

Application No: 16/0866C

Location: THE HOLLIES, WESLEY AVENUE, SANDBACH, CHESHIRE, CW11 1DQ

Proposal: Construction of apartments and associated landscaping

Applicant: Mr C Thompson, Revelation Properties Ltd

Expiry Date: 14-Jun-2016

## **SUMMARY**

The principle of development has already been accepted as part of the extant approval on this site.

The access and parking provision to this development would meet with the Council standards.

The design of the development has been the subject of negotiation and the height of the building has been reduced. It is considered that the design is appropriate and that the development would not have a detrimental impact upon the character and appearance of the Conservation Area or the setting of the surrounding Listed Buildings.

It is considered that the impact upon residential amenity is acceptable in this instance.

The impact upon local education is considered to be acceptable and there are no objections to the development of this site on ecological grounds.

There are no drainage/flood risk implications for this proposed development subject to the imposition of a planning condition.

In terms of the POS provision and affordable housing the applicant is not proposing any provision due to viability issues and an update will be provided in relation to the issue once the outcomes of an independent viability assessment are known.

## **RECOMMENDATION**

**Approve (Subject to the results of the viability appraisal)**

## **PROPOSAL**

The proposal seeks full planning permission for the demolition of the existing building (5 Bradwall Road) and the erection of a 3.5 storey residential development. The 3.5 storey building would contain a total of 17 apartments (14 x one bed units and 3 x two bed units)

The Hollies would be converted and extended to the rear to provide a total of 9 one bedroom apartments.

This would give a total of 26 apartments on the site.

The submitted plans show that 22 car parking spaces would be provided to the rear of the site together with an area for bin-storage and cycle storage.

## **SITE DESCRIPTION**

The application site comprises 5 Bradwall Road a redundant storage depot, previously occupied by a printing business and The Hollies, which is an important building in the historic context of Sandbach. The site is contained within the Sandbach Conservation Area and the Methodist Church adjacent to the Hollies is a Grade II Listed Building. 5 Bradwall Road is on a prominent corner plot in the town centre. The entire site is contained within the settlement zone line of Sandbach.

The application site is surrounded by a mix of residential, retail and business units.

## **RELEVANT HISTORY**

12/0219C - Demolition of the Existing Building and Construction of a New Three Storey Mixed Use Development with Restoration of The Hollies – Approved 23<sup>rd</sup> May 2014

12/0220C - Conservation Area Consent for demolition of the existing building (5 Bradwall Road) – Approved 26<sup>th</sup> July 2012

08/0454/FUL – Partial demolition and erection of mixed use development – Refused 22<sup>nd</sup> May 2008

08/0455/CON - Partial demolition – Refused 22<sup>nd</sup> May 2008

06/1324/CON - Demolition and erection of 22 apartments and restaurant – Refused 1<sup>st</sup> October 2007

06/1325/FUL – Erection of 22 apartments and restaurant – Refused 1<sup>st</sup> October 2007

## **NATIONAL & LOCAL POLICY**

### **National Policy**

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs:

14. Presumption in favour of sustainable development.

50. Wide choice of quality homes

56-68. Requiring good design

126-141. Conserving and Enhancing the Historic Environment

### **Sandbach Neighbourhood Plan**

PC3 – Policy Boundary for Sandbach

PC5 – Footpaths and Cycleways

HC1 – Historic Environment

HC2 – Protection and Enhancement of the Town Centre

H1 – Housing Growth

H2 – Housing Layout

H3 – Housing Mix and Type

H4 – Housing and an Ageing Population

H5 – Preferred Locations

IFT1 – Sustainable Transport, Safety and Accessibility

IFT2 – Parking

CW1 – Amenity, Play, Recreation and Outdoor Sports

CW3 – Health

CC1 – Adapting to Climate Change

### **Congleton Local Plan**

The Development Plan for this area is the Congleton Borough Local Plan First Review 2005, which allocates the site, under policy PS8, as open countryside.

The relevant Saved Policies are:

PS3 – Settlement Hierarchy

PS4 – Towns

BH4 - The effect of development on listed buildings and their setting

BH5 - The effect of development on historic environment assets

BH9 - Conservation Areas

BH10 - Demolition in Conservation Areas

GR21- Flood Prevention

GR1- New Development

GR2 – Design

GR3 - Residential Development

GR4 – Landscaping

GR5 – Landscaping

GR9 - Accessibility, servicing and provision of parking

GR14 - Cycling Measures

GR15 - Pedestrian Measures

GR16 - Footpaths Bridleway and Cycleway Networks

GR17 - Car parking

GR18 - Traffic Generation

NR5 – Habitats

H2 - Provision of New Housing Development

H13 - Affordable Housing and Low Cost Housing

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

## **Cheshire East Local Plan Strategy – Submission Version (CELP)**

The following are considered relevant material considerations as indications of the emerging strategy:

PG2 – Settlement Hierarchy  
PG6 – Spatial Distribution of Development  
SC4 – Residential Mix  
CO1 - Sustainable Travel and Transport  
CO4 – Travel Plans and Transport Assessments  
SC5 – Affordable Homes  
SD1 - Sustainable Development in Cheshire East  
SD2 - Sustainable Development Principles  
SE 1 Design  
SE 2 Efficient Use of Land  
SE 8 – Renewable and Low Carbon Energy  
IN1 – Infrastructure  
IN2 – Developer Contributions

### **Supplementary Planning Documents**

The EC Habitats Directive 1992  
Conservation of Habitats & Species Regulations 2010  
Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System  
Interim Planning Statement Affordable Housing  
Interim Planning Statement Release of Housing Land  
Sandbach Town Strategy

## **CONSULTATIONS**

**United Utilities:** No objection subject to the imposition of conditions.

**Strategic Highways Manager:** No objection subject to the imposition of conditions.

**Environmental Health:** There is insufficient information contained within the application to determine whether there will be a loss of amenity caused by road traffic noise. As a result it is recommended that the application be refused.

Conditions suggested in relation to construction management plan, travel plan and electric vehicle infrastructure and contaminated land. An informative is suggested in relation to contaminated land.

**CEC Education:** The education department would not seek a contribution from this application because only 3 of the 26 new dwellings have 2 or more bedrooms.

**CEC Flood Risk Manager:** Conditions suggested.

**CEC Strategic Housing Manager:** Object on the basis that the development does not provide affordable housing.

**Ansa (Public Open Space):** There is a deficit of amenity green space and children and young persons provision in the area therefore there should be some new on site. Sandbach Park could accommodate the increase of demand resulting from the development and the following contributions are requested;

Amenity Green Space

£1,690.56 to enhance the Park boundary

£3,784.00 to maintain that enhancement

Children and Young Persons Provision

£1,435.30 for infrastructure within the areas identified for play

£2,985.00 to maintain that enhancement

**CEC PROW:** The development does not appear to affect a PROW.

**Historic England:** No comments received.

## **VIEWS OF THE PARISH COUNCIL**

**Sandbach Town Council:** Sandbach Town Council raise the following comments;

- Firstly, the cycle store next to parking space 12 appears to only be the size of a quarter of one car parking space which is clearly not large enough to be a proper cycle provision.
- The Planning Committee are also concerned with current plans to have a "Cycle Store/Cloaks" within every flat, especially those that are not on the first floor. Upon looking at plans, it appears that the location of the store within the flats is in such a place where a bicycle would have to be awkwardly maneuvered through the door and then into the store. Furthermore, for flats that are not on the ground floor, bikes would have to be carried upstairs which is not an ideal arrangement.
- To this end, the Sandbach Town Council Planning Committee would like to state that ALL cycling accommodation must be on the ground floor and meet the minimum requirements set by Cheshire East.

## **REPRESENTATIONS**

A letter of support has been received from 1 local household raising the following points:

- Support the proposal but the windows should be arched

Letters of general observation have been received from 2 local households raising the following points:

- The application has made no reference to the Sandbach Neighbourhood Plan
- The windows should be arched
- Concern that the access is too narrow
- Questions whether the Local Plan identifies a need for 1 and 2 bedroom apartments in Sandbach

A letter of representation has been received from Cycling UK raising the following points;

- The cycle store next to parking space 12 appears to only be the size of a quarter of one car parking space which is clearly not large enough to be a proper cycle provision.
- Concerns that it would be difficult to manoeuvre cycles into the proposed apartments
- This is contrary to the Cheshire East Design Guide

## **APPRAISAL**

### **Principle of Development**

The site is a prominent brownfield site within Sandbach Town Centre and Conservation Area.

The proposed development is for a total of 26 apartments on this site and it should be noted that there is currently an extant planning permission on this site for a redevelopment consisting of the erection of a 3 storey mixed use development including 150sqm retail unit, 10 apartments and the refurbishment of The Hollies (12/0219C).

It should be also be noted that the redevelopment of brownfield sites is encouraged by the NPPF. One of the core principles of the NPPF states that planning should;

*‘encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value’*

The principle of residential development on this sustainable brownfield site is considered to be acceptable in principle.

### **Sandbach Neighbourhood Development Plan**

The Sandbach Neighbourhood Plan (SNP) was subject to referendum in March 2016 and it is expected to be made on 12<sup>th</sup> April 2016.

In this case the principle of development has already been accepted on this site following the approval of application 12/0219C. It should also be noted that Policy H5 of the SNP encourages the redevelopment of brownfield sites and as a result the principle of development is considered to be acceptable.

In this case Policy HC1 (Historic Environment) of the SNP states that *‘All developments, projects and activities will be expected to protect and where possible enhance designated heritage assets and their settings, maintain local distinctiveness and the character of identified features’*. The impact upon the Historic Environment is considered below.

### **Design and impact upon Built Heritage**

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

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

In this case the density of the site is consistent with that of the surrounding area of Sandbach Town Centre.

This application site within the Sandbach Conservation Area as such it is important to be mindful of the need to preserve or enhance the character or appearance of the area as stated in the NPPF and the Congleton Borough Local Plan Policy. The site is a prominent corner plot within the town centre and the conservation area boundary (amended in 2014) borders the site along Bradwall Road.

To the other side is the grade II listed chapel which currently dominates the streetscene. Currently on the site is the Hollies, a double fronted Georgian house, which has been on the site since at least 1875. It was formerly offices with land to the front and rear. Adjacent to this is a dilapidated garage which sits on the corner of Wesley Avenue and Bradwall Road.

The National Planning Policy Framework (the Framework) defines the setting of a heritage asset as the surroundings in which it is experienced. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral. In this case the Councils Conservation Officer considers that this site, particularly Hollies, makes a positive contribution to the significance of the Conservation Area and Listed Building and makes an important contribution to the ability to appreciate that significance.

The design has been amended to reflect the comments made by the Councils Conservation Officer at a meeting with the agent. The proposal is now a similar scale to the previously approved scheme which remains extant.

The design has been amended to remove the eaves detail but retain the brick diaper detailing to reflect local architecture. This is now acceptable subject to the details of the materials being submitted via condition. The Conservation Officer has raised a concern about the provision of car parking to the front of the Hollies. However this is an existing situation and as a result it is considered to be acceptable.

The proposed detailing of the buildings is of particular importance. The traditional style of the building requires well designed detailing to ensure that they are of a traditional design not a modern interpretation. With this in mind it is recommended that conditions relating to the bricks, bonding, lintels, cills, eaves, banding and diaperwork are put on any approval as well as conditions cover sample materials. Notwithstanding the proposed drawings, The Hollies windows should be traditional.

Section 66 of the Planning (Listed Buildings and Conservation Area Act) 1990 requires that the local authority when assessing proposals shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. It is concluded that the bringing back into use of the Hollies and demolition of the dilapidated later garage structure would enhance the conservation area and the setting of the adjacent listed chapel.

It is considered that the scheme is of an acceptable design and the proposal would comply with Policy GR2 (Design) and the NPPF. The development would also comply with Policies HC1 and H2 of the SNP.

### **Housing Mix**

Policy SC4 of the submission version of the Local Plan requires that developments provide an appropriate mix of housing (this is echoed within Policies H3 and H4 of the SNP). In this case the development would provide the following mix:

- One bedroom – 23 units
- Two bedroom – 3 units

This mix is considered to be acceptable in this location.

### **Affordable Housing**

This site is located in the Sandbach sub-area for the purposes of the Strategic Housing Market Assessment Update 2013 (SHMA). In the SHMA the Sandbach sub-area shows a need for 94 new affordable homes per year between 2013/14 and 2017/18 (18 x 1 beds, 33 x 2 beds, 18 x 3 beds, 9 x 4+ beds and 11 x 1 bed & 5 x 2+ beds older persons accommodation).

In addition to this, information taken from Cheshire Homechoice shows that there are currently 236 applicants who have selected one of the Sandbach lettings areas as their first choice. These applicants require 94 x 1 bed, 86 x 2 bed, 45 x 3 bed and 11 x 4+ bed units.

Therefore there should be provision of 30% of the total dwellings on this site as affordable, with 65% provided as social or affordable rent and 35% intermediate. This equates to a requirement for up to 8 affordable dwellings on this site, with 5 provided as social or affordable rented dwellings and 3 provided as intermediate tenure.

In this case due to viability issues associated with this development (as discussed below). The applicant has stated that they are unable to provide affordable housing on this site

### **Public Open Space**

In this case the Councils POS Officer has requested financial contributions which could be secured via a S106 Agreement. These contributions would secure off-site POS improvements at Sandbach Park to mitigate the impact of this development.

In this case due to viability issues associated with this development (as discussed below). The applicant has stated that they are unable to provide the requested POS contributions on this site.

### **Education**

In this case 23 of the 26 units which are proposed on this site would have 1 bedroom and as a result there would be only 3 units with a second bedroom which have the potential to be occupied



by people with school aged children. On this basis the education officer has confirmed that they are not seeking an education contribution as part of this application.

## **Viability**

In this case the applicant has submitted a viability report to demonstrate that it would not be viable to provide on-site affordable housing and the requested POS contributions.

In relation to viability the NPPF states

*'Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable'*

In this case the viability appraisal which has been submitted by the applicant is currently being assessed by an independent viability consultant and an update will be provided in relation to this issue.

## **Residential Amenity**

Opposite part of the site, on Bradwall Road, is a three storey block of apartments. This would be in close proximity to the proposed building with a separation distance of 9.1m. However, the layout of the building has been designed in such a way as to ensure that the majority of the windows are splayed and would serve bathrooms. The only windows that may cause an overlooking issue are the first and second floor bedroom windows which serve apartments 10 and 18 and the secondary kitchen/living area windows which served apartments 9 and 17. On balance it is considered that this relationship is acceptable and that the level of amenity provided would improve from the previous commercial uses on this site. Furthermore it should be noted that within historic town-centre locations that streets are often characterised by shorter separation distances and as a result the impact of this development is considered to be acceptable.

All other surrounding properties are largely non-residential with offices to the opposite side of Wesley Avenue, a church to the west of the site and a church, scout hut and church hall to the rear of the site (fronting Chapel Street and Bradwall Road).

The two residential properties at 12 and 14 Chapel Street are off set from the application site with a separation distance of over 30 metres to the nearest point of the proposed extension at The Hollies.

## **Noise**

In this case the comments from the Environmental Health Officer in relation to noise from the surrounding road network and the recommendation of refusal due to insufficient information have been noted. However these comments are inconsistent with the comments on the previous

extant approval on the site where the Environmental Health Officer suggested the imposition of a planning condition in relation to the submission of a Noise Impact Assessment.

A condition will be attached to any approval to secure the submission of a Noise Impact Assessment and mitigation measures prior to the commencement of development.

### **Air Quality**

In order to ensure that sustainable vehicle technology is a real option for future occupants / future patrons at the site a condition will be attached in relation to electric vehicle infrastructure.

### **Contaminated Land**

The application area has a history of storage depot use and therefore the land may be contaminated. The application is for new residential properties which are a sensitive end use and could be affected by any contamination present or brought onto the site.

As no information relating to land contamination has been submitted in support of the application a standard contaminated land condition will be required as part of any approval.

### **Highways**

The proposal is for a development of apartments with associated car parking spaces and cycle storage, off Wesley Avenue in the centre of Sandbach.

Although the car parking standards are below CEC requirements, this is considered acceptable due to the sustainable location and car ownership data for apartments for this area. As the provision is below standards, the spaces should remain unallocated to increase the efficiency of the provision.

Wesley Avenue is a minor unclassified road with a one-way system in place where westbound movements are prohibited. The low car ownership data reflects the sustainable location and the traffic impact upon the highway can be considered minor. The site access is wide enough to allow for two-way vehicle movement and visibility will be sufficient.

Cycle storage has been proposed to be within each of the apartments and it therefore meets CEC standards (Appendix C of the Local Plan Strategy). The cycle storage provision within the apartments is considered to be acceptable by the Councils Head of Strategic Infrastructure.

Refuse collection from within the site would be preferable but due to constraints it is not clear if this is possible. Refuse collection from Wesley Ave would also be acceptable.

On this basis the Councils Highways Officer has raised no objection to this development.

### **Trees**

The only trees associated with this site are self set pioneer species Ash and Sycamore which have been allowed to establish as a result of its derelict condition. The majority have established

immediately adjacent to existing buildings and structures and cannot be considered viable as long term amenity features. Removal is considered to be the only reasonable course of action.

## **Landscape**

The proposed development will not result in any significant landscape or visual impacts.

## **Ecology**

In this case the Councils Ecologist advises that the bat survey of the buildings was constrained by unsafe access to one of the building and the lateness in the season of the activity survey. However, based on the results of the survey the condition and location of the building affected by the proposed development, the Councils Ecologist considers that roosting bats are not reasonably likely to be present or affected by the proposed development.

With the exception of nesting birds there are no other likely ecological issues associated with the proposed development. A condition could be attached to secure nesting bird mitigation details.

## **Flood Risk**

The application site is located within Flood Zone 1 according to the Environment Agency Flood Maps. This defines that the land has less than 1 in 1000 annual probability of flooding and all uses of land are appropriate in this location. As the application site is less than 1 hectare in size, a Flood Risk Assessment (FRA) is not required.

In this case the application site is largely existing buildings and areas of hardstanding. The application has been considered by the Councils Flood Risk Officers and United Utilities who have raised no objection to this application.

As a result, the development is considered to be acceptable in terms of its flood risk/drainage implications.

## **PLANNING BALANCE**

The principle of development has already been accepted as part of the extant approval on this site.

The access and parking provision to this development would meet with the Council standards.

The design of the development has been the subject of negotiation and the height of the building has been reduced. It is considered that the design is appropriate and that the development would not have a detrimental impact upon the character and appearance of the Conservation Area or the setting of the surrounding Listed Buildings.

It is considered that the impact upon residential amenity is acceptable in this instance.

The impact upon local education is considered to be acceptable and there are no objections to the development of this site on ecological grounds.

There are no drainage/flood risk implications for this proposed development subject to the imposition of a planning condition.

In terms of the POS provision and affordable housing the applicant is not proposing any provision due to viability issues and an update will be provided in relation to the issue once the outcomes of an independent viability assessment are known.

## **RECOMMENDATION:**

**Subject to the results of the independent viability appraisal**

**APPROVE subject to the following conditions;**

- 1. Standard Time**
- 2. Approved Plans**
- 3. Parking provision prior to first occupation of the development**
- 4. Submission of Landscape Details including surfacing materials**
- 5. Implementation of the approved landscaping scheme**
- 6. Surface Water Drainage to be submitted and approved**
- 7. Piling Works to be submitted and approved**
- 8. Construction Method Statement to be submitted and approved**
- 9. Noise mitigation measures to be submitted and approved**
- 10. Contaminated Land mitigation measures**
- 11. Materials to be submitted and approved**
- 12. Boundary treatments to be submitted and approved**
- 13. Due to the specialised diaperwork a sample panel of brickwork 1m<sup>2</sup> showing the bricks, bond, pointing and diaperwork to be submitted and approved**
- 14. Detailed drawings of: eaves details, glazed link, windows and doors including rooflights to be submitted and approved**
- 15. Rainwatergoods to be metal and black**
- 16. The external window and door frames shall be recessed from the external wall face by a minimum of 100mm**
- 17. Nesting Bird Mitigation Details**

In order to give proper effect to the Board's/Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (Regulation), in consultation with the Chair (or in her absence the Vice Chair) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

