

Application No: 21/4635C  
Location: THE LIMES, 3, SWEETTOOTH LANE, SANDBACH, CW11 1DB  
Proposal: To v..  
Applicant: Mr Michael Ladhar, Crown Care  
Expiry Date: 15-Jan-2023

## SUMMARY

The proposal seeks permission for the demolition of the Limes Public house and the erection of a two and half storey care home with facilities within the basement. The care home (as amended) proposes 57 beds and associated rooms and will retain the Bowling Green to the front with the building including accommodation for the Bowling Team.

The application site is located within the Sandbach Town settlement boundary. Sandbach is designated as a Key Service centre where Policy PG2 of the LPS sets out that development of a scale, location and nature that recognises and reinforces the distinctiveness of each individual town will be supported to maintain their vitality and viability. Policy PG7 of the LPS set out an aim to achieve in the order of 20 ha of employment land and 2,750 new homes.

Policy PC3 (Settlement boundary) of the Sandbach NP sets out that new development involving housing, commercial and community development will be supported in principle within the Settlement Boundary. Furthermore, policy H3 (Housing Mix & Type) sets out that new housing development should provide a mix of dwellings to meet the identified need in the area for affordable housing, starter homes and provision for housing an ageing population. The Policy goes on to set out that new developments should primarily seek to deliver the following types of market housing;

- One, two or three bedroomed housing
- Single storey housing or apartments for older people or those with reduced mobility
- Nursing and care homes and sheltered accommodation for older people.

Furthermore, Policy H 4 Housing and an ageing population of the Sandbach NP sets out that 'Any proposals to enhance and improve the quality or quantity of housing for older people or which include dementia friendly provisions within the settlement boundary will be supported'.

The Care Home proposes to cater for a mix of care options including, residential care, dementia and nursing patients. The applicant states that there is a likely need of 10%

of the population of Sandbach around 440 people will require some form of care provision, and that this is an undersupply currently within the area.

Whilst the site includes the loss of a public house, and policy REC 5 of the SADPD sets out that development proposals should seek to retain, enhance and maintain community facilities that make a positive contribution to the social or cultural life of a community. The Public House was not listed on the Assets of Community Value list when it closed in 2019 however the Bowling Green is listed and is to be retained as part of the development in accordance with Policies CW1 of the Sandbach NP, SC2 of the LPS and REC 1 of the SADPD.

Therefore, whilst there is a loss of a community asset in terms of a public house the site is located in a residential area, not far from the Sandbach Town Centre where many other public houses etc are available. The retention of the Bowling Green as a community asset is a benefit of the scheme and will help to integrate the new care facility into the community, and it is therefore considered that the principle of development is acceptable, and the benefits of provided a care home of mixed need and retaining the Bowling Green on the site, outweigh the harm caused by losing a community facility in terms of the public house in this instance. The proposal is therefore considered to be acceptable in principle subject to compliance with all other relevant policies of the development plan.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions on planning applications are made in accordance with the Development Plan unless material considerations indicate otherwise, these matters are discussed further below.

The development would provide a below standard level of parking for a facility of this size, however the short fall is small and secure cycle storage is provided within the scheme. The site is locationally sustainable just outside Sandbach Town centre. The Highways Officer has raised no objections to the scheme in terms of Highway Safety and therefore it is considered to be acceptable in this instance.

The site has raised no significant issues in relation to landscaping, forestry, amenity, public open space, impact on protected species, flood risk or drainage, subject to appropriate conditions.

It is therefore considered that the development is on balance acceptable and recommended for approval accordingly.

## **RECOMMENDATION**

**Approve subject to conditions**

## **REASON FOR REFERRAL**

The application has been referred to the Southern Planning Committee as it is a Small-Scale major development of over 20 units.

## **PROPOSAL**

Full Planning Permission is sought for the Demolition of The Limes Public House and Construction of a new 57no bed Care Home with car parking and landscaping.

## **SITE DESCRIPTION**

The application site relates to a former Public House with an adjoining Bowling Green. The public house has been closed for some time. The bowling green is located to the front of the pub and is available for use.

The application site is located within the settlement boundary for Sandbach. The Bowling Green is protected open space and an Asset of Community Value.

There are two TPO trees on the site, one at the front of the site and one to the rear of No.5 Sweettooth Lane.

## **RELEVANT HISTORY**

16/2577C – Installation of replacement signage including freestanding point of display, 1no. freestanding poster display sign, 1no. freestanding banner frame, 1no. signwritten lettering – approved with conditions 18<sup>th</sup> July 2016

16/2294C – New external access ramps with accompanying handrails and balustrades. New timber cladding and stone coping to existing dwarf walls to the entrance on the East elevation. New paved area to North entrance and new posts & rope. Infill existing door opening to store and new external door to kitchen – approved with conditions 5<sup>th</sup> July 2016

32129/3 – Rear and side extensions to existing public house. Internal and external refurbishment – 24<sup>th</sup> July 2000

29048/9 – Erection of brewery signage – approved with conditions 20<sup>th</sup> June 1997

20134/9 – illuminated signs – Approved with conditions 13<sup>th</sup> September 1988

21553/3 – New bay window to front elevation – approved with conditions 26<sup>th</sup> October 1989

14121/3 – FLOODLIGHTS TO BOWLING GREEN – Approved with conditions 22<sup>nd</sup> June 1982

4226/3 – Siting of bowling club pavilion – Approved with conditions 20<sup>th</sup> September 1976

## **PLANNING POLICY**

### **Cheshire East Local Plan Strategy (CELPS)**

MP1 (Presumption in favour of sustainable development)  
PG1 (Overall Development Strategy)  
PG2 (Settlement Hierarchy)  
PG7 (Spatial Distribution of Development)  
SD1 (Sustainable Development in Cheshire East),  
SD2 (Sustainable Development Principles),  
IN1 (Infrastructure)  
IN2 (Developer Contributions)  
EG3 (Existing and Allocated Sites)  
SC1 (Leisure and Recreation)  
SC2 (Indoor and Outdoor Facilities)  
SC3 (Health and Wellbeing)  
SC4 (Residential Mix)  
SE1 (Design)  
SE2 (Efficient Use of Land),  
SE3 (Biodiversity and Geodiversity)  
SE4 (The Landscape),  
SE5 (Trees, Hedgerows and Woodland),  
SE6 (Green Infrastructure)  
SE8 (Renewable and Low Carbon Energy)  
SE9 (Energy Efficient Development)  
SE11 (Sustainable Management of Waste)  
SE12 (Pollution, Land Contamination and Land Instability)  
SE13 (Flood Risk and Water Management)  
CO1 (Sustainable Travel and Transport)  
CO4 (Travel Plans and Transport Assessments)  
Appendix C: Parking Standards

### **Site Allocations and Development Policies Document (SADPD)**

PG9 Settlement Boundaries  
GEN 1 Design principles  
ENV 1 Ecological network  
ENV 2 Ecological implementation  
ENV 3 Landscape Character  
ENV 5 Landscaping  
ENV 6 Trees, hedgerows and woodland implementation  
ENV 15 New Development and existing uses  
ENV 16 Surface water management and flood risk  
HOU 2 Specialist housing provision  
HOU 10 Amenity  
HOU 12 Housing Density  
HOU 13 Housing delivery  
INF 3 Highway Safety and access  
REC1 Open Space protections

REC 3 Open space implementation  
REC 5 Community Facilities

**Sandbach Neighbourhood Plan – Second Edition**  
Modified and Made 2022

PC3 Settlement Boundary  
PC4 Biodiversity and Geodiversity  
H2 Design and Layout  
H4 Housing and an ageing population  
IFT2 Parking  
CW1 Amenity, Play, Recreation and Sports Facilities  
CW2 Sport and Leisure Facilities  
CW3 Health

**Other Considerations**

National Planning Policy Framework (NPPF)  
National Planning Practice Guidance  
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

**CONSULTATIONS**

**CEC Head of Strategic Infrastructure (Highways)** – No objections, subject to a condition for Construction Management Plan and informative for S278

**CEC Environmental Protection** – No objections to the proposal subject to conditions regarding external lighting, electric vehicle charging points, ultra-low emission boilers, Phase II contaminated land report, remediation scheme implementation, verification report, soil importation materials, unexpected contaminated land.

**CEC Flood Risk** – No objection in principle. Conditions suggested for implementation of drainage layout/strategy

**CEC Housing** – No Objections.

**United Utilities** – No objections subject to conditions regarding implementation of drainage scheme, foul and surface water systems, and sustainable surface water drainage scheme.

**Cheshire Police Design Out Crime Officer** – Request further information in terms of general site security, access control considerations, CCTV and lighting.

**Sandbach Town Council** - Members object on the grounds that this is over-intensive for the site and does not allow sufficient width for safe access/movement to the east/west of the building.

## REPRESENTATIONS

Letters of representation have been received from approximately 22no households. The main issues raised are summarised below (full responses available to view on the website);

- Highways safety issues; busy road, lack of parking provision for occupants, staff and visitors, impact during construction, where will the Bowling Team park when games are played.
- Design issues; out of character with the surrounding area, over development of the site, scale and height at 3 and half storeys is too tall.
- Site would be more suitable for an affordable housing scheme.
- Amenity – impact due to close proximity, overshadowing, overbearing impact, overlooking from windows and roof terrace, noise from extractor fans, lighting impact.
- Concerns raised over access width and emergence services being able to access the care home.
- Levels of surrounding development lower by 1m that application site
- Increased of utilities in the area raises concerns, recently been burst pipes in the area.
- Concerns that the bowling green will be under threat of development in the future.
- Already other care homes in the area, question if this is needed in this location.
- The site has only recently been properly secured after a fire occurred on the site.
- More Greenspaces should be created not more development.
- Sandbach needs better infrastructure, e.g., schools, community centres not more housing development.
- Concerns over the need for piling foundations.
- Concerns raised over the management of the site and impact it will have on the Bowling Club including a 3 months termination period included in the lease of the land to the Club.
- The Bowling Green has been in use for over 40 years and the members have help with the upkeep of the area around the green for many years
- Impact on habitat and landscaping currently on the site
- Room sizes are very small, with very little communal areas internally and externally.

Letter of support have been received from 6no households. The issues raised are;

- Support from Members of the Bowling Club which will ensure the continued use of the bowling green and use of part of the building.
- Care homes are needed for the ageing population.
- Good location for a care home near a bungalow development
- The pub was clearly not viable and has been left to become dilapidated.
- There is a significant need for dementia care in the locality

## OFFICER APPRAISAL

### Principle of Development

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Furthermore, Policy H4 Housing and an ageing population of the Sandbach NP sets out that 'Any proposals to enhance and improve the quality or quantity of housing for older people or which include dementia friendly provisions within the settlement boundary will be supported'.

The Care Home proposes to cater for a mix of care options including, residential care, dementia and nursing patients. The applicant states that there is a likely need of 10% of the population of Sandbach around 440 people will require some form of care provision, and that this is an undersupply currently within the area.

Therefore, the proposed use is considered to be acceptable in principle subject to compliance with all other policies within the development plan.

#### *Loss of community facility*

REC 5 of the SADPD sets out that development proposals should seek to retain, enhance and maintain community facilities that make a positive contribution to the social or cultural life of a community. The Public House was not listed on the Assets of Community Value list when it closed in 2019 however the Bowling Green is listed.

The Public House has been vacant for over 4 years and the current owners Crown Care intend to retain the Bowling Green to the front of the site and have incorporated areas within the building for the Bowling Club members. Therefore, whilst there is a loss of a community asset in terms of a public house the site is located in a residential area, not far from the Sandbach Town Centre where many other public houses etc are available. The retention of the Bowling Green as a community asset is a benefit of the scheme and will help to integrate the new care facility into the community.

#### *Retention of the Bowling Green*

The Limes Bowling Green is listed as an Amenity, Play, Recreational and Sports Facility (Policy CW1) within the Sandbach NP and is allocated as Public Open Space within the Development Plan, policy SC2 of the LPS and REC 1 of the SADPD, where the policies seek to retain sports

pitches/open space provision unless an assessment has been undertaken which shows that there is a surplus of such provision in the area. It is therefore considered that the retention of the Bowling Green is a benefit of the scheme and accords with the relevant policies of the development plan.

### *Conclusion*

It is therefore considered that the principle of development is acceptable, and the benefits of providing a care home of mixed need and retaining the Bowling Green on the site, outweigh the harm caused by losing a community facility in terms of the public house in this instance. The proposal is therefore considered to be acceptable in principle subject to compliance with all other relevant policies of the development plan.

### **Locational Sustainability**

Both policies SD1 and SD2 of the CELPS refer to supporting development in sustainable locations. Within the justification text of Policy SD2 is a sustainable development location checklist.

The site is within the Sandbach Town settlement which is categorised as a Key Service centre where Policy PG2 of the LPS sets out that development of a scale, location and nature that recognises and reinforces the distinctiveness of each individual town will be supported to maintain their vitality and viability. The site is considered to be locationally sustainable, and within walking distance of a number of services largely within the Town Centre which is approximately 0.5 miles away by foot. Within the town centre is a Bus Service Station which links the town to the wider area.

### **Provision of C2 and older persons accommodation**

Criteria 3 of LPS policy SC4 'Residential Mix' of the LPS states that development proposals 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.

In this instance the use proposed under C2 is as a true care home for residential care, dementia care and nursing care. The site is locationally sustainable as set out above and the majority of services are available within the town centre of the Sandbach. The proposal is in general compliance with policy SC4 and therefore is considered to be acceptable.

### **Affordable Housing**

Cheshire East Local Plan Strategy Policy SC5 (Affordable Homes) sets out the requirements for triggering affordable housing delivery across the borough. This is a development in Sandbach which is a Key Service Centre. Affordable housing is required in Key Service Centres where there are 15 or more dwellings proposed, or the site is greater than 0.4 hectares.

This proposal is for 57 units all being solely bedrooms with communal eating/lounge etc, they are not separate dwellings (no apartments). The Housing SPD states in paragraph 8.6 C2 Residential Institutions the below.



- Use for the provision of residential accommodation and care to people in need of care (other than a use within class C3 (dwelling houses)).
- Use as a hospital or nursing home.
- Use as a residential school, college, or training centre.

The Housing SPD further states in paragraph 8.9 The UCO defines care as personal care for people in need of such care by reason of old age, disablement, past or present dependence on alcohol or drugs or past or present mental disorder, and in class C2 also includes the personal care of children and medical care and treatment. For the purposes of this SPD, a residential care or nursing home for older people or people with a disability is expected to fall within use class C2.

*8.10 With regards to schemes such as retirement housing/villages or supported housing, these can fall within use class C2 or C3 depending on factors such as the need and availability of care and the type of care products, access and other services and facilities provided on site. Planning Practice Guidance states that it is for the local planning authority to consider which class a particular development may fall.*

The site is to accommodate true C2 care homes use with bedroom only, and no apartments etc, it is therefore unreasonable to require affordable housing provision in this instance.

## **Open Space**

This is a 57 bed C2 residential care home application therefore Policy SE6 is not triggered, nevertheless it is important that sufficient quality open space is provided for residents.

The Council's Leisure Officer notes that the retention of the bowling green to the front of the building is most welcome, however this is an existing facility and additional space should be provided. The Landscape section in the submitted DAS refers to a secure garden for residents to the rear of the care home where a patio area with seating is to be provided along with planting, lawn to encourage wildlife, highly scented area for those with visual impairments and potentially a potting shed. The Leisure Officer also suggests that the area includes raised planters, and the use of water in the form of babbling boulder/sphere or similar which is also good for the visually impaired but being mindful dementia patients can find background noise distracting. It is further suggested that the applicant engages with Alzheimer's Society who have a wealth of resources. Wide accessible pathways should link the various features.

Therefore, the Leisure Officer has raised no objections to the scheme but considered that the detailed information in terms of hard and soft landscape along with levels should be submitted. This can be achieved by condition.

It is also considered that a Management and Maintenance scheme of the Bowling Green should be submitted for approval to ensure the use is retained and maintained accordingly.

## **Health**

The NHS have been consulted on the application and have raised no comments to the scheme and have not requested any financial contributions.

## Residential Amenity

The application site is bounded by residential development. There is a mix of house types surrounding the site however the adjoining houses are largely single storey or one and half storey in height.

The amended scheme has reduced the building from 3 storeys to two and half storey with an additional storey within a basement. The building will be larger than the existing two storey pub, in terms of height, mass and footprint.

Policies HOU12 and HOU 13 of the SADPD set out the general principles required for new development in to help safeguard neighbouring amenity and the future occupiers of a development. Table 8.2 sets out that there should be a separation distance of 21m retained for rear principal windows facing each other, reduced down to 14m for habitable rooms having non-habitable rooms. In terms 3 storeys or above the distance between principal windows should be increased to 24m back-to-back; and 16.5m between principle and non-habitable rooms.

The reduction by a floor, as would be expected, has had a significant impact on the building's mass and its dominance over neighbouring properties. The depth to the elevations and the variations in the roofline serve to further reduce this bulk, with the stepping down to the rear of the building, significantly reducing the dominance over the homes on Belmont Avenue.

To the rear are several one and half storey dwellings which have rear elevations which face towards the application site. All of the dwellings have a rear garden length of a minimum of 10m from the boundary line. The main part of the building is two and half storey with accommodation located within the roof. There is a two-storey projection to the rear which accommodated bedrooms and staircases. There is only 1 window proposed on this outrigger section and that is a ground floor level and serves a corridor and is shown as obscure glazed. This element of the development will be located at least 17m at the smallest distance between the rear elevations of No. 27 – No. 33 Belmont Avenue. The building then increases to two and half storey further back into the site. The rear elevation has several principal windows serving bedrooms. The building will be located 25m away from the rear elevations of No.25 and 27 Belmont Avenue, increasing to around 27m between No.29 – No.35 Belmont Avenue. Due to the separation distances achieved, whilst the dwellings will see the building and it will appear more prominent than the existing pub, it is unlikely to cause any significant harm in terms of overlooking, overbearing impact or overshadowing and meets the required separation standards.

There is a cul-de-sac of single storey bungalows, named Greenacres to the southwest of the site. The closest bungalow is at an angle to the site and has no windows on the side elevation of the dwelling on Greenacres. The proposed care home's will be located around 12m away at its closest. At this point the building is two storey in height and has no windows. There are two windows proposed at ground floor level to serve a communal dining room located 15m away from dwellings on Greenacres. There is also a public footpath along the side of the dwellings and existing tree coverage which is proposed to be retained.

The building reduces to a single storey flat roof projection on the frontage which contains the bowling greens Teams room. There is also a balcony area proposed above which it is

considered could be conditioned to have obscure glazing or some form of treatment to reduce any overlooking into the gardens of the dwellings on Greenacres at this point.

The building to the rear of the site is then three-storey with principal windows to habitable rooms but this is staged back into the site and a separation distance of at least 25m is achieved with no direct overlooking of windows in the dwelling. Whilst the windows look towards the garden area this is sufficient distance to not have a significant impact on neighbouring amenity.

To the north of the site No.23 Belmont Drive has a long garden which stretches the full length of the boundary to the point of the car park where the TPO tree is located. The building is located approximately 3m from the boundary of the site at this point. Although it is only two storey at this point and there are no windows located on the elevations closest to the neighbour's boundary. There is a door at ground floor level but no windows. Therefore, the building will create no overlooking at this point. Furthermore, due to the design which sees the roof and building line stepped in and out this will help to break up the visual impact of the development on the garden area of the neighbours. There are some windows in the elevations further into the site, however they are located over 22m from the boundary and do not directly overlook any windows in the neighbours dwelling.

There is also a dwelling to the front/east of the site located off Sweettooth lane, the majority of the site will remain the same adjacent to the neighbour's house, with the access running to the side. The two TPO trees are located along the boundary with the neighbours and therefore as these are afforded protection will help to retain a level of mitigation. The building is located around 21m away from the rear elevation of No. 5 Sweettooth Lane, there are three principal windows which face towards the boundary but will not directly overlook the garden due to their position within the elevation.

It is therefore considered that the building has been designed in such a way that it will not have a significant detrimental impact on neighbouring amenity by means of overlooking, overbearing or overshadowing.

The building will have communal amenity space, and the site will retain the public Bowling Green to the front of the site. Whilst the communal space is small it is considered to be sufficient in this instance given the Bowling Green will also be on site to the front.

Environmental Protection have raised no objections to the proposal subject to conditions regarding external lighting, electric vehicle charging points, ultra-low emission boilers, Phase II contaminated land report, verification report, soil importation materials, unexpected, contaminated land. These conditions are considered to be reasonable.

It is therefore considered that the proposal is acceptable in terms of neighbouring and future occupier amenity.

## **Design**

The site is located in an established residential area and currently contains a vacant two storey public house which sits to the rear of the site behind a bowling green. The dwellings close by are mainly bungalows, with some 1.5-storey dormer type homes backing on to the rear of the

site and 2-storey homes to Platt Avenue over Sweettooth Lane. There is no overriding architectural style with nearby homes being mid-late 20th century.

The scheme has been revised to address issues raised by the Council's Design Team. The Design Officer has advised that the amended proposals are now considered acceptable in terms of design and impact on the character and appearance of the area.

The Design Officer notes that the reduction of the building footprint by 129 sqm has enabled the reduction of the pinch points around the edge of the scheme and an increase in the key distances to neighbouring properties. This has also had the added benefit of increasing the amenity space.

The reduction by a floor, as would be expected, has had a significant impact on the building's mass and its dominance over neighbouring properties. The depth to the elevations and the variations in the roofline serve to further reduce this bulk, with the stepping down to the rear of the building, significantly reducing the dominance over the homes on Belmont Avenue.

The Design Officer previously raised issues over contextuality, and the specific materials to be used should therefore be conditioned for approval in line with the guidance set out in the Cheshire East Borough Design Guide (2017, i and ii) for the relevant character area.

Overall, the Design Officer considers that the revised scheme is now acceptable, particularly the removal of the additional storey, and therefore subject to conditions for external and surfacing materials the previous objection on design grounds has been lifted.

## **Highways**

The application proposes a residential care home with 57 beds, and 23 no car parking spaces and maintaining access from Sweettooth Lane. The application site consists of a former Public House and associated car parking and a bowling club, with access taken off Sweettooth Lane which is a minor unclassified road. The bowling club has no on-site car parking and instead had an informal agreement to use the Public House car park.

The site is within the urban area of Sandbach with existing pedestrian infrastructure allowing for a short walk from the surrounding residential areas and the town centre. Pedestrian access is also available to nearby bus stops which provide frequent services to other parts of Sandbach and other surrounding towns and villages in Cheshire.

The existing access will be used but narrowed slightly to allow for additional on-site parking along the internal access. The access will be 4.8m wide at point of access and widen to 6m within the site, and the Strategic Highways Officer considers this to be sufficient width to cater for the development.

Swept paths have been carried out demonstrating that larger vehicles such as emergency or refuge vehicles have sufficient room to turn within the site and enter and exit in a forward gear.

The proposal includes 23 car parking spaces of standard sizes and cycle parking, and the site will also have 57 rooms and a maximum of 16 staff on site at any given time. Comparing with CEC parking standards this development would require 27 parking spaces, and is therefore

short by 4 spaces. CEC parking standards do allow for a level of flexibility depending on the development location. The site is considered to be in a very sustainable location and therefore the small reduction in parking is considered acceptable. If any overspill was to occur it would be infrequent, small in numbers, and onto a minor unclassified road only.

The bowling green club has no on-site parking associated with it as is currently the case. The club has an informal agreement with the Public House owner to use the current car park, and this informal agreement can continue at the discretion of the future owners/occupiers. With regarding to the bowling club, in planning terms, there is no change or reduction in parking provision.

During the busiest hour of the day the development will generate approximately 12 vehicle trips, and the highways impact considered to be minimal and when compared to the fall-back use of the public house; the impact upon the local highway network non-material.

The Strategic Highways Officer therefore confirms that the proposed development is acceptable, and no objection is raised subject to a condition for a Construction Management Plan and an informative relating to the need for a Section 278 agreement.

## **Landscape**

This is an application for the demolition of existing buildings and erection of a care home (Use Class C2) with associated access, parking, landscaping and infrastructure. The proposed development would increase the footprint of development significantly from the existing situation, however the majority of the site is currently hard standing with trees and shrubs to the edges of the site, and the Bowling green located to the front. There is a lack of information supplied with the application in terms to the proposal hard and soft landscaping of the site, nevertheless this can be dealt with by means of condition to ensure a suitable scheme is achieved.

Whilst there is limited opportunity for additional planting and landscaping and the proposed site plan show very little detail in this regard, it is considered necessary to condition the submission of a detailed soft and hard landscaping scheme, levels details and boundary treatment.

## **Trees**

The application site benefits from established tree cover afforded protection by the Congleton Borough Council (Sweettooth Lane, Sandbach) Tree Preservation Order 1995. The application has been supported by an Arboricultural Impact Assessment dated May 2021. The survey has considered trees within and adjacent to the proposed development area and identified 4 individual (including 2 trees afforded protection by the TPO) and 1 group of moderate quality B Category trees, 2 individual and 2 groups of low quality C Category trees and 1 individual and 1 group of poor quality U Category trees which are considered unsuitable irrespective of the development proposal.

The AIA suggests that 1 group of U Cat trees will be lost to accommodate the proposal. While there are no objections to the losses of poor-quality trees there are concerns regards the impact of the proposed site layout on trees to be retained.

Initially the Forestry Team raised concerns with the social proximity of the building with the TPO tree T2, the location of the parking spaces under tree canopies and the location of the temporary site office under T2, and could not support the scheme.

The applicants have submitted a revised site plan since those comments and additional information to support the scheme in terms of the impact on the trees.

The Forestry Officer has considered the additional information supplied and has made the following comments;

#### *Car Parking Spaces (T1 and T2)*

The issues raised by initially by our Team are perfectly reasonable response to anticipated design conflicts and to seek design improvements where impacts on trees can be minimised. Reference is made to Arboricultural Association Guidance Note 12 *The use of Cellular Confinement Systems near Trees*.

BS5837:2012 guidance is clear that the default position should be that development should occur outside the Root Protection Area of trees unless there is an overriding justification. It is noted from the highway comments that car parking is short on CEC parking standards but deemed to be acceptable. Therefore, any further reduction in car parking provision would unlikely be acceptable to the Highway Authority and the Arboriculturist confirms there is no alternatives for car storage. Having regard to the issue of offset RPA; The Arboricultural Consultant has stated that this was considered but the adjacent garden wall, access road, bowling green and highway would not have caused a major constraint to root morphology and goes on to state opinions on the structure of the wall , highway and access road , which are merely conjecture without any supporting evidence. Excavation of trial holes would have provided a more obvious and accurate assessment of root morphology.

Notwithstanding this, the Forestry Officer is of the opinion that the area of encroachment into the RPA is relatively modest; the tree appears to be of good vitality and is partially surrounded by existing hard standing which it appears to have adapted to. The provision of a technical root friendly solution in accordance Guidance Note 12 and design guidance in BS5837:2012 is on balance acceptable subject to the submission of a detailed construction specification and on site supervision.

#### *Removal of Vegetation G2*

The removal of vegetation within the RPA and any likely excavations can be covered by a method statement and site supervision.

#### *Temporary Site Office*

The Forestry Officer has no fundamental objections to the location of the site cabins. However, notes that clarification is required as to whether the existing garage/cabin is to be utilised or removed as the draft Tree Protection Plan shows the buildings to be retained.

#### *Proposed relationship of building to T2 and offsite trees*

Revision H shows a greater separation to offsite trees to the southwest. The relationship to T2 appears to have been slightly improved and a measured distance of around 15 metres. Here a greater separation would have been preferable and given greater assurance in limiting future

requests for pruning. Concerns are still raised to the potential impact on shading, locational proximity to the trees etc, however, notwithstanding this, the Forestry Officer is reasonably satisfied that the relationship is defensible, should it be raised as a future concern.

### *Site Plan*

It is standard practice for a Tree Protection Plan as part of an AIA to include trees for retention and removal and referenced accordingly. The plan submitted with the AIA is Revision A and should be updated to Revision H with the relevant Tree protection detail, referencing and methodology included. This can be dealt with by conditions.

The Forestry Officer therefore has confirmed that on balance the scheme is now acceptable subject to conditions which will require the submission of updated Tree Protection Plan with an updated Arboricultural Method Statement in accordance with Local Plan Policy SE 5.

### **Ecology**

The Council's Ecologist has been consulted on the application which is supported by a bat survey report.

The Council's Ecologist has confirmed that no evidence of roosting bats was recorded during the submitted surveys. The temperature was however slightly low during the initial bat activity survey and no internal inspection of the building was undertaken, which may have reduced the effectiveness of the survey. Considering the lack of evidence of roosting bats and the abundance of alternative roosting opportunity in the vicinity the Council's Ecologist advises that on balance roosting bats are not reasonably likely to be present or affected by the proposed works.

If planning consent is granted the ecologist has suggested conditions for safeguarding nesting birds and to ensure features are incorporated to enhance the biodiversity value of the proposed development. These conditions are considered to be reasonable.

### **Air Quality**

Policy SE12 of the Local Plan states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality.

The Environmental Health Officer has requested the following conditions in relation to air quality;

- Electric Vehicle Infrastructure
- Ultra Low Emission Gas Boilers

Subject to the imposition of these conditions the impact upon air quality from this development is considered to be acceptable.

### **Flood Risk and Drainage**

The Flood Risk team have confirmed that there are no objections into the scheme subject to the development being carried out as set out in the drainage layout/strategy submitted.

United Utilities have been consulted on the application have raised no objection, subject to conditions for the implementation of the drainage scheme, foul and surface water to be drained separately and a detailed strategy for SUDs to be submitted.

## **Other Matters**

The majority of issues raised within the consultations/neighbour concerns have been addressed above within the main assessment of the scheme.

It is noted that the Design out Crime Officer has raised some concerns with the level of detail in relation to security of the site, but the level of detail requested goes beyond the planning remit and will be for the applicant to implement accordingly. Some of the concerns in relation to boundary treatment and lighting are to be controlled by conditions however details of CCTV and security measures are not reasonable to condition.

## **PLANNING BALANCE**

The proposal seeks permission for the demolition of the Limes Public house and the erection of a two and half storey care home with facilities within the basement. The care home (as amended) proposes 57 beds and associated rooms and will retain the Bowling Green to the front with the building including accommodation for the Bowling Team.

The application site is located within the Sandbach Town settlement boundary. Sandbach is designated as a Key Service centre where Policy PG2 of the LPS sets out that development of a scale, location and nature that recognises and reinforces the distinctiveness of each individual town will be supported to maintain their vitality and viability. Policy PG7 of the LPS set out an aim to achieve in the order of 20 ha of employment land and 2,750 new homes.

Policy PC3 (Settlement Boundary) of the Sandbach NP sets out that new development involving housing, commercial and community development will be supported in principle within the Settlement Boundary. Furthermore, policy H3 (Housing Mix & Type) sets out that new housing development should provide a mix of dwellings to meet the identified need in the area for affordable housing, starter homes and provision for housing an ageing population. The Policy goes on to set out that new developments should primarily seek to deliver the following types of market housing;

- One, two or three bedroomed housing
- Single storey housing or apartments for older people or those with reduced mobility
- Nursing and care homes and sheltered accommodation for older people.

Furthermore, Policy H4 Housing and an ageing population of the Sandbach NP sets out that, 'Any proposals to enhance and improve the quality or quantity of housing for older people or which include dementia friendly provisions within the settlement boundary will be supported'.

The Care Home proposes to cater for a mix of care options including, residential care, dementia and nursing patients. The applicant states that there is a likely need of 10% of the population of Sandbach around 440 people will require some form of care provision, and that this is an undersupply currently within the area.



Whilst the site includes the loss of a public house, and policy REC 5 of the SADPD sets out that development proposals should seek to retain, enhance and maintain community facilities that make a positive contribution to the social or cultural life of a community. The Public House was not listed on the Assets of Community Value list when it closed in 2019 however the Bowling Green is listed and is to be retained as part of the development in accordance with Policies CW1 of the Sandbach NP, SC2 of the LPS and REC 1 of the SADPD.

Therefore, whilst there is a loss of a community asset in terms of a public house the site is located in a residential area, not far from the Sandbach Town Centre where many other public houses etc are available. The retention of the Bowling Green as a community asset is a benefit of the scheme and will help to integrate the new care facility into the community, and it is therefore considered that the principle of development is acceptable, and the benefits of provided a care home of mixed need and retaining the Bowling Green on the site, outweigh the harm caused by losing a community facility in terms of the public house in this instance. The proposal is therefore considered to be acceptable in principle subject to compliance with all other relevant policies of the Development Plan.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions on planning applications are made in accordance with the Development Plan unless material considerations indicate otherwise, these matters are discussed further below.

The development would provide a below standard level of parking for a facility of this size, however the short fall is small and secure cycle storage is provided within the scheme. The site is locationally sustainable just outside Sandbach Town centre. The Highways Officer has raised no objections to the scheme in terms of Highway Safety and therefore it is considered to be acceptable in this instance.

The site has raised no significant issues in relation to design, landscaping, forestry, amenity, public open space, impact on protected species, flood risk or drainage, subject to appropriate conditions.

It is therefore considered that the development is on balance acceptable and recommended for approval accordingly.

## **RECOMMENDATION:**

### **Approve subject to Conditions**

- 1. Standard Time**
- 1. Approved plans**
- 2. External Materials**
- 3. Surfacing materials**
- 4. Full revised Landscape Scheme (hard and soft landscaping details) – prior to commencement**
- 5. Landscape Implementation**
- 6. Levels Plan (Trees / Landscape / Floodrisk)**
- 7. Boundary Treatment**
- 8. Updated Tree Protection scheme and AMS – prior to commencement**
- 9. Biodiversity enhancement features**

- 10. Safeguard Nesting Birds**
- 11. Lighting strategy – prior to occupation**
- 12. Details of secure and covered cycle parking – prior to occupation**
- 13. Drainage Scheme – prior to commencement**
- 14. Detailed strategy/design limiting the surface water runoff generated by the proposal, and associated management /maintenance plan - required prior to commencement**
- 15. Foul and surface water to be drained separately**
- 16. Contaminated Land – Phase II report and remediation scheme**
- 17. Contaminated Land – verification report to be submitted**
- 18. Contaminate land – Soil Importation**
- 19. Contaminate land - Unexpected Contamination**
- 20. Prior to occupation – EVI**
- 21. Prior to occupation – Low emission boilers**
- 22. Removal of PD**
- 23. Construction Management Plan**
- 24. Full details of balcony – including some obscurity to the southern side**
- 25. POS management and maintenance plan**
- 26. 10% of energy needs to be from renewable or low carbon energy**

**In order to give proper effect to the Southern 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.**

