

Application No: 16/1269M

Location: The Royal British Legion, STATION ROAD, HANDFORTH, SK9 3AB

Proposal: Demolition of existing building and erection of 10 townhouses with associated infrastructure and landscaping.

Applicant: Mr Tom Loomes, Jones Homes (North West) Limited

Expiry Date: 06-Jul-2016

## REASON FOR REPORT

The application is a major development and Councillor Burkhill has requested that the application be determined by Northern Planning Committee. The application was called in for the following reason;

*This is a large, prominent site adjacent to Handforth Station. There has been in the past considerable public interest in this site and this continues on in the present due to its location next to the busy station and fronting onto Station Road.*

*There is also a lot of public interest and a long running campaign by the "Friends of Handforth Station" for the provision of an access for the elderly and disabled onto the station, particularly since the closure of the lay-by at the entrance point where the elderly, disabled and Mums with young children have to struggle up or down 35 steps to the platforms. The developers have gone some way to provide this much needed access within this application but agreement has not yet been reached. There is also the problem of the retaining wall belonging to the site which is causing the hedge and well used footpath to slowly collapse into the site and the possibility of an out of control vehicle running down onto the railway. For these reasons we believe that this application should be decided at the Northern Committee where residents and interest groups can have their say.*

## SUMMARY

The site is identified as being within a predominantly residential area and is considered to be in a highly sustainable location. As such the principle of residential development on the site is accepted.

As Cheshire East cannot demonstrate a 5 year supply of deliverable housing sites the presumption in favour of sustainable development at paragraph 14 of the Framework applies where it states that LPAs should grant permission unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits from it, when assessed against the Framework as a whole; or specific policies in the Framework indicate development should be restricted.

The scale of the development reflects the character and appearance of the area with details of the materials and landscaping being dealt with through conditions on the decision notice. The development raises no issues in respect of residential amenity, noise, ecology or trees. Some matters will be dealt through conditions.

On the basis of the above, it is considered that the proposal represents sustainable development and paragraph 14 is engaged. Furthermore, applying the tests within paragraph 14 it is considered that the adverse effects of the scheme are significantly and demonstrably outweighed by the benefits

### **SUMMARY RECOMMENDATION**

Approve subject to conditions.

### **PROPOSAL**

The application is for the demolition of vacant social club and erection of 10 townhouses with associated infrastructure and landscaping.

The 10 properties are split into 2 blocks of 5 and each has three storeys with garages at ground floor. Each property will have 4 bedrooms.

### **SITE DESCRIPTION**

The application site consists of a former social club that currently stands vacant. The building on the site is single storey and constructed in brick with a flat roof, a car parking area is located at the front of the building in the northern part of the site. To the west the site is adjoined by Handforth railway station that runs for the entire length of this boundary. To the south of the site is a care home within a three storey building.

To the east a private access road runs along the length of the boundary, this serves as the access to the care home and vehicular access into the application site is also taken from this road. Dormer bungalows are located on the opposite side of this access road. Station Road forms the northern boundary of the site and this becomes elevated above the site as it rises to cross the railway line. A public house is located on the opposite side of Station Road.

### **RELEVANT HISTORY**

The site has been subject to previous applications; however they do not have any relevance to the consideration of this application.

### **NATIONAL & LOCAL POLICY**

#### **National Policy**

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.

50. Wide choice of quality homes

56-68. Requiring good design

69-78. Promoting healthy communities  
100. Flood risk

### **Development Plan**

BE1 (Design principles for new developments)  
DC1 (High quality design for new build)  
DC3 (Protection of the amenities of nearby residential properties)  
DC6 (Safe and convenient access for vehicles, special needs groups and pedestrians)  
DC35 (Materials and Finishes)  
DC38 (Guidelines for space, light and privacy for housing development)  
DC40 (Children's Play Provision and Amenity Space)  
DC41 (Infill Housing Development or Redevelopment)  
H2 (Environmental Quality in Housing Developments)  
H5 (Windfall Housing)

### **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  
SD1 Sustainable Development in Cheshire East  
SD2 Sustainable Development Principles  
IN1 Infrastructure  
SC4 Residential Mix  
SE1 Design  
SE2 Efficient use of land

### **Other Material Considerations:**

National Planning Practice Guidance (NPPG)

### **CONSULTATIONS (External to Planning)**

United Utilities – No objection. Conditions have been requested requiring that the site be drained on separate systems and that a surface water drainage scheme be submitted prior to development commencing on the site.

Environmental Health – No objection. Conditions have been requested relating to noise, contamination and submission of a construction environmental management plan.

Head of Strategic Infrastructure – No objection.

Network Rail – No objection. It would be recommended that the disabled access be provided and then subsequently given to appropriate railway authority. This matter is dealt with later in this report.

## **VIEWS OF THE PARISH / TOWN COUNCIL**

Members of the Handforth Parish Council Planning & Environment Committee agreed to oppose application 16/1269M the former Royal British Legion site as they considered it over development of the site. This council did not consider that it could support any development for three storey homes at this location. Concern was also expressed about increased traffic levels in this area.

## **OTHER REPRESENTATIONS**

A total of 27 representations have been received as a result of the application, 26 of which are objections and 1 is in support.

The points of objection relate to;

- The development will cause overlooking and an impact on privacy.
- The new building will overshadow neighbouring properties.
- Inadequate pedestrian link into Handforth station.
- Too many dwellings are proposed and the site will be overdeveloped.
- The site is better used as a car park for the station.
- The site is not suitable for residential use as it is adjacent to the railway line.
- The proposed dwellings are out of scale and character with those of the surrounding area.
- The proposal would be detrimental to the safety of the local highway network.
- The development will place additional stress on local schools and doctors.
- Disturbance will occur through the development process.

The representation in support was in agreement that the development would improve the appearance of the site and area in general. It also stated that the support was conditional based on a disabled access to the platform being provided.

The issue relating to the level access to Handforth Station has been raised by a significant number of objectors as well as the supporter of the application. An area of the site alongside the platform has been set aside to provide this but the developer will not be carrying out the works. It must be pointed out that this disabled access is not a requirement of this planning application and is not something that must be provided to make the application acceptable in terms of the policies in the Local Plan or at a national level.

## **APPRAISAL**

The main issues in the consideration of this application are the suitability of the site for residential development having regard to matters of planning policy and housing land supply, highway safety and traffic generation, contaminated land, air quality, noise impact, landscape impact, hedge and tree matters, ecology, amenity, design / character and sustainability.

## **Principle of Development**

The application site is a previously developed site that enjoys excellent access to public transport opportunities with Handforth Station being alongside the site and bus services running along Station Road. The site is also with east walking distance of local shops and services.

Therefore being a previously developed site in a highly sustainable location the use of the site for residential purposes is acceptable in principle.

## **Housing Land Supply**

Following the receipt of the Further Interim Views in December 2015, the Council has now prepared proposed changes to the Local Plan Strategy (LPS), alongside new and amended strategic site allocations, with all the necessary supporting evidence. The proposed changes have been approved at a Full Council meeting held on the 26 February 2016 for a period of 6 weeks public consultation which commenced on Friday 4 March 2016.

The information presented to Full Council as part of the LPS proposed changes included the Council's 'Housing Supply and Delivery Topic Paper' (CD 9.7) of February 2016. This topic paper sets out various methodologies and the preferred approach with regard to the calculation of the Council's five year housing land supply. From this document the Council's latest position indicates that during the plan period at least 36,000 homes are required. In order to account for the historic under-delivery of housing, the Council have applied a 20% buffer as recommended by the Local Plan Inspector.

The topic paper explored two main methodologies in calculating supply and delivery of housing. These included the Liverpool and Sedgfield approaches.

The paper concludes that going forward the preferred methodology would be the 'Sedgepool' approach. This relies on an 8 year + 20% buffer approach which requires an annualised delivery rate of 2923 dwellings.

The 5 year supply requirement has been calculated at 14,617, this total would exceed the total deliverable supply that the Council is currently able to identify. The Council currently has a total shortfall of 5,089 dwellings (as at 30 September 2015). Given the current supply set out in the Housing Topic Paper as being at 11,189 dwellings (based on those commitments as at 30 September 2015) the Council remains unable to demonstrate a 5 year supply of housing land. However, the Council through the Housing Supply and Delivery Topic paper has proposed a mechanism to achieve a five year supply through the Development Plan process.

National Planning Policy Guidance (NPPG) indicates at 3-031 that deliverable sites for housing can include those that are allocated for housing in the development plan (unless there is clear evidence that schemes will not be implemented within five years).

Accordingly the Local Plan provides a means of delivering the 5 year supply with a spread of sites that better reflect the pattern of housing need however at the current time, the Council cannot demonstrate a 5 year supply of housing. This is an important material consideration in support of the proposal.

## **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.

## **SOCIAL SUSTAINABILITY**

### **Residential Amenity**

Local Plan policies DC3, DC38 and H13 seek to ensure that new development does not significantly injure the amenities of adjoining or nearby residential property due to amongst other things, loss of privacy, overbearing effect, loss of sunlight and daylight, noise, traffic generation, access and car parking.

New residential developments proposing three storey properties should generally achieve a distance of between 28m and 32m between principal windows and 16.5m between a principal window and a blank elevation. This is required to maintain an adequate standard of privacy and amenity between residential properties and these are set out in Policy DC38.

In this instance no properties are located facing the rear elevation as the station is located along this boundary. Some properties are location on the opposite side of the railway but they are some distance away from the site.

The properties facing the front of the property are located on Thornton Drive. 12 Thornton Drive is located closest to the site, however it has a blank gable facing the site and this is 29 metres from the proposed dwelling, and as such the required 16.5 metre requirement is easily met.

Both numbers 3 and 5 Thornton Drive have habitable room windows that overlook the site. However these properties are located 36 metres from the front elevation of the proposed dwellings and therefore the required 28 metre separation distance is met.

As these separation distances are met it is considered that the proposed development will not result an unacceptable loss of amenity in respect of privacy or overshadowing and the proposals comply with the above mentioned policies.

The proposals are for residential use in a residential area and therefore this will raise no impacts in terms of noise or other environmental impacts. The construction process may raise some issues and as a result a condition will be imposed on the decision notice that will take steps to reduce any impact.

The proposals meet the requirements of Local Plan policies DC3, DC38 and H13.

## **ENVIRONMENTAL SUSTAINABILITY**

### **Highways**

The application has been supported by a Transport Statement that demonstrates adequate visibility is available on the junction on to Station Road and that the local highway network can comfortably accommodate the level of development proposed for the site.

Each property has provision for two parking spaces as well as an integral garage. This is an acceptable level of parking provision and space exists in private drives to the front of the properties to allow for adequate manoeuvring of vehicles into and out from these spaces.

The Strategic Highways Manager (SHM) has no objections and the proposal is therefore considered to be acceptable in highway safety terms and in compliance with the relevant policies in the adopted and emerging local plans.

### **Layout & Design**

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 materials.

The proposed dwellings are three-storey in height with integral garages. Give the scale of the buildings brickwork is proposed for the ground and first floors with the second floor being rendered. A contrasting brick bond between the ground and first floors will also offer additional visual interest. As part of the application the plans have been amended to lower the eaves height so the second floor windows extend above the eaves.

The mix of materials used on the elevations will ensure that the buildings have some visual interest and are not overly dominated by one single type of material. The lowering of the eaves helps to prevent the roof appearing over utilitarian, breaks up the mass of the roof and provides additional visual interest on this part of the building.

The design of the properties is considered to be acceptable and in keeping with the mixed character of the area. Details of the proposed materials will be agreed before works on the dwellings commence and this will be done through a condition on the decision notice.

The local area is characterised by a variety of buildings which are predominantly two or three storeys in height. The properties to the east of the site are dormer bungalows whilst the care home to the south is a more modern three storey building.

The proposed dwellings will have the same overall height as the three-storey care home building to the south of the site. An 8.25 metre gap is maintained between plot 1 and the care home and this is considered a sufficient gap to ensure that the buildings have an acceptable relationship and do not appear as a single mass.

The relationship between the proposed houses and those existing has been raised by objectors during the course of the application. This relationship is near identical to that which already exists between the care home and the properties opposite. Therefore the relation is considered not to be out of character with the area.

## **Trees / Ecology**

### Trees

A row of mature trees were previously located within the site, however these were removed before this application was submitted. No trees are currently present on the site.

The development will be subject to a full landscape plan that will be required through a condition on the decision notice. This will ensure that trees are planted within the site to mitigate against this previous loss.

### Ecology

The Council's Ecologist has visited the site and has confirmed that the site has no ecological value and it is highly unlikely that any protected species are present on site.

It has been requested that the hedge on the site boundary with Station Road is requested. This is shown as being retained on the site layout and appropriate improvement of the hedge will be secured through the landscape plan required through a condition on the decision notice.



### **Contaminated land**

A condition is recommended requiring submission of phase I contaminated land investigation to assess the contamination risks. The condition will also require more detailed site investigations depending on the findings of the phase I report.

### **Noise**

The application has been accompanied a noise survey relating to the impact of surrounding land uses (primarily the railway) on the proposed development. A condition will be included on the decision notice requiring that the mitigation measures be implemented in full before the properties are occupied and subsequently maintained thereafter.

### **ECONOMIC SUSTAINABILITY**

It is accepted that the construction of a housing development of this size would bring the usual economic benefit to the closest shops in Handforth for the duration of the construction, and would potentially provide local employment opportunities in construction and the wider economic benefits to the construction industry supply chain. There would be some economic and social benefit by virtue of new resident's spending money in the area and using local services.

As such, it is considered that the proposed development would be economically sustainable.

### **RECOMMENDATION**

The application is recommended for approval.

*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 (Regulation) delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Committee's decision.*

Application for Full Planning

### **RECOMMENDATION:**

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Landscaping - submission of details
4. Landscaping (implementation)
5. Submission of construction method statement
6. Submission of samples of building materials
7. Details of drainage

8. Standard contaminated land condition
9. - importation of soil
10. Unexpected contamination
11. Nppf
12. Ensure recommendations are implemented

