

Application No: 20/4113N

Location: Land at, GRESTY ROAD, Shavington, CREWE

Proposal: Full planning permission for the development of a new care-home facility including access, associated landscaping and infrastructure

Applicant: Andrew Baddeley, Liberty Care Developments Limited

Expiry Date: 18-Dec-2020

SUMMARY

The application relates to a care home development (Use Class C2) comprising a part two and part 2.5 storey building incorporating 72-bedrooms and ancillary facilities over three floors. It is located to the north west of the roundabout junction of Crewe Road, Gresty Road and Jack Mills Way.

The site lies within strategic allocation LPS 3 ('Basford West') and is also subject to outline planning approval 13/0336N. Therefore, the principle of its development has been established. However, the proposed Class C2 residential use of the land is not consistent with the allocation of the site under Policy LPS 3 which identifies the land for commercial/local centre uses. Nevertheless, these objectives of Policy LPS 3 have already been met within Basford West, with a range of local centre mixed uses having been delivered on a site off Jack Mills Way to the south and office accommodation provided within the employment area. In these circumstances it is considered that proposed alternative use of the site to accommodate a care home to be a justifiable departure from adopted policy.

The proposal is for a purpose built, end of life residential institution, which is designed to meet the healthcare needs of residents, including those with acute/specialist care needs. The site occupies a sustainable location within the settlement boundary, with good access to local facilities and services. It will therefore make a valuable contribution towards housing for elderly people within the Borough, as well as continuity in their care, which is a material consideration.

The development represents a good design solution on this prominent site and is of appropriate scale and design that will not have a detrimental impact on the character or appearance of the locality, neighbouring amenity or highway safety. Furthermore, the proposals will not have an adverse impact on trees or ecology, or on setting of the non-designated heritage asset at Yew Tree Farm.

Several economic benefits will also arise from the development including additional trade for local business and the creation of employment.

Bearing all the above points in mind, it is considered that the proposals represent an acceptable departure from the Development Plan, and as such it is recommended the application be

approved, subject to relevant conditions and a s106 contribution towards healthcare provision and habitat creation.

RECOMMENDATION

Delegate to the Head of Planning, and in consultation with the Chair of Southern Planning Committee resolve any significantly new issues arising from the extended consultation period; APPROVE subject to completion of a S106 Agreement and the following conditions

DESCRIPTION OF SITE AND CONTEXT

The application site lies within the Basford West Strategic Allocation under Policy LPS 3 of the Local Plan Strategy. The application site is identified by Policy LPS 3 Basford West to accommodate commercial, local centre type uses. In addition, the parameters plan of extant outline approval 13/0336N identifies the site (which is subject of this planning application), for office / local centre uses.

The site is a small triangular shaped parcel (0.58 Ha) of undeveloped land which is relatively flat but does fall in height from west to east. It is located adjacent to the south east of the roundabout of junction of Crewe Road, Gresty Road and Jack Mills Way. It fronts onto Gresty Road to the east, Crewe Road to the south and the original route of Crewe Road lies to the west of the site which has been closed off at its northern end to create a cul de sac.

The western site boundary also wraps around two existing bungalows (358 and 360 Crewe Road) which front onto and are accessed from the no-through road portion of Crewe Road. Also, to the west of the site and the no- through road is Yew Tree Farm a locally listed, two storey former agricultural building.

Recently constructed industrial units located within the Basford West employment area lie to the east of the site and accessed by the adjacent roundabout. Substantial areas of landscaped bunding are provided along the eastern side of the Gresty Road with the boundary of the employment area.

A large housing scheme of 370 dwellings which also forms part of the Basford West strategic allocation and subject to outline approval 13/03360N lies to the south of the site. This development extends up to the opposite side of Crewe Road and the roundabout junction, and construction is now at an advanced stage.

DETAILS OF PROPOSAL

Full planning permission is sought for care home development. (Use Class C2) comprises of a single, part two and part 2.5 storey building incorporating 72-bedrooms and ancillary facilities over three floors. The proposed building is of a contemporary design and wraps around the road frontages of the site with Gresty Road and Crewe Road adjacent to the roundabout junction with Jack Mills Way.

The care home facility is designed to provide 24-hour residential care, including elderly nursing care that many of the residents will require, and specifically for dementia.

A wide range of communal facilities will be provided throughout the care home including lounges and dining rooms, café, library, audio/visual room, activity room and games room. Accessible, landscaped gardens and outdoor terraces are proposed. Ancillary facilities including a staff room and changing area, kitchen and laundry room will be provided on the second floor of the building which is effectively accommodated within the roof space.

Vehicular access to the care home is from an original section of Crewe Road, to the west of the site, which has been become a cull de sac as a result of improved highway access serving the Basford West strategic site. A total of 31 on-site car parking spaces, as well as cycle parking facilities (6 cycles) are proposed. A pedestrian access point is also proposed to serve the main entrance of the care home. from Crewe Road adjacent to the roundabout, and which connects to the existing footpath and cycle lane network.

RELEVANT HISTORY

13/0336N - Outline application for residential development (up to 370 units), Offices (B1), local centre comprising food and non-food retail (A1) and restaurant/public house (A3/A4), hotel (C1), car showroom and associated works including construction of new spine road with accesses from Crewe Road and A500, creation of footpaths, drainage including formation of SUDS, foul pumping station, substation, earthworks to form landscaped bunds, provision of public open space and landscaping. Approved with S106 Agreement on 11/02/2014.

POLICIES

Cheshire East Local Plan Strategy

LPS 3 Basford West
MP1 Presumption in Favour of Sustainable Development
PG1 Overall Development Strategy
PG2 Settlement Boundaries
CO1 Sustainable Travel and Transport
PG7 Spatial distribution of development
SD1 Sustainable development in Cheshire East
SD2 Sustainable development principles
IN1 Infrastructure
IN2 Developer Contributions
SE1 Design
SE2 Efficient Use of Land
SE3 Biodiversity and Geodiversity
SE4 The Landscape
SE5 Trees, Hedgerows and Woodland
SE8 Renewable and Low Carbon Energy
SE9 Energy Efficient development
SE12 Pollution, Land Contamination and Land Instability
SC1 Leisure and Recreation
SC2 Indoor and Outdoor Sports Facilities
SC3 Health and Well Being
SC4 Residential Mix

Appendix C – Parking Standards

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.

Crewe and Nantwich Replacement Local Plan

NE.5 (Nature Conservation and Habitats)
NE.9 (Protected Species)
NE.20 (Flood Prevention)
BE.1 (Amenity)
BE.3 (Access and Parking)
BE.4 (Drainage, Utilities and Resources)
TRAN.3 (Pedestrians)
TRAN.5 (Cycling)

The Shavington Neighbourhood Development Plan

Regulations 17 and 18 Examination stage. The Shavington NDP examination began on the 11 September 2020 and closed on the 11 December 2020.

HOU1 – New Housing
HOU2 – Housing Mix and Type
HOU3 – Housing for Older People
HOU4 - Local Character and Housing Design
ENV1 – Footpaths and Cycleways
ENV2 – Trees and Hedgerows
ENV3 – Water Management and Drainage
COM4 – Developer Contributions
TRA1 – Sustainable Transport
TRA2 - Parking

Other Material Considerations

National Planning Policy Framework (NPPF)
National Planning Practice Framework (NPPG)
Cheshire East Design Guide

CONSULTATIONS (External to Planning)

United Utilities: No objection subject to conditions relating to drainage.

Housing: No objection

Highways: No objection subject to conditions for the provision of a Construction Management Plan condition and closure of existing access.

Flood Risk: no objections, subject to a condition requiring details of the surface drainage scheme.

Environmental Protection: No objections subject to conditions relating to the provision of Electric Vehicle Infrastructure, implementation of noise mitigation measures, the use of Ultra low NO_x emission boilers and remediation of contaminated land.

NHS Cheshire Clinical Commissioning Group: No objection. Request a financial contribution of £25,920 to mitigate the impact on GP and community services.

VIEWS OF THE PARISH COUNCIL

Shevington-Cum-Gresty Parish Council: Comments as follows.

- Although the application was generally supported, the car parking provision is inadequate and does not appear to be accessible.

OTHER REPRESENTATIONS

Two Representations have been received objecting to the proposals on the following grounds:

- Three storey development overbearing and an overdevelopment of this small site.
- Site notice not displayed in the correct location

OFFICER APPRAISAL

Principle of Development

The Site lies within strategic allocation LPS 3 ('Basford West') in the Cheshire East Local Plan Strategy. Figure 15.4 of the CELPS shows that the site is part of a relatively small parcel of land allocated for commercial use. Point 3 of Policy LPS 3 Basford West, anticipates.

"the creation of a new local centre" (in the locations shown on Figure 15.4 of the LPS)" which includes the location of the application site, and including the following commercial uses:

- *Appropriate retail to meet local needs*
- *Restaurant / takeaway*
- *Hotel*
- *Car showroom*

The proposed Class C2 residential use of the land is not consistent with the allocation of the site (LPS 3 Basford West). As such it is therefore a departure from the Local Plan Strategy, and it will need to be considered whether there are any 'material considerations' that indicate that a departure from the local plan allocation is appropriate.

In addition, outline planning permission (13/0336N) relating to the wider development of a substantial part of Basford West for the provision of infrastructure and up to 370 new homes also includes this parcel of land. The approved parameters plan identified the site to accommodate a small office scheme (0.16 Ha) and local centre uses. Whilst highway infrastructure serving Basford West including Jack Mills Way and roundabout junctions has been

delivered and the residential scheme is at an advanced stage in accordance with the subsequent Reserved Matters Approval, the application site has however remained undeveloped. Furthermore, the site has also not been subject to an application for the approval of Reserved Matters for commercial use.

It is however the case, that retail uses, a petrol filling station, public house, coffee shop / takeaway are already provided in the south of the wider Basford West allocation, adjacent to the A500. In addition, B1 office accommodation has also been provided within the adjacent Basford West employment area.

Given this, it is therefore considered that the objectives of allocation LPS 3 have been met with local centre and office uses having already been provided, and consequently in these circumstances alternative uses of the site can be considered as a justifiable departure from adopted policy.

The proposals need to be assessed against the provisions of CELPS policy SC4 'residential mix'. Policy SC4 states the following:

“Development proposals for accommodation designed specifically for the elderly and people who require specialist accommodation will be supported where there is a proven need; they are located within settlements; accessible by public transport; and within a reasonable walking distance of community facilities such as shops, medical services and public open space.”

Issues relating to “need” for the proposed development and its locational sustainability, together with those concerning design, amenity ecology and highway matters are addressed below.

Location of development

The site is in a sustainable location within the Crewe Settlement Boundary. It is located adjacent to a large housing development and within walking and cycling distance of public transport links and services. A wide range of services and facilities are available nearby including a restaurant 480m to the west, local shops and services 600m to the south and along Gresty Road to the north.

Bus stops are within 100m of the site and located on the B5071 Gresty Road to the north of the roundabout in both the northbound and southbound directions on the route of Service No.39 which operates between Crewe and Nantwich town centres. Crewe railway station is about 1.6 kilometres from the site and can therefore be within a walking and cycling distance.

Need for the Development

The proposal is for a purpose built, end of life residential institution, which is designed to meet the healthcare needs of residents, including those with acute/ specialist care needs. Residents of the care home will be cared for by trained clinical teams consisting of registered nurses, trained professional carers and other allied health and social professionals. The facility will also have a specialist dementia unit which will cater for individuals where care is no-longer an option at home.

Originally, the NHS Cheshire CCG objected to this application, but this has since been formally withdrawn following the CCG's direct engagement with the applicant. In particular, it is accepted

that there is a need for the proposed care home following consideration of issues raised by applicant as regards the provision of private fee paying facilities, including the applicant's position that, *"there is currently an undersupply of fit for purpose facilities in the local vicinity and that this undersupply will continue to increase in years to come due to a lack of investment in such facilities"*.

Although the CCG acknowledges that there are a *"high number of care home sites already within the surrounding area and subsequently the GP practices boundaries"*, it states that account has nevertheless been taken of *"the specific cohort this development will cater for and the potential of reduction in pressures in other areas of the health economy"*.

In this case, to mitigate the impact on existing infrastructure and GP services resulting from the development, the CCG requests a contribution to health infrastructure to be secured by a Section 106 Agreement of £25,920.

This contribution has been calculated in accordance with a formula based on calculations made by NHS property Services and other neighbouring CCG's Services, on occupancy x number of 1 bed units in the developments x £360.

Whilst the Adult Services Section has been formally consulted, to date, no comments or concerns have been received in respect of these proposals. An update to this report will report any subsequent comments which are received.

Housing

The Council's Housing Officer has raised no objection to the proposed care facility. Given the proposed nature of residential accommodation which consists of bedrooms with en-suite bathrooms and access to shared communal facilities, the provision of affordable housing is not required to be secured for this Class C2 use.

Furthermore, the development would importantly offer more choice for residential accommodation for the elderly in the area. 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"

Most older people who are looking to move home in later life are downsizing from a larger family home. Hence the need to deliver a range of choice in terms of type and tenure that will enable them to make such a move. 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 weighs in favour of the development.

Design

The importance of securing high quality design is specified within the NPPF and paragraph 124 states that:

'The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this'

This objective is supported by Policy SE1 of the CELPS, which sets out the design criteria for new development and states that development proposals should make a positive contribution to their surroundings.

The site is in a prominent location adjacent to a roundabout at the junction of Gresty Road, Crewe Road and Jack Mills Way, enabling the development to act as a landmark on the southern approach to Crewe. The main issue with this proposal is the scale and footprint of the development, and specifically its relationship with road frontages onto Gresty Road and Crewe Road.

Additional information submitted in respect of site levels and cross sections, demonstrates that the development has effectively utilised the levels of the site, and ensures that the development would not constitute an unduly dominant or unacceptable feature within the locality. Although the scheme is part two and part 2.5 storey, the southern and western parts of the building have been sunk into the landscape as the site levels decrease from west to east ensuring its overall scale and height is significantly reduced within the street scene. Furthermore, the main elevations of the building are also set back at least 6m from landscaped site boundaries alongside site frontages with Gresty Road and Crewe Road.

The second floor of the scheme is also effectively accommodated within the roof space of the building. As a result, and in addition to the use of ground levels on the western and southern side of the site, this ensures that the appearance of the western wing of the case home is two storey, and also steps down to the northern wing along Gresty Road.

In addition, the Council's Design Officer has advised, that together with enhanced planting being provided within the car park adjacent to the two-storey gable end of the building, the development is of a siting and design will have no adverse impact on the setting of the locally listed building (non-designated heritage asset) at Yew Tree Farm situated along Crewe Road to the west.

The main body of the building will be faced with a simple pallet of materials including red brickwork with a tiled roof, interspersed with pale weatherboard to reflect the local vernacular of nearby dwellings and housing developments. To reduce its overall scale and massing, the building has been split into four elements, divided by three glazed links. The glazed links accommodate: the central core at the main entrance and lounge/ dining areas in either wing.

The design of each separate element is further broken down into a smaller scale and mass using varying eaves and ridge heights, gables, bays, balcony features and the linking of fenestration as well as providing visual interest.

The building has been designed to wrap around the junction of Crewe Road and Gresty Road with a central section at its focal point with the roundabout incorporated a terrace and glazed café overlooking the junction. To address concerns of the Design Officer, this frontage of the building has been enhanced to ensure it appears as an “entrance”, which includes piers in the boundary treatment, a secure gate and an indicative location for signage.

The design of the building has minimised its impact. Working with the site levels, combined with the proposed articulation of the elevations, and the visual separation of the building into ‘separate elements’ has successfully reduced its overall scale and massing.

Overall, it is considered that the overall design approach has achieved a good a good solution, and of a contemporary appearance which is keeping with the locality and street scene in accordance with Policies SE1, SD1 and SD2

Landscape

The site is in a prominent location adjacent to a roundabout at the junction of Gresty Road, Crewe Road and Jack Mills Way. It forms part of a site with outline approval for development and is a gateway on the southern approach to Crewe. The proposed building would be set in landscaped grounds with associated car parking /service areas.

Most of the site is rough grass with the southern and eastern boundaries defined by a Hornbeam hedge and a line of young/semi mature Maple and Norway Maple trees. Similar boundary planting is present to the north along Gresty Road and along the opposite side of Crewe Road.

The proposals are supported by a Landscape and Visual Appraisal dated September 2020 and a Landscape Plan 16892-VL_L01. The appraisal considers the impact of the development on the immediate and wider landscape and on visual receptors. The Council’s Landscape Officer notes that although the appraisal does not identify any significant landscape character harm it references visual effects, ranging from slight to moderate – substantial, reducing with mitigation measures.

To address issues raised by the Landscape Officer, additional information relating to site levels has been submitted, including site sections. This demonstrates that the development has effectively utilised the levels of the site and ensures that the development would not constitute an unduly dominant or unacceptable feature within the locality or along road frontages. In particular, the southern and western parts of the building have been sunk into the landscape as the site levels decrease from west to east.

The landscaping scheme has been enhanced with additional planting being provided to soften car parking areas adjacent to the western end of the building and further tree planting has been provided on the southern and eastern boundaries of the existing bungalows (Nos 358 & 360 Crewe Road).

The Landscape Officer advises that the proposed landscape scheme is acceptable.

Trees

There are existing trees located near the two properties to the north and young/semi-mature Maple and Norway Maple trees adjacent to an establishing Hornbeam hedgerow in the landscaped areas around the south and east boundaries of the site. The Council's Tree Officer considers boundary trees and hedgerow are prominent in the street scene and worthy of retention.

The proposals are supported by an Arboricultural Report dated September 2020 which incorporates a Method Statement. A survey in the report identifies 29 individual trees and 2 hedges. (The survey covers a wider area than the application site) The report indicates that one category C Willow tree, T28 would be lost for the development.

The Tree Officer is satisfied that the Willow tree identified for removal is not of such high value as to be a major constraint to the development. It is also noted that the report does not identify any disturbance impacts for retained trees or requirements for pruning. It references various potential secondary development pressures such as shading, leaf shedding etc.

As requested by the Tree Officer additional information showing proposed levels have been provided, which demonstrates that the treatment of the interface of the development with site boundaries will ensure the retention of the existing hedgerow and trees.

As set out by the Arboricultural Report, it is considered that good spatial relationships are achieved between the proposed building and existing trees. However, as recognised by the Tree Officer in a few instances the separation distances between the proposed building and the trunks of trees of less than 5 metres. Nevertheless, the existing trees are young and will adapt to their surroundings and the development, including the provision of retaining structures area, will take place outside of Root Protection Areas.

It is therefore considered that proposals would ensure an acceptable relationship with existing hedges and trees which are to be retained. A condition is however recommended to secure a scheme of tree protection during the development.

Amenity

Saved Policy BE.1 of the Crewe and Nantwich Local Plan requires consideration to be given to the occupiers of both neighbouring properties and the future occupants of the site with regard to impact on privacy, loss of light, visual intrusion and pollution.

As a general indication, and whilst each case should be judged on its own merits, the Council's Backland Development SPD states that in the case of flats a separation distance of 30m should be achieved between principal elevations with windows to first floor habitable rooms. In addition, the SPD also sets out that separation distances dwellings should be 21m metres between principal elevations and 13.5 metres should be allowed between a principal elevation with window a blank elevation.

It should also be noted that the Cheshire East Design Guide SPD also includes reference to separation distances and states that separation distances should be a guide rather than a hard and fast rule. The Design Guide identifies the following separation distances.

21 metres for typical rear separation distance
18 metres for typical frontage separation distance
12 metres for reduced frontage separation distance (minimum)

The main properties effected by the development are the pair of detached bungalows (Nos. 358 & 360 Crewe Road) which adjoin the western side of the site, and front on to the former route of Crewe road which is now a no-through road. At its nearest points, the northern wing of the care home will be 27m from the rear elevation of No.360 and approximately 39m from the rear elevation of No.358.

In addition, a distance of 15.5m will remain between the rear of the western wing of the building and the side elevation of No.358, albeit this does not contain any windows. The rear garden of No.358 will also be screened from the western wing of the Care Home by an existing outbuilding positioned alongside the site boundary in addition to proposed tree planting along the access road adjacent to the western site boundary.

Given these separation distances, and the provision of intervening planting within the communal garden area and along the access road, the development will not have an advance impact on the amenities of Nos. 358 and No.360.

The western wing of the building will also achieve a separation distance of 21m with the approved residential development that face towards the site on the northern side of Crewe Road. Approximately 45 m will also remain between the rear elevation of the barn at Yew tree Farm and the western gable end of the proposed care home.

It is therefore considered that the development will not have an adverse impact on neighbouring amenity by means of loss of privacy, overshadowing or overbearing impact. As a result, it is not considered that the proposal would cause significant harm to living conditions of neighbouring properties.

With regard to the amenities of future occupiers of the development, as part of the extensive range of resident facilities, outdoor space is provided in the form of communal gardens and terraces, which is a typical arrangement to serve the occupiers of care facilities.

The impact of the proposal on the residential amenity of the neighbouring properties is within acceptable limits and is considered to comply with Policy BE.1 of the Crewe & Nantwich Replacement Local Plan.

Noise

In support of the application, the applicant has submitted an acoustic report. The impact of the noise from road traffic and industrial noise sources has been assessed and the report recommends mitigation measure, principally in the form of acoustic double glazing and trickle ventilators. The findings of the noise assessment and overall recommendations of the report are accepted by the Environmental Protection Officer. Although it is considered that further details

are required of measures to control noise from the proposed second floor plant room and clarification is required of the treatment of the northern site boundary to mitigate the impact of industrial noise within the communal garden.

The Environmental Protection Officer (EPO) recommends that a condition be imposed requiring the additional details to be provided and the mitigation measures set out in by the acoustic report to be implemented prior to the occupation of the care home:

Subject to the imposition of a suitable condition the EPO raises no objection, and the proposal accords with Policy SE12 of the CELPS and BE.1 of the Crewe & Nantwich Replacement Local Plan relating to the mitigation of noise pollution and the need to safeguard the amenities of future occupiers of the development.

Highways

The application is for a 72-bed care home with off-road parking and a new access off a section of Crewe Road which is now a cul-de-sac. The Council's Highway Officer advises that the proposed access will provide sufficient visibility, width, and radii to allow cars and larger vehicles to safely enter and exit the site. The access onto the main section of Crewe Road is also acceptable.

The Highway Officer considers that the number of trips who will be generated by the development will be relatively small, and consequently the impact on the wider highway network will be minimal.

The submitted Transport Statement states that at any given time a maximum of 33 staff will be on site. As a result of staff number, together with the total number of rooms, this would result in a parking requirement of 40 spaces. 31 formal parking spaces are provided, and due to the width of the access road, the Highway Officer considers there would be space for an additional 7 cars to park informally within the site without blocking access for cars or larger vehicles such as an ambulance or delivery vehicle. The total number of spaces is therefore just a couple below requirement, and although overspill onto the highway is highly unlikely, this would occur only onto the cul-de-sac where the impact would be minimal. The proposed car parking provision is therefore considered acceptable by the Highway Officer.

The Highway officer advises that cycle parking provision is also acceptable and a minor amendment to the cycle lane on the cul-de-sac to facilitate site access is also acceptable.

There is an existing vehicle access into the north eastern corner of the site from the B5071 Gresty Road which will no longer be required and should therefore be closed, and the footway reinstated. It is recommended that this should be secured by a planning condition and undertaken prior to the occupation of the development.

The Highway Officer recommends that a further condition be imposed requiring the submission and approval of a Construction Management Plan prior to the commencement of development to include details of contractor and construction vehicle parking locations, storage, loading and unloading locations and details of wheel wash facilities.

On this basis no objection is raised to the application in highway terms.

Nature Conservation

The Council's Ecologist has advised that due to the site's isolated nature there are unlikely to be any protected or priority species issues associated with the proposed development.

Biodiversity net gain

However, the Council's Ecologist adds that in accordance with Local Plan Policy SE3(5) all development proposals must seek to lead to an overall enhancement for biodiversity. In order to assess the overall loss/gains of biodiversity an assessment undertaken in accordance with the Defra Biodiversity 'Metric' version 2 is required.

Following assessment of the Biodiversity Metric submitted in support of this application, the Council's Ecologist has calculated an appropriate commuted sum to deliver biodiversity net gain through the funding off-site habitat creation.

In accordance with the advice set out in draft CEC Biodiversity SPD, the cost of necessary habitat creation is calculated to be £12,744. In addition, a further contribution to necessary to cover the cost of CEC officer, partner time and expenses to deliver the required habitat creation which in this case would amount to £1,524.

Therefore, the total commuted sum to be secured by a S106 Agreement would be £12,744 + £1,524 = £14,268.

HEADS OF TERMS

If the application is approved a Section 106 Agreement will be required, and should include:

- Healthcare contribution of £28,914
- Ecology contribution for off-site habitat creation of £14,268

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 S106 satisfy the following:

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

The provision of a healthcare contribution is necessary, fair and reasonable to ensure the impact of the development is mitigated on Primary Healthcare Services to provide a sustainable form of development.

In accordance with Local Plan policy SE3(5) all development proposals must seek to lead to an overall enhancement for biodiversity and the ecology contribution is therefore justified to be necessary and reasonable.

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

Other Matter

The application has been publicised in full accordance with Statutory requirements and the procedures governing the publicity of planning applications set out in the Council's Statement of Community Involvement. However, it has been necessary for replacement site notice to be displayed given concerns received recently that the previously erected notice was located too far from the site. The replacement site notice will not expire until 5th April 2021 and has therefore extended the public consultation period. In these circumstances, it is recommended that the application be Delegated for approval to the Head of Planning, and in consultation with the Chair of Southern Planning Committee, resolve any significantly new issues which may arise from the extended consultation period.

CONCLUSIONS AND PLANNING BALANCE

The site lies within strategic allocation LPS 3 ('Basford West') and is also subject to outline planning approval 13/0336N. Therefore, the principle of its development has been established.

However, the proposed Class C2 residential use of the land is not consistent with the allocation of the site under Policy LPS 3 which identified the land for commercial/local centre uses. Nevertheless, these objectives of Policy LPS 3 have already been met within Basford West with a range of local centre mixed uses having been delivered on a site off Jack Mills Way to the south, and office accommodation provided within the employment area. In these circumstances it is considered that proposed alternative use of the site to accommodate a care home to be a justifiable departure from adopted policy.

The proposal is for a purpose built, end of life residential institution, which is designed to meet the healthcare needs of residents, including those with Acute/ specialist care needs. The site occupies a sustainable location within the settlement boundary, with good access to local facilities and services. It will therefore make a valuable contribution towards housing for elderly people within the Borough, as well as continuity in their care, which is a material consideration.

The development represents a good design solution on this prominent site and is of appropriate scale and design that will not have a detrimental impact on the character or appearance of the locality, neighbouring amenity or highway safety. Furthermore, the proposals will not have an adverse impact on trees, ecology, or on the setting of the non-designated heritage asset at Yew Tree Farm.

Several economic benefits will also arise from the development including additional trade for local business and the creation of employment.

Bearing all the above points in mind, it is considered that the proposals represent an acceptable departure from the Development Plan and as such it is recommended the application be approved, subject to relevant conditions and a s106 contribution towards healthcare provision and habitat creation.

RECOMMENDATION

Delegate to the Head of Planning, and in consultation with the Chair of Southern Planning Committee resolve any significantly new issues arising from the extended consultation period; APPROVE subject to completion of a S106 Agreement and the following conditions.

S106	Amount	Triggers
Health	£28,914	50% prior to first occupation 50% prior to occupation of the 51 st unit
Ecology	\$14,268	On commencement of development

- 1. Commencement of development (3 years)**
- 2. Development in accordance with approved plans**
- 3. Details of materials and finishes**
- 4. Provision of Electric Vehicle infrastructure**
- 5. Provision of Ultra Low Emission Boilers**
- 6. Contaminated land – submission of updated phase 2 report prior to commencement of development**
- 7. Contaminated land – submission of a verification report**
- 8. Contaminated land – works to stop if any unexpected contamination is discovered on site**
- 9. Contaminated land imported soil**
- 10. Implementation of noise mitigation**
- 11. Implementation of the landscaping scheme**
- 12. Details of boundary treatment**
- 13. Tree Protection**
- 14. Submission, approval and implementation of a Construction Management Plan**
- 15. Details for closure of existing access and footway reinstatement**
- 16. Details of covered cycle storage and provision before first occupation**
- 17. Design details of Bin Stores and provision before first occupation**
- 18. Foul and surface water drainage to be connected on separate systems**
- 19. Scheme of surface water drainage to be submitted, approved and implemented**

In order to give proper effect to the Board`s/Committee`s intent and without changing the substance of its decision, authority is delegated to the Head of Planning (Regulation) in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice

