

Application No: 17/3545N

Location: Redsands Centre, CREWE ROAD, WILLASTON, CW5 6NE

Proposal: Demolition of existing buildings and erection of a care home for the elderly (C2 Use Class) and associated works.

Applicant: Richmond Villages Ltd

Expiry Date: 07-Nov-2017

SUMMARY

On 27th July the Council adopted the Cheshire East Local Plan Strategy therefore the Council have demonstrated that they have a 5 year supply of deliverable housing sites.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.” The National Planning Policy Framework, which is the Secretary of State’s guidance, also advises Councils as to how planning decisions should be made. The ‘presumption in favour of sustainable development’ at paragraph 14 of the NPPF means “approving development proposals that accord with the development plan without delay”

Although the site lies in the Green Gap between Willaston and Nantwich, and is in open countryside, it is not considered there is any policy conflict as the proposal is to replace an existing building of similar size on a very similar footpath. The proposed development is not materially different from the existing.

Additional planting (over and above that shown on the submitted landscaping plans) to replace trees lost is required and will need to be conditioned.

The benefits of the proposal would be the provision of supported housing for the elderly to meet an identified need, redevelop a vacant site, bring into management a wooded site which is part of the local landscape character and bring forward economic benefits through the building process and through the spending of future occupiers.

The development would have a neutral impact upon protected species/ecology, flooding, living conditions, landscape, trees, design and contaminated land.

The proposal is considered to comply with the relevant development plan policies and as such the application is recommended for approval.

RECOMMENDATION

APPROVE SUBJECT TO CONDITIONS

PROPOSAL

This is a full application for the demolition of existing buildings and erection of a care home for the elderly (C2 Use Class) and associated works, including new parking areas, a secure garden area adjacent to the proposed building, and more open landscaped areas to the road frontages with permissive public access.

The proposal is for a dementia care facility that has 71 bedrooms.

Whilst a number of trees would be removed, the majority of trees would be retained on site, and the public footpath on the eastern boundary retained.

The proposal includes a cluster of buildings in a similar form to the existing, but with three courtyards, two enclosed and one open at the site entrance. The building would be a mix of one and two storeys, and whilst it has a flat roof, it incorporates a number of gable features to break up the horizontal form of the building.

Vehicular access would be taken from the existing access on the A534 Crewe Road.

SITE DESCRIPTION

The site consists of the former Redsands Children's Centre, on the western side of Willaston at the junction of the A534 Crewe Road, and the A51 which runs north south past the site. The road junction forms a roundabout in the south western corner of the site.

The current buildings are concentrated on the north eastern side of the site, and consist of largely one and two storey buildings surrounded by a very substantial metal security fence. The buildings are currently unoccupied, and somewhat run down in appearance.

The extensive grounds extend to the road frontages on the A51 and A534 and are heavily wooded in character, but with a few clearings. Whilst the roads adjacent to the site are heavily trafficked the planting gives the site a secluded feel.

To the north and east of the site is open land, farmland to the north and playing fields and an area of woodland to the east.

A public footpath runs along the eastern boundary of the site, and also gives pedestrian access to the playing fields.

RELEVANT HISTORY

There are a number of applications relating to the site for alterations/additions from the 1970's & 1980's but the most recent applications are as follows:

P93/0998 - External play area and link extension. Approved with conditions / 17-Jan-1994

P02/0145 - Security Fencing (County Consultation) Not decided / 04-Apr-2002

NATIONAL & LOCAL POLICY

Cheshire East Local Plan Strategy – Adopted Version (CELP)

The following are considered relevant material considerations as indications of the Adopted Local Plan Core Strategy:

PG2 – Settlement Hierarchy
PG5 – Strategic Green Gaps
PG6 - Open Countryside
PG7 – Spatial Distribution of Development
SC4 – Residential Mix
SC5 – Affordable Homes
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE3 – Biodiversity and Geodiversity
SE5 – Trees, Hedgerows and Woodland
SE 1 - Design
SE 2 - Efficient Use of Land
SE 4 - The Landscape
SE 5 - Trees, Hedgerows and Woodland
SE 3 - Biodiversity and Geodiversity
SE 13 - Flood Risk and Water Management
SE 6 – Green Infrastructure
IN1 – Infrastructure
IN2 – Developer Contributions

The Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy Crewe & Nantwich Local Plan that still apply and have not yet been replaced. These policies are set out below.

NE.5 (Nature Conservation and Habitats)
NE.8 (Sites of Local Importance for Nature Conservation)
NE.9: (Protected Species)
NE.20 (Flood Prevention)
BE.1 (Amenity)
BE.3 (Access and Parking)
BE.4 (Drainage, Utilities and Resources)
BE.6 (Development on Potentially Contaminated Land)
RES.5 (Housing in the Open Countryside)

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

Development Plan

Willaston Neighbourhood Plan

The Willaston Neighbourhood plan is at Regulation 17 – Examination stage and as such can be given weight in the planning decision making process. Relevant policies include:

GG1 - Green Gap

H1 – Scale of Housing Development

H4 – Settlement Boundary

D1 - Existing buildings in the open countryside

D2 - Environmental Sustainability of buildings and adapting to climate change

D4 - Design of new Housing

LE2 - Landscape Quality, Countryside and Open Views

LE4 - Woodland, Trees, Hedgerows, Walls, Boundary Treatment and Paving

TP1 - Footpaths, Cycleways and Public Rights of Way

TP2 - Traffic Congestion

TP3 - Improving Air Quality

C1 - Services for the elderly, disabled and for mental health

Supplementary Planning Documents:

The EC Habitats Directive 1992

Conservation of Habitats & Species Regulations 2010

Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System

Interim Planning Statement Affordable Housing

Interim Planning Statement Release of Housing Land

Development on Backland and Gardens

Cheshire East Design Guide

CONSULTATIONS

CEC Highways: No objection subject to a condition requiring the approval of a Construction Management Statement.

CEC Flood Risk Manager: They have no objections, but request conditions are attached requiring a detailed drainage strategy and detailed calculations to demonstrate support for the chosen method of surface water drainage.

CEC Environmental Health: No objection subject to conditions/informatives regarding working hours, travel plans, electric vehicle charging points, dust control and contaminated land.

CEC Housing: This is an application to provide C2 classed Housing only. As such no Affordable Housing is required to be provided.

CEC Public Rights of Way (PROW): Initially objected to the application because of concerns about the proposals for the PROW but following amended plans is now satisfied that their concerns have been met.

VIEWS OF WILLASTON PARISH COUNCIL

The Parish Council supports the planning application which they consider will provide much needed accommodation for elderly residents in need of care.

REPRESENTATIONS

None received

APPRAISAL

Principle of Development/Open Countryside/Green Gap

The site lies in the Open Countryside as designated by the Adopted Cheshire East Local Plan, where policy PG6 states that within the Open Countryside only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted. Exceptions however include:

“ iii. for the replacement of existing buildings (including dwellings) by new buildings not materially larger than the buildings they replace;”

In addition the site lies in the Strategic Green Gap between Willaston and Nantwich where policy PG5 seeks to:

*“ i. Provide long-term protection against coalescence;
ii. Protect the setting and separate identity of settlements; and
iii. Retain the existing settlement pattern by maintaining the openness of land.”*

The policy goes on to state:

*“In addition, planning permission will not be granted for the construction of new buildings or the change of use of existing buildings of land which would:
i. Result in erosion of a physical gap between any of the settlements named in this policy; or
ii. Adversely affect the visual character of the landscape; or
iii. Significantly affect the undeveloped character of the Green Gap, or lead to the coalescence between existing settlements.”*

The Willaston Neighbourhood Plan reinforces this policy.

Whilst this application does propose a new building, and is therefore caught by both policies, the proposed replacement building is on a very similar footprint to the existing building, and being a mixture of one and two storey elements with a flat roof to keep the overall height and bulk of the building down,

it is not considered to be materially larger or to cause any additional harm to the Green Gap over and above the existing building in situ. Redevelopment of brownfield sites is of course fully supported by policies in the adopted Local Plan and the NPPF.

The proposals therefore are not considered to be in conflict with either PG5 or PG6 and as such the principle of the development is acceptable.

Housing Land Supply

Paragraph 49 on the NPPF advises that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

The Inspector's Report published on 20 June 2017 signalled the Inspector's agreement to the plans and policies of the Local Plan Strategy, subject to the modifications consulted on during the spring of 2016 and 2017. On adoption, all of these sites and policies will form part of the Statutory Development plan. In particular sites that were previously within the green belt are removed from that protective designation and will be available for development. Other sites also benefit from the certainty that allocation in the development plan affords.

In the light of these new sources of housing supply, The Inspector has now confirmed that on adoption, the Council will be able to demonstrate a 5 year supply of housing land. In his Report he concludes:

"I am satisfied that CEC has undertaken a robust, comprehensive and proportionate assessment of the delivery of its housing land supply, which confirms a future 5-year supply of around 5.3 years"

Given this conclusion from the examining Inspector, the Council now takes the position that it can demonstrate a 5 year supply of housing land. C2 uses make up an element of this supply that needs to be met, and given that this is a brownfield site there are no objections to this windfall development on housing supply grounds.

SOCIAL SUSTAINABILITY

Affordable Housing

Housing have confirmed that as the proposal is for a C2 use for elderly care no affordable housing is required.

Public Open Space

There is no requirement for public open space as part of a development for sheltered housing. That said this is a large site with extensive grounds, and whilst some will be private and secured for the residents, the outlying areas will be open for permissive public access. This can be considered a benefit of the proposals.

Education

No contribution for education is required for a development of this nature. It is however considered necessary to attach a condition to any planning approval restricting the occupancy.

Location of the site/Accessibility

To aid this assessment, there is a toolkit which was developed by the former North West Development Agency. With respect to accessibility, the toolkit advises on the desired distances to local amenities which developments should aspire to achieve. The performance against these measures is used as a “Rule of Thumb” as to whether the development is addressing sustainability issues pertinent to a particular type of site and issue.

In this instance no such assessment has been provided with the application. The site is located outside of both Willaston and Nantwich, and although there are a limited range of facilities in Willaston they are a reasonable distance from the site which means accessibility by foot would be limited. That said the majority of residents are by the nature of the use unlikely to walk to facilities and as such there are no objections on accessibility grounds.

Need for older persons housing

The Government’s formally adopted National Planning Practice Guidance (NPPG) states under Housing and Economic Development Needs Assessments paragraph 21:

‘Housing for older people, advises as follows:

“The need to provide housing for older people is critical given the projected increase in the number of households aged 65 and over accounts for over half of the new households (Department for Communities and Local Government Household Projections 2013). The age profile of the population can be drawn from Census data. Projection of population and households by age group should also be used. Plan makers will need to consider the size, location and quality of dwellings needed in the future for older people in order to allow them to live independently and safely in their own home for as long as possible, or to move to more suitable accommodation if they so wish”

This type of accommodation is in demand to meet the care needs of some older residents. The proposed development will contribute to the provision of such a choice and therefore falls within the spectrum of accommodation cited in the NPPG and will meet a need for specialised accommodation for older people which weight in favour of the proposal.

ENVIRONMENTAL SUSTAINABILITY

Residential Amenity

The site sits within its own grounds, and there are no adjoining properties, the nearest property being the Willaston House Business Centre on the far side of the A51 roundabout. As such there are not considered to be any amenity issues associated with the proposals.

Environmental Protection have raised no objections subject to conditions regarding working hours, travel plans, electric vehicle charging points, dust control during development and contaminated land which can be attached to any decision notice.

Contaminated Land

As the application is for new residential properties which are a sensitive end use and could be affected by any contamination present a contaminated land condition will be attached to the decision notice of any approval.

Public Rights of Way (PROW)

The proposed development would have a direct and significant effect on the Public Right of Way, which constitutes “a material consideration in the determination of applications for planning permission and local planning authorities should ensure that the potential consequences are taken into account whenever such applications are considered” (Defra Rights of Way Circular (1/09), Guidance for Local Authorities, Version 2, October 2009, para 7.2).

The public rights of way team initially objected to the application on the grounds of concerns the path was not plotted correctly on the plans, and was to be enclosed within high fencing raising concerns about natural surveillance and safety.

The applicant was asked to clarify:

- a) The correct designation of the path as a Public Footpath, not a permissive path
- b) The correct alignment of the Public Footpath as shown on the Definitive Map
- c) The removal of the proposed asphalt surface with timber edging
- d) The removal of the kissing gate proposed at Crewe Road to leave a gap
- e) The removal of the 1.8m high closeboard fence between the Public Footpath and the site boundary
- f) Confirmation of the width afforded to the Public Footpath throughout the site.

Amended plans/details have been subsequently submitted and the PROW officer now advises:

“The fencing now proposed alongside the Public Footpath is 1.8m high vertical bar fencing. This will enable light and air to pass through to the footpath and for some natural surveillance to be offered. As previously agreed, provided the fencing is installed on the same alignment as the existing security fence, so as not to obstruct the width of the footpath, we have no objection.”

Highways

The location of the access remains as existing and there are two car parks having 58 spaces in total, the visitor car park consisting of 29 spaces. The current CEC car parking standards require 24 spaces for visitors and 20 spaces for staff based upon the information supplied in that 40 non residential staff would be on site at any one time, bringing the total to 44 spaces. It is considered that the 58 spaces provided is an acceptable level of parking provision for the site.

In regards to traffic impact of the scheme, almost all trips to the site are made by either visitors or staff. A care home use is not a traditional peak hour generator and although some trips will be made in the AM and PM peak hours, these are not to such an extent that would be considered to have a capacity impact particularly at the Peacock Roundabout.

In summary, there are no highway objections to the application.

Trees

The application is supported by a detailed Arboricultural Impact Assessment.

The AIA identifies the removal of 14 individual trees, 6 groups, and parts of two tree groups, this totals approximately 50 trees; none are considered to be high value category A specimens, only 8 individual and groups of trees (T7, T10, T13, T23, T24, T25, G11, & part of G2) are moderate category B specimens, with the remaining trees categorised as low category C and unclassified U.

The tree cover associated with the site appears to have been planted as part of a landscape scheme probable attached as a condition of the original Redsands Centre planning approval. A lot of the tree stock is of poor individual quality which has received little or no formative maintenance since planting inception, this has resulted in trees establishing close to the existing building and in close proximity to each other; a removal and thinning regime should have been established over the preceding years. None of the trees either individually or collectively are considered worthy of formal protection. A limited amount of tree pruning is also proposed in respect of G2, G9, and T1, the pruning accords with the requirements of current best practice BS 3998:2010.

In terms of tree removals reducing the screening potential to the site, there are two areas of possible concern, these relate to the north west corner of the site, and the area of extended car parking along the eastern boundary. Additional planting can be incorporated along the edge of the garden area attached to the care home and the boundary with the A51, this will filter views of the building from the adjacent road when travelling south. The revised car parking layout seeks to retain some trees within and adjacent to the car parking bays. There is a direct conflict in terms of a root plate incursion in respect of 5 individual trees and a single group located on the eastern boundary. The root plate incursion in some instances clearly exceeds the 20% of unsurfaced ground covered by new permanent hard surfacing (BS5837:2012 7.4.2.3). Car park implementation is proposed under an Arboricultural Method Statement, whilst this type of installation using a 'no dig' system is considered acceptable in some situation, feasibility of implementation has not been demonstrated. In order to ensure should the identified trees not survive in the long term provision should be made for some additional specimen planting will be required on the road frontage within the south eastern corner of the site.

Should the application be approved conditions will be required to ensure all works are carried out in accordance with the submitted TEP Arboricultural Impact Assessment, and details of an Engineer designed Arboricultural Method Statement for the identified no dig surface construction areas where there is an incursion within the identified Root Protection Areas.

Landscape

The site comprises a former children's centre set in landscaped grounds which include significant tree cover, areas of lawn and hard surfacing. Filtered views into the site can be obtained from Crewe Road to the south and the A51 to the west. A public footpath runs just inside the eastern boundary of the site, linking Crewe road and Colleys Lane.

The site is within open countryside and a Green Gap.

The development proposals would result in some tree loss and have the potential to reduce the existing level of screening of the site.

The submission is supported by a Landscape Management and Maintenance plan and by both hard and soft landscape proposals'

The development provides an opportunity to bring this large site back into management and the retention of a permissive public access area is welcomed.

The applicant's agent has been asked to introduce some additional planting to the northwest and south east of the site, to compensate for tree losses on the site. As these amended plans are not anticipated in advance of Committee the matter will need to be the subject of a condition.

Design

The importance of securing high quality design is specified within the NPPF and paragraph 61 states that:

"Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment."

Whilst this site is set within its own grounds, and some distance from other properties, the site, as discussed above, does fall in the open countryside, and strategic green gap, and therefore there is a requirement of policy to ensure it has no more visual impact than the existing Redsands development. As such the footprint, height and massing of the development is restricted resulting in a development that by its nature will be linear/horizontal in form and flat roofed if two storeys are required.

To avoid a bland building the architect has tried hard to introduce various elements into the proposed design to break up the form of the development. They include projecting elements on different planes, design features such as gable fronted elements and slight variations in the roof line to add visual interest. The windows will be recessed within the walls to avoid a flat frontage to elevations.

Overall the design is considered acceptable and will certainly be an improvement on the existing building which it will replace.

Ecology

The application is supported by an ecological assessment which has raised the following matters:

Enhancement for Bats

Bats are either known to occur in this locality or the habitat is very suitable for them. Therefore in order to enhance the value of the development site for bats, and hence lead to a biodiversity gain from this development as required by the NPPF, artificial bat roosts should be incorporated into the design of any new buildings. Acceptable details of these have been submitted and should be conditioned as part of any approval.

Breeding birds

To safeguard nesting habitats if planning consent is granted, a condition restricting removal of any vegetation or the demolition or conversion of buildings between 1st March and 31st August is recommended.

As a result the proposal will not result in any significant harm from an ecological perspective.

Flood Risk

The application site is located within Flood Zone 1 according to the Environment Agency Flood Maps. The applicant has submitted a Flood Risk assessment and the Flood risk Team comment:

“As mentioned within the submitted flood risk assessment infiltration testing should be conducted before deciding on which method of drainage to use for the site. We would like to ask the applicant when designing the drainage system for the site to consider storing all surface water sub-surface during a 1 in 100 year rainfall event plus 40% allowance for climate change due to the vulnerability of the future occupants of the building.”

Conditions requiring a detailed drainage strategy and detailed calculations to demonstrate support for the chosen method of surface water drainage are suggested.

ECONOMIC SUSTAINABILITY

With regard to the economic role of sustainable development, the proposed development will help to maintain a flexible and responsive supply of land for housing for the elderly as well as bringing direct and indirect economic benefits to Willaston including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

CONCLUSIONS

On 27th July the Council adopted the Cheshire East Local Plan Strategy therefore the Council have demonstrated that they have a 5 year supply of deliverable housing sites.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.” The National Planning Policy Framework, which is the Secretary of State’s guidance, also advises Councils as to how planning decisions should be made. The ‘presumption in favour of sustainable development’ at paragraph 14 of the NPPF means “approving development proposals that accord with the development plan without delay”

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Additional planting (over and above that shown on the submitted landscaping plans) to replace trees lost is required and will need to be conditioned.

The benefits of the proposal would be the provision of supported housing for the elderly to meet an identified need, redevelop a vacant site, bring into management a wooded site which is part of the local landscape character and bring forward economic benefits through the building process and through the spending of future occupiers.

The development would have a neutral impact upon protected species/ecology, flooding, living conditions, landscape, trees, design and contaminated land.

The proposal is considered to comply with the relevant development plan policies and as such the application is recommended for approval.

RECOMMENDATION:

APPROVE subject to conditions

1. Standard 3 year consent
2. Approved Plans
3. Materials
4. Landscaping to include additional planting to NW & SE of the site
5. Implementation of landscaping
6. Tree/Hedgerow Protection Measures
7. Travel Plan
8. Electric Vehicle Infrastructure
9. Dust Control during the demolition/construction phase
10. Submission of a post demolition Contaminated Land Phase II investigation.
11. Contaminated Land Verification Report
12. Control over imported soils
13. Requirement to inform LPA if unexpected contamination found
14. Submission of Construction and Environmental Management Plan
15. Safeguarding of nesting birds
16. Implementation of bird/bat boxes as per submitted plans
17. Arboricultural works to be carried out in accordance with the Arboricultural Impact Assessment.
18. No dig surface construction areas where there is an incursion within the identified Root Protection Areas
19. Submission of a Public Rights of Way Management Scheme
20. Submission of a full detailed drainage strategy
21. Calculations to support the chosen method of surface water drainage
22. Finished floor levels
23. C2 use limitation

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

