

APPLICATION NO	PA/2012/1315
APPLICANT	Mr Sukhi Majara, Gresham Lodge Care Home
DEVELOPMENT	Planning permission for proposed change of use of part of rear garden and part of front garden of 253 into curtilage of care home, extension and alterations to Gresham Lodge, 255 Ashby Road and change of use to 257 Ashby Road to offices, meeting room, reception area and staff facilities in connection with Gresham Lodge Care Home in accordance with amended plans received on 14 December 2012, 8 January 2013 and 28 January 2013
LOCATION	Gresham Lodge, 255 Ashby Road, Scunthorpe
PARISH	SCUNTHORPE
WARD	Kingsway and Lincoln Gardens
CASE OFFICER	Ron White
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Councillor Gosling – significant public interest) Third party request to address the committee

POLICIES

National Planning Policy Framework: Paragraph 56 states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 57 states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including buildings, public and private spaces and wider area development schemes.

Paragraph 70 states that to deliver social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments
- ensure that established shops and facilities are able to develop and modernise in a way that is sustainable and retained for the benefit of the community.

Regional Spatial Strategy for Yorkshire and the Humber: No specific policies apply.

North Lincolnshire Local Plan: Policy DS1 (General Requirements) sets out the standards of design for all new developments.

Policy DS4 (Changes of Use in Residential Areas) applies.

Policy H16 (Nursing and Rest Homes) sets out the criteria for the development of both new and converted properties for residential nursing and rest homes within the Scunthorpe and Bottesford urban area.

North Lincolnshire Core Strategy: No specific policies apply.

CONSULTATIONS

Highways: No objections subject to conditions.

Historic Environment Record: No response.

Environment Agency: No response.

PUBLICITY

Neighbouring properties have been notified and a site notice posted. Five letters have been received raising the following concerns:

- This commercial development as proposed is out of keeping with the character of the surrounding area.
- The gardens in this area of the town are part of the character of the area and should be retained.
- The semi-detached house (253 Ashby Road) should be kept as a family home together with its garden in its entirety.
- 253 Ashby Road, the under-roof semi with 251 Ashby Road, should have a separate driveway onto Ashby Road and people living at this address should not have to cross the forecourt of the Gresham Lodge care home (255 Ashby Road).
- To help the street scene and more clearly identify the private residential property of 253 Ashby Road, a fence should be erected between 253 and 255.
- This site has a long planning history [see Background section of this report].
- The current application is misleading and inaccurate in a number of respects.
- No tree survey has been provided even though there are preserved trees on the site and a hedgerow is proposed to be removed.
- Measurements on plans are inconsistent with the scale identified on those plans.
- The description of the development is misleading in respect of 253 Ashby Road.

- It is not accurate to say in the Design and Access Statement that ‘a small portion of the rear garden of 253 shall undertake a change of use to form part of the curtilage of the Gresham Lodge Care Home site’ – more than half the garden of 253 is affected.
- 253 will not be the same as 251 Ashby Road, the under-roof semi. It will be different in character, with only one parking space with access to it across Gresham Lodge’s driveway.
- A new fence should be erected between 253 Ashby Road and 255 (Gresham Lodge) to improve the street scene and define the access to the proposed new private parking space allocated to 253 Ashby Road.
- Deliveries to the site should be improved. There is evidence of large (7.5 tonne) lorries reversing out of the site into Ashby Road.
- There is inadequate provision for disabled access to the site and to Gresham Lodge itself.
- There has been inadequate neighbour notification.

BACKGROUND

Objectors have referred to this site’s long planning history. Over the years a number of applications for extensions and alterations to Gresham Lodge, to facilitate its expansion from its current size, have been refused. Most recently, in 2011, an application was refused by this Planning Committee because it was felt that the development as proposed would have an adverse effect on the character and appearance of the area and the amenities of the occupier of the adjoining residential property. Subsequent to that refusal a resubmission was made in 2012 which was withdrawn by the applicant following discussions and negotiations with council officers.

This current submission follows a complete re-think by the applicant and his agent of the way forward to provide improvements for the residents of Gresham Lodge whilst at the same time not adversely affecting both the character of the area or the amenities of neighbours to the site to such a degree that would warrant the development being unacceptable.

ASSESSMENT

The proposal needs defining. It consists of a number of elements. The first, and probably most important, is that the site now incorporates a bungalow to the south of Gresham Lodge (257 Ashby Road) and its garden which has previously been occupied for residential purposes. It is now proposed to change the use of that bungalow into staff facilities as described in the application documents and incorporate its expansive garden into the curtilage of the care home.

Additionally, and of equal importance, is the way that this proposal impacts upon the use of 253 Ashby Road. Previously it has been intended to use this premises as an integral part of the care home. This is no longer the case. 253 Ashby Road is to remain a wholly private and domestic residential property with its own car parking space from Ashby Road, its own front garden and a garden area to the rear, albeit smaller than what it has previously enjoyed. The balance of the garden area of 253 is being taken into the curtilage of

Gresham Lodge Care Home in order to provide a better outlook for residents and also to help provide landscaping to reduce the impact of the structure on neighbouring property facing Hopkins Avenue.

The remaining elements of the proposal relate to Gresham Lodge Care Home itself inasmuch as they provide, in addition to significant internal alterations, two single-storey extensions which provide for a single en suite bedroom, laundry and sluice room, and a block of seven bedrooms housed in a single-storey structure integrated into the existing main body of the care home.

These alterations to the building fundamentally are to improve the overall facility for residents by providing 15 ground floor en suite rooms and changing the four rooms at first floor similarly into en suite accommodation.

In the construction of the buildings, roof tiles, roof designs and external materials are all being specified to harmonise with the existing materials used in the construction of the existing buildings.

The principal determining issues in this case are:

- 1. the impact of the proposed changes in the way the care home is arranged and run within the curtilage of its site on the residential amenity of neighbouring properties;**
- 2. whether or not the improvements to the area at the front of Gresham Lodge Care Home to facilitate car parking and vehicle turning and manoeuvring areas are adequate and do not prejudice highway or pedestrian safety;**
- 3. whether the activity created in this predominantly residential area of the town is to a level which impacts upon its character; and**
- 4. whether adequate measures have been taken to both protect and preserve the trees on the site, and also provide adequate screening and soft landscaping around the development to maintain the character of this area of the town.**

By making reference to the Consultation section of this report, members can see that there have been no technical objections raised from a highway perspective, or for that matter from any other technical consultees, to this development subject to certain conditions being imposed. It is therefore difficult to sustain the objections that have been raised on traffic grounds.

From a policy perspective it is clear from the National Planning Policy Framework that it emphasises the importance of good design in ensuring that development adds to the overall character and quality of the area. In this regard these amended proposals pose no conflict with either the National Planning Policy Framework nor saved policies from the North Lincolnshire Local Plan.

Moving onto the suggestions that 253 Ashby Road should have its driveway more clearly defined and boundary fences should be erected between 253 and Gresham Lodge (255), whilst this would strengthen the urban residential character of this area, it would no doubt lead to difficulties for vehicles, both service and private, entering and leaving the Gresham Lodge site. It is therefore considered that the objections themselves cannot be substantiated on highway grounds nor is it practical to provide fencing and boundary

features within the tarmacked parking and vehicle turning and manoeuvring areas required by Gresham Lodge.

That element of 253 Ashby Road that is to be taken into the curtilage of Gresham Lodge is to the rear of the garden and leaves a significant area of private garden area for 253. It is considered that the retained area is appropriate with current standards of gardens that are required for similar types and styles of residential development as forms 253 Ashby Road and an objection on the loss of this garden area to 253 cannot be substantiated.

The issue of disabled access both to the site and the buildings will be controlled through Building Regulations requirements.

The objectors mention the fact that no tree survey has been required to be submitted with this application even though there is evidence of preserved trees on the site. This issue has been checked and the preserved trees are in the front garden of the bungalow known as 257 Ashby Road. In fact, following a site inspection, it is observed that only one of the preserved trees now remains.

It is important that the council is content with the fact that these trees will not be harmed and the applicant has been asked to confirm that the existing driveway and front garden area to 257 Ashby Road will be retained in its present form, that is to say the pavior surface with the trees and non-preserved shrubs within planter areas will be retained in its existing form and will not be tarmacked over as was originally proposed.

Taking this into account the council is satisfied that the preserved and other trees in the front gardens of both Gresham Lodge and 257 Ashby Road will not be harmed nor their health prejudiced and therefore a condition will be imposed on any planning permission granted that prohibits any work being carried out to these trees without the express written consent of the local planning authority.

Under these circumstances, as defined on the application forms, it is for the council to decide, at its discretion, whether or not a tree survey is required and in this instance the council is so satisfied.

The boundary hedge that exists between Gresham Lodge (255) and 257 will be removed to give a larger extended garden area to the care home facility.

Because of the extra land taken into the curtilage of Gresham Lodge Care Home by the extension of the garden at the rear of 253 Ashby Road and the former garden area of 257 Ashby Road, and the fact that the extensions proposed to Gresham Lodge are single-storey, the distance involved to the boundaries of the site and after taking account of the character and fabric of the boundaries of the site, there will be no loss of amenity to neighbouring properties or their gardens which would warrant resisting this proposal on that ground alone, as a result of the proposed extensions.

Turning now to the character of the development, the impact of its activity on the area generally and whether or not, in this instance, this commercial business is out of character with the area, it has previously been stated in this report that the aim of these extensions and alterations is to improve the facilities for the residents occupying Gresham Lodge and to improve facilities for staff and visitors alike. From the submitted plans it is indicated that there is a net increase of two additional bedrooms to the care facility, albeit now all with en suite facilities. This fact alone suggests to the council that this moderate increase in accommodation level will not lead to such an increase in activity and general comings and

goings to and from the site that will significantly change the existing level of activity that goes on on a day-to-day basis at Gresham Lodge.

It is therefore not possible to substantiate a refusal on the grounds that an increase in activity of a commercial nature on this site will adversely affect the character of the area to such a degree on its own that warrants resisting the proposal.

Finally, an element of the scheme that has not been discussed either elsewhere in this report or by the objectors is the applicant's intention to provide a new brick boundary wall along the site's frontage whilst at the same time retaining an existing tree. The new boundary wall will be constructed to facilitate an in and out access and be to a maximum height of 1.21 metres consisting of a dwarf wall with hoop-topped mild steel fencing rails painted black to strengthen the identity of the entrances and exits to and from the application site whilst giving an acceptable appearance to the street scene.

In conclusion, there are no reasons to resist this proposal on planning grounds.

Discussions and negotiations with council staff have removed previous objections and have, by the purchase of additional property, facilitated a carefully and sympathetically designed improvement of these facilities whilst at the same time not harming local character or residential amenity of the area to such a degree that would warrant the permission being refused. Additional benefits have been incorporated such as defined disabled parking facilities, a covered bin storage area away from neighbouring residential property, an area for staff and visitors to park cycles within the site and the retention of as much of the existing mature landscape as possible.

Accordingly it can be confirmed that there are no remaining reasons to refuse this development and subject to the following conditions the proposal should be approved.

RECOMMENDATION Grant permission subject to the following conditions:

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: 6698-01, 6698-02, 6698-03 Rev A, 6698-04, 6698-05 Rev A, 6698-06 Rev B and 6698-07.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

The proposed new unit shall not be brought into use until the vehicle access to it and the vehicle parking, turning and servicing areas serving it have been completed in accordance with the approved details. Once complete the vehicle parking, turning and servicing areas shall be retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

4.

The submitted framework travel plan shall be fully implemented prior to the proposed development being brought into use and all conditions and requirements of the plan shall be fully implemented and retained at all times that the use is in operation.

Reason

To ensure that the proposed development operates in a safe and sustainable manner with minimal disruption to the highway network.

5.

The final travel plan shall be submitted to and approved in writing by the local planning authority within six months of the proposed development being brought into use and all conditions and requirements of the plan, once approved, shall be implemented and retained at all times.

Reason

To ensure that the proposed development operates in a safe and sustainable manner with minimal disruption to the highway network.

6.

The travel plan, once approved and in place, shall be subject to monitoring on an annual basis for a period of three years from the approval date. The monitoring report on the impact of the travel plan shall be submitted to the local planning authority on the first of January each year following the grant of planning permission. All amendments to the approved travel plan identified as a result of the monitoring process shall be implemented and retained.

Reason

To ensure that the proposed development operates in a safe and sustainable manner with minimal disruption to the highway network.

7.

Before development is commenced, details of the method of protecting the existing trees and hedgerows on the site throughout the construction period shall be submitted to and approved in writing by the local planning authority, and such works as may be so approved shall be carried out before development is commenced, and maintained until completion of the development. None of the trees or hedgerows so protected shall be wilfully damaged or destroyed, uprooted, felled, lopped or topped, nor any other works carried out which would cause damage to the root systems or otherwise threaten the lives of the tree/hedgerows during the period of construction without the previous written consent of the local planning authority. Any trees or hedgerows removed without such consent or dying or being severely damaged or becoming seriously diseased during that period shall be replaced with trees/hedgerows of such size and species as may be agreed with the local planning authority.

Reason

In order to protect the existing trees and hedgerows on the site.

8.

No trees or hedgerows shall be wilfully damaged or destroyed or uprooted, felled, lopped or topped nor any other works carried out which would cause damage to the root systems or otherwise threaten the lives of the trees/hedgerows without the previous written consent of the local planning authority. Any trees or hedgerows removed without such consent, or dying or being severely damaged, or becoming seriously diseased, shall be replaced with trees/hedgerows of such size and species as may be agreed with the local planning authority.

Reason

In order to protect the existing trees and hedgerows on the site.

9.

No development shall take place until a full schedule of all external facing materials has been submitted to and approved in writing by the local planning authority to include all bricks, joinery products, roof coverings, rainwater goods and external finishes, and only the approved materials shall be used.

Reason

In order to retain the character of the listed building in accordance with policy HE5 of the North Lincolnshire Local Plan.

Reasons for approval

The council, as local planning authority, has had regard to the relevant policies of the development plan as set out below and considers that, subject to compliance with the conditions attached to the permission, the proposed development would be in accordance with the development plan, would not materially harm the character of the area nor the living conditions of neighbouring occupiers, and would be acceptable in all other planning considerations.

The council has taken into account all other matters, none of which outweigh the considerations that have led to its decision. The policies taken into consideration in the determination of this application are paragraphs 57 and 70 of the National Planning Policy Framework.

Informatives

1. The applicant is advised to take all reasonable steps to reduce the level and duration of noise arising from the demolition process associated with this development. Particular attention should be paid to the following:

- Should the use of any generators be required during any stage of the development, the applicant is advised to source low noise output generators.
- Working hours for demolition/construction work on this site should also be restricted to the following periods:

Monday to Friday	8am to 6pm
Saturday	8.30am to 1pm

with no working on Sundays or Public/Bank Holidays.

2. In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



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