

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 6 July 2011

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APPLICATION REF. NO:	11/00193/FUL
STATUTORY DECISION DATE:	6 June 2011
WARD/PARISH:	HUMMERSKNOTT
LOCATION:	The Gardens Care Home, Pondfield Close
DESCRIPTION:	Erection of elderly mentally ill (EMI) unit incorporating 12 No bedrooms to the south elevation and an extension to the north elevation to form a 2 No bedroom extension to the existing care home (Amended and additional plans received 26 May 2011)
APPLICANT:	ASCOT CARE NORTH EAST LIMITED

APPLICATION AND SITE DESCRIPTION

The application property is a 46 bed elderly persons' care home located on Pond Field Close, a cul-de-sac off Salutation Road. The building is a relatively modern brick built building, predominantly single storey in form. It is bounded by residential properties on Salutation Road to the south and on Baydale Road to the west and by West Cemetery Allotments to the north and east.

Planning permission is sought for the erection of a single storey extension to the south of the existing building to provide a 12 bed elderly mentally ill (EMI) unit, together with an extension to the north elevation to provide a further two bedrooms serving the existing care home. The proposed extension to the southern elevation is to measure approximately 49 metres long by 7.2 metres deep, increasing to 10 metres deep at its eastern end to accommodate a lounge to serve the EMI unit. The extension will be linked to the existing building by two small corridors, and will be approximately 8.8 metres in height at ridge level. The extension to the north elevation will be T-shaped, and will have a maximum depth of 10.8 metres and will be 10.4 metres in length, with a height to ridge level of approximately 8.4 metres.

A small car park serving the property located at its northern end, and will be extended to provide an additional three disabled parking spaces. There are a number of mature trees both within and adjacent to the site, some of which are proposed to be removed to facilitate the proposed development. An Arboricultural Implications Assessment has been submitted with the application, together with a Design and Access Statement and a Land Contamination Assessment that does not identify any contamination issues on the site.

PLANNING HISTORY

94/00639/MISC – Erection of a conservatory to serve as a main entrance porch. GRANTED 26.10.1994

98/00733/FUL – Erection of seven bungalows for sheltered accommodated. GRANTED 5.7.1999

01/00610/FUL – 4 no. single storey extensions to building. GRANTED 10.10.2001

10/00051/FUL – Erection of 6 no. en-suite bathroom extensions and external alterations to building. GRANTED 16.3.2010

10/00519/FUL – Erection of garden room and conversion of small lounge to double bedroom with en-suite (south elevation). GRANTED 21.9.2010

PLANNING POLICY BACKGROUND

The following policies are relevant to consideration of the application:

Saved Policies of the Borough of Darlington Local Plan 1997:

H19 – Special Care Accommodation

Darlington Core Strategy Development Plan Document 2011:

CS2 – Achieving High Quality, Sustainable Design

CS14 – Promoting Local Character and Distinctiveness

CS15 – Protecting and Enhancing Biodiversity and Geodiversity

CS16 – Protecting Environmental Resources, Human Health and Safety

Design of New Development Supplementary Planning Document 2009

Planning Policy Statement 25 – Development and Flood Risk.

RESULTS OF CONSULTATION AND PUBLICITY

Highway Engineer

An increase in the number of bedrooms would generate an increase of 2 in the number of parking spaces required. There is space for parking on-street on the private road, Pondfield Close and there is a dedicated car park, it is therefore unlikely that there will be a problem with regard to parking. However, some of the existing parking is unavailable for use because it appears to be used as a sitting out area (wooden table and chairs are placed on the tarmac surface). It is suggested therefore that a condition is included with any approval requiring that the car park is used solely for the parking of vehicles. Provided this condition is included with any approval, no highway objection is raised to the proposal.

Environmental Health Officer

The application does not appear to involve any noise making plant or machinery such as additional ventilation fans (other than bathroom fans), air conditioning units, chillers, heat pumps, boilers etc. A condition should be attached requiring a Dust Action Plan to be submitted and agreed with the Local Planning Authority.

A total of six letters of objection have been received which raise the following issues:

- *Since moving to Salutation Road five years ago, I have observed significant flooding during the winter months. Recently this has become more severe whereby my back garden and the gardens adjacent to me are flooded with several inches of water. Understand that some work to the drains was undertaken last year around the care home/pond area which most residents believe to be the root cause of the increased flooding. Continued flooding or increased flooding will undoubtedly lead to structural problems occurring in the properties in the immediate vicinity of the care home/pond. Any additional building work will further compound the problem;*
- *The development will require several of the large trees to be removed. Believe that this again will be to the detriment of the flooding problem. The trees are currently maintaining the water level but should they be removed I fear the natural water level will increase substantially, potentially causing further flood damage;*
- *Request that the application be declined to avoid what could amount to significant structural damage to the surrounding properties;*
- *The extension is coming only 1.5 metres from my boundary. What effect would this have on the roots of trees in the boundary area?*
- *Feel privacy issues may also arise with the extension;*
- *The volume of traffic using the very small access road, Pondfield Close is already causing a nuisance. There are no parking or turning facilities attached to the care home and as a result vehicles park in the lane. In addition to the banging of car doors by visitors and employees, cars do noisy three point turns to get out. This happens at all times of the day and night and the noise is already a nuisance. Increasing the number of rooms will increase the number of visitors and employees and make this nuisance worse.*
- *The houses on Baydale Road back onto Pondfield Close, with only a small fence between their gardens and the lane. When the lane was quiet, anyone in the lane was conspicuous. The current increase in traffic has made people going there without good cause, less conspicuous. Baydale Road has already been burgled; any increase in traffic or people in the lane will compromise this security even further.*
- *This is a quiet, residential area of Darlington. Whilst small scale care facilities can fit into this quite comfortably, this application will create a commercial establishment of a size that would have a significant adverse impact on the character of the area. It is probably somewhat too large already and certainly should not be allowed to grow any further;*
- *The report attached to the planning application stating that 4 trees are in a poor state of health and should be felled is made with the intention of misleading the committee. The trees are in excellent health. The report also advises that a further 8 trees are to be removed to provide sufficient space for construction and site access. These trees are exceptionally grand and fine examples of their species;*
- *Pondfield Close is already used extensively for parking by residents, employees and visitors to the church. The problem with parking has already been acknowledged by the committee when access to the rear of a Baydale Road house from Pondfield Close was refused on the grounds that turning room for cars in the lane would be restricted.*

PLANNING ISSUES

Saved Local Plan Policy H19 (Special Care Accommodation) states that hostels and homes providing group accommodation for people in need of care will normally only be permitted in close proximity to public transport, shopping and community facilities and where a satisfactory residential environment can also be achieved. The application property is an established care home, located in a predominantly residential area. There is a bus stop adjacent to the site on

Salutation Road and although there are no shopping facilities within the immediate vicinity, Mowden shops are located approximately 1 kilometre to the north-west. The principle of providing an additional 14 bedrooms in this location is considered acceptable in the context of Saved Policy H19, subject to consideration of the following development control issues:

Impact on visual and residential amenity

Core Strategy Policy CS2 (Achieving High Quality, Sustainable Design) requires that high quality, safe, sustainable and inclusive design will be promoted in all new developments. More detailed guidance on the design of new development is provided by the Design of New Development Supplementary Planning Document (Design SPD). Policy CS14 (Promoting Local Character and Distinctiveness) also requires that the distinctive character of the Borough's built, historic, natural and environmental townscapes, landscapes and strong sense of place will be protected and, where appropriate, enhanced. Core Strategy Policy CS16 (Protecting Environmental Resources, Human Health and Safety) states that new development should protect and, where possible, improve environmental resources, whilst ensuring that there is no detrimental impact on the environment, general amenity and the health and safety of the community.

The proposed extensions to the building are to be single storey in form and constructed of brick and tiles to match the existing building. As such the form and design of the extensions is considered to be in keeping with that of the application property.

The extension to the northern end of the building is considered to be modest in size and scale and being adjacent to the allotment gardens, in the north east corner of the site, will not impact upon the amenities of any of the neighbouring properties and will not be readily visible in the wider street scene. The proposed extension to the southern end of the building will extend for approximately 49 metres along the southern boundary of the site, set back approximately 1.3 metres off the common boundary between the application site and the nearest properties to the south on Salutation Road. There is no discernible level difference between the application site and the gardens to the rear of the properties on Salutation Road. At single storey in height, with a height of 8.8 metres to the ridge, the minimum separation distance of approximately 27.5 metres from the rear of properties on Salutation Road and the proposed extension is considered to be acceptable in terms of protecting the amenities of these properties. There will be no windows in the south elevation of the extension, although there will be rooflights in the south facing roofslope which will serve a corridor. As such it is not considered that the proposed extension will have an unacceptable impact upon the amenities of the properties on Salutation Road in terms of loss of light, loss of privacy or overbearing impact. It is not considered that the proposed extensions will have any discernable impact on the amenities of properties on Baydale Road to the west, given that at its closest point the extension to the south of the property will be approximately 55 metres away.

Access and Parking

The site is served by an existing car park to the northern side of the building, accessed off Pondfield Close. It is proposed to provide an additional three parking spaces within this area, increasing the total number from 11 to 14. The Highway Engineer has advised that for the proposed increase in the number of bedrooms, an additional two spaces would be required and in addition to the dedicated car park there is space for on-street parking on Pondfield Close, a private road. A condition is suggested requiring the car park to be used solely for the parking of vehicles as it is currently used as a sitting out area. Although the concerns regarding access and parking within the vicinity of the site have been noted, in view of the Highway Engineer's

comments it would be difficult to sustain a reason for refusal of the application based on a lack of parking.

Tree Issues

The application site is surrounded by a number of semi-mature and mature trees both within and adjacent to the site, although none of the trees is protected by Tree Preservation Order. An Arboricultural Implications Assessment (AIA) has been submitted with the application and identifies that a total of 4 no. trees are to be felled due to their poor condition and a further 8 no. trees are to be removed to provide sufficient space for construction and site access. The AIA also states that it will be necessary to prune the eastern boundary hedge and that limited crown lifting will also be required to provide clearance of the temporary access. In addition, a number of trees require general pruning. A Tree Planting scheme also proposes that a total of 21 trees will be planted within the site. The report also sets out tree protection measures for those trees to be retained on site. The Council's Arboricultural Officer has commented on the application and has advised that the Root Protection Area (RPA) of a sycamore tree within the rear garden of 126 Salutation Road would be breached by the proposed development. However he has also advised that the tree is not worthy of protection by Tree Preservation Order and on balance it would be difficult to recommend refusal on the basis of the impact the development would have on the health and stability of this tree. In addition he also advises that three trees, an ash, sycamore and birch to the south of the site, require protection however the RPAs of these trees can be morphed to facilitate the development. Further information has been requested from the applicant's agent and Members will be updated verbally at the meeting.

Flooding

A number of objectors to the application have expressed concern regarding the propensity of nearby gardens to flood and the potential for the proposed development to exacerbate the problem. The application site is not in a Flood Zone and as such there is no requirement to consult the Environment Agency on the application. Planning Policy Statement 25 – Development and Flood Risk however provides advice on the management of surface water and recommends that drainage from new development must not increase flood risk on the site or elsewhere and encourages a sustainable drainage system to achieve this objective. The agent has been requested to confirm how surface water drainage from the site will be managed and this information will be reported verbally at the meeting.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

The proposed development has been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. The proposed development does not give rise to crime and disorder issues.

CONCLUSION

The proposed extensions to the existing care home are considered to be acceptable in terms of their scale, design and use of matching materials in the context of both the application property itself and the wider streetscene. In view of the separation distances between the proposed extension at the southern end of the building and the properties on Salutation Road, it is not considered that the proposed extensions will have an unacceptable impact upon the amenities of these properties in terms of loss of light, loss of privacy or overbearing impact. The proposed development does not give rise to any issues of highway safety. Although concerns have been raised regarding the loss of trees and flooding arising from the proposed development, it is not considered that these concerns are sufficient to warrant refusal of the application on these

grounds. The proposed development is therefore considered to comply with Saved Policy H16 (Special Care Accommodation) of the Borough of Darlington Local Plan 1997, Policies CS2 (Achieving High Quality, Sustainable Design), CS14 (Promoting Local Character and Distinctiveness), CS15 (Protecting and Enhancing Biodiversity and Geodiversity) and CS16 (Protecting Environmental Resources, Human Health and Safety) of Darlington Core Strategy Development Plan Document and the Design of New Development Supplementary Planning Document 2009.

RECOMMENDATION

THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDIITONS:

1. A3
2. B4
3. B5
4. E3
5. E11
6. Prior to the commencement of the development hereby permitted a Dust Action Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the approved details.
REASON – To protect the amenities of the neighbouring dwellings.
7. The parking area shown on Alpha Plus Architects drawing number 04, Revision B received on 25 March 2011 shall be used only for the parking and turning of vehicles and for no other use.
REASON – In order that adequate on-site parking is available to serve the development hereby permitted.

SUGGESTED REASONS FOR GRANTING OF PLANNING PERMISSION

The proposed extensions to the existing care home are considered to be acceptable in terms of their scale, design and use of matching materials in the context of both the application property itself and the wider streetscene. In view of the separation distances between the proposed extension at the southern end of the building and the properties on Salutation Road, it is not considered that the proposed extensions will have an unacceptable impact upon the amenities of these properties in terms of loss of light, loss of privacy or overbearing impact. The proposed development does not give rise to any issues of highway safety. Although concerns have been raised regarding the loss of trees and flooding arising from the proposed development, it is not considered that these concerns are sufficient to warrant refusal of the application on these grounds. The proposed development is therefore considered to comply with Saved Policy H16 (Special Care Accommodation) of the Borough of Darlington Local Plan 1997, Policies CS2 (Achieving High Quality, Sustainable Design), CS14 (Promoting Local Character and Distinctiveness), CS15 (Protecting and Enhancing Biodiversity and Geodiversity) and CS16 (Protecting Environmental Resources, Human Health and Safety) of Darlington Core Strategy Development Plan Document and the Design of New Development Supplementary Planning Document 2009.

INFORMATIVE TO BE INCLUDED SHOULD PLANNING PERMISSION BE GRANTED

The applicant is advised that contact must be made with the Assistant Director – Highways, Design and Projects (contact Ms P Goodwill 01325 388760) to discuss naming and numbering of the development.