

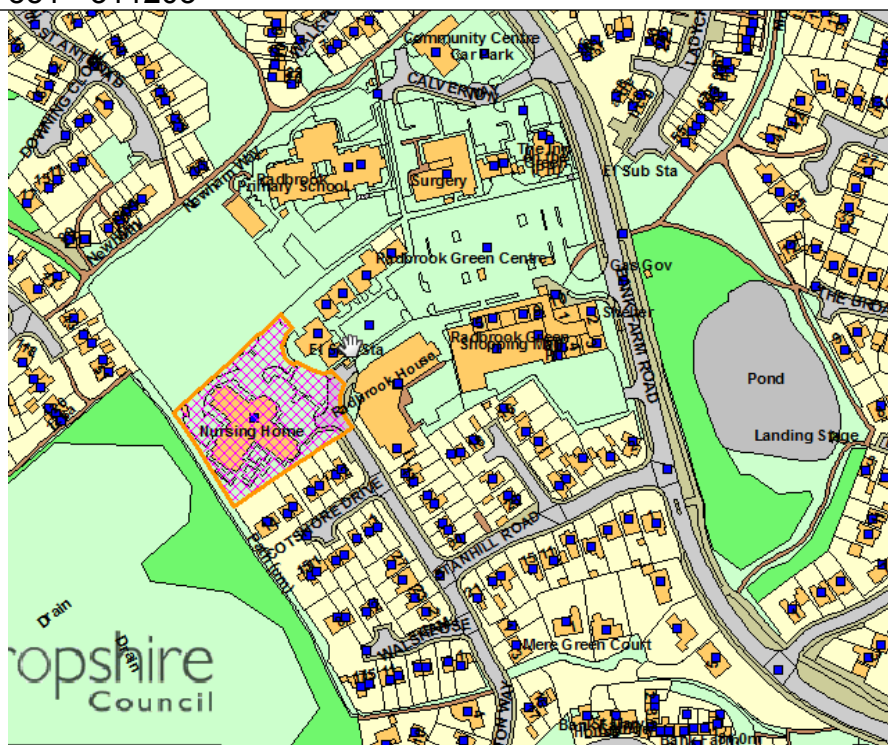
Development Management Report

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Summary of Application

<u>Application Number:</u> 17/00635/FUL		<u>Parish:</u>	Shrewsbury Town Council
<u>Proposal:</u> Erection of 2-storey extension to provide 24 additional bedrooms; re-configuration of existing rooms to provide 6 additional bedrooms; alterations to car parking to provide 38 parking spaces and minor alterations to the front elevation			
<u>Site Address:</u> Radbrook Nursing Home, Stanhill Road Shrewsbury SY3 6AL			
<u>Applicant:</u> Morris & Company Limited			
<u>Case Officer:</u> Nanette Brown		<u>email:</u> planningdmc@shropshire.gov.uk	

Grid Ref: 347551 - 311203



Recommendation: Grant Permission subject to the conditions set out in Appendix 1.

REPORT

1.0 THE PROPOSAL

- 1.1 This proposal seeks full planning permission for the construction of a two storey front extension to Radbrook Nursing Home. This application is a revised scheme, a previous two storey extension having been granted planning permission as part of an earlier application ref 16/00851/FUL increasing the number of bedrooms by 20 (net gain of 16).

This revised application proposes a slightly larger extension, with additional depth of 4 metres and an increase in width of 1.2metres. The extension will provide 24 additional bedrooms and will include re-configuration of existing rooms within the existing building to provide a further 6 additional bedrooms, with a resulting net gain in bedrooms on site of 26. Externally the car parking on site will be amended to provide 38 parking spaces as well as other minor alterations to the front elevation.

- 1.2 The access into the site remains unchanged.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The application site is located within the settlement boundary of Shrewsbury as delineated on Policy Map Shrewsbury S16 INSET 1.
- 2.2 The site is located adjacent to the Radbrook Primary School field and is close to the Radbrook Green Shopping/Community Complex, set to the east of the site. Residential neighbours also lie to the south of the nursing home in the form of dwelling houses and a block of retirement flats is set to the south east of the application site.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The proposed development is considered to accord with the requirements of the Councils relevant adopted policies. The locally elected member has requested that this application be determined by the Central Planning Committee and the Area Planning Manager and Planning Services Manager have agreed that this application should be determined by the Central Planning Committee.

4.0 Community Representations

4.1 - Consultee Comments

SC Suds – No objection

Suggested conditions

SC Highways – No objection

Subject to the development being carried out in accordance with the approved details and the following conditions/informatives.

The application includes a thorough and robust assessment of the car parking facilities proposed and the use thereof. It is considered that this evidence has demonstrated that the number of car parking spaces being provided should be adequate for the size of development.

Notwithstanding the above, this proposal will involve a significant level of vehicular activity, as part of the construction of the development. This activity will need to be well planned, coordinated and controlled to minimise the disruption and adverse effects on the surrounding residential road network.

Suggested conditions – On Site construction method statement to be submitted and the parking, loading and turning areas shown to be provided before the development is brought into use.

Shrewsbury Town Council – Comments

The Town Council understands the need for the additional accommodation and does not object to the extension and it's design of which members feel is in-keeping with the existing building. However, they have concerns as to whether the parking allocation will be sufficient for staff, residents and visitors. They also sympathise with the local residents who are concerned about the increased traffic on the residential roads.

Cllr Keith Roberts - As the Councillor for Radbrook division I request that this application is determined by the Central Planning Committee.

4.2 - Public Comments

22 Objections submitted to this application from 16 addresses and summarised as follows:

Principle of development

The increase in size of the nursing home will be an over-development of the site in

terms of density of buildings on site and an over-intensive use of the land; proposal will alter adversely the feel of the area, bringing increased traffic and parking issues.

Access/Parking

Residents of Radbrook House has a lease in place for car parking spaces that are not utilised by Radbrook Nursing home; new car park layout shows the access to Radbrook House spaces which is maintained by Radbrook House occupants also used to access spaces for the nursing home use – unfair to add this wear and use to adjacent neighbours; increase in traffic accessing the site is a concern for highway safety; increased use of the narrow pavement that goes past Radbrook House used by all local residents and school children accessing the adjacent school site.

Residential Amenity

Increase in size of nursing home will lead to increase in traffic, noise and pollution impacting on adjacent residents – detrimental to residents rights to a quiet and peaceful enjoyment of their possessions and safe environment; overlooking between the new extension and Radbrook House will be unacceptable; will result in a loss of views for neighbours; loss of planting detrimental to the appearance of the area.

Design and appearance

The proposed extension seems to be overpowering in size in comparison to the space and other buildings nearby; re-siting the kitchen to the lower ground floor will result in a three storey building.

5.0 THE MAIN ISSUES

Principle of development

Character and Appearance

Residential Amenity

Highway Safety

Drainage

6.0 OFFICER APPRAISAL

6.1 Principle of development

- 6.1.1 The application site is located within the settlement boundary of Shrewsbury to which there is a presumption in favour of development. Policy CS2 of the Core Strategy states that Shrewsbury will provide the primary focus for development for Shropshire, providing approximately 25% of its additional housing. The policy goes on to state that Shrewsbury will be a major focus within Shropshire for the provision of infrastructure and services to meet the needs of the town and its wider catchment area. Policy S16.1 of the SAMDev also states that appropriate development that accords with the Strategy will be encouraged on suitable sites within the town's development boundary.
- 6.1.2 Policy CS11 of the Core Strategy supports the provision of housing for vulnerable people and specialist housing provision, including nursing homes, in appropriate locations and where there is an identified need. Policy CS8 also seeks to protect and enhance existing facilities, services and amenities that contribute to the quality of life of residents and visitors. Particular attention will be given to the needs of the elderly in accordance with the Shropshire Sustainable Community Strategy.
- 6.1.3 Policy MD3 of the SAMDev states that planning permission will be granted for sustainable housing development, having regard to relevant planning policies.
- 6.1.4 The extension would provide a net increase of 26 no. bedrooms, which would help to meet the demand for bed space within this Nursing Home for residents of Shrewsbury and the wider catchment area.
- 6.1.5 The site is considered to be sustainably located within Radbrook, approximately 300m north west of the nearest bus stop and within walking distance of nearby services and facilities including a doctors surgery and chemist, grocery and other shops, and allowing ease of access for visitors travelling to the Nursing Home via public transport.
- 6.1.6 In respect of the above, the principle of development is still considered to be acceptable and would accord with Policies CS2, CS8 and CS11 of the Core Strategy and Policies MD3 and S16.1 of the SAMDev.

6.2 Character and Appearance

- 6.2.1 The application site is considered to be of a sufficient size to accommodate the proposed extension without appearing overly cramped or incongruous in this location.
- 6.2.2 The overall scale of the extension has been increased slightly by the revised design now submitted with additional depth of 4 metres and an increase in width of 1.2 metres. It is however still considered to be acceptable when viewed in the context of the existing building. The proposed ridge height of the extension would also slightly exceed that of the existing building by approximately 0.5m; but this would

not result in an extension which could be considered to be overly dominant or result in an obtrusive addition to the existing building.

- 6.2.3 Although its siting would be to the front elevation, the extension would be located at the furthest end of the building, away from the adjacent highway and north of the existing car park. This is considered would help to minimise its prominence when viewed from the street scene. There will be a distance of approximately 45 metres between the private living accommodation of Radbrook House and the side elevation of the extension, and approximately 38 metres between the conservatory to Radbrook House and the extension.
- 6.2.4 Materials are stated to match existing which would help to integrate the extension with the existing building.
- 6.2.5 Overall, the character and appearance of the proposal would appear appropriate in its context and is not considered would result in any adverse impacts on existing or proposed levels of visual amenity, complying with Policy CS6 of the Core Strategy and Policy MD2 of the SAMDev.

6.3 Residential Amenity

- 6.3.1 Separation distances between existing properties and the proposed extension are considered to be appropriate. There will be a distance of approximately 45 metres between the private living accommodation of Radbrook House and the side elevation of the extension, and approximately 38 metres between the conservatory to Radbrook House and the extension. It is not considered that these distances will result in any significant detrimental impact through overlooking or over-dominance of residents in Radbrook House. It is also noted that the rear elevations of the other closest residential properties to the application site, that front Cotshore Drive, are located 54 metres away.
- 6.3.2 The existing tree line boundary to the north would help to screen the extension from the adjacent playing field and is shown to be retained. The location of the proposed refuse store and kitchen within the lower ground floor of the extension are also considered to be acceptable.
- 6.3.3 The nursing home is located adjacent to an area where the community of Radbrook Green is centred in terms of facilities and services; in addition to the nursing home it has an existing school, doctor's surgery and chemist, shops, public house, and takeaways. This already attracts visitors/customers to this area who pass through and near to the site throughout the day. Whilst the provision of an additional net increase of 26 beds to the nursing home would increase footfall and vehicular traffic to the site and area surrounding, it is not considered that this increase would have any significant and detrimental impact on the occupants of adjacent residential properties.

- 6.3.4 Overall it is considered that the proposed development would not result in any undue loss to existing or proposed levels of residential amenity and the development is considered to comply with Policy CS6 of the Shropshire Core Strategy and Policy MD2 of the SAMDev.

6.4 Highway Safety

- 6.4.1 Access into the site remains unchanged from existing.
- 6.4.2 SC Highways consider that the number of car parking spaces shown to be provided would be adequate for the size of the resulting development and that the likely increase in vehicle movements to the site during the actual building works can be controlled by condition requiring a Construction Method Statement to be submitted and approved by the Local Planning Authority.
- 6.4.3 Amended plans have been submitted that it is understood now show the correct number of parking spaces that are leased to residents of Radbrook House within the application site. Agreement between the applicants and residents with regards to the lease and its detailed contents are a private civil matter between the parties involved.

6.5 Drainage

- 6.5.1 SC SUDS raises no objection to the scheme subject to a condition to secure a surface water drainage scheme.

7.0 CONCLUSION

- 7.1 Core Strategy Policies CS8 and CS11 support the proposal for specialist housing provision provided there is an identified need and the proposed location is sustainable. This revised proposal would provide the additional accommodation required meeting the increased demands which the Nursing Home is experiencing, within the settlement boundary of Shrewsbury, to which Core Strategy Policy CS2 and SAMDev Policy MD3 also supports. The principle of development is considered to be acceptable.
- 7.2 The proposed development is considered to be appropriate in terms of its overall layout and scale and would be sympathetic in terms of its impact on the existing and proposed locational context. Any impacts on existing and proposed levels of residential amenity are considered to be appropriate and the scheme would raise no highway safety or drainage implications.
- 7.3 Overall, the proposed development is considered to be acceptable and would comply with the above mentioned policies in the Core Strategy and SAMDev.

8.0 Risk Assessment and Opportunities Appraisal

8.1 Risk Management

There are two principal risks associated with this recommendation as follows:

- ☐ As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.
- ☐ The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

8.2 Human Rights

Article 8 gives the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

8.3 Equalities

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee members' minds under section 70(2) of the Town and Country Planning Act 1990.

9.0 Financial Implications

There are likely financial implications if the decision and / or imposition of conditions is challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependent on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – insofar as they are material to the application. The weight given to this issue is a matter for the decision maker.

10. Background

Relevant Planning Policies

Central Government Guidance:
NPPF

Core Strategy and Saved Policies:
CS2 - Shrewsbury Development Strategy
CS6 - Sustainable Design and Development Principles
CS8 - Facilities, Services and Infrastructure Provision
CS11 - Type and Affordability of housing
MD2 - Sustainable Design
MD3 - Managing Housing Development

RELEVANT PLANNING HISTORY:

16/00851/FUL Erection of extension to provide 20 bedrooms (net 16), alterations to car parking and minor alterations to the front elevation GRANT 6th July 2016

11. Additional Information

View details online:

List of Background Papers (This MUST be completed for all reports, but does not include items

containing exempt or confidential information)

Planning file 17/00635/FUL available on public register

Cabinet Member (Portfolio Holder)

Local Member
Cllr Keith Roberts

Appendices
APPENDIX 1 - Conditions

APPENDIX 1

Conditions

STANDARD CONDITION(S)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 (As amended).
2. The development shall be carried out strictly in accordance with the approved plans and drawings
Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

3. No development involving the use of any facing or roofing materials shall take place until details or samples of the materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless any variation is agreed with the Local Planning Authority.
Reason: To ensure that the external appearance of the building is acceptable and to comply with Policy CS6 of the Core Strategy and Policy MD2 of the SAMDev.
4. Prior to commencement of development, detailed proposals for disposal of surface water shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.
Reason: In the interests of managing surface water flood risk impacts both on and off site, potentially resulting from the development proposals in accordance with Core Strategy Policies CS18 and CS6 and SAMDev Policy MD2.
5. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - the parking of vehicles of site operatives and visitors
 - loading and unloading of plant and materials
 - storage of plant and materials used in constructing the development
 - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - wheel washing facilities
 - measures to control the emission of dust and dirt during construction
 - a scheme for recycling/disposing of waste resulting from demolition and construction works
 - control and management of hgv's including turning facilities and routingReason: To avoid congestion in the surrounding area and to protect the amenities of the

area in accordance with Core Strategy Policy CS6 and SAMDev Policy MD2.

CONDITION(S) THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT

6. The development hereby permitted shall not be brought into use until the areas shown on the approved plans for parking, loading, unloading and turning of vehicles has been provided properly laid out, hard surfaced and drained. The space shall be maintained thereafter, free of any impediment to its designated use.
Reason: To ensure the provision of adequate vehicular facilities, to avoid congestion on adjoining roads and to protect the amenities of the area in accordance with Core Strategy Policy CS6 and SAMDev Policy MD2.

Informatives

1. The Local Planning Authority (LPA) in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.
2. Where there are pre commencement conditions that require the submission of information for approval prior to development commencing at least 21 days notice is required to enable proper consideration to be given.
3. Your attention is specifically drawn to the conditions above that require the Local Planning Authority's approval of materials, details, information, drawings etc. In accordance with Article 21 of the Town & Country Planning (Development Management Procedure) Order 2010 a fee is required to be paid to the Local Planning Authority for requests to discharge conditions. Requests are to be made on forms available from www.planningportal.gov.uk or from the Local Planning Authority. The fee required is £97 per request, and £28 for existing residential properties.

Failure to discharge pre-start conditions will result in a contravention of the terms of this permission; any commencement may be unlawful and the Local Planning Authority may consequently take enforcement action.

4. THIS PERMISSION DOES NOT CONVEY A BUILDING REGULATIONS APPROVAL under the Building Regulations 2010. The works may also require Building Regulations approval. If you have not already done so, you should contact the Council's Building Control Section on 01743 252430 or 01743 252440.
5. The applicant is responsible for keeping the highway free from any mud or other material emanating from the application site or any works pertaining thereto.
6. Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage

or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

7. The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which allows the Highway Authority to recover additional costs of road maintenance due to damage by extraordinary traffic (i.e. construction vehicles).

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