

Application No: 11/0989M

Location: 64, GOUGHS LANE, KNUTSFORD, CHESHIRE, WA16 8QN

Proposal: Demolition of Existing Dwelling and Erection of 41 Bed Care Home

Applicant: Marantomark Ltd

Expiry Date: 06-May-2011

Date Report Prepared: 6 July 2011

SUMMARY RECOMMENDATION

Approve subject to conditions

MAIN ISSUES

- Whether the site is a suitable location for a nursing home of the size proposed both in terms of the use itself and in terms of the size, siting and design of the building
- Whether the proposal has any adverse impact on either the character and appearance of the adjacent Conservation Area or on the openness of the adjacent Green Belt
- The impact upon the amenity of nearby residential occupiers
- The impact upon highway safety
- The impact upon trees of amenity value including those protected by Tree Preservation Orders

REASON FOR REPORT

The application is before the Committee by virtue of the scale of the building exceeding 1000 square metres of floorspace, and the application therefore being defined as a major development.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a two-storey detached dwelling with detached garage, outdoor swimming pool and substantial surrounding gardens. The site is located within a Predominantly Residential Area, adjacent to the Legh Road Conservation Area as identified in the Macclesfield Borough Local Plan.

DETAILS OF PROPOSAL

This application seeks full planning permission for the demolition of the existing dwelling and the erection of a 41 bed care home.

RELEVANT HISTORY

08/1482P - DEMOLITION OF EXISTING DWELLINGHOUSE AND ERECTION OF 41 BED CARE HOME – Approved 19.09.2008

08/0475P - DEMOLITION OF EXISTING DWELLING HOUSE AND ERECTION OF 41 BED CARE HOME - Refused 27.05.2008

POLICIES

Regional Spatial Strategy

DP1 (Spatial principles applicable to development management)
DP2 (Criteria to promote sustainable communities)
DP3 (Promotion of sustainable economic development)
DP4 (Sequential approach to make the best use of existing resources)
DP5 (Objectives to reduce the need to travel and improve accessibility)
DP6 (Linking economic opportunity with areas in greatest need)
DP7 (Criteria to promote environmental quality)
RT2 (Managing travel demand in new developments)

Local Plan Policy

BE1 (Design principles for new developments)
BE3 (Development must preserve or enhance the Conservation Area)
BE13 (Guidance for the Legh Road Conservation Area)
H13 (Protecting residential areas)
DC1 (High quality design for new build)
DC2 (Design quality for extensions and alterations)
DC3 (Protection of the amenities of nearby residential properties)
DC6 (Safe and convenient access for vehicles, special needs groups and pedestrians)
DC8 (Requirements to provide and maintain landscape schemes for new development)
DC9 (Tree protection)
DC38 (Guidelines for space, light and privacy for housing development)
DC57 (Criteria for residential institutions)
DC63 (Requirements for contaminated land)

Other Material Considerations

PPS1: Delivering Sustainable Development
PPS9: Biodiversity and Geological Conservation
PPG13: Transport

CONSULTATIONS (External to Planning)

United Utilities – Comments not received at time of report preparation

Highways – No objection subject to conditions

Environmental Health – No objection subject to conditions

Head of Adult Services – Comments not received at time of report preparation

VIEWS OF THE PARISH / TOWN COUNCIL

Knutsford Town Council – Recommend refusal on the grounds that there is inadequate parking provision and the proposal is over development of the site.

OTHER REPRESENTATIONS

Six letters of representation have been received from local residents at 1, 2, 5 and 6 St Georges Close, 38 Goughs Lane, and 1 Oakleigh objecting to the proposal on the following grounds:

- Insufficient parking and impact upon highway safety (contrary to policy DC6)
- Unsafe access
- Noise, lighting and privacy impact upon neighbouring property. Restrictions to ensure only low level/low intensity car park lighting should also be considered to avoid excessive light pollution.
- Position of waste bins unsightly, unsafe and create odours (contrary to policy DC3 and H13)
- Impact upon the street scene / character of the area / Conservation Area (contrary to policies DC1, H13, BE3 and BE13)
- Overbearing to adjoining dwellings (contrary to policy DC3 and H13)
- No provision for HGVs to turn within the site (contrary to policy DC6)
- Ventilation systems and pumps will result in unacceptable levels of noise (contrary to policy DC13).
- No confirmation from United Utilities that existing infrastructure is adequate for proposal (contrary to policy DC16)
- Over 1.5 miles to nearest shop / community facilities. Limited access to public transport and bus service is infrequent, and is therefore contrary to policy DC57.
- The increase in floor area will be banked and converted to more accommodation which will then increase staff and resident numbers with no obvious areas to increase the provision of on-site parking spaces.
- Original application did not conform to Care Quality Commission (CQC) standards and could not be built as approved.
- Has the Council been provided with satisfactory formal CQC documentary evidence supporting an increase in required total floor area by 25%, as this seems to be the key rationale for submitting the proposed changes.
- Previously imposed planning conditions should be retained. The Council should consider imposing specific restrictions relating to: "alternative uses" for this site (to restrict use to elderly healthcare provision); requirement for a financial contribution towards road maintenance on Goughs Lane, and; signage.
- No assessment of flood risk.
- Existing problems with the sewage (Foul Drain)
- Impact upon water pressure
- Green mesh security fencing out of character

APPLICANT'S SUPPORTING INFORMATION

The applicant has submitted a bat survey, arboricultural report, design & access statement and a planning statement with the application. Full copies of these documents are available on the application file, but the key planning points are summarised below:

- The principle of a care home of the size, scale, design and massing proposed has already been established.
- The proposed building would improve the character of the site, and site comfortably with other buildings around it.
- Increased floor area over previous approval achieved by using basement and roofspace.
- The footprint of the proposed building represents minimum size for a care home to be viable and meet required standards.
- Will provide Knutsford with a much needed facility.
- Level of activity limited to staff changeover times.
- Proximity to public transport will allow staff to travel by public transport.
- The proposal will not have a significant impact upon the character of the area.
- The proposal is in accordance with the development plan, particularly policy DC57.

OFFICER APPRAISAL

Principle of Development

The principle of a care home on this site has previously been accepted by the Council following the approval of application 08/1482M, which granted planning consent for a 41 bed care home.

The current application also seeks consent for a 41 bed care home, which has a 25% increase in footprint compared to the previous scheme. The proposed building has a total width along its rear elevation of 41.5 metres and a maximum depth along the Goughs Lane elevation of 29.5 metres. This compared to the previously approved scheme, which had a width of 37.6 metres and depth of 27.3 metres. The ridge and eaves height are (approximately) as previously approved at 10.2 metres and predominantly 6.1 metres respectively.

The site lies within a predominantly residential area opposite the boundary of the Legh Road Conservation Area and the Green Belt. Local Plan policy DC57 deals specifically with C2 Residential Institutions and states that proposals for residential institutions will be subject to the following criteria:

- 1 The site must be close to local facilities e.g. bus services, local shops and other community facilities and is normally sited in a residential area
- 1 A satisfactory balance of residential uses must be maintained in any neighbourhood and a concentration of specialist housing and care facilities is avoided
- 2 The development must not materially prejudice the amenity of neighbouring property by virtue of overshadowing, overlooking, loss of privacy and noise disturbance
- 3 The development must comprise a reasonable sized private garden in the order of 10m² per resident which has a pleasant aspect and is not overlooked or overshadowed
- 4 That the development satisfies the general requirements for all developments including the provision of on site parking for residents, staff and visitors
- 5 Vehicular and pedestrian access should be safe and convenient

Each of the listed criteria will be considered in turn.

Location

The site lies within a residential area approximately 1500m from the town centre of Knutsford, which is approximately a 20 minute walk away. Whilst the immediate surrounding area does not offer shopping facilities, such facilities are available within the town centre as is a railway station. Bus stops are present on Chelford Road offering services to Macclesfield, Knutsford and surrounding areas. No other care facilities are available within the immediate surrounding neighbourhood and it is not considered that approval of this development would result in a concentration of such uses.

Amenity

With regard to any impact on the amenity of neighbouring property, Local Plan Policy DC3 deals with this issue and states that development should not significantly injure the amenities of adjoining or nearby residential property due to, amongst other things, loss of privacy, overbearing effect, loss of sunlight and daylight, noise and traffic generation, access and car parking. The site of the proposed care home is surrounded by residential properties to the west, south and east.

The proposed care home would be larger than the existing building and surrounding properties in terms of both footprint and height. Given the position of the new building to the north east of neighbouring dwellings on Oakleigh, the potential for overshadowing is considered to be limited. Number 7 Oakleigh lies to the south east, however a number of large trees are situated along the side boundary of this property, which already result in some overshadowing and the proposed building is not considered to make this situation significantly worse. Due to the distances to and relationship with the properties on St Georges Close, no significant over shadowing will occur to these properties.

Minimum distances between the proposed building and properties on Oakleigh are 23.5m to the rear elevation of No.3 Oakleigh, which is the closest of the three properties to the rear, and 13.4m to the side elevation of No.7 Oakleigh. By way of comparison to that previously approved, the respective distances on the extant approval (08/1482P) are 23.5 metres (to no.3) and 14.4 metres (to no.7). Local Plan policy DC38 provides guidelines on space, light and privacy and states that 25m should be retained between facing habitable room windows and a minimum of 14m where a habitable room window faces either a non-habitable room or a blank wall for one or two-storey buildings. Whilst the use of the roof accommodation is not considered to amount to an additional storey, the presence of the roof lights should be given due consideration when assessing the relationship with neighbouring properties. The roof lights will be set approximately 1.5 metres further back on the roof slope than the windows rear wall of the new building. In this case, the properties at 1-5 Oakleigh contain habitable room windows in their rear elevations and these directly face the rear elevation of the proposed care home which also contains habitable room windows.

The minimum distance to the neighbours at 1-5 Oakleigh is less than those outlined in policy DC38, however, extensive screening exists along the rear boundary of these properties and it is considered that this screening together with the distances that are achieved results in an acceptable impact upon the living conditions of neighbouring properties. The distance between the blank side elevation of No.7 Oakleigh is again less than the recommended distance, but by virtue of the existing vegetation between the two, no significant amenity issues are raised. As noted above, a comparison of the plans illustrates that the impact upon

neighbouring properties is very similar to that previously approved. This is a material consideration that should also be afforded significant weight in the determination of the application. In terms of the properties on St Georges Close, this is considered to be acceptable and within the stated distance guidelines.

The application details indicate that the care home will employ 50 staff caring for up to 41 residents on a 24 hour shift basis. The proposed car parking for 14 vehicles is predominantly located at the northern corner of the site, adjacent to the junction of Goughs lane and Chelford Road. The vehicular access from Goughs Lane will be adjacent to the existing substation building with the driveway running parallel with Goughs Lane leading to the car park. The parking areas are therefore located adjacent to the main roads, where general comings and goings are likely to have the least impact upon neighbouring properties. A service / delivery area is also identified on the plans to the rear of 1 and 3 Oakleigh, however, a solid boundary wall is proposed along this boundary in order to minimise any impact of vehicle movements on these properties. Whilst it is acknowledged that the nature of the proposal may involve some out of hours activity, the proposed use would generally operate during the daytime. Finally a bin store will be located adjacent to the existing substation building. Whilst this is relatively close to the garden of number 1 Oakleigh, the bins will be housed in their own building, which will minimise the noise and odour impacts upon neighbouring properties. Having regard to the position and layout of the site, it is not considered that the additional noise and disturbance would be sufficient to justify a refusal of planning permission.

Private amenity space

The site is a substantial one, and adequate outdoor amenity space for residents of the proposed care home is being retained. Policy DC57 states that around 10 square metres per resident is provided and that it should have a pleasant aspect and is not overlooked or overshadowed. Ample space exists to the front of the proposed building and whilst some of this will contain or be overshadowed by trees, the overall amount of space is well above the suggested guidelines.

Highways

The Strategic Highways Manager has commented on the application and has raised no objections. Noting that there is a previous consent on the site for a 41 bed care home approved in 2008, he states that the only changes in terms of highways is that all the car parking is now surface car parking instead of underground and there is a drop off space fronting the building. The vehicular access point is in the same location as that previously approved.

As with the previously approved application there are 14 car parking spaces being provided within the site. Therefore, in highway terms, this application is very similar to the approved scheme and no objections are raised to the current proposal subject to the same conditions being attached.

The comments from local residents and the Town Council on this issue are noted, however, given that the Strategic Highways Manager advises that the proposed number of spaces is adequate given the nature of the use and the location of the site; it is not considered that objections can be raised on this basis. No significant highway safety issues are therefore raised.

Design / character

The proposed building is significantly larger than the existing single dwelling that exists on the site, and the dwellings that surround it. The design of the building is similar to that previously approved under 08/1482P, but with a 25% increase in footprint. However, there is also considered to be a reduction in the bulk and massing of the parts of the building closest to Goughs Lane, with a reduced eaves height compared to that previously approved.

The site is relatively large and it is considered that a building of this scale can comfortably be accommodated within it. The existing screening to all boundaries, together with additional landscaping, which can be dealt with by condition, serves to reduce the impact of the proposal upon the character of the area and the adjacent Conservation Area to an acceptable level.

Similarly, the impact of the proposal on the Green Belt, on the opposite side of Chelford Road, is considered acceptable given the extent of boundary screening and the fact that the building is set away from the boundary with this highway. The proposal is therefore considered to comply with policies, BE1, BE3 and DC1 of the Local Plan.

Trees and landscaping

The site is in a prominent location and is adjacent to the Legh Road Conservation Area it is therefore important to secure a high quality landscape scheme. The landscape scheme submitted with the application is generally acceptable but further details are required. A detailed planting plan is recommended for the front boundary with Gough's Lane and Chelford Road to show in detail the existing trees, hedges and shrubs plus the proposed planting and fencing. Semi-mature trees and large hedge plants are recommended around the corner adjacent to the roundabout to screen the proposed car park and to filter views of the care home building. Full hard and soft details for all other elements of the proposed landscape scheme will be required.

Comments from the Council's Forestry Officer are awaited, however, it is understood that the application follows pre-application discussions on this matter. No trees issues are therefore anticipated, however, full details of the implications of the proposal upon trees of amenity value will be reported to Members in an update.

Ecology

During the course of the application an updated bat survey has been submitted, as the one originally submitted dates back to 2008 and was considered to be out of date. The Council's Nature Conservation Officer has commented on the application and considers that the revised bat survey is acceptable. No evidence of roosting bats was recorded and therefore it is considered that bats are unlikely to be affected by the proposed development.

However, as bats were recorded as being active around the site a condition is recommended to secure an enhancement of roosting opportunities in accordance with PPS9, and as recommended by the submitted ecological survey report.

Other considerations

Concern has been raised by an objector that the additional floorspace will be converted to additional accommodation that would increase staff and resident numbers even further, which

increase parking requirements. This concern is acknowledged and a condition is recommended that restricts the number of bedrooms to 41.

With regard to comments relating to drainage and water pressure etc, comments from United Utilities are awaited and will be reported to Members in an update.

Comments have also been made with regard to Care Quality Commission (CQC) standards, which were not achieved previously, and hence why the previous scheme is being amended. These comments are noted, however, in planning terms the proposal is considered to be acceptable.

A condition has been recommended by Environmental Health requiring the submission of a noise impact assessment, however, this was not attached to the previous permission and the policy context has not changed since that time. Such a condition is therefore considered to be unreasonable in this case.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The principle of a care home in this location has previously been accepted, and the previous permission 08/1482P remains extant. Although the building is larger than that previously approved, the proposal is considered to have an acceptable impact upon the character and appearance of the area, the amenity of neighbouring properties, and highway safety. The massing, height and appearance of the building is very similar to that previously approved. The comments received in representation are noted, however, having regard to the previous approval on this site, and for the reasons outlined above a recommendation of approval is made, subject to the same conditions as those attached to 08/1842P, and the receipt of information from outstanding consultees.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A02EX - Submission of samples of building materials
4. A10EX - Rainwater goods
5. A18EX - Specification of window design / style
6. A21EX - Roof lights set flush
7. A02HA - Construction of access
8. A07HA - No gates - new access
9. A12HA - Closure of access
10. A18HA - Construction of footways
11. A24HA - Provision / retention of service facility

- 12.A26HA - Prevention of surface water flowing onto highways
- 13.A30HA - Protection of highway from mud and debris
- 14.A32HA - Submission of construction method statement
- 15.A01HP - Provision of car parking
- 16.A04HP - Provision of cycle parking
- 17.A05HP - Provision of shower, changing, locker and drying facilities
- 18.A07HP - Drainage and surfacing of hardstanding areas
- 19.A10HP - Driveway surfacing - single access drive
- 20.A01LS - Landscaping - submission of details
- 21.A04LS - Landscaping (implementation)
- 22.A12LS - Landscaping to include details of boundary treatment
- 23.A02TR - Tree protection
- 24.A03MC - Cooking odour extraction equipment
- 25.A06LP - Limitation on use
- 26.A08MC - Lighting details to be approved
- 27.A17MC - Decontamination of land
- 28.A22GR - Protection from noise during construction (hours of construction)
- 29.A23GR - Pile Driving
- 30.Provision of features for roosting bats
- 31.Green travel plan

