

Application No: 16/1636M

Location: Clumber House Nursing Home, 81, DICKENS LANE, POYNTON, STOCKPORT, CHESHIRE, SK12 1NT

Proposal: Erection of a two storey side extension

Applicant: Mr B Owen, United Care South

Expiry Date: 31-May-2016

REASON FOR REPORT

The application was deferred from the Northern Planning Committee meeting on 10 August for the following reason:

“To consider a suitable robust landscaping scheme to be developed in consultation with the local residents and local Ward Members prior to the scheme being brought back to Committee.”

Subsequently, a site meeting took place on site which involved:

- The case officer;
- the Council's landscape architect;
- a resident of Orchard Cottage;
- a resident of Clumber Cottage;
- the applicant's agent/ architect; and
- a landscape architect acting on behalf of the applicant.

A landscape scheme has now been submitted to the council, which has been forwarded to the residents of Clumber Cottage and Orchard Cottage, as well as the local ward councillor for their comments.

REPRESENTATIONS

The following representations have been received since the submission of the landscape scheme:

Clumber Cottage - Maintain their objections to the proposed development on the following grounds:

- The proposed landscape plan is weak and will take 10 years to mature and provide any protection and shows insufficient details with regard levels/distances;
- The scheme as a whole will result in insufficient distance between a commercial property and residential buildings;
- Intrusion to the main bedroom within the existing adjacent property;
- Light pollution;

- Noise pollution;
- Insufficient parking;
- Site access being located on a busy pedestrian route for schoolchildren and more commercial servicing traffic is likely to enhance the dangers of reversing lorries;
- Loss of trees.

The majority of these issues were dealt with by the original report, which is attached below.

Orchard Cottage - the arrangement shown in the plans associated with the landscaping scheme would be the best compromise if the proposed extension is to be built.

LANDSCAPE

The Council's landscape officer has noted that 11 semi-mature trees of 4.5m in height would be planted on the western and northern boundaries of the site surrounding the proposed extension. These trees will increase in height to 5.5m after 7 years and 6.5m after 15 years.

The proposed tree species are holly which is evergreen and a narrow form of beech with a dense, upright branch structure which is good for screening. A new 1.75 to 2.0 metres high laurel hedge would be planted along the northern boundary. The existing mature shrubs along the western boundary would be retained where possible and would be supplemented with additional evergreen shrubs.

Neighbour comments regarding the time it will take for the proposed landscaping scheme to mature on noted. Whilst at the point of implementation the proposed landscaping scheme will not completely screen the proposed extension, it will soften its impact to a point at which it is considered to be acceptable. Therefore the scheme as a whole is in compliance with Macclesfield Local Plan Policy DC8 and it is considered that the proposed scheme remains in line with Macclesfield Local Plan Policy DC3: Amenity.

As in the original report (attached below) the application is recommended for approval subject to conditions.

ORIGINAL REPORT PREPARED FOR NORTHERN PLANNING COMMITTEE MEETING 10 AUGUST 2016. INCLUDING UPDATES PREPARED 08/08/2016 AND 09/08/2016.

The application has been called to Committee by Cllr Saunders for the following reasons:

1. It is proposed that there will be 8 more rooms, yet no increased parking for the additional staff and visitors.
2. Threat to protected trees.
3. Adverse impact of the extension of a commercial and communal living facility on neighbouring dwellings, including overbearing affect and extra noise. This growth of a non-residential building will not be appropriate in scale and will adversely affect the residential amenity and character of the housing area.

SUMMARY

The proposed development will provide an additional eight residential care places that will help to serve the ageing population in the Borough. Whilst the proposed development is located close to neighboring properties existing and proposed additional screening will prevent it from resulting in any significant negative impact upon the living conditions of neighboring properties or the surrounding area. Therefore a recommendation of approval is made, subject to conditions.

RECOMMENDATION

Approve subject to conditions.

PROPOSAL

This application seeks full planning permission to erect a two storey extension to Clumber House Nursing Home. The extension will project from a previous extension to the building, creating a new wing to the nursing home.

SITE DESCRIPTION

The proposed site comprises of the original house built around 1904 and a more modern extension constructed following planning approval 49498P in 1998. The site slopes in a north-easterly direction away from Dickens Lane and Clumber Road, and is accessed from Dickens Lane. There is a large car park to the south of the site; further parking is also available close to the site's eastern boundary. There is a small out building to the rear.

The boundaries of the site are defined by large trees, and there is a large group of trees to the west of the site. The site is located within a Predominantly Residential Area as identified in the Macclesfield Borough Local Plan, and the majority of the site is subject to a Tree Preservation Order.

RELEVANT HISTORY

29338P: Change of use from flats to residential rest home. Approved: 14-Apr-1982.

39002P: Proposed erection of elderly persons 12 bed unit. Approved: 19-Nov-1984.

48254P: Extension to rest home. Refused: 10-Apr-1987.

49498P: Extension to provide additional rooms within Class XIV usage. Approved: 16-Feb-1988.

71905P: Conversion of existing dwelling and extensions to form additional accommodation for the nursing home. Refused: 02-Dec-1992.

13/4593M: Retrospective application to create a metalled front car park and entrance gates. Approved: 18-Mar-2014

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.

56-68 Requiring good design

Development Plan

The relevant Saved Policies of the Macclesfield Borough Local Plan are:

NE11 Nature conservation;

BE1 Design Guidance;

H13 Protecting Residential Areas;

DC1 and DC2 Design;
DC3 Residential Amenity;
DC6 Circulation and Access;
DC8 Landscaping;
DC9 Tree Protection;
DC35, DC36, DC37, DC38 relating to the layout of residential development;
T3 Pedestrians;
T4 Access for people with restricted mobility;
T5 Provision for Cyclists.

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

Cheshire East Local Plan Strategy – Proposed Changes Version (CELP)

The following are considered relevant material considerations as indications of the emerging 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
SE1 Design
SE3 Biodiversity and geodiversity
SE4 The Landscape
SE5 Trees, Hedgerows and Woodland

CONSULTATIONS (External to Planning)

Environmental Health- No Objection

Cheshire East Council: Flood Risk – No objection subject to condition ensuring the effective management of surface water is submitted to and approved by the Council.

Poynton Town Council:

Object to the application on the following grounds:

- Lack of parking.
- Possible threat to protected trees
- Impact on neighbouring residential properties, especially Orchard Cottage, Clumber Cottage and 89 Clumber Road.

REPRESENTATIONS

Six letters of representation have been received objecting to the proposal on the following grounds:

- the proposals being located too close to residential properties;
- loss of light;
- loss of privacy;
- removal of trees resulting in loss of privacy and noise pollution;

- in an increase in beds resulting in more visitors and delivery causing increased noise pollution;
- overdevelopment of the proposed site;
- overbearing effect on nearby properties;
- loss of visual amenity;
- issues regarding surface water flooding;
- increase traffic congestion;
- lack of increased parking;
- tree loss/damage to trees;
- the scale of the proposed extension;
- the proposals resulting in a mismatch with surrounding properties.

APPRAISAL

The key issues are:

- Impact upon amenity of neighbouring property;
- Impact upon nature conservation interests;
- Protected trees;
- Impact upon character of the area;
- Highway safety;
- Nature conservation.

ENVIRONMENTAL SUSTAINABILITY

Design / Character

Paragraph 56 of the NPPF notes that “the Government attach great importance to the design of the built environment. Good Design is a key aspect of sustainable development, indivisible from good planning”.

Policy BE1 of the local plan requires new development to achieve the following design principles:

- Reflect local character
- Respect form, layout, siting, scale and design of surrounding buildings and their setting
- Contribute to a rich environment and add to the vitality of the area

- Be human in scale and not normally exceed 3 storeys
- Use appropriate facilities

Policy H13 states that development which would adversely affect the character of a housing will not normally be permitted.

Comments received from the Town Council and neighbouring properties are noted. However, the proposed extension reflects the scale and design of the existing extension, from which it projects. Whilst the site is surrounded by residential properties that differ in design and scale from the proposed extension. The extensive boundary treatments surrounding the site create division between the residential properties and the nursing home to which this application relates. This screens the existing nursing home, and would also screen the proposed extension preventing it being viewed from both the street and neighbouring properties.

Based upon the size of the site in relation to the scale of the buildings proposed to be located within it, the proposals are not considered to be overdevelopment of the site. On this basis the proposed development is considered to be in line with the above planning policies, and is therefore considered to be acceptable on design grounds, and will have an acceptable impact upon the character of the area.

Forestry and Landscaping

Trees

The Forestry Officer has made the following comment on the application, which is supported by an Arboricultural Statement.

The majority of the Clumber House Rest Home excluding the north east corner of the site is subject of a Macclesfield Borough Council Tree Preservation which was served in 1974. The designation only protects the trees and species listed which were present on site when the order was served.

The Arboricultural Statement identifies the felling and removal of five individual trees (T3, 4, 5, 6, & 7) and four groups of trees (G2, 3, 4, 5, & 6) in order to facilitate development. Only the young Horse chestnut (possible replacement planting) identified within Group 4, and the Silver Birch within Group 5 form any part of the existing 1974 Tree Preservation Order (TPO); all the remaining trees by virtue of their age (less than 42 years old) and / or the absence of the species listed within the Order are not formally protected.

None of the trees identified for removal, which are not currently protected, are considered worthy of formal protection; and those which are protected already by the TPO are both considered to be low value inconsequential specimens. A condition is recommended to ensure the physical protection of all trees on site.

On this basis it is considered that the proposals are acceptable with regards Macclesfield Local Plan Policy DC9: Tree Protection.

Landscaping

The removal of the trees and shrubs associated with the central aspect of the development and the western boundary have the potential to open up views into the private residential properties on Clumber Road and their respective residential gardens.

The proposed site plan shows three new trees to be planted along this boundary. The extent to which these trees are able to protect the visual amenity of the adjacent properties is dependent on their species and height. Therefore, a condition is recommended to ensure that all trees that are to be removed are replaced with appropriate specimens and that and evergreen understorey shrubs are planted along the site's western boundary to improve screening.

Views into the site from the Dickens Lane are significantly restricted especially through the Summer months by the mature Lime Trees which form the Dickens Lane frontage. The proposals do not involve any works to these trees.

Overall, the proposals are considered to comply with Macclesfield Local Plan Policy DC8: Landscaping.

Ecology

The Council's Nature Conservation Officer has advised that a Protected Species Survey is required to enable the full impact upon any protected species to be considered. This survey remains outstanding, and further details will be provided as an update.

Update prepared 08/08/2016

The applicant has submitted a report detailing the findings of an Ecological Scoping Survey of the site undertaken in August 2016. Indicating at there was evidence of a protected species being found onsite. The Council's Nature Conservation Officer is satisfied with the surveyors procedures and assessments of the risks to protected species. And following the findings within the Survey Report has recommended conditions be include within the decision notice requiring:

- an appropriate mitigation statement, with regard the protected species; and
- the protection of nesting birds during clearance work or works to trees.

Residential Amenity

Policy H13 states that development which would adversely affect the amenities of the occupiers of adjoining or nearby houses will not normally be permitted. Whilst Policy DC3 of the local plan states that development should not significantly injure the amenities of adjoining or nearby residential property and sensitive uses due to matters such as loss of privacy, overbearing effect, loss of sunlight and daylight and traffic generation and car parking.

Policy DC38 sets out guidelines for space between buildings with regards space light and privacy. It suggests that these distances are increased when a habitable room faces a non-residential building. Both local residents and Town Council have suggested that Clumber House Nursing Home is not residential use. However, a nursing home falls within the use class C2: Residential Institutions, and therefore is considered to be a residential building.

The closest relationship between the proposed building and neighbouring residential properties will take place where the western elevation will face existing properties at Clumber Cottage and Orchard Cottage. There is an incline between the rear garden of Clumber and Orchard Cottage towards the location of the proposed extension. As a result the ridge level of the proposed extension would sit approximately 3.80m above the ridge height of the closest section of Orchard Cottage to the proposed extension. There are a number of windows on the east elevations of both Clumber Cottage and Orchard Cottage that face in a north east direction towards the site of the proposed extension.

None of the first floor windows on the west elevation of the proposed extension serve habitable rooms.

Space, Light and Privacy

Macclesfield Local Plan Policy DC38 suggests that there should be minimum of 14m distance between windows serving habitable rooms that face directly onto windows serving non-habitable rooms or blank elevations within one and two storey buildings. This figure should be increased by 2.5m for every additional storey. The incline between Clumber Cottage and Orchard Cottage and the location of the proposed extension, has created a situation whereby the proposed extension will sit approximately one storey above the existing residential properties. The proposals will result in a distance of approximately 11m between four

windows serving habitable rooms on the North East elevation of Clumber Cottage (two on the ground floor and two on the first floor) and the south-western corner of the proposed extension. The recommended distance in policy DC38 would be 16.5m. However, there is a large amount of screening provided by the trees (that exceed the ridge height of the existing extension at Clumber House Nursing Home) and shrubbery that make up the extensive boundary between the two residential properties and the proposed site. The Landscape Section of this report recommends a condition to ensure the density of this boundary screening is increased should this application be approved. Therefore, it is considered that the proposals will not result in any significant loss of light or privacy to these windows, or any other window within Clumber Cottage or Orchard Cottage, when compared to the existing situation. Furthermore, the windows in question are all serving rooms that are served by additional windows. This is the case for all the windows located on the north-east elevations of Clumber Cottage and Orchard Cottage that serve habitable rooms. With the exception of one window serving a living room on the ground floor of Orchard Cottage. This window is located 19m from the proposed extension and is set within an alcove. Therefore, it is again considered that the proposals will not result in any significant loss of light to this window when compared to the existing situation

Overbearing effect

Whilst the ridge height of the proposed extension will stand at approximately 12.1m above the rear gardens of Orchard Cottage and Clumber Cottage. Due to the extensive screening separating the nursing home from the effected dwellings and the way in which the ridge of the proposed extension slopes away from these boundaries, it is not considered that the proposed extension will result in an overbearing impact upon Orchard Cottage or Clumber Cottage.

Noise

The proposals will result in an increase in bed spaces within Clumber House Nursing Home, but no significant increase in noise levels is anticipated. Should the proposed development, or any other aspect of the operation of Clumber House Nursing Home, result in unacceptable levels of noise this is a matter to be dealt with by the council's Environmental Protection Team, who have been consulted regarding this application and not raised any objection on grounds of noise.

Highways

Cheshire East Council: Highways Development Management- Standing Advice for Local Planning Authorities (April 2015) states that the Highway Authority should not be consulted on certain proposed developments (not involving the formation or alteration of a vehicular access to the public highway). These include extensions to residential institutions for up to 30 residents beds. In such instances the planning officer is required to check that:

- parking provision on site meets that within Appendix C of the Cheshire East Local Plan Strategy Submission Version (March 2014); and that

where loading/unloading facilities are required sufficient area must be provided within the development site to allow vehicles to load/unload together with appropriate manoeuvring areas.

Site Access

The proposals do not involve formation or alteration of a vehicular access to the public highway.

Parking

Parking standards set out within Appendix C of the Cheshire East Local Plan Strategy (Submission Version) March 2014 recommend the following parking provision:

- Residents – one per three beds; and
- Staff – one per resident staff and one per two non-resident staff.

The table below sets out the parking requirements for the proposed site based on the above guidance:

	Existing		Proposed	
	Beds/Staff	Parking Spaces Required	Beds/Staff	Parking Spaces Required
Beds	32	11	40	14
Resident Staff	0	0	0	0
Non Resident Staff	16	8	18	9
TOTAL		19		23

Whilst neighbour and town council comments regarding the lack of increased parking provision are noted, the proposals will still provide 24 onsite parking spaces, which will meet the parking requirements for the extended building.

Loading/unloading facilitates

Neighbour and town council comments are noted however, there are no loading/unloading facilities associated with this development.

A condition is recommended that a Construction Management Plan including use and parking of motorised vehicles or construction machinery.

Flood Risk

The flood risk manager has raised no objections to the proposal subject to a condition requiring a scheme for the provision and implementation of a surface water regulation system to be submitted.

SOCIAL SUSTAINABILITY

Need for the development

Paragraph 6.24 of the Cheshire East Strategic Housing Market Assessment (SHMA) update published in September 2013 states:

“The proportion of older people is expected to increase over the next few decades. Between 2010 and 2030, the number of households: aged Pensionable age to 74 is forecast to increase by 13,300; aged 75-84 is forecast to increase by 14,000; aged 85 and over is forecast to increase by 11,200; and an overall increase of people of pensionable age and above of 38,500.”

This indicates that there is an ageing population in Cheshire East, a fact that is also reinforced by the 2011 Census figures.

The 2011 Census identifies:

- The percentage of people aged 65 or over in England and Wales is 16.4%
- The percentage of people aged 65 and over in Cheshire East is 25.9% which is 37% higher than the average in England & Wales

- The percentage of persons in England & Wales who live in a Communal Establishment is 0.18%
- The percentage of people in Cheshire East who live in a Communal Establishment is 0.14% which is 23% lower than the average in England & Wales

These figures indicate that there is a higher demand for elderly accommodation in Cheshire East and a lower provision when compared to the rest of England & Wales which does suggest that the proposal will satisfy an unmet need.

ECONOMIC SUSTAINABILITY

With regard to the economic role of sustainable development, the proposed development would make a limited contribution to this by potentially creating some jobs in construction, economic benefits to the construction industry supply chain, and increased business to local shops and services.

PLANNING BALANCE

The proposed development will provide 8 additional care beds which will help to serve the ageing population in the Borough. Whilst the proposed development is located close to neighbouring residential dwellings, the existing and additional screening will prevent it from resulting in any significant negative impact upon the living conditions of neighbours or the surrounding area. Therefore a recommendation of approval is made, subject to conditions.

RECOMMENDATION

The application is recommended for approval.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. Commencement of development (3 years).
2. Development in accord with approved plans.
3. Materials to match existing.
4. Obscure glazing requirement
5. Prior to the commencement of development a scheme for the protection of the retained trees shall be produced and approved by the Local Planning Authority.
6. Criteria by which the approved landscaping plan shall be completed.
7. Protection of breeding birds during works to trees.
8. Provision and implementation of a surface water regulation system
9. Submission of construction method statement
10. Protected species report to be submitted and approved by the Council.
11. Details of proposed lighting to be approved prior to construction.

Informative: Environmental Health considerations regarding noise and odour disturbance.

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 (Regulation) in consultation with the Chairman (or in their absence the Vice Chairman) of the Northern 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.

