

Application No: 22/2785C
Location: 474, CREWE ROAD, SANDBACH
Proposal: Planning application for creation of an additional assisted living accommodation C3(b)
Applicant: Redside Capital Resources Limited, Redside Capital Resources Limited
Expiry Date: 27-Sep-2022

Summary

**RECOMMENDATION:
Approve subject to conditions**

Very limited changes to the external appearance of the building are proposed, therefore there are no design issues

Adequate parking provision and safe site access can be provided.

The impact on residential amenity is acceptable.

The application is therefore recommended for approval.

CALL IN

The application was called in by Cllr Laura Crane for the following reasons:

"I believe the application should be a C2 rather than a C3, Northern Healthcare have been advertising the property for residential care. Point 5 on the applicants planning statement confirms this I believe. It also contradicts itself as the applications states no employees but the planning statement talks about a staffroom.

There is little to no local on or off street parking available for the current properties in the area, this will add additional vehicles. There is very little outdoor space for these flats and I believe the proposed parking removes pretty much all of it. There is also legal dispute over the access to the proposed parking I believe so do not understand how they could plan parking spaces without access to them. I can only see one external door on the plans. This must surely be a fire risk for 4 flats."

DESCRIPTION OF SITE AND CONTEXT

The application site is comprised an end terrace property, situated on the eastern side of Crewe Road, Sandbach. Vehicular access is taken from a private lane to the rear of the rest of the properties on this terrace.

The site is designated as being within the Settlement Zone Line in the adopted local plan.

DETAILS OF PROPOSAL

The proposal comprises the creation of additional assisted living accommodation.

RELEVANT HISTORY

13969/3 Conversion to two flats – Approved 6th April 1982

POLICIES

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

SE 1 – Design

SE 2 - Efficient Use of Land

SE 3 - Biodiversity and Geodiversity

SE 4 – The Landscape

SE 5 – Trees, Hedgerows and Woodland

SE 6 – Green Infrastructure

SE 9 – Energy Efficient Development

SE 12 – Pollution, Land Contamination and Land Instability

SE 13 - Flood Risk and Water Management

IN1 – Infrastructure

SC4 – Residential Mix

CO1 – Sustainable Travel and Transport

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.

Congleton Borough Local Plan (CBLP)

PS4 – Towns

GR6 – Amenity and Health

GR7 – Amenity and Health

GR9 - Accessibility, servicing and provision of parking

GR10 - Accessibility, servicing and provision of parking

GR13 – Public Transport Measures

GR14 - Cycling Measures

GR15 - Pedestrian Measures
GR17 - Car parking
GR18 - Traffic Generation

Site Allocations and Development Policies Document (SADPD)

The Site Allocations and Development Policies Document (SADPD) is at an advanced stage of preparation. The Council received the Inspector's Report on 17 October 2022, completing the examination stage of the Plan. The Report concludes that the SADPD provides an appropriate basis for the planning of the Borough, provided that a number of Main Modifications are made to it. The Council can now proceed and adopt the Plan, which is expected to be decided at the Full Council meeting on 14 December. Having regard to paragraph 48 of the National Planning Policy Framework, relevant policies, as amended by the Main Modifications, may be given substantial weight in determining planning applications.

GEN1 – Design Principles
HOU9 - Extensions and Alterations
HOU10 - Amenity
HOU11 - Residential Standards

Sandbach Neighbourhood Development Plan (SNDP)

PC3 – Policy Boundary for Sandbach
H1 – Housing Growth
H3 – Housing Mix and Type
H5 – Preferred Locations
IFT1 – Sustainable Transport, Safety and Accessibility
IFT2 – Parking
IFC1 – Community Infrastructure Levy
CC1 – Adapting to Climate Change

Material Planning Considerations

National Planning Policy Framework

CONSULTATIONS (External to Planning)

Environmental Protection:

No objection subject to informatives relating to noise, dust and vibration and conditions relating to boilers and electric vehicle charging.

Highways:

No objection subject to a condition relating to provision of parking and cycle spaces.

Flood Risk:

Require a more detailed Flood Risk Assessment.

Environment Agency:

Require a more detailed Flood Risk Assessment.

Canal and River Trust:

No comments to make.

Sandbach Town Council:

Object on the following grounds:

- There is no plan available for parking and no parking available nearby. As there is 24 hour staff cover, it can be assumed that at least 2 parking spaces would be needed at all times. Parking on the main road is not acceptable.
- The single access for the property leads onto a busy main road – this is not appropriate for vulnerable residents.
- Members hold serious concerns over fire safety – there is only one exit in total and no exit from the rear or upstairs of the property.
- Members believe that this is an unsatisfactory use for the property. They are concerned about the amenity of vulnerable residents on this busy main road. For example, the ground floor flat at the front depicts a bed with the head of the resident right next to the window that looks onto the road and footpath. The needs of residents don't appear to have been considered when planning the layout of facilities in the building.

OTHER REPRESENTATIONS

At the time of report writing 11 representations have been received expressing the following concerns:

- Location unsuitable for assisted living due to noise and air quality
- Location unsuitable due to proximity to a busy road
- Location not suitable due to the proximity to a busy public house
- Drainage and flood risk
- Parking
- The property does not have legal access to the rear
- Damage to the rear access
- Rear access is not suitable for more traffic
- Concerns about fire safety
- The application is partly retrospective

OFFICER APPRAISAL**Principle of Development**

The proposal is within the Settlement Zone Line of Sandbach where there is a presumption in favour of development and is also in a very sustainable location due to its access to public transport and other services. The proposal is therefore considered to be acceptable in principle subject to compliance with other relevant policies in the adopted local plan and the NPPF.

Design

There are very few changes to the external appearance of the building, other than blocking up of two external doorways, therefore design issues do not pose any issues with this application.

The proposal is considered to be acceptable and in compliance with Policy SE 1 of the CELPS and Policy GEN1 of the SADPD.

Amenity

The Supported Living facility is for able bodied residents with mental health issues who have recently been discharged from hospital, following assessments by medical professionals to determine their discharge. The facility allows residents to live independently but with the added support should it be required to enable residents to be integrated back into society and live independently. Each resident will have their own tenancy agreement with a social landlord and the building is managed by this social landlord. The support packages will be provided by a health care provider.

In terms of the residential amenity of future residents, there will be 4 people resident in the property. There is adequate garden space, in excess of 60 square metres for these residents to utilise.

Concerns have been expressed about the busy road and proximity to the public house. Whilst the residents will be free to come and go from the property, this is not considered to be a reason that warrant refusal of the application and would be a management issue for staff.

Concerns have also been expressed about the nature of the future occupants of the building. It cannot be assumed that simply because residents have had mental health issues, that they would cause problems to neighbouring residents, especially as there would be staff there to support them.

The proposal is therefore in compliance with Policy GR6 of the CBLP and Policy SE12 of the CELPS.

Highways

The existing site consists of apartments and the proposal is for assisted living accommodation for 4 residents, with off-road parking. The applicant has stated that 2 staff will be needed for the site.

For this use and this number of rooms and staff, four parking spaces would usually be required. Three spaces to the rear of the building have been proposed which are accessed from an existing access off Crewe Road approximately 50m to the south. There is additional room available to add an extra space and this should be conditioned to provide the 4 required spaces. Covered cycle parking should also be conditioned.

The use of the existing access is considered acceptable given the limited scale of development toad and existing use as apartments which will add just 1 additional unit, it should be noted that if the use was kept as existing (3 flats) the use could be more intense as there may be two

residents per flat, instead of the 4 residents that will occupy it in this use. There is no objection from the Head of Strategic Infrastructure.

It is noted that local residents have stated that there is no right of access to this property. The applicant has submitted a Statutory Declaration, which states that they have used the rear access, with and without vehicles, connected to and used pipes, cables and wires for the supply of water, drainage, gas and electricity since March 1979 without interruption or payment until the present day.

In the event that it is proven that this is not the case, the condition requiring the parking provision to be provided prior to first occupation of the building, would prevent the use being implemented.

The proposal is therefore in accordance with Policy GR9 of the CBLP, Policy CO 1 of the CELPS and Policy INF 3 of the SADPD.

Flood Risk

As originally submitted, both the Environment Agency and Flood Risk Officers were not satisfied with the Flood Risk Assessment (FRA). An updated FRA has been submitted and members will be updated on the consultation responses on this.

The FRA sets out that the site is within Flood Zone 2, with the rear garden extending into Flood Zone 3. It also sets out that there is no record of flooding within the site, but there has been historic flooding within 30m to the south.

It should be noted that no extensions are proposed to the building and that it could be used as a residential property (flats) without the need for planning permission. The only change will be the nature of the occupants of the building, namely people needing support in the community. As such a reason for refusal on flood risk grounds would be very difficult to sustain.

CONCLUSIONS AND REASON(S) FOR THE DECISION

Very limited changes to the external appearance of the building are proposed, therefore there are no design issues

Adequate parking provision and safe site access can be provided.

The impact on residential amenity is acceptable.

The application is therefore recommended for approval.

RECOMMENDATIONS

APPROVE subject to the following conditions:

- 1. Time limit**
- 2. Approved plans**
- 3. Materials as set out in the application**
- 4. Provision of 4 parking spaces accessed from the rear of the property prior to first occupation of the building.**

Informatives

NPPF

The hours of noise generative* demolition / construction works taking place during the development (and associated deliveries to the site) are restricted to:

Monday – Friday 08:00 to 18:00 hrs

Saturday 09:00 to 14:00 hrs

Sundays and Public Holidays Nil

Deviation from the above hours may be possible in exceptional circumstances with the written agreement of the Local Authority.

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 Development Management, 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.

