollution from the car parking provision. Amended plans have now sought to relocate parking provision to the front of the development.

The position of the proposed parking and access is therefore unlikely to result in a harmful of significant impact upon the occupants of neighbouring properties in terms of noise.

No further amenity issues are raised, the proposal is unlikely to result in any significant injuries to residential amenity which would warrant a refusal. The proposal is considered to comply with policies DC3 and DC38 of the Local Plan.

## **Highways**

Following revisions to the plans the applicant has now reduce parking provision from 33 spaces to 27 car parking space to be positioned along at the frontage of the proposed development and access via one vehicular access point of Holly Road North. No underground parking is proposed.

## **Safe and suitable access**

A single vehicle access with footways into the site from Holly Road North provides is of an adequate width to allow for two-way movement and for refuse vehicles to enter and exit the site in a forward gear.

The Councils parking standards advise that for development of pure C3 (use class) in Key Service Centres; 1 space per one bed dwelling and 2 spaces per 2 bed dwelling.

The proposal seeks consent for 2 x 1 bedroom apartments and 32 x 2 bedroom apartments. Para 39 of the National Planning policy Framework advises that; in setting local parking standards for residential and non residential schemes local planning authorities should take into account;

- *accessibility of the development, type,*
- *mix and use of the development,*
- *the availability and opportunities of public transport ,*
- *local car ownership level and the overall need to reduce the use of high emission vehicles.*

The applicant proposes 27 car parking spaces. Census data reveals that levels of car ownership for occupants (within the intended age range of the development) within the Wilmslow area appears to be relatively low. Based upon this, and also the site convenience in term of accessibility to Local amenities, shops and facilities as well as public transport provision it has been the view of Inspectors and Officers when considering developments of a similar nature that the proposed parking provision provided is acceptable for the type of development proposed.

The 27 spaces are inclusive of disabled parking provision and visitor parking spaces. Concerns raised by the Wilmslow Town Council over specific allocation of parking spaces for disabled and staff are acknowledged. The Highway Engineer has noted that there is extensive research conducted which shows that unallocated parking spaces can increase the efficiency of car parking provision, and this increase in efficiency is improved further for apartments. The Highways Officer has therefore advised that car parking spaces remain unallocated.

## **Network Capacity**

The development will generate approximately 6 two-way vehicle trips during each of the peak hours and approximately to over a 12 hour period.

There have been no traffic accidents along Holly Road North, in the vicinity of the site, over the last 5 years indicating no existing safety issues and it is considered that the present

Traffic Regulation Order present along Holly Road North will prevent off street parking therefore enabling the free flow of traffic along this particular road.

### **Sustainable access**

Footway access is to be provided from the site onto Holly Road North. Footway access, including pedestrian refuge islands and signalised crossings, is then available to the wider Wilmslow area including shopping facilities and amenities. Bus stops and Wilmslow railway station are also a short walk away providing access to the wider Greater Manchester area. The proposal is therefore considered to be in a highly sustainable location.

The Highways Officer has concluded that the proposed development would be located in a highly sustainable location with pedestrian access to a wide range of shops and services. The site access is acceptable and a betterment on the existing situation which consists of 5 vehicle accesses.

The proposed parking provision is adequate and the number of vehicle trips to be generated from the site will have minimal impact on the highway.

No objections in terms of Highway safety are therefore raised subject a condition in relation to no allocation of parking spaces for individual units.

### **Trees / Landscape**

This application is supported by a Tree Survey and Tree Constraints Plan.

There site is constrained by a number of Trees which are protected by Tree Preservation Order and are located along the along the frontage of Holly Road north, the rear western and southern boundaries of the site as well as an individual Cedar tree to the rear of the application site.

In addition to the above, there is a TPO on tree within Sandringham Court to west of the application site and there is a group located on the frontage of Holly Road north and the eastern boundary of the site.

As part of the development the applicant proposes the removal of a number of trees which are not protected by the TPO including a good quality Lime (T20). The tree Officer has been consulted on the application and has accepted that these trees provide only limited public benefit and could be compensated within the application site.

During the course of the application concerns have been raised with regard to a substantial area of hard standing within the Root Protection Area (RPA) of the protected Horse Chestnuts located on the Holly Road North frontage. BS5837: 2012 states that new permanent hard standing should not exceed 20% of any existing unsurfaced ground. Where there is a deviation in the Root Protection Area and there is an overriding justification for construction within the Root Protection Area technical solutions may be available provided that they accord with the prerequisites of Clause 7 of BS5837:2012. That is any construction should accord with the principle that the tree and soil structure (bulk density) should take priority.

Details of underlying soils (assessed as part of the previous scheme which included a basement) have been provided and show that soils within the site are loamy clay and sand to a depth of 0.4m, which are relatively weak compressible soils. The provision of a no dig solution supporting a geogrid porous surface is considered acceptable, provided underlying soil bulk density not compacted so as to restrict root growth. The rooting zone will also need to be satisfactorily protected to allow for the passage of construction vehicles

Site sections have been provided which appear to show that a no dig solution can be achieved without impact on final slab levels and the interface with the adjacent highway. The Agent has also confirmed that foul water drainage will utilise the existing manhole.

The information is considered satisfactory address the concerns with regard to protected trees and therefore the Councils Forestry Officer has raised no objections subject to conditions concerning Tree protection, submission of a method statement and Construction specification, Tree pruning and felling specification and also details of Service drainage layout to be submitted.

A revised landscaping scheme has not been submitted with the amended plans. Landscaping will pay an important part of this scheme in term of ensuring that elements of the development are softened with planting particularly to property frontage. A condition requiring a full landscaping scheme and implementation are therefore advised.

It is advised that details of adequate boundary treatment along the boundaries of the site along with a more appropriate boundary treatment to the site frontage would be railing with a shade tolerant hedging.

## **Ecology**

The Council's Ecologist has examined the application and is satisfied that there is unlikely to be any significant ecological issues associated with the proposed development. Given the level of mature vegetation within an surrounding the site is advised that a condition be attached ensuring that Prior to the removal of any vegetation or the demolition or conversion of buildings between 1st March and 31st August in any year, a detailed survey shall be carried out to check for nesting birds. Should nesting birds be found a 4m exclusion zone will be implemented and a completion of nesting and report submitted to the Local Planning Authority before works within the exclusion works take place.

## **SOCIAL SUSTAINABILITY**

### **Affordable Housing**

#### **Need for the development**

The Cheshire East Strategic Housing Market Assessment (SHMA) Update published in September 2013 identifies the increasing need for extra care housing in the Borough as the population ages. Paragraph 6.24 of the SHMA Update 2013 states:

*"The proportion of older people is expected to increase over the next few decades. Between 2010 and 2030, the number of households: aged Pensionable age to 74 is forecast to increase by 13,300; aged 75-84 is forecast to increase by 14,000; aged 85 and over is forecast to increase by 11,200; and an overall increase of people of pensionable age and above of 38,500."*

The SHMA also identifies that in the Handforth and Wilmslow areas there is a need for 13 X1 bed and 3 X 2 plus bed requirement for elderly persons dwelling per year.

This requirement is supported by information within the Council's emerging Vulnerable and Older People's Housing Strategy which states:

*"There is significant need for increased extra care provision in Cheshire East. Utilising the prevalence rates in the Strategic Housing for Older People (SHOP) toolkit, we can determine that Cheshire East will have a shortfall of 1063 extra care places by 2030;"*

This indicates that there is an ageing population in Cheshire East, a fact that is also reinforced by the 2011 Census figures.

The 2011 Census identifies:

- The percentage of people aged 65 or over in England and Wales is 16.4%
- The percentage of people aged 65 and over in Cheshire East is 25.9% which is 37% higher than the average in England & Wales
- The percentage of persons in England & Wales who live in a Communal Establishment is 0.18%
- The percentage of people in Cheshire East who live in a Communal Establishment is 0.14% which is 23% lower than the average in England & Wales

These figures indicate that there is a higher demand for elderly accommodation in Cheshire East and a lower provision when compared to the rest of England & Wales which does suggest that the proposal will satisfy an unmet need.

Paragraph 3.2 of the Council's Interim planning Statement for Affordable Housing states that for developments which are equal to or greater than 15 units or 0.4ha, provision for affordable housing should be sought, unless economics of provision arguments indicate otherwise.

Therefore for this application there is a requirement for 30% affordable housing provision which for a development of 34 units will be 10 units.

According to the Council's "Interim Planning Statement: Affordable Housing", there may be physical or other circumstances where an on-site provision would not be practical or desirable. Such circumstances might include where:

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

The concept of shared and communal facilities is an important model for the elderly people accommodation. The applicant advises that the incorporation of affordable units with private on site would create a number of issues;

- *it would be difficult to ensure that the service charge for the running of the communal space and facility was affordable to those within the affordable units*
- *it would be difficult for affordable housing providers to guarantee a payment of service charge in perpetuity and which would be liable to change;*
- *mixture of both private paying users and affordable housing tenants create animosity particularly as some residents would be paying for same facilities but for less;*
- *Due to the size of the site it is not possible to create tow separate blocks which would house either private or separate, each would require own facilities and he site is not sufficiently large enough to accommodate this and an appropriate number of units to ensure the development would be viable.*

The Council Housing Officer has been consulted on the application and agrees that on site provision of affordable housing on site would not be suitable given this particular type of development. It is therefore considered that in these particular circumstances, it would be more appropriate to seek a commuted sum in lieu of on site affordable provision in this case. The Interim Statement goes on to say that in such exceptional cases and entirely at the Council's discretion, developers may, in lieu of such provision, provide off-site affordable housing, or offer financial or other contributions towards the provision of affordable housing on an alternative site.

*Where a financial contribution is offered, the amount of such contribution will normally be expected to reflect the cost necessary to facilitate an equivalent amount of affordable housing as would have been provided on-site. The amount of any contribution will need to be agreed with the Council. Where off-site provision is made by the developer or as a result of any financial contribution, this should be in a location elsewhere within the Borough where there is an identified need.*

The Applicant has submitted an affordable housing statement and conducted a viability appraisal using the Home and Communities Development Appraisal (HCADAT). The Council have appointed an independent Chartered Surveyor to undertake an appraisal of the site and the development costs and residual values.

Para 173 advises the following;

*Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.*

Prior to amended plans the applicant offered a figure of £89,233 as a viable sum. However following amended plans and consequently an amended viability appraisal submitted by the applicant concluded that the proposal would create a deficit of £73,404. Following a subsequent meeting it has been advised that the developer could offer a commercial expedient offer of £300,000, which would be provided for all Section 106 contributions.

The Council assessment of the viability appraisal conducted by an independent Chartered Surveyor suggests that whilst there may be additional viability within the scheme, the £300,000 sum, which has been negotiated, on balance, is considered to satisfactorily mitigate for the provision of off site affordable housing. The Council Housing Officer has therefore raised no objections to the commuted sum proposed.

## **Open Space Provision**

Policy RT6 of the Macclesfield Local Plan advises that within new developments open space should be provided in accordance with the Boroughs Council standards.

Appendix 4 of the Supplementary Planning Guidance on Section 106 (planning) agreements advises that where development exceeds 6 or more dwellings and where on site provision can not be provided a commuted sum payment to provide or improve facilities for Public Open Space (POS) and Recreation/outdoor sports (ROS) facilities in lieu of on site provision.

No off site contributions towards provision has been proposed as part of the development. Officers acknowledge that due to the nature of the development there is likely to be limited demand placed upon off site recreation/public open space facilities.

As part of the proposal and as part of the applicants viability appraisal a sum of £300,000 has been offered to be made available for all Section 106 contributions. If funds were to be diverted towards off site open space provision, there would be less money available for affordable housing.

Due to the extensive planning history for apartment blocks on this site, which dates back to 2002 and the subsequent and some what frequent submission of amendment and variations to previous permissions, the principle of the development appears to have pre date current Macclesfield Borough Local Plan Policies and the Council's SPG on S106 (planning) agreements both published in 2004. Therefore the requirement for off site contributions towards contributions toward either Public open space and recreation have never been secured from the extant consent. Furthermore the extant consent did not meet the threshold criteria for the provision of affordable housing.

Having regard to lack of contribution facilitated within the previous 2014 extant consent, the nature of the proposed development ,which is likely to result in a relatively limited demands in improvements to public open space provisions and also the fact that any contributions towards Public Open space would reduce the sum for off site affordable housing provision. In this particular case, based on the individual merits of the site the provision of a commuted sum in lieu of off site open space provision is not considered necessary.

## **ECONOMIC SUSTAINABILITY**

With regard to the economic role of sustainable development, the proposed development would make a limited contribution to this by potentially creating some jobs in construction, economic benefits to the construction industry supply chain, and increased business to local shops and services.

## **HEADS OF TERMS & CIL REGULATIONS** **S106 & CIL**

Completion of a s106 legal agreement will be required to include the following heads of terms:

- £300,000 commuted sum in lieu of the provision of 10 affordable housing units on site.

## **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 Agreement satisfy the following:

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

The commuted sum in lieu of affordable housing on site is considered to in line with Council policy and will meet the need of Wilmslow's affordable housing requirements as set out within the Strategic Housing Market Assessment.

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

## **PLANNING BALANCE**

In summary, having regard to the extant 2014 consent, and the sites sustainable location, the principle of residential development on the site is considered to be acceptable, and will assist in meeting the Council's housing land supply requirements. Previous concerns in respect of amenity are considered to be acceptable.

Amended plans and details of material are expected and sought in order to reduce the general bulk and massing of the proposed development. The proposed development, subject to planning conditions is considered to be acceptable in terms of residential amenity, highway safety, protected trees. The proposed development is unlikely to result on a significant impact upon protected species.

Whilst the Council's preference is for the on-site provision of affordable housing, the Council's Interim Planning Statement makes provision for off-site contributions towards affordable housing. Given the likely limited demand for open space created by residents it is considered appropriate in this case to direct all contribution to affordable housing requirement.

The proposal is considered to be a sustainable form of development in terms of the 3 aspects: social, economic and environmental. The development will provide a much needed form of housing accommodation in a sustainable area. The scale of the development will have some impact on the local street scene and on nearby property, but the impacts are not considered to be significant and cannot be described as significantly adverse. In the light of paragraph 14 of the Framework, planning permission should be granted.

## **RECOMMENDATION**

**The application is recommended for approval subject to;**

- **Minor revisions to the plans and materials proposed in order to improve the design of the building from the street scene;**
- **Recommended conditions; and a**
- **S106 agreement in relation to the off site provision of affordable housing**

*In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his absence the Vice Chair) of Northern Planning Committee to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.*

Application for Full Planning

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

1. Development in accord with approved plans
2. Landscaping - submission of details
3. Tree retention
4. Tree protection
5. Commencement of development (3 years)



6. Construction specification/method statement
7. Landscaping (implementation)
8. Tree pruning / felling specification
9. Details of materials to be submitted
10. Protection for breeding birds
11. Levels survey
12. Additional landscaping details required- Boundary treatment
13. Obscure glazing requirement
14. Protection of highway from mud and debris
15. Submission of construction method statement
16. Sustainable drainage scheme
17. Scheme for the management and maintenance of surface water
18. Scheme for Dust Control during construction
19. Scheme for pile driving to be submitted
20. Scheme for cycle storage to be provided
21. Allocation of parking bays
22. Floor Floating
23. Surface water drainage scheme to be submitted
24. Drainage to be put on a separate system
25. Electric vehicle charging points to be provided
26. Details of balcony screens measuring 1.8m to be provided
27. Refuse facilities to be approved
28. Storage of mobility scooters
29. Submission of operational plan

