Recommendation Report for Planning Permission

REF NO: **R/44/12/**

LOCATION: 19 & 21 Manor Road & 121 Worthing Roa
Rustington

PROPOSAL: New care home wing with 30 en-suite bedrooms and communal areas comprising 19 No. additional rooms - with internal & external alterations to existing home to upgrade facilities. Resubmission following R/227/11.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application relates to a 2 storey detached block of additional accommodation to the rear of the existing nursing home, adjacent to the existing garden. The development would front Manor Road and would provide 10 car parking spaces accessed from this road. The proposal represents an increase of 19 bedrooms at the above home and includes internal alterations within the existing nursing home to facilitate the provision of larger rooms. The older rooms in the home will be converted to additional bathrooms and therapy rooms. 2 dwellings would be demolished. The new building would be 52m long x would vary in width between 10.4m and 21m.
SITE AREA	0.35 hectares
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Fencing and hedging to garden boundaries to rear and side to approximately 2m high. To allotments hedging is 3m.
SITE CHARACTERISTICS	Currently 2 detached properties occupy the site. No. 21 is a chalet style. No. 19 is 2 storey. No. 17 is 2 storeys high with 2 first floor windows in side elevation, one obscure glazed, other serves a landing. Pitched roof garage on site boundary.
CHARACTER OF LOCALITY	Predominantly residential. Manor Road comprises a mixture of design, types and sizes of dwelling, ranging from bungalows, 1 and a half and 2 storey dwellings. Predominantly detached with front gardens. Sited directly to the east adjoining No. 21 are allotments.

RELEVANT SITE HISTORY

R/229/03/	Extensions to existing nursing home	Approve Conditionaly 09-12-2003
R/299/07/	Demolition of 11, 15, 17, 19 & 21 Manor Road and erection of 39 no. Extra Care Apartments and 1 no. apartment for manager.	Approved Cond + S106 28-04-2009
R/70/10/NMA	Application for a non-material amendment following a grant of planning permission R/299/07.	Refused 22-04-2010
R/227/11/	New care home wing with 30 ensuite bedrooms and communal areas	Withdrawn 09-01-2012

REPRESENTATIONS

Representations received:

Rustington Parish Council
Objection.

(i) The proposal to develop this site by the construction of a new Wing to house 30 en-suite bedrooms, would constitute an undesirable intensification of residential development, and would most certainly represent an overdevelopment of the site.

(ii) Having regard to the limited area of the site and its relationship to existing residential properties, the proposal would give rise to an unneighbourly form of development which would be prejudicial to the existing character, amenities and environment of the locality.

(iii) The proposal would present an over dominant appearance and would have a detrimental impact, by reason of its mass, on the residential amenities of neighbouring properties.

(iv) The proposal would adversely affect the amenities and quiet enjoyment of the neighbouring properties located in close proximity to the site, namely those in Manor Road, Grafton Close and Nos. 9, 10, 11, 12, 13 and 14 in Beverley Close.

(v) The formation and extensive use of a new access to the site, would lead to an unacceptable level of disturbance to all of the properties in Manor Road, and would, most certainly, have an unneighbourly impact on the locality by reason of the excessively increased level and nature of activity and the traffic generated thereby.

(vi) The proposal would result in an extremely large development being dependent on the main point of access in Manor Road, and would also be likely to attract standing vehicles which would be detrimental to the safety and free flow of traffic, and would add to the hazards for highway users in this vicinity to an unacceptable degree.

(vii) The proposal would generate an unacceptable increase in the volume of traffic and associated activity in Manor Road, a narrow cul-de-sac, which already suffers from extreme congestion at certain times of the day.

(viii) The proposal to introduce a new access to the Care Home in Manor Road, would

encourage large vehicles and, in particular, emergency vehicles, to utilise this which, given the fact that the public highway is so narrow in this vicinity, would be unacceptable and, more importantly, restrictive for the manoeuvring of such vehicles and the inevitable congestion that would occur.

The Committee was particularly concerned that:-

(a) The addition of a new Wing to the Care Home accommodating some 30 bedrooms, in this vicinity, would place excessive pressure on the existing sewage and drainage system, to the detriment of its effectiveness and efficiency.

(b) Construction and other associated heavy duty vehicles accessing the site during the proposed development, would not only cause excessive damage to the road surface, which is already in a state of disrepair, but would also adversely affect the quiet enjoyment of the residents of Manor Road and Grafton Close, by reason of the much increased level of vehicular activity, noise, disruption and congestion, which would most certainly ensue.

One Letter of No Objection
Concern existing road cannot cope with extra traffic and heavy construction vehicles.

3 Letters of Objection
Extension would be an eyesore. Wildlife on allotments would be affected by pollution from building works and allotments affected by dust. Light pollution. More staff, more visitors, more noise, more traffic.

Most of the established mature trees/bushes would be destroyed. Loss of natural habitats, wildlife. Huge, unsympathetical imposing building would result in contiguous accommodation for a distance of approximately 200m. Simply far too big.

Comments on Representations received:

Parish Council
Whilst the proposal relates to 30 new en-suite bedrooms it only represents an increase in number of bedrooms at the existing home of 19.

It is not considered it would represent an overdevelopment of the site. Adequate space is retained around the development to provide amenity for residents. The proposal would have the appearance of a chalet dwelling when viewed from Manor Road and would have a domestic scale in keeping with the adjoining properties. There would be no materially adverse effect on residential amenity given the position of the building, its height and the distance to windows. County Highways have no objection to the proposal on highway grounds. The proposal would still be accessed from Worthing Road in addition to Manor Road. This would not be the only point of access. Disruption caused by construction traffic would be of a temporary nature.

Comment on Other Reps
Proposal would not cause demonstrable harm from light pollution to properties to the east on the other side of the allotments (a distance that exceeds 50m).

The proposal now includes a visual break between the existing nursing home and the additional accommodation proposed.

The application currently comprises 2 dwellings and gardens. Gardens would be retained as part of the development. The impact on wildlife would not be significant.

The application follows a previous approval for a similar scale of development on this part of the site and this is a material planning consideration.

CONSULTATIONS

WSCC Local Development Divis.

Consultations responses received:

County Archaeologist
No objection. Mitigation measures not required.

County Highways
No objection. Given the location at the end of a cul-de-sac. Vehicle speeds would be low and so visibility is not considered an obstacle. Clarity over access (in/out) arrangement should be sought and appropriate signage provided. Conditions relating to parking, access and turning are suggested.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Within the Built up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	GEN12	Parking in New Development

PLANNING POLICY GUIDANCE

	NPPF	National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

Principle
The site lies within the built up area boundary where the principle of residential development is generally acceptable. The proposal would make efficient use of previously developed land within a reasonably sustainable location and there is clearly a need for the type of accomodation proposed given an ever increasing ageing population.

Planning History
In 2009 planning permission was granted for the erection of 39 extra care units and a manager's apartment on the current application site and also including numbers 11, 15 and 17 Manor Road. The permission lapsed on 28th April 2012. However, funding in the present climate has proved problematic and this application is for a more viable option to this, to add a new wing to the care home which only utilises the 2 end plots in Manor Road retaining the 3 adjacent houses. This consented application is a material consideration and allowed development in a similar position to that proposed.

An application was submitted in 2011 (R/227/11) for a similar form of development to that now proposed relating to 30 new bedrooms. The application was withdrawn to allow time for negotiations to be undertaken in relation to the bulk, position and site coverage. Accordingly, the application has been re-submitted to provide a visual break to the existing nursing home and move the development closer to Manor Road. 1.5m has been reduced from the length of the development and it has been moved 1m further from the boundary with No. 17 and now includes a bay to the east elevation to add more visual interest and articulation. Clarification has also been provided in relation to the layout changes within the exiting nursing home.

Visual Amenity and Character of the Area
The proposed wing would be 2 storeys high with a ridge height of 9m, slightly lower than the existing care home. The height reduces to the Manor Road end where the flank elevations are single storey and the eaves at 3.2m match the adjacent chalet bungalow which is set back 22m from the site when viewed from Manor Road the development appears domestic in scale. The front of the building would roughly align with the rear of No. 17.

The existing nursing home is constructed of painted rendered elevations and it is proposed that the elevations of the new wing would be brickwork. This would contrast with the home and reduce the massing of the development as a whole. Brickwork would be in keeping with the materials of the adjoining properties.

The site lies within Area 7 identified in Rustington Village Design Statement which is characterised by mainly terraced houses of brick construction with a predominant use of clay tiles on roofs and facades. The density of buildings is generally high and roof pitches are generally low.
The design of the proposal reflects many of these characteristics and it would not detract from the appearance of the area.

Residential Amenity
The proposed residential wing would be located parallel with and adjacent to the boundary with the allotments. At its closest point it would be 1m from the boundary line. The proposal is 2 storeys high and the first floor areas incorporating day rooms and 6 bedrooms would be located close to the other side boundary of the site. However the narrower first floor element, serving day room 2, would be 1.2m from the boundary adjacent to the neighbouring garage compound. The 6 bedroom block would be 2.6m from the adjacent garden boundary which is in the ownership of the

applicant. The eaves height of this section is 3.2m and it extends for a length of 12.4m. It is considered given the distance to the boundary and the limited height there would be no materially adverse overbearing effects resulting on the rear garden area of No. 17.

With regard to overlooking from first floor bedrooms, the distance from the proposal to the rear boundary of 11 Beverley Gardens is 11m and from day room 2 where overlooking would be oblique it is 16m. These distances would not result in material loss of privacy. The distance from the 2 first floor bedrooms to the garden of No. 17 is 10.4m at their closest point. Some oblique overlooking would be possible from day room 2 and bedrooms in the section closest to Manor Road, but these would not result in material harm.

The turning/parking area adjacent to Manor Road would be located adjacent to the front garden and garage serving No. 17 and would not abut the rear garden area. Therefore it would not cause an adverse impact on the residential amenities of this property.

Highway Considerations
The site is proposed to be accessed from Manor Road, which is a no through road and consequently has low traffic flows. The 2 houses to be lost both provided off street vehicle parking, although both required vehicles to either reverse out/off street. Given the location at the end of a cul-de-sac, vehicle speeds would be low so visibility would not be an issue.

Parking Standards for C2 use require 1 parking space per 20 residents, plus 1 per 8 residents for visitors, plus 1 space per 5 residents for staff. The proposal would result in 60 bedrooms/residents. This generates a maximum requirement for 23 spaces. 12 spaces currently exist adjacent to the Worthing Road frontage and an additional 10 would be provided in front of the new wing accessed from Manor Road. This equates to 1 space less than required by the proposal and given this minimal shortfall it is therefore acceptable.

In terms of traffic levels in Manor Road the previously consented 39 extra care apartments provided 18 parking spaces accessed from Manor Road and this would have generated more traffic (if implemented) than that currently proposed.

Conclusion
The scale, footprint, design and position of the proposed new wing and alterations to the existing care home are now considered acceptable and it is recommended that the application is approved subject to the following conditions.

HUMAN RIGHTS ACT

Human Rights Act:
The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect for family and private life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents¿ right to respect for their private and family life and home, except insofar as it

is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal positive impacts have been identified upon the elderly and disabled.

RECOMMENDATION

APPROVE CONDITIONALLY

1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby approved shall be carried out in accordance with the following approved plans 1118/1/B,118/3/E, 1118/4/B and 118/5/c
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of Arun District Local Plan.

3 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the proposed building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

4 No development shall commence until the proposed site vehicular access has been constructed in accordance with details to be submitted to and approved by the Local Planning Authority.

Reason: In the interests of road safety in accordance with policy GEN7 of the Arun District Local Plan.

5 The building shall not be occupied until the parking spaces/turning facilities shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking or turning of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policy GEN7 of the Arun District Local Plan.

6 'No development shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.'

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

7 INFORMATIVE: The building shall not be occupied until appropriate signage has been provided at the entrance to the site to clarify entry/exit arrangements to ensure vehicle movements do not conflict either internally or at the entrance.