

Planning Committee

23 July 2015

Reference:
APP/15/00201

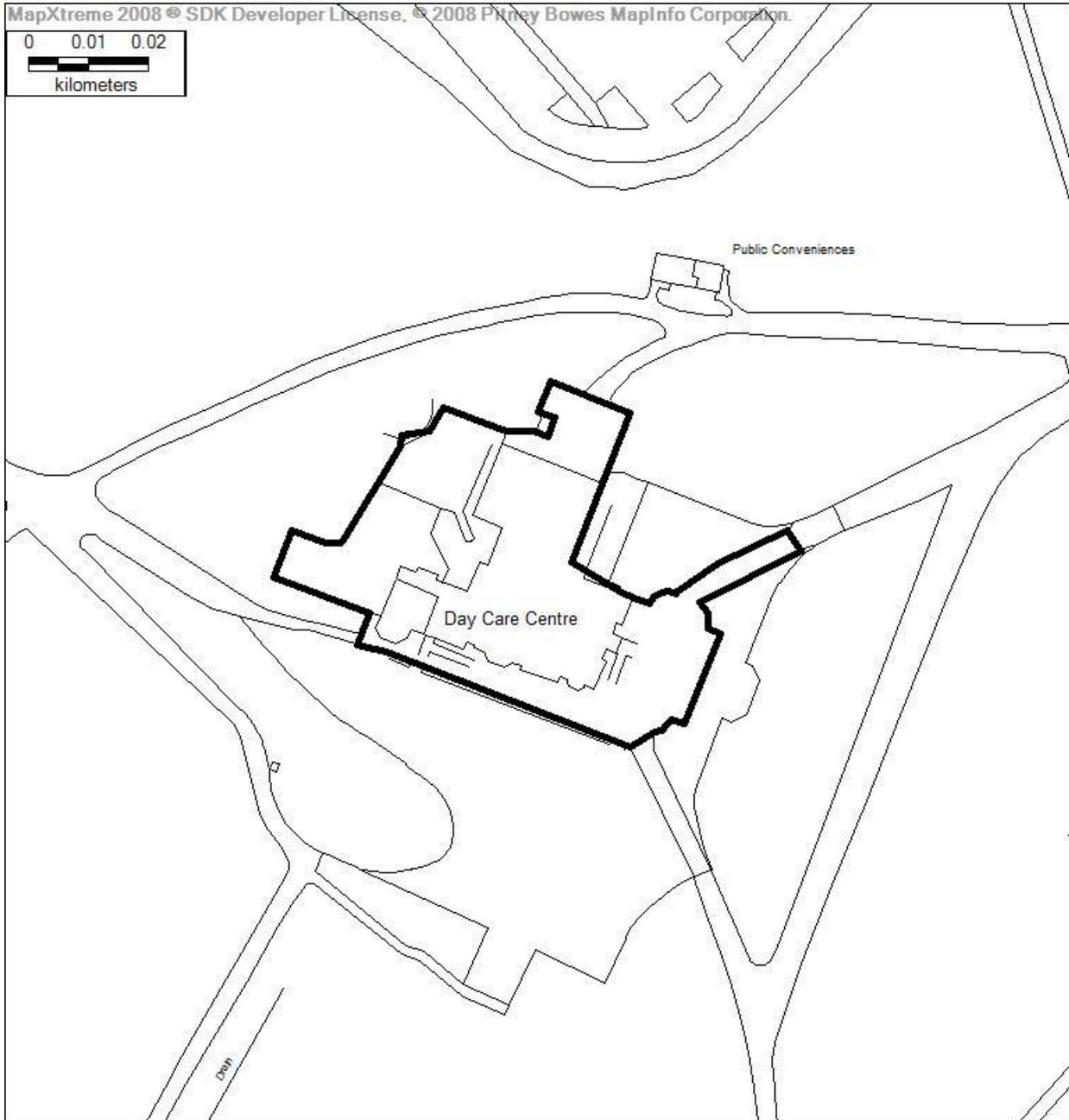
Area Team:
North Team

Case Officer:
Mrs J Malpas

Ward:
**Pensby and
Thingwall**

Location: Arrowe Hall, ARROWE PARK ROAD, WOODCHURCH, CH49 5LW
Proposal: Construction of 2no self-contained one bed assisted living units within grounds of existing care facility
Applicant: The Regard Partnership
Agent : White & Lloyd

Site Plan:



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Development Plan allocation and policies:

Green Belt
Countryside Recreation Site

Planning History:

Location: Arrowe Hall, Arrowe Park Road, Woodchurch, Wirral, CH49 5LN
Application Type: Listed Building Consent
Proposal: Erection of wrought iron gates to front entrance, relocation of existing external stairs. Replacement of windows & a new window to ground floor south elevation. Replacement of existing door
Application No: LBC/05/05231
Decision Date: 28/04/2005
Decision Type: Approve

Location: Arrowe Hall, Arrowe Park Road, Woodchurch, Wirral, CH49 5LN
Application Type: Full Planning Permission
Proposal: Replacement and relocation of existing external stairs to north elevation and erection of wrought iron gates to front entrance.
Application No: APP/05/05230
Decision Date: 13/05/2005
Decision Type: Approve

Location: Arrowe Hall, Convalescent Home, Arrowe Park Road, Woodchurch, Wirral L49 5LN
Application Type: Listed Building Consent
Proposal: Upgrading of existing building and internal alterations to provide additional bedrooms.
Application No: LBC/98/06226
Decision Date: 23/09/1998
Decision Type: Approve

Location: Arrowe Hall, Arrowe Park, Arrowe Park Road, Woodchurch. L49 5L
Application Type: Listed Building Consent
Proposal: Rebuilding of defective east wing within existing walls, opening up of existing bricked up windows and fitting of new window frames to match original.
Application No: LBC/87/06760
Decision Date: 09/02/1988
Decision Type: Approve

Location: Arrowe Hall ,Arrowe Park Road ,Woodchurch L49 5L
Application Type: Deemed
Proposal: Installation of security floodlighting
Application No: DPP/82/21212
Decision Date: 14/10/1982
Decision Type: Approve

Location: Arrowe Hall ,Arrowe Park Road ,Woodchurch L49 5LN
Application Type: Full Planning Permission
Proposal: Erection of security fencing
Application No: APP/81/18686
Decision Date: 09/10/1981
Decision Type: Approve

Location: N Arrowe Hospital, Arrowe Park Rd ,Woodchurch L49 5LN
Application Type: Deemed
Proposal: Erection of isolated pole mounted transformer
Application No: DPP/80/14611
Decision Date: 08/05/1980
Decision Type: Approve

Location: Arrowe Hall, Arrow Park Road ,Woodchurch ,L49 5LN
Application Type: Deemed
Proposal: Erection of brick wall and fence to form secure play area
Application No: DPP/79/11730
Decision Date: 15/03/1979
Decision Type: Withdrawn

Location: Arrowe Hall, Arrowe Park Road, Woodchurch, L49 5LN
Application Type: Listed Building Consent
Proposal: Erection of a timber boarded fence and associated security fencing to form a play area
Application No: LBC/79/12377
Decision Date: 25/07/1979
Decision Type: Conditional Approval

Location: Arrowe Hall ,Arrowe Park ,Woodchurch ,L49 5LN
Application Type: Deemed
Proposal: Alterations and adaptations to provide short term centre and day centre for younger physically handicapped persons and mentally handicapped children.
Application No: DPP/78/09345
Decision Date: 22/03/1978
Decision Type: Approve

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications, a Site Notice was also displayed and a Press Notice was placed in the Wirral Globe. At the time of writing this report no letters of objection or support were received.

CONSULTATIONS:

Wirral Wildlife - the site is within a SBI 26. Bats roost in the trees around Arrowe Hall and the area is a known hotspot for bats. Great Crested Newts breed in some of the ponds in Arrowe Park All. Both these species are European protected species under the Habitats Regulations 2010. They are also UK protected species under Schedule 5 of the Wildlife and Countryside Act 1981 as amended. With the presence of Bats and the possibility of Great Crested within the application site, apply a condition that the lighting must be designed to minimise impact on bats and their insect food.

Head of Regeneration & Environment (Traffic and Transportation Division) : No objection

Head of Regeneration & Environment (Pollution Control Division) : No objection

Merseyside Fire and Rescue : No objections

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

The application is a departure from the Development Plan and is recommended for approval. Therefore, under the provisions of the Scheme of Delegation for Determining Planning Applications, this application is required to be considered and determined by the Planning Committee.

INTRODUCTION

The Regard Partnership use Arrowe Hall for assisted living for adults with autism, learning difficulties and associated complex needs. The proposal is for the erection of two detached units to provide independent living within the immediate grounds of the Arrowe Hall. The overall purpose of the proposal is to provide staged approach to independent living to meet specified needs within the grounds of Arrowe Hall building. The site is managed by The Regard Partnership, a national company that provides a service both in the urban and rural areas. Arrowe Hall offers a rural setting to provide a safe and stimulating environment, only service in Merseyside for this company.

SITE AND SURROUNDINGS

Arrowe Hall is a Grade II listed building functioning as a residential care facility. Arrowe Hall is located with a countryside recreation site Arrowe Park. The building is constructed with stone mansion in Tudor-Neo style with bay windows, gables, finials and prominent chimney-stacks. The site lies within the green belt and is bounded by well-established landscaping and trees, which effectively screen the majority of the site resulting in limited views from Arrowe Park. The site is accessed via the Cherry Orchard Restaurant off Arrowe Park Road. There is a shared drive with Arrowe Country Park and Golf Club. To the rear of the Arrowe Hall to the north side is the public car parks of Arrowe Park Hospital.

PRINCIPLE OF DEVELOPMENT & POLICY CONTEXT

The site is within an area designated as Green Belt and a Countryside Recreation Site within the adopted Wirral Unitary Development Plan (UDP). The building is also grade II listed and there are protected species (bats and great crested newts) in the immediate area.

Policy GB2 of the Wirral UDP states that the construction of new buildings inside a Green Belt is inappropriate unless it is for certain specified purposes:

1. agriculture and forestry;
2. essential facilities for outdoor sport and outdoor recreation;
3. limited extension or replacement of existing dwellings;
4. limited infilling in existing villages;
5. limited infilling/redevelopment of major developed sites.

The National Planning Policy Framework (NPPF) echoes previous Government guidance that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping and open and that the essential characteristics of green belt are their openness and permanence. Planning Authorities are required to ensure substantial weight is given to any harm to the Green Belt. Paragraph 89 makes it clear that the construction of new buildings should be regarded as inappropriate with exceptions as follows:

1. buildings for agriculture and forestry;
2. provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
3. the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
4. the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
5. limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
6. limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

The NPPF and UDP Policy GB2 make it clear that there is a general presumption against inappropriate development within the green belt and that 'very special circumstances' must be demonstrated to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The construction of new building is classed as 'inappropriate development' and it is for the applicant to put forward their very special circumstances to justify the grant of planning permission.

Policy HS7 – Sheltered Housing permits such development subject to a number of criteria being met. These include the proposal being of a scale which relates well to surrounding property, adequate private amenity space being provided and the site being accessible to local amenities by public transport. Residential development designed for those who need specialist care ranges in scale and can be provided in modest size dwellings (such as those proposed with this application) to large flatted schemes, with or without a warden on-site.

Very Special Circumstances

The applicant put forward their very special circumstances based on a statement of need for specific care provision as a specialist provider of services for people with autism, special needs and disabilities. The proposal of two detached units: single storey, self-contained living; bedroom, kitchen, bathroom and lounge area. The units will be located to the rear of Arrowe Hall and will utilise a small area of disused hard landscaped located close enough to the Hall to minimise the impact on the green belt and the open countryside.

In terms of need for improved facilities, although the accommodation currently meets minimum standards for care provision it fails to meet the best practice standards for people with associated complex needs. The units are not intended to be permanent residential dwellings. The intention is to use the service on a short term basis, before being located more permanently to existing assisted living sites within the community. It is also considered that the units are intended as ancillary to the main building in that the care staff will be located in a staff office within the building. The applicant has also highlighted a need for a degree of separation to promote a feeling of independence and a safe environment in which to offer assisted living care.

There is a need for specialist care and the need to cater for individuals that require a particular environment. The service provides a bespoke specialist unit for people with complex needs; it has been demonstrating increased life outcomes for people that use this service. The specification of the units has been designed in consultation with sector specialists inclusive of a consultant behavioural psychology, resulting in a service design that reflects the support requirements of people with complex needs. Many service-users require an open environment due to sensitivity issues, lack of awareness or fear of a busy environment. Within the Regard Partnership organisation Arrowe Hall is the only site within Merseyside that provides a rural setting and the applicant anticipates demand for such services is expected to increase in future years.

The proposal due to its scale, size, massing, height and no loss of any trees, does not result in an adverse impact upon the visual amenity of the green belt. It is considered that the reasons put forward by the applicant as outlined above represent the very special circumstances required to justify the development.

As previously stated Arrowe Hall is a grade II listed building, as such **Policy CH1 – Development Affecting Listed Buildings & Structures** of Wirral's UDP states where development likely to affect a building or structure listed under Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990 will be permitted where:

- (i) the proposals are of a nature and scale appropriate to retaining the character and design of the building or structure and its setting; and
- (ii) adequate provision is made for the preservation of the special architectural or historic features of the building or structure.

When granting consent, special regard will be given to matters of detailed design, to the nature, quality and type of materials proposed to be used, and to the need for the alteration or development proposed, in terms of securing the viable, long-term future of the building or structure.

The proposed two units are freestanding, they will be finished with sympathetic finishes; timber windows, timber cladding and a slate roof, see attached photographs for illustrative purposes. Each unit measures L10 x W4 x H 3.7 metres. The proposals are modest and leave the original building in form and shall not be seen from the front facade. The location of the extension is therefore discrete and does not impact negatively on the architectural integrity of the main dwelling nor does it affect the setting of the main property in terms of views to or from the listed hall. The proposed scheme for the two detached units would not have a detrimental impact on this heritage asset given that there is a reasonable distance set away from the significant fabric of the rear elevation and a new build element is not significant in its scale to cause any harm.

Policy NC7 - Species Protection of Wirral's UDP states where development which would have an adverse effect on wildlife species protected by law will not be permitted unless the Local Planning Authority is satisfied that the protection of the species can be secured through the use of planning conditions and/or planning obligations. The Wirral Wildlife group have requested conditions to be added

to protect bats and possibility newts on site.

APPEARANCE AND AMENITY ISSUES

The proposal seeks to erect two detached self-contained care units measuring L10 x W4 x H 3.7. The new residential units would be constructed off site and then craned into position. They will be located to the rear of the hall utilising a piece of unused hard landscaped land. The drainage and electricity will connect to Arrowe Hall. In terms of resultant floor space, the new self-contained care units are a total of 80 square metres. The existing area is 2460 square metres. Therefore the percentage increase is therefore approximately 3.25%.

Consideration has been given to the proposed location of the two units within the site. The units are intended to be ancillary to the main building in that care staff will be located in a staff office within the main building. There is a need for a degree of separation to promote a feeling of independence and a safe environment in which to offer assisted living care. With the site being located in the green belt and also within the ground of a grade II listed building it is envisaged that 'very special circumstances' have been met. With regards to the needs and sensitive requirement for the residents at Arrowe Hall the units have to be on site within the grounds of the hall.

The design, scale and layout of the overall development although dictated by the specific needs of the service-users and staff, for example, the need for safe, open spaces serves to improve the appearance of the site by re-using dis-used hard landscaping area to the rear of the building with a small development of a massing that is sympathetic to the character of both existing buildings and the green belt location. It is considered that the development will have no greater impact on the openness of the green belt than the existing development.

The proposed development will utilise an existing access and will continue to be utilised by visitors and staff in much the same way. In terms of noise and disturbance and security issues, the site is long established as a care facility and proposed development will not introduce any additional factors that would significantly harm openness to surrounding Country Park.

SEPARATION DISTANCES

Care has been had to cite the units having regards to habitable room windows to both the new units and the existing Arrowe Hall to maximise on separation distances and ensure satisfactory outlook, not only for the new units but also from accommodation within Arrowe Hall itself.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The application site is within the SBI 36. Bats roost in the trees around Arrowe Hall, the area is a known hotspot for bats. Great Crested Newts breed in some of the ponds in Arrowe Park All. Both these species are European protected species under the Habitats Regulations. They are also UK protected species under the Schedule 5 of the Wildlife and Countryside Act 1981 as amended.

In order to protect Bats and Great Crested Newts throughout the development; Wirral Wildlife has requested conditions:

The plans do not propose any external lighting system, however to protect Bats within the area a condition shall be added requesting that any proposed external lighting should follow the guidance of the Bat Conservation Trust.

To protect existing trees a standard condition will be added.

To protect the Great Crested Newts on site whilst development is being implemented a condition will be added to this affect.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

With Arrowe Hall being located within Arrowe Country Park the openness is a significant attribute to the setting of the building, the location. It is considered very special circumstances for inappropriate development have been demonstrated by the applicant and modest nature of the proposals would result in minimal visual impact in this particular case. The use of sensitive materials and the separate from the structure will achieve a degree of independence to the structure.

The proposed development of the site has been designed in such a way to utilise a disused area of the site whilst having minimal visual impact on the Green Belt, the listed building and the Country Park. It is considered that the applicant has adequately demonstrated the very special circumstances in line with the National Planning Policy Framework and UDP Policy GB2. The proposed design, scale and siting of the new detached units will ensure that any harm to the visual amenity of the green belt is minimal. The proposal will support the continued use of this established facility by providing and meeting an identified need for specialist care in this location. The proposal will not result in any increased activity that would be detrimental to the occupiers of the surrounding country park. Very special circumstances necessary to overcome the normal presumption against inappropriate development have been demonstrated in this particular case. The proposal therefore satisfies UDP Policy GB2, UDP Policy CH1, and UDP Policy HS7 together with the National Planning Policy Framework.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national policy. In reaching this decision the Local Planning Authority has considered the following:-

The proposed design, scale and siting of the new units will ensure that any harm to the visual amenity of the Green Belt is minimal. The proposal will support the continued use of this established facility by providing and meeting an identified need for specialist care in this location. The proposal will not result in any increased activity that would be detrimental to the surrounding Country Park. Very special circumstances necessary to overcome the normal presumption against inappropriate development have been demonstrated in this particular case. The proposal therefore satisfies UDP Policy GB2, UDP Policy CH1, UDP Policy HS7 and the National Planning Policy Framework.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 18th March 2015 and listed as follows: 102-03-101 (29.12.14), 102-03-201 (29.12.14), 102-03-202 (29.12.14) and 102-03-401 (29.12.14).

Reason: For the avoidance of doubt and to define the permission.

3. Before any construction commences, details and information of the colour of paint and a sample of the roof material to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved colour and materials shall then be used in the construction of the development thereafter.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy CH1 of the Wirral Unitary Development Plan.

4. All external windows and doors shall be constructed of timber and remain thereafter.

Reason: To protect the character and settings of the listed building and to comply with Policy CH1 of the Wirral Unitary Development Plan.

5. Before any equipment, machinery or materials are brought onto site, a 1 metre high fence or other barrier as agreed in writing with the Local Planning Authority, shall be erected around the outer limit of the crown spread of all trees, hedges or woodlands shown to be retained on the approved plan. Such fencing shall be maintained in a satisfactory manner until the development is completed. During the period of construction, no material shall be stored, fires started or trenches dug within these enclosed areas without the prior consent in writing of the Local Planning Authority.

Reason: To prevent damage to the trees/ hedges in the interests of visual amenity and to comply with Policy GB2 of the Wirral Unitary Development Plan.

6. Under the Wildlife and Countryside Act 1981 (as amended) and the Habitats Regulations 2010 during construction, at all times all contractors are to be aware of the possible presence of Great Crested Newts and what they look like, and that in the event of one being found, work must stop while it is moved to safety and ecological advice sought. Licensing from Natural England will be necessary in this eventuality. Any existing piles of material, debris, wood, etc. should be moved by hand to check for GCN sheltering there. Building materials should not be left around overnight in a manner where newts could take shelter there. All litter to be cleared from the field at the end of each day. Plastic bottles and metal cans are particularly dangerous to wildlife and may trap newts. Injuring a Great Crested Newt is a criminal offence. Suitable plans to be made to deal with any pollution incident e.g. a petrol leak.

Reason: To provide protection for the Great Crested Newts and to comply with Policy NC7 of the Wirral Unitary Development Plan.

7. Under the Wildlife and Countryside Act 1981 (as amended) and the Habitats Regulations 2010 any proposed external lighting systems, shall protect Bats and their insect food within the development area and shall follow the guidance of the Bat Conservation Trust (www.bats.org.uk). Details and information shall be submitted in writing to the Local Planning Authority

Reason: To provide protection for Bats and to comply with Policy NC7 of the Wirral Unitary Development Plan.

Further Notes for Committee:

1. Access for fire appliances should comply with the requirements of Approved Document B5 of the Building Regulations.

Water supplies for firefighting purposes should be risk assessed in accordance with the under mentioned guidance in liaison with the water undertakers (United Utilities - 0161 907 7351) with suitable and sufficient fire hydrants supplied.

The proposed premises should comply with Section 55 of the Country of Merseyside act 1980

Last Comments By: 25/06/2015 15:03:46

Expiry Date: 13/05/2015