

Planning Committee

16 February 2017

Reference:
APP/16/01606

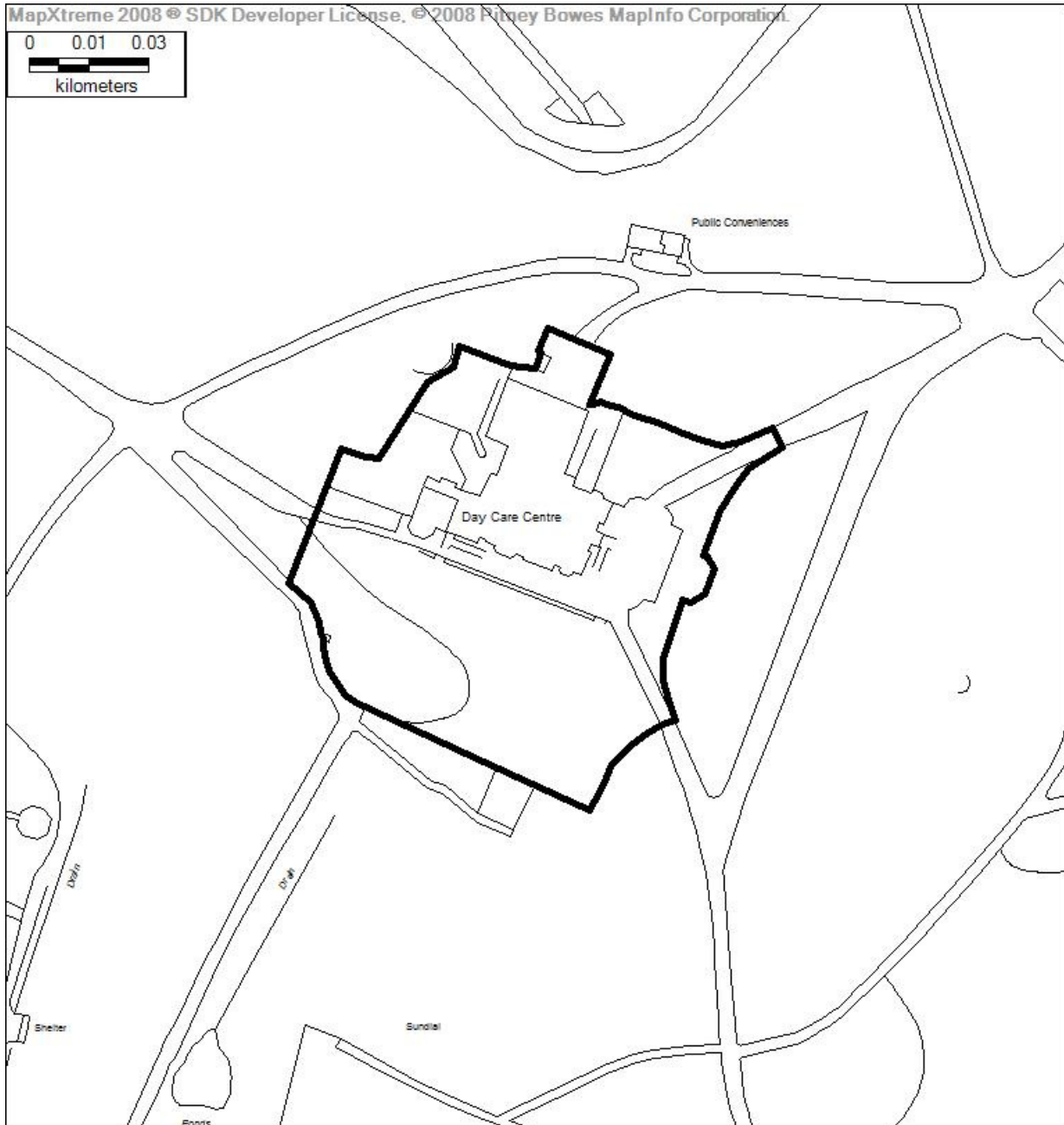
Area Team:
South Team

Case Officer:
Mrs J Malpas

Ward:
Pensby and Thingwall

Location: Arrowe Hall, ARROWE PARK ROAD, WOODCHURCH
Proposal: Construction of 2 no. self-contained one bed assisted living units within the grounds of an existing care facility
Applicant: The Regard Partnership
Agent : S.P. Faizey

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 L49 5LN
Application Type: Full Planning Permission
Proposal: Erection of security fencing
Application No: APP/81/18686
Decision Date: 09/10/1981
Decision Type: Approved

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: Approved

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: Approved

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: Approved

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: Approved

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: Approved

Location: Arrowe Hall, ARROWE PARK ROAD, WOODCHURCH, CH49 5LW
Application Type: Full Planning Permission
Proposal: Construction of 2no self-contained one bed assisted living units within grounds of existing care facility
Application No: APP/15/00201
Decision Date: 24/07/2015

Decision Type: Approved

Location: Arrowe Hall, ARROWE PARK ROAD, WOODCHURCH
Application Type: Full Planning Permission
Proposal: Construction of 2 no. self-contained one bed assisted living units within the grounds of an existing care facility
Application No: APP/16/00004
Decision Date: 26/02/2016
Decision Type: Approved

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

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

MEAS - application is linked to a similar application (APP/16/01605) for the construction of similar units but situated further north within the application site. The woodland edge on the western and northern boundaries likely provides foraging habitat for bats which are protected and UDP policies NC01 and NC7 apply. Lighting for the development may affect the use of this area. A lighting scheme can be designed so that it protects ecology and does not result in excessive light spill onto the habitat in line with NPPF (paragraph 125). The applicant has submitted sufficient information to demonstrate compliance with Policy WM9 of the Merseyside and Halton Joint Waste Local Plan. On this occasion, given the scale of the development, policy WM8 of the Waste Local Plan is not applicable. Arrowe Hall is a designated heritage asset, a Grade II Listed Building, recorded on the Merseyside Historic Environment Record (MME 825 7 DME 2925), built in 1835. The house lies with Arrowe Park, a non-designated heritage asset, MME 855. The proposed development is not considered to have the potential to encounter any buried archaeological remains, and no archaeological work is therefore considered necessary

Wirral Green Belt - No objection. The proposed revised design, scale and siting of the new units will ensure that any harm to the visual amenity of the Green Belt is minimal. The amended 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.

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

This application has been referred to Planning Committee as it is a departure from the UDP.

INTRODUCTION

The application is for the construction of two assisted living units, along with hard and soft landscaping within the grounds of Arrow Hall residential care facility.

This application is a revision to the design, material and scale of the development as to what has been previously approved (APP/15/00201) at Planning Committee 18th February 2016.

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 Toby Carvery Restaurant off Arrowe Park Road via a shared drive with Arrowe Country Park and Golf Club. The site is positioned to the rear of the Arrowe Hall to the north side is the public car parks of Arrowe Park Hospital.

The site is bounded by 2.4m high steel palisade fences with mature trees and landscaping behind. The site is not visible from the surrounding country park or the entrance of Arrowe Hall.

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.

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.

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.

NPPF set out similar purposes and that the constructions of new buildings are 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.

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 intention of the unit is to offer a staged approach to independent living and will be used on a short term basis with service users moving into permanent assisted living sites within the community. Being located within the grounds of Arrowe Hall, the units will promote a feeling of independence among residents.

For many service users, living in the units will be their first time living independently. It is vital for them to still be within the grounds of Arrowe Hall due to the safe environment it offers along with 24 hours access to care staff. Help is on hand from behavioural psychologists, the units have been designed to service users with a bespoke specialist care facility that will aim improve their quality of life.

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.

Arrowe Hall is the only site managed by the Regard Partnership within Merseyside that provide a semi-rural setting for service users. Many service-users require an open environment due to issues, such as lack of awareness or fear of a busy environment. The location of this site is able to promote a strong sense of well-being among residents and there is a growing demand for care facilities within such environments.

The revised proposal due to its scale, size, massing, height and no loss of any trees, does not result in an adverse impact upon the open character 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 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.

Arrowe Hall is a designated heritage asset, a Grade II Listed Building, recorded on the Merseyside Historic Environment Record (MME 825 7 DME 2925), built in 1835. The house lies with Arrowe Park, a non-designated heritage asset, MME 855. The proposed development is not considered to have the potential to encounter any buried archaeological remains, and no archaeological work is therefore considered necessary (MEAS 18.01.17).

The proposal aim is to utilise a disused parcel of land at the rear of Arrowe Hall adjacent to the site where planning approval was obtained (from Planning Committee) for two similar units on the 18th February 2016. The design and layout (kitchen/living space, bedroom and wet room) will harmonise well with the previous approval. However the proposal is to join the two units together to create an L-shaped structure. The infilled section will provide space for care staff to sleep and assist the two residents living in the units.

The location of the development is discrete and does it 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.

APPEARANCE AND AMENITY ISSUES

The revised proposal seeks to erect a detached self-contained care unit for two residents, which will be laid out in an L-shape. The units will be positioned in the same position as those previously approved units; measuring a maximum area of L15965 x W3815 x H4000mm. The infilled section between the two units will provide space for care staff to sleepover and assist the two residents living in the units.

The units are designed as single storey masonry structures to be sympathetic to the environment within which they are located and subservient to the historic asset. Wall will be finished in facing brickwork and the roof in natural slate. The drainage and electricity will connect to Arrowe Hall.

Consideration has been given to the proposed location of the unit within the site. The unit is intended to be ancillary to the main building in that specialist care staff will be located in a staff office within the main building.

There is a need for this change in design; the additional facility in the infill section which provides 24 hours assisted to residents but also provides 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 revised 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 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

Separation distances do not apply in this instance, as no residential properties will be affected by the proposed development.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

Environment - Wirral Wildlife and MEAS

The application site is within the SBI 36. Bats roost in the trees around Arrowe Hall, the area is a known hot spot for bats. Great Crested Newts breed in some of the ponds in Arrowe Park. 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. There is also local plan protection under the Wirral's UDP policies NC01 and NC7.

Lighting for the development may affect the use of this area. A lighting scheme can be designed so that it protects ecology and does not result in excessive light spill onto the habitat in line with NPPF (paragraph 125). 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.

Drainage – MEAS

The applicant has submitted sufficient information to demonstrate compliance with Policy WM9 of the Merseyside and Halton Joint Waste Local Plan. On this occasion, given the scale of the development, policy WM8 of the Waste Local Plan is not applicable

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 and modest nature of the proposals also ensure no impact in this respect. The use of sensitive materials and the separation from the structure will achieve a degree of independence to the structure. The revised development of the site has been designed in such a way to utilise a disused area of the site whilst having minimal impact on the openness of 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 revised proposed design, scale and siting of the new detached units will ensure that any harm to the openness and character 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. The proposal is in accordance with the advice set out in the National Planning Policy Framework, the UDP Policy GB2 and Policy CH1 is recommended accordingly.

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 advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposed revised design, scale and siting of the new units will ensure that any harm to the visual amenity of the Green Belt is minimal. The amended 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 Approve
Decision:

Recommended Conditions and Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 13th December 2016 and listed as follows: Drwg No. 15034/A/3 (dated Dec.16); Drwg No 15034/13 (dated SEP 16) & Drwg No 15034/11 (dated SEP 16)

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

3. The development hereby approved shall be constructed with the following materials:

- Facing brick: Hardwicke Minister Sandstone Mixture
- Render: White
- Windows & fascias: Timber painted grey
- Roof: Zamora slate 500x250mm (thickness 6 mm)

to be used in the external construction of this development and shall remain 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. NO DEVELOPMENT SHALL COMMENCE UNTIL details of any proposed external lighting systems has been submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall ensure that bats and their insect food within the development area are not adversely impacted upon.

Reason: To provide protection for the Bats and to comply with Policy NC7 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.

Further Notes for Committee:

1. Bats may be present in or around the site. Bats are protected species. The details required by Condition 4 above shall follow the guidance of the Bat Conservation Trust (www.bats.org.uk) If you discover bats you must cease work immediately, contact Batline on 01704 385735 for advice. You are reminded that unauthorised interference could result in prosecution.
2. Under the Wildlife and Countryside Act 1981 (as amended) and the Conservation (National Habitats, &c.) Regulations 1994 it is an offence to: kill, injure or take a great crested newt; possess or control any live or dead specimen or anything derived from a great crested newt; damage, destroy or obstruct access to any structure or place used for shelter or protection by a great crested newt; disturb a great crested newt or destroy breeding or resting place of a great crested newt. 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.

Last Comments By: 02/02/2017
Expiry Date: 07/02/2017