

# PLANNING APPLICATION REPORT



**ITEM: 07**

**Application Number:** 11/01136/FUL

**Applicant:** Mr D Wraighte

**Description of Application:** Extension to care home, new entrance porch and replacement fire escape

**Type of Application:** Full Application

**Site Address:** LAMBSPARK CARE HOME, 38 MERAFIELD ROAD  
PLYMOUTH

**Ward:** Plympton Erle

**Valid Date of Application:** 07/07/2011

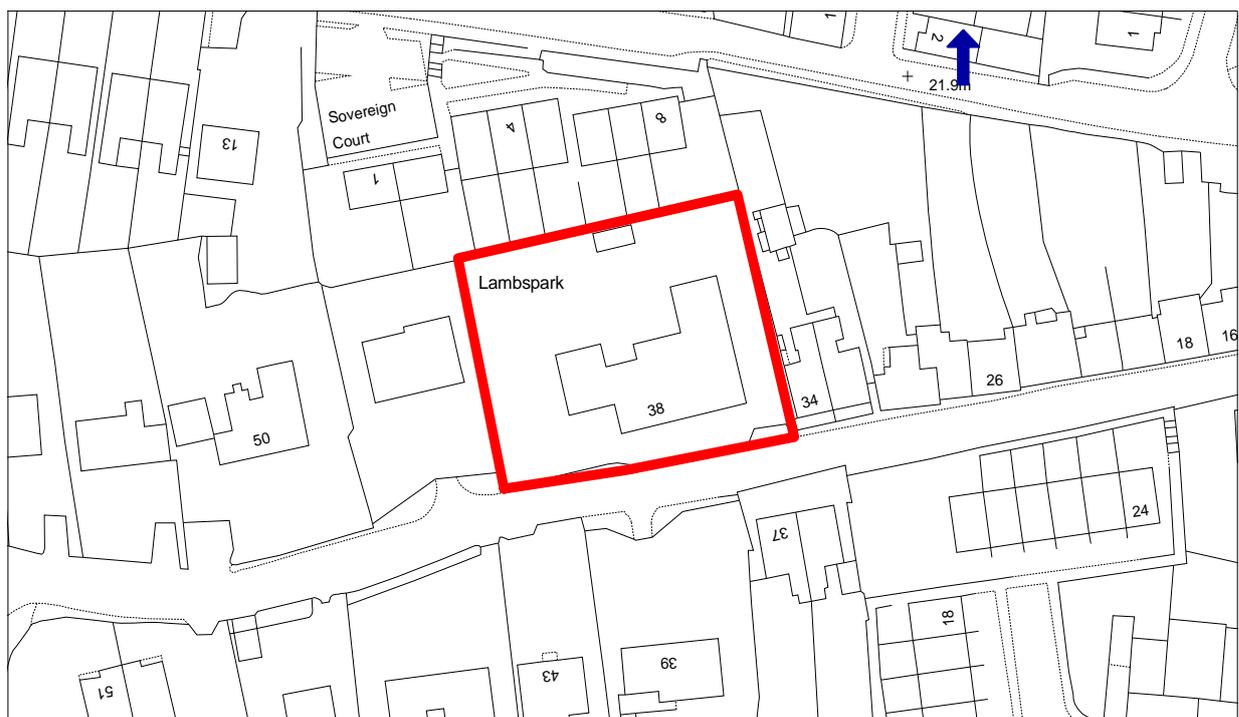
**8/13 Week Date:** **06/10/2011**

**Decision Category:** Major Application

**Case Officer :** Jon Fox

**Recommendation:** Refuse

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## **Site Description**

The site is Lambspark Care Home, a three-storey building with roof dormers that currently has 33 bedrooms. The land falls away northwards from the main road and the high rear elevation of the Care Home overlooks the properties lower down, in Underlane. The adjoining property to the west is 48 Merafield Road, which is owned by the applicants and is a vacant, split-level bungalow that has a single-storey front elevation. The eastern end of the Care Home adjoins a semi-detached property that is overlooked by the existing fire escape at this end of the building. The site of the extension to the Care Home is currently laid out as a amenity/seating area. The properties on the south side of Merafield Road are on land that rises up from the road and consequently they overlook the site.

Lambspark was established as a residential home for the elderly in 1980. It provides residential care for 36 residents on three floors in 33 bedrooms each with en-suite w.c and wash hand basin, some also with showers. There are also additional bathrooms on the ground and first floors. All are single bedrooms except for two double bedrooms. It has three residents' lounges, two on the ground floor and one on the first floor. One of the lounges leads into a conservatory. There is lift access to all floors as well as three separate staircases leading off a central access corridor.

## **Proposal Description**

Four-storey side extension, front entrance porch and replacement fire escape to side of residential home.

The extension will be at the west end of the existing building. The purpose of the extension is to provide on four floors, (lower ground, ground, first and attic floor levels), an additional 15 bedrooms, another residents lounge and an administration office. There will be no loss of any existing resident's day rooms. At ground and first floors the new bedrooms will be accessed off corridors linked to those in the existing building. At lower ground and attic floor levels, the extension will not be linked internally. There will be a new lift access as well as a new staircase to all floors in the extension.

The design and access statement accompanying the application (DAS) states that the extension has been designed to be subservient to the main building at the front. The eaves height is 700mm lower and the roof ridge height is 1400mm lower than the existing building. At the rear the eaves line up with the existing building but the roof ridge is 1400mm below the existing roof ridge height. The DAS goes on to say that the present proposals reduce the floor levels from those in the 2009 application. Ground floor level is now proposed at 95.08 compared with 95.59 previously and lower ground floor level is proposed at 92.53 compared with 93.04. This is a reduction of 510mm in floor levels at ground and lower ground floor levels.

The DAS also states that at the rear the mass of the extension has been reduced by using the roof for the accommodation at attic level and by setting the attic and first floor accommodation behind the building line of the ground and lower ground floor rooms. This allows for a lean-to roof to be introduced to break up the elevation and thereby reduce its massing.

The DAS states that the applicant has identified a need for additional provision at his home. This need has come from a combination of the quality of service provided at Lambspark, by Government policy which has changed the emphasis from state provision for the elderly to care in the community, and an ageing population. The extension will help to meet this need.

### **Relevant Planning History**

09/01133 - Four-storey side extension, front entrance porch and replacement fire escape to side of residential home, change of use, conversion and two storey front extension to dwellinghouse (owners' accommodation) to form day care centre, and works to alter vehicular accesses, provide additional parking and replace front boundary. This application was refused for 10 reasons, relating to: overbearing and dominant/loss of light affecting 48 Merafield Road; extension being out of scale and character; loss of amenity space; intensity of use of 48 Merafield Road being harmful to amenity and character of the area; loss of privacy for 50 Merafield Road as result of proposals at No.48; additional traffic movements giving rise to highway safety concerns; inadequate loading/unloading provision; inadequate provision of parking; lack of turning provision and sub-standard access.

The current proposals no longer include change of use and works at 48 Merafield Road.

### **Consultation Responses**

#### **Transport**

Object due to additional traffic movements giving rise to highway safety concerns and inadequate provision of parking. The number of parking spaces is appropriate but some of them are either not to the correct dimensions or there is insufficient aisle width to allow adequate manoeuvring of cars in and out of the parking spaces. Otherwise, the street is subject to a setting back order that requires the boundary wall to be removed and the frontage of the site set back to a byelaw width to improve the utility of the street. Notwithstanding the requirements of the order transport recommend that the site frontage be set back 2 to 3 metres in order to support safe traffic movements both pedestrian and vehicular by improving the utility of the fronting street.

#### **Public Protection Service**

No objections. PSS recommend an informative note on land quality.

#### **Community Services**

Overall taking into account demographic changes, peoples' aspirations and the strategic direction the local residential market is expected to contract across all client groups with the exception of dementia. Community Services expect more enabling models of care which supports independent living and recovery outcomes for people. Community Services have been working closely with housing associations to develop Extra Care Schemes across the city and currently have five, Devonport View being the latest. In this context Community Services have not had a problem finding residential accommodation in the city so far and consequently there is no demonstrable need for the proposed development at this time.

## Representations

Three letters of representation were received, from 43, 45 and 49 Merafield Road.

1. Increased traffic and limited footpaths resulting in dangerous conditions. It is contrary to the DAS, traffic does exceed the speed limit.
2. Lack of parking resulting in prejudice to amenity, public safety and interference with traffic.
3. The road is too narrow and the increased traffic will make a hazardous road more dangerous. Loss of outside amenity space for residents.
4. There is no weekend or evening bus service. The No.22 bus does not pass the site but stops well before, at the mini-roundabout.
5. Extension would be out of proportion with surrounding properties.
6. The building has grown too much and would be too large
7. The flat roofed porch is out of character and would involve the removal of fine plaster mouldings.
8. The leylandii trees to the rear were removed and the building would thus overlook residents of Sovereign Court.
9. Loss of view from properties facing Lambspark and loss of property value.
10. 10. The DAS is incorrect – neighbours do not park outside the home, but staff do.
11. The revisions to the proposed building would have no bearing on the dominant size and overbearing nature of the development in relation to surrounding dwellings and would still be out of scale and character.
12. The existing gap in the street scene between Lambspark and 48 Merafield Road provides far reaching views and privacy and light to 43 Merafield Road. The extension would look directly into the lower and upper floors of 43 Merafield Road, resulting in an unacceptable loss of privacy.

## Analysis

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

The application turns on policies CS02, CS28, CS31 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007. The main issues are the impact of the proposals on residential amenity; highway safety and convenience and the character and appearance of the area.

With regard to residential amenity, the properties on the south side of Merafield Road are considered to be sufficiently distant from the proposals and would not be significantly overlooked. The house to the east would be overlooked by the new fire escape, but not significantly more than it is from the existing fire escape. The houses in Sovereign Court, to the rear, are at a much lower level and previously were screened from the Care Home by an evergreen hedge. This hedge has been

removed and as a result the extension windows would look down onto these properties. However, the houses in Sovereign Court are over 21 metres from the proposed extension, which is the separation distance recommended in the Development Guidelines Supplementary Planning Document 2009, and taking account of the use as a Care Home, compared with that of a normal dwelling, it is considered that the extension would not lead to significantly more overlooking than could occur at present.

The dwelling at No.48 is close to the proposed extension and would be set back, and down, from it. The modified design of the proposed extension, which includes a sloping roof to the rear part of the side of the extension, would still appear overbearing and dominant when viewed from that property. It is considered that sunlight to the front and rear of No.48 would also be unreasonably reduced especially as the extension would block sunlight reaching the rear, north facing garden. The proposals are therefore considered to be contrary to policy CS34 of the Core Strategy.

With regard to the character and appearance of the area, and despite comments in the DAS regarding changes to design and lowering of floor levels, the proposed extension appears virtually identical to the previous scheme in terms of its appearance in the street scene. The extension to the Care Home is set down relative to the existing building. However, it is approximately 10 metres wide and increases the width of the whole building to approximately 37.7 metres. Given the height of the extension and the overall height of the building, and its proximity to the street, it is considered that the resulting building would appear out of scale and character with surrounding development, which on this side of the road comprises relatively small scale houses to the east and low level detached dwellings to the west. This difference in scale is exacerbated by the proximity of the proposed extension to low level dwelling at No.48. The elevated houses on the south side of the road are set back from the highway and are not considered to adequately mitigate the impact of the enlarged Care Home in the street scene.

The proposals are therefore contrary to policies CS02 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007.

With regard to the intensity of the development, the DAS states that it is an established fact that those responsible for the care of the elderly know to be true that elderly residents, especially the frail and disabled, are more appreciative of high quality indoor amenity space or bedrooms with interesting views out of the windows, than outdoor space just because it is outdoors. However, it is considered that the proposed Care Home extension and enlarged car parking/turning area, would remove significant parts of the site that currently provide outside amenity space for residents. Furthermore, the remaining rear garden is north facing and would be affected detrimentally by the extension, which itself removes the existing amenity space to the side of the building that is particularly valuable for its light and sunny aspect. In this respects the proposals overdevelop the site contrary to policy CS34 of the Core Strategy.

With regard to highway safety, the application no longer proposes a change of use of 48 Merafield Road and no longer raises problems of loading/unloading, lack of turning provision and substandard access. However, the area often experiences traffic

problems due to the narrowness of the streets in this older part of Plympton. As the Transport Officer has pointed out, the scale and intensity of the proposals increases the burden on the local highway network, a situation which is not assisted by the inadequacy of the off-street car parking/turning facilities. Nevertheless, there is a footway fronting the site, about one metre wide, and on balance it is now considered unnecessary to require the widening of the highway to expand the width of the carriageway and/or footway. The lack of adequate parking facilities still remains a significant issue and for this reason the proposals are still contrary to policy CS28 of the Core Strategy.

### **Section 106 Obligations**

There is no Section 106 requirement in respect of this proposal.

### **Equalities & Diversities issues**

The application raises the need for the provision of facilities for elderly persons in the community. At this time there has been no clear demonstration of such a need and therefore this issue has no significant bearing on the case.

### **Conclusions**

Despite some changes to the scheme applied for previously, the proposals still are unacceptable in terms of the impact on residential amenity, the character and appearance of the area, loss of amenity space for residents and public safety etc due to inadequate parking on site. It is therefore recommended that planning permission be refused.

### **Recommendation**

In respect of the application dated **07/07/2011** and the submitted drawings 11808/L, 11808/101, 11808/102, 11808/103, 11808/104, 11808/105, 11808/106, 11808/107 and accompanying design and access statement, it is recommended to: **Refuse**

### **Reasons for Refusal**

#### **OVERBEARING AND DOMINANT/LOSS OF SUNLIGHT**

(1) The dwelling at No.48 is close to the proposed extension and would be set back, and down, from it. It is considered that the extension would appear overbearing and dominant when viewed from that property. Sunlight to the front and rear of No.48 would also be unreasonably reduced especially as the extension would block sunlight reaching the rear, north facing garden. The proposals are therefore contrary to policy CS34 of the Core Strategy of Plymouth's Local Development Framework 2007 and Development Guidelines Supplementary Planning Document 2009 (SPDI).

#### **CARE HOME EXTENSION OUT OF SCALE AND CHARACTER**

(2) The extension to the Care Home is set down relative to the existing building. However, it is approximately 10 metres wide and increases the width of the whole building to approximately 37.7 metres. Given the height of the extension and the overall height of the building, and its proximity to the street, it is considered that the resulting building would appear out of scale and character with surrounding

development, which on this side of the road comprises relatively small scale houses to the east and low level detached dwellings to the west. This difference in scale is exacerbated by the proximity of the proposed extension to the low level dwelling at No.48. Therefore it is considered that the proposed Care Home extension is harmful to the character and appearance of the area, contrary to policy CS02 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007 and Development Guidelines Supplementary Planning Document 2009 (SPDI).

#### LOSS OF AMENITY SPACE

(3) The Local Planning Authority considers that the proposed Care Home extension and enlarged car parking/turning area, would remove significant parts of the site that currently provide outside amenity space for residents. Furthermore, the rear garden is north facing and therefore the existing amenity space to the side of the building is particularly valuable for its light and sunny aspect. The proposals are therefore contrary to policies CS15 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007 and Development Guidelines Supplementary Planning Document 2009 (SPDI).

#### INADEQUATE PROVISION OF PARKING

(4) No adequate provision is proposed to be made for the parking of cars of persons residing at or visiting the development. Vehicles used by such persons would therefore have to stand on the public highway giving rise to conditions likely to cause:-

- (a) Damage to amenity;
- (b) Prejudice to public safety and convenience;
- (c) Interference with the free flow of traffic on the highway

which is contrary to Policy CS28 and CS34 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007.

#### Relevant Policies

The following (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, were taken into account in determining this application:

- CS28 - Local Transport Consideration
- CS34 - Planning Application Consideration
- CS02 - Design
- CS31 - Healthcare Provision
- SPDI - Development Guidelines

