

Application No: 19/4463C

Location: Land At Former Alsager Arms Hotel, SANDBACH ROAD SOUTH, ALSAGER

Proposal: Erection of a residential building comprising 18 self-contained one-bedroom specialised supported living apartments together with associated open space and car parking (Use Class C3).

Applicant: C/O Agent, HB Villages Developments Limited

Expiry Date: 03-Apr-2020

SUMMARY

The application site lies within the Alsager settlement boundary where Plan Policies advise that new development is in principle acceptable, subject to compliance with all other relevant policies of the development plan.

The application site is a brownfield site in a sustainable location, where the Alsager Arms Public House was previously situated. The Public House was demolished in 2016, and permission was granted for the demolition of the existing pub hotel building and construction of 14no. apartments (16/1024C) which is still implementable subject to the approval of a reserved matters application. The principle of residential development on this site is fully supported by Development Plan policy and the national planning policy framework.

The proposal is for a similar three storey building; however the use is specifically for 18 self contained one-bedroom specialised supported living apartments, but classified as C3, which is a social benefit to the scheme.

The proposal would bring positive planning benefits such as the provision of new dwellings in a sustainable location, and the associated economic benefits created in the construction of new dwellings and the spending of the future occupiers in the local area.

Matters of landscape, trees, design, highway safety, drainage, flooding, and amenity, are considered to be acceptable subject to conditions.

The concerns regarding the impact on the bungalows opposite the site, as a result of overlooking, are acknowledged, but the proposal complies with the separation distances for residential development and the impacts are considered to be within acceptable standards.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposed development is considered to be in general compliance with the relevant policies of the Development Plan and it is therefore recommended that planning permission should be granted subject to conditions.

RECOMMENDATION

APPROVE with conditions

REASON FOR REFERRAL

This level of development would usually be delegated to officers to consider however Cllr Fletcher has called this application in for the following reasons.

'This is a three storey proposal and there are bungalows opposite. This development will tower above those bungalows and the people who live in them have serious concerns'

PROPOSAL

This application seeks full planning permission for the erection of a residential building comprising 18 self contained one-bedroom specialised supported living apartments together with associated communal open space and car parking.

SITE DESCRIPTION

The application site relates to a vacant site, where previously the former Alsager Arms was situated. The Public House was demolished around 3/4 years ago. The application site is situated within the Alsager settlement boundary adjacent to a level crossing for the Alsager train station, on Sandbach Road South.

The application site is triangular in shape, with trees located on the periphery of the site.

A site visit was carried out to the site on 9th October 2019.

RELEVANT HISTORY

There has been a large number of applications on the site which relate to the former use as a public house, however the applications below are most relevant to the proposed application.

16/1024C - Demolition of existing pub hotel building and construction of 14no. apartments – Approved subject to a S106 Agreement and condition 15th August 2017

16/1959C - Prior approval of Proposed demolition of vacant and derelict public house – Determination – approval not required stage 1 - 19th May 2016

NATIONAL & LOCAL POLICY

National Policy

Local Plan Policies

Cheshire East Local Plan Strategy

MP1 (Presumption in favour of sustainable development)
PG1 (Overall Development Strategy)
PG2 (Settlement Hierarchy)
SD1 (Sustainable Development in Cheshire East),
SD2 (Sustainable Development Principles),
SC1 (Leisure and Recreation)
SC2 (Indoor and Outdoor Sports Facilities)
SC4 (Residential Mix)
SC5 (Affordable Homes)
SE1 (Design)
SE2 (Efficient Use of Land),
SE3 (Biodiversity and Geodiversity)
SE4 (The Landscape),
SE5 (Trees, Hedgerows and Woodland),
SE 6 (Green Infrastructure)
SE 7 (The Historic Environment)
SE13 (Flood Risk and Water Management)
IN1 (Infrastructure)
IN2 (Developer Contributions)
CO1 (Sustainable Travel and Transport)
CO4 (Travel Plans and Transport Assessments)

Saved policies of the Congleton Borough Local Plan

PS4 - Towns;
GR6 - Amenity and Health,
GR9 - Accessibility, Servicing and Parking Provision – New development,
GR20 - Public Utilities,
GR22 - Open Space Provision,
NR2 - Wildlife and Nature Conservation – Statutory Sites,
RC12 - Retention of Existing Community Facilities

Alsager Neighbourhood Plan (Made 15th April 2020)

H1 Type and mix of new housing
H2 Climate Change and housing
H3 Infrastructure and Sustainable development
H4 Size, scale and density of new housing developments
H5 Affordable housing
H6 Housing Design
NBE1 Open Space and recreation
NBE4 Woodlands, trees and hedgerows

NBE5 Wildlife and housing
NBE6 Development affecting heritage assets and their setting
TTS3 Car parking and electric charging points
TTS5 Footpath, bridleway and cycle networks
TTS6 Infrastructure
TTS9 Drainage – Sustainable urban drainage systems design and management
TTS10 Surface water

CONSULTATIONS

Strategic Highways Officer – No objections subject a condition for a construction management plan

Strategic Housing – No objections

Environmental Protection- No objections, subject to conditions noise mitigation, travel information pack, Electrical Vehicle Infrastructure, low emission boilers, contaminated land conditions and informatives for piling foundations, dust control, contaminated land

ANSA Open Space – No objections

Environment Agency – No objections

Flood Risk Manager – No objections, subject to conditions for a detailed drainage strategy and surface water drainage, and levels details

United Utilities – No objections subject to condition for implementation of drainage plan

Network Rail – No objection subject to informatives

Alsager Town Council [7th May 2020] – Objects to the application on the following grounds;

- Overbearing – the height of the building compared with adjacent properties
- Does not comply with H6 housing design of the Alsager Neighbourhood Plan

REPRESENTATIONS

2 letters of representation have been received from neighbouring properties, and a further letter from Cllr Buckley. The main objections raised include;

- 3 storey building is too tall and will overlook the bungalows on the opposite side of the street, causing loss of light and privacy
- Concerns raised over the proposed future occupiers of the building, who need specialist supported living located adjacent to a railway crossing
- The building is too close to the road/path
- There is an existing flooding issue on the application site on to the road and this application will make the flooding situation worse
- Objections raised to any development over 1 storey in height
- Concerned that there is enough development in Alsager

OFFICER APPRAISAL

Principle of development

The application site is situated within Alsager which is allocated as a Key Service centre within the Policy PG2 of Cheshire East Local Plan Strategy, where 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.

As the site falls within the Alsager Settlement Boundary, the proposal is subject to saved Policy PS4 of the local plan. Policy PS4 advises that within such settlement boundaries there is a presumption in favour of development provided that it is in keeping with the town's scale and character and does not conflict with other policies in the local plan.

Policy H4 of the Alsager Neighbourhood Plan sets out that new housing within the built up area of Alsager will be supported within the following categories;

- Infill Development
- The redevelopment of brownfield sites where they are proven to be no longer suitable or capable of being used for their existing use and where the development proposed satisfies in all other respects the policy in this plan,
- The re-use, conversion or adaption of permanent, structurally sound buildings of substantial construction which would lead to a positive enhancement to the character of the immediate area...
- Backland development will be resisted.

The application site is a brownfield site, where the Alsager Arms Public House was previously situated. The Public House was granted permission for demolition in 2016, and this was implemented. At the same time an outline application, with all matters reserved was granted also for the demolition of the existing pub hotel building and construction of 14no. apartments (16/1024C) which could still be implemented, subject to a reserved matters application being submitted and approved.

The proposal is for a similar three storey building; however the use is specifically for 18 self contained one-bedroom specialised supported living apartments, but still classified as use class C3.

As such, new housing in the settlement boundary would be deemed to be acceptable in principle, subject to its adherence with all other relevant local plan policies.

Design

There are a range of national and local planning policy to support the need for high quality, distinct local design in this location from the NPPF down. Local Plan policies SD1, SD2 and in particular SE1 as well as the clear guidance set out in the Cheshire East Borough Design Guide and the more locally focussed Alsager Neighbourhood Plan all point to the:

"... need for design quality and requires that development proposals make a

positive contribution to their surroundings. Delivering a sense of place, respecting local distinctiveness and heritage assets...”

Cheshire East Borough Design Guide, 2017: Policy SE1, para i|23 p.12

Policy H6 (Housing Design) of the Alsager Neighbourhood Plan sets out that new development within the Plan area must demonstrate good design. Some of the criteria's within the policy are;

- *Complementing and enhancing where appropriate the size, height, scale, mass rural skyline, materials, layout, access and density of existing development in the plan area,;*
- *Assessing any impact of the development upon local heritage assets or areas of local interest,*
- *The use of good quality local materials such as Cheshire brick, as well as more innovative materials will be encouraged provided they are sympathetic to the context in which they are proposed and maintain the local vernacular and enhanced sense of place;*

It is considered that this is an important gateway site that lies within the setting of the Alsager Conservation Area and is in close proximity to the locally listed railway station that led to the expansion of the town in the 19th Century. As such it can be argued that a well-designed, locally distinctive and sympathetic building is especially required in a location such as this.

The location of the proposed building on the site is supported as it strengthens the southern gateway to the town centre. The proposed Car parking is well-located and the landscape scheme (as far as presented) seems broadly appropriate. The Design Officer notes that the reasons for the lack of activity/entrances to the main Sandbach Road elevation, is caused by the operational need to have access to the rear, and although this is regrettable, it is understood. Amendments have been made to help improve the visual appearance of the building on the frontage.

There were some initial concerns about the scale and massing of the building as a result of the tall and flat frontage to Sandbach Road which was lacking in depth and articulation. However, after discussions with the applicant, the revised proposals have addressed the initial concerns effectively, with the perceived scale and dominance reduced appropriately.

Although the materials will be subject to conditions, the Design Officer considered that the detail shown are appropriate local materials, such as the use of red bricks and slate-effect tiles, whilst with the use of grey uPVC windows and grey Trespa cladding can be seen as an attempt to inject a *‘fresh modern feel to the street’* as outlined in the Cheshire East Borough Design Guide (ii|43 p.20), and in accordance with Policy H6 of the Alsager NP.

The Council's Design Officer considers that the avoidance of pastiche and the attempt at a fresh and modern approach is welcomed and although there was initially little evidence of a meaningful study of local vernacular some limited additional context work was carried out and the scheme is better for this. In particular, the greater depth to the elevations and the verticality of the fenestration is appreciated.

Therefore it is considered that the design development completed during the course of the planning process, this proposal now meets the design threshold stated above, and therefore

will be inkeeping with the surrounding streetscene, and is of a character and appearance which is suitable for its proposed use in this location.

Residential Amenity

Policy GR6 (Amenity and Health) of the Local Plan, requires that new development should not have an unduly detrimental effect on the amenities of nearby residential properties via loss of privacy, loss of sunlight or daylight, visual intrusion, environmental disturbance or pollution and traffic generation access and parking.

Supplementary Planning Guidance Note 2 (Private Open Space) sets out the separation distances that should be maintained between dwellings and the amount of usable residential amenity space that should be provided for new dwellings. It states that 21.3 metres should be maintained between 2 principal elevations and 13.8 metres should be allowed between a principal and flank elevation.

Policy H6 (Housing Design) of the Alsager Neighbourhood Plan sets out that new development within the Plan area must demonstrate good design. One of the criteria within the policy is,

‘ Demonstrating that the amenities of neighbouring dwellings will not be adversely affected through overlooking, loss of light or outlook, or over-dominance or general disturbance’.

The closest neighbouring properties to the application site would be the occupiers of, the properties to the north-east of the site, on the opposite side of Sandbach Road south. These properties are single storey bungalows.

The proposed building will be sited approximately 23m away from the opposing neighbours with the Sandbach Road South.. The proposal therefore meets the current separation standards. The proposed building will be sited on a similar footprint to the previously approved indicative scheme on the site, and former public house albeit slightly longer towards the south east of the site adjacent to the railway line.

The proposed plans have been amended to help reduce the over visual impact of the building on the streetscene and neighbours. Whilst it is acknowledged that currently the site is vacant and therefore a new three storey building, with a maximum height of 10.5m at the apex, will appear quite prominent, the site previously had a two storey building on it, and there is an outline permission on the site with an indicative building of a 10.5m height, of three storeys. . The proposed building is 9.8m on the road frontage, increasing to 10.5m at its highest point. Both the proposed building and earlier outline permission have a distance of at least 23m from the neighbours on the opposite side of the road. It is therefore considered that the development will not have a significantly increased impact on neighbouring amenity by means of overshadowing or overbearing impact when compared to the previous situation or the indicative scheme which has outline permission on the site.

The current proposal includes a number of bedroom and living room windows on the front elevation facing towards the bungalows and therefore there will be an impact arising from the development. However, as the separation distances are met it is considered that the impact on the amenity of the occupiers of nearby property will be acceptable and is compliant with policy.

Furthermore, there will also be a landscape buffer and boundary treatment on the frontage which will help to mitigate over looking at ground floor level.

To the north west of the site is a small retail unit and Alsager Heath Centre, and to the south is the railway line and Alsager Station.

With regards to the amenity impact on the future occupiers of the site, Network rail have been consulted on the application and have raised no objections to the proposal in principal, but have outlined a number of informatives and legislation/legal requirements which the applicant must adhere to whilst constructed the proposed development and safeguarding potential 'vulnerable users' using the level crossing. These can be added to any permission and dealt with under Network Rail legislation.

Similarly the Council's Environmental Protection department have been consulted and have raised no objections to the proposal subject to a number of conditions for the implementation of the noise attenuation report, travel plan, electric vehicle infrastructure, low emission boilers, contaminated land, and soil information; and informatives for piling foundations, dust control, construction hours and contaminated land

There is a communal garden proposed for the occupants, which is a typical living arrangement for occupiers of apartments within town centres. Furthermore there is an area of Public Open Space to the north of the site less than 100m away which is a reasonable distance for the future occupier to walk to and utilise.

As such, subject to the above suggested conditions, from the Council's Environmental Protection Officer, the proposal is considered to be acceptable.

Landscape

The site is within the settlement boundary for Alsager and is previously developed land south west of Sandbach Road South. There are residential properties on the opposite side of the road, commercial property to the west, and railway line to the south, separated by a private drive.

Existing boundary treatments comprise a screen wall to the south, a low wall and railings to the west with trees beyond and a low wall along a section of the road frontage.

A landscape layout plan has been submitted with the revised scheme plans and the Landscape officer considers them to be reasonable. The Landscape Officer considers that in the event of an approval of the development, a detailed and fully specified landscape scheme will need to be sought by condition, together with specific details of hard landscaping materials and design details for boundary treatment.

Trees

There are no significant trees on the site although there are off-site trees on land to the west some of which overhang the site. Some of the trees to the west are subject to TPO protection.

The submission is supported by an Arboricultural Impact Assessment (AIA). The report identifies potential impacts for trees associated with branches overhanging car parking spaces and any resurfacing of the car park. Recommendations are made for pruning of overhanging branches and for any resurfacing of the car park employing precautionary construction measures.

The Forestry Officer notes that drainage strategy plan provided on 21 July 2020 does not reflect the building position and car park layout as proposed on the latest layout plan received on 3rd June 2020, and therefore these will need updating.

The drainage plan indicates pipe work to connect to an existing watercourse will encroach into tree rooting areas, however, hand digging is proposed by the applicant. The Forestry Officer notes that this will need a site specific methodology and arboricultural supervision.

The Forestry Officer notes that in view of layout amendments during the course of the application, elements of the original arboricultural report are no longer directly relevant and some of the proposed tree pruning measures appear excessive. The Forestry Officer considers that these issues can be addressed by conditions.

As such, it is considered that subject to conditions for the submission of a Tree Protection Scheme, Tree Pruning Specification and an Arboricultural Method Statement, the proposal is acceptable.

Access and Parking

The same access from Sandbach Rd South will be used as was used for the Public House that previously existed on the site.

The Strategic Highways Officer states that the access has operated safely for a number of years and will have sufficient width to cater for the development, and the use of the existing access is considered acceptable.

The support living accommodation is for vulnerable adults with a range of disabilities and car ownership will be low among occupants. The majority of parking will be from the 5 support staff associated with this development and from visitors. 16 parking spaces are proposed and this parking space to bedroom ratio is similar to other supported living developments from this applicant in Cheshire East, and is also considered to be sufficient in this instance. A scooter/cycle store is also provided within the site.

The site is also located adjacent to the railway station and from bus stops on Sandbach Road South and Crewe Road which will allow travel to and from the site by non-car modes feasible. There is also existing pedestrian footway provision available from the site to the wider area. This is a sustainable site location which complies with the accessibility criteria of policies SD1 and SD2 of the CELPS which seek to ensure that residential development is accessible by public transport, walking and cycling and provides access to local jobs, services, amenities and facilities.

Refuse collection can take place from the highway as is the case with existing development in this location.

Therefore the Strategic Highways Officer has raised no objections with the proposed development.

Flood Risk and Drainage

The majority of the site is located in flood zone 1; however there is a Main River, south of the proposed development. The Flood Risk Officer notes that an area of surface water risk (topographic low spot) sits within the proposed developments boundary, all existing risk should be managed and maintained within the boundary with appropriate boundary treatment. Additionally, any alterations in ground levels must be identified and managed. The Flood Risk Officer has therefore suggested two conditions to be attached to the permission to ensure suitable level of information is submitted prior to commencement of development.

The Environment Agency have also been consulted and note that the Excalibur Brook, which is designated as a 'main river', flows in culvert at the southern-western corner of the site. The EA have raised no objections to the scheme.

United Utilities have also been consulted on the application and raised no objections to the proposal subject to a condition for the implementation of the submitted Foul and Surface Water Drainage Design, and Management and Maintenance of Sustainable Drainage Systems condition.

As such, it is not considered that the proposed development would create any significant flooding or drainage concerns, subject to suitable conditions as set out below.

Open Space

In line with Policy SE6 all major developments (10 or more dwellings) should provide 65sqm of open space per dwelling. The Proposed Site Plan shows a communal garden and the Design and Access Statement states that 'the application scheme will be complemented by new landscaping and high-quality open space for residents'.

The Greenspaces officer has confirmed that in this instance the communal space provided as part of the application is sufficient and no offsite contribution is required in this instance due to the proposed use of the apartments.

Affordable Housing

Policy SC5 (Affordable housing) states that in developments of 15 or more dwellings in Principal Towns and Key Service Centres at least 30% of all units are to be affordable. The proposal is for 18 units, which would usually trigger an affordable housing quota. However, the Supported Living provided is a type of affordable provision (not in policy terms) but is legislated by a registered provider who grants an Assured Tenancy to the occupiers. The apartments are self-contained supported living apartments which include 24 hour on-site support and have been designed to ensure that the residents will be able to live as independently as possible. The Strategic Housing Officer has raised no objections to the proposal.

Education

The proposed one bedroom dwellings are not family homes and therefore will not impact on Education services provision. Therefore no education contribution is required in this instance.

Use Class

While the scheme falls within Use Class C3, there is an element of care involved in the use and in practice the site will operate in a similar nature to a sheltered housing scheme or care home. None of the residents will drive due to the nature of their additional needs, and parking is only really required for staff plus visitors.

The applicant has confirmed that a condition restricting the use to 'specialised supported living accommodation (Use Class C3)' is acceptable to ensure the site is not sold off as separate apartments unless a further application is submitted to and approved. This is considered necessary as the application has been assessed on this basis with matters such as car parking requirements and affordable housing acceptable based on the nature of the proposed use.

Other Matters

Within the objections received, concerns have been raised regarding the proposed occupants of the apartments and the location of the site adjacent to a railway level crossing. Network rail have been consulted on the application and have raised no objections to the proposal in principal. Although have set out a detailed informative for the applicant which includes safeguarding potential 'vulnerable users' using the level crossing. This is not a material planning consideration and will be dealt with under Network Rail legislation in association with the applicant/land owner.

Planning Balance and conclusion

The application site lies within the Alsager settlement boundary where Plan Policies advise that new development is in principle acceptable, subject to compliance with all other relevant policies of the development plan.

The application site is a brownfield site in a sustainable location, where the Alsager Arms Public House was previously situated. The Public House was demolished in 2016, and permission was granted for the demolition of the existing pub hotel building and construction of 14no. apartments (16/1024C) which is still implementable, subject to a reserved matters application.. The principle of residential development on this site is fully supported by Development Plan policy and the national planning policy framework.

The proposal is for a similar three storey building; however the use is specifically for 18 self contained one-bedroom specialised supported living apartments, but classified as C3, which is a social benefit to the scheme.

The proposal would bring positive planning benefits such as the provision of new dwellings in a sustainable location, and the associated economic benefits created in the construction of new dwellings and the spending of the future occupiers in the local area.

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The concerns regarding the impact on the bungalows opposite the site, as a result of overlooking, are acknowledged, but the proposal complies with the separation distances for residential development and the impacts are considered to be within acceptable standards.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposed development is considered to be in general compliance with the relevant policies of the Development Plan and it is therefore recommended that planning permission should be granted subject to conditions.

RECOMMENDATION

APPROVE Subject to conditions

- 1. Standard Time**
- 2. Approved Plans**
- 3. External Material details to be submitted**
- 4. Landscape scheme to be submitted (hard and soft landscaping and boundary treatment)**
- 5. Landscape Implementation Scheme**
- 6. Existing and Proposed ground floor Levels, and finished floor level to be approved**
- 7. Submission of a Tree Protection Scheme**
- 8. Submission of a Tree Pruning Specification**
- 9. Submission of a Arb Method Statement**
- 10. A detailed Drainage Strategy/design for surface water drainage**
- 11. Construction Management Plan**
- 12. Development to be carried out in accordance with the noise mitigation scheme**
- 13. Submission of Residents Travel information Pack**
- 14. Provision of Electric Vehicle Charging infrastructure**
- 15. Provision of Ultra Low Emission Boilers**
- 16. Submission of Contamination Remediation scheme**
- 17. Submission of a verification report in accordance with the remediation scheme**
- 18. Prior approval of a soil contamination verification report**
- 19. Development should stop if contamination is encountered**
- 20. Bin and Scooter storage to be made available prior to first occupation**
- 21. Supported Living condition**

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning, in consultation with the Chair (or in his 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.

