

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

14 February 2019

Application No:	SMD/2018/0780	
Location	Hillswood Lodge Nursing Home, The Close, Endon	
Proposal	Two-storey side extension forming accommodation (Revised Scheme).	
Applicant	Mr R Smith	
Agent	Aspbury Planning	
Parish/Ward	Endon	Date registered 21/12/2018
If you have a question about this report please contact: Mr C Johnston Christopher.johnston@staffsmoorlands.gov.uk		

SUMMARY OF RECOMMENDATION

REFUSE

REFERRAL

The application is brought before Planning Committee as it is for a revised scheme which was previously brought to Planning Committee (on 30th August 2018) at the request of Cllr Lea and Cllr Jebb to assess the impact on neighbour amenity and trees.

1. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

1.1 The application site is within the development boundary of Endon and lies on the north-west side of the main road, A53 (Leek Road). It comprises a large detached two-storey nursing home with grounds and parking, at the end of a small private cul-de-sac ("The Close") off Leek Road. The cul-de-sac provides two accesses into the property, with the main one being half-way down the road. There are detached dwellings to the other side of The Close and to the south-east side. The north-west and north-east boundaries of the site adjoin the rear boundaries of residential properties on Hillside Avenue. The nursing home building has cream-colour rendered walls and dark grey tiles. It has an early 20th-Century style and characterised by hipped roofs, dormer and gable ends although there is also a recently built front-side two-storey extension with large front gable end. There is also a smaller detached annex-type building ("The Cottage") close to the north-east boundary with similar materials and a front gable end. There are car parking spaces to the front and rear of the building. The site is on land which slopes downwards towards the main road to the south-east.

- 1.2 Large boundary trees are a feature of the site and lie mainly close to the south-west side, north-east side and rear (north-west) boundaries of the site. There are also large trees protected by Tree Preservation Orders (TPOs) close to the north-east side boundary of the site within the neighbouring rear gardens of Hillside Avenue properties.

2. DESCRIPTION OF THE PROPOSAL

- 2.1 This is a re-submitted full planning application for a revised front/side two-storey extension to provide ten additional bedrooms, following the refusal of the previous scheme at August 30th 2018 Planning Committee (SMD/2018/0082). The extension involves forming a wing to the main building which projects at a diagonal angle from the side wall of the building and would be parallel with the north-east boundary of the site leaving a gap of 3.0 metres from that boundary and 4.5 metres from the front (south-east) boundary of the site. This would provide ten additional care home bedrooms (and two sitting rooms) to the 20 already existing (although one bedroom in the main building would be lost to make way for the extension). All the new rooms would remain on two levels facing the car parking and garden area to the front of the main building. The detached “cottage” would be demolished.
- 2.2 The front wall (facing the grounds to the front of the care home) would have the same width as previous (20.0 metres). The rear wall, facing the Hillside Avenue dwellings would also have the same width (28.0 metres). The extension depth would be 9.2 metres (excluding front gable projection and rear fire escape) which is 0.3 metres less than in the previous scheme. The materials would remain the same i.e. cream render walls and clay roof tiles.
- 2.3 The reason for the refusal of the previous scheme was as follows:

The proposed care home extension, by virtue of a combination of its height, two-storey form, excessive width and siting close to the rear boundaries of properties on Hillside Avenue, would lead to a visually intrusive and overbearing form of development when viewed from the rear windows and rear garden of No.3 Hillside Avenue, significantly harming the residential amenities of the occupants thereof. The benefits of the scheme in providing additional care home accommodation in a sustainable location are outweighed by the adverse impact on the existing residential amenities of the area identified. The proposal is contrary to policies H1 and DC1 of both the Council's Core Strategy Development Plan Document (adopted March 2014) and the emerging Local Plan (Submission Version - February 2018) and is also therefore not in line with Section 12 of the National Planning Policy Framework (NPPF), 'Achieving Well Designed Places'.

- 2.4 The main changes to the new scheme in relation to the previous refused scheme (other than the slight reduction in the extension depth) are the roof design, front elevation design and the height of the extension, with the overall footprint, length/width, depth and distances from the boundaries remaining the same. A hedge is also proposed to be planted between the proposed rear wall and the rear boundaries of the Hillside Avenue properties.
- 2.5 The roof design is the most radical change. The first part of the extension (closest to the main building) would be mostly flat-roofed, hidden from the front by the addition of a “false pitch” roof above the front eaves. The vertical drop on the other side of the pitch would have hanging tiles down to the flat roof. The end part of the extension would be covered by a conventional fully-hipped roof with a ridge which would be 1.0 metre higher than the ridge of the false-pitch roof adjoining it. A roof plan drawing is shown on drawing no. 17-143-11. The re-designed roof differs with the previous extension which was entirely covered by a hipped roof.
- 2.6 In terms of height and dimensions, the maximum height from ground level up to the roof ridge would be 7.2 metres, the same as the previous scheme. However, as the part of the extension adjoining the main building would have a lower false-pitch roof, the ridge would be 1.2 metres lower than the eaves of the main building, as opposed to 0.4 metres lower shown in the previous scheme. The front eaves of the extension would remain the same height as previous. The eaves are shown to be slightly above the first-floor windows whereas the previous scheme there was a roof overhang which was slightly below the upper frame of the first-floor windows. This has changed the appearance of the front elevation and the other notable change is the number of gable-end front projections from two to one.
- 2.7 At the rear, as the eaves have remained the same height as previously. The height of the rear wall up to the flat roof and adjacent hipped roof, is the same as the rear wall of the previous scheme up to the eaves (i.e. 5.05 metres). However, this height, when measured from the ground, increases slightly towards the end of the extension due to the sloping land.
- 2.8 A beech hedge is proposed to be planted between the rear wall of the extension and the rear boundaries of Nos 3 and 5 Hillside Avenue. This is shown to have a height of 3.2 metres (measured from the ground in the gap between the two which is slightly lower than the ground level of the adjacent gardens).
- 2.9 The car parking layout and spaces would remain the same and comprises seven spaces to the front of the building and seven to the rear i.e. 14 spaces in total. In terms of staff numbers, previously there was proposed to be 2no. new full time staff to add to 5no. and 2no. part-time staff to add to 13no. The new forms state 2no. full time staff

would add to 4no. currently and 5no. new part-time staff would add to 17no currently. Therefore more part-time staff are expected to be taken on to add to a recently increased number already working, whereas the same number of new full-time staff would be added to a slightly smaller full-time workforce.

- 2.10 The application, the details attached to it, including the plans, any comments made by residents and the responses of consultees can be found on the Council's website at:-

<http://publicaccess.staffsmoorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=127556>

3. RELEVANT PLANNING HISTORY

SMD/1984/0734	Change of use to residential care home for the elderly. Approved.
SMD/1988/0505	Two-storey extensions. Approved.
SMD/1991/1199	Change of use of garage to provide sheltered accommodation. Approved.
SMD/1992/1145	Extension to provide office. Approved.
SMD/2013/0998	Bedroom and lounge extensions. Approved.
SMD/2014/0417	Lounge area extension. Approved.
SMD/2014/0547	Bedroom extensions (revision to SMD/2013/0998). Approved.
SMD/2015/0536	Single-storey front extension. Approved.
SMD/2017/0097	Two-storey side/front extension. Withdrawn.
SMD/2018/0082	Two-storey side/front extension. Refused on 31.8.18.

4. PLANNING POLICIES RELEVANT TO THE DECISION

- 4.1 The Development Plan comprises:-

- Saved Staffordshire Moorlands Local Plan Proposals Map/Settlement Boundaries (Adopted 1998);
- The Staffordshire Moorlands Core Strategy Development Plan Document (Adopted 26th March 2014)

Staffordshire Moorlands Core Strategy Development Plan Document
(Adopted March 2014)

4.2 The following Core Strategy policies are relevant to the application:-

- SS1 Development Principles
- SS1a Presumption in Favour of Sustainable Development
- SS6a Larger Villages Area Strategy
- H1 New Housing Development
- DC1 Design Considerations
- T1 Development and Sustainable Transport

Emerging Staffordshire Moorlands Local Plan

National Policy Guidance

Paragraph 48 of the newly adopted NPPF states that:

“...decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Local Plan Process

The Council agreed to publish the Local Plan Submission Version for representations in February 2018. At this point, the Council agreed that the Local Plan was “sound”. Formal representations were then invited from residents, businesses and other stakeholders to provide them with the opportunity to support or challenge the soundness or legal compliance of the Local Plan. This stage in the process followed three previous public consultations since 2015 which had informed the preparation of the Local Plan alongside a comprehensive evidence base.

In June 2018, the Council subsequently agreed to submit the Local Plan Submission Version to the Secretary of State for examination. An examination in public will now be held this Autumn in order to determine whether the Local Plan is sound and legally compliant. Subject to the findings of the appointed inspector, the Local Plan is expected to be adopted in the Spring of 2019. At his point, it will supersede the adopted Core Strategy and become part of the statutory development plan for the District.

In this context, the Council's position on the weight to be given to the policies contained in the Local Plan Submission Version in terms of the three criteria set out in Paragraph 48 of the NPPF is as follows:

- The stage of preparation – the Local Plan is now at an advanced stage of preparation as the Council has submitted it to the SoS for examination;
- The extent to which there are unresolved objections to relevant policies; this varies depending on the policy in question;
- The degree of consistency of policies with the NPPF – given that the Council has submitted a Local Plan that it considers to be sound, all policies are deemed to be consistent with the NPPF.

Emerging Policies

The following policies and their weighting are considered to be relevant to this application:

SS1	Development Principles (Moderate)
SS1a	Presumption in Favour of Sustainable Development (Significant)
SS2	Settlement Hierarchy (Limited)
SS3	Future Provision and Distribution of Development (Limited)
SS8	Larger Villages Areas Strategy (Limited)
H1	New Housing Development (Limited)
DC1	Design Considerations (Moderate)
NE2	Trees woodland and hedgerows (Significant)
T1	Development and Sustainable Transport (Moderate)

National Planning Policy Framework (NPPF July 2018)

The following NPPF sections are relevant;

- 5: Delivering a sufficient supply of homes.
- 12: Achieving well-designed places.

National Planning Policy Guidance

4 CONSULTATIONS CARRIED OUT

5.1 A Site notice has been displayed and neighbouring properties notified.

Site Notice	Consultation period expired: 01/02/2019.
Neighbour Notification	Consultation period expired: 01/02/2019

Public Comments: Letters of objection have been received from three adjacent residential properties on Hillside Avenue. Two of the objectors had also objected to the previous application. The main points raised in the letters are as follows:

- The extension would be more intrusive than the previous scheme and aesthetically inferior.
- The flat-roof is poor design out of keeping with the area.
- Overbearing impact will still be caused due to the design, height, form, width and siting of the extension.
- Existing trees are shown incorrectly on the drawings including the canopy of the protected tree at No.3 Hillside Avenue.
- Lack of details about the proposed hedge including planting size and duration of growth.
- Inadequate space for proposed hedge.
- Harm to the roots of the protected tree within No.3 Hillside Avenue.
- Outdoor lighting for new extension could cause light pollution if directed towards residential properties.
- Potential for further noise creation due to increased staff on breaks.

Endon Parish Council: No objection to the principle of the proposal but strong objection to the new scheme on design grounds but also the lack of information (e.g. inadequate drawings and no tree protection details). The design is extremely poor and out of context with the existing building, in particular the flat roof and vertical tile-hanging wall. Some of the rooms are of an awful proportion.

Council Tree Officer: No objection in terms of the impact on the protected tree within the garden of No.3 Hillside Avenue.

“The tree issues were looked at unusually closely with the previous application, eventually leading to a conclusion that the protected mature Ash tree in the rear garden of 3 Hillside Avenue demonstrably appeared not to have any significant root growth within the proposed extension footprint despite this being substantially within the “standard” circular Root Protection Area derived using BS 5837. Therefore in the end I had no substantive objection to that proposal, even to the extent that the originally proposed special measures foundations (piles and beam).

The current application is on the same proposed footprint, and there will have been no material changes in tree condition, root development etc during the intervening few months. Therefore no further tree information or reports are necessary to accompany the new planning application.

The canopy of the protected tree at No.3 Hillside Avenue is not accurately shown on the drawings and would not provide any screening of the extension when viewed from the adjacent Hillside Avenue properties.

Whilst I would support the provision of a new hedge in the event that the scheme goes ahead, I would advise that the narrow retained strip between the boundary fence and proposed extension is unlikely to provide ideal conditions for quick establishment of new plants due partly to limited space and poor/disturbed ground but more particularly to the enclosed shaded space available. Whilst Beech is shade tolerant, I suspect it would take a long time to provide any effective screening of worthwhile density. The best option I can advise would be to plant a new Cherry Laurel hedge, as this is even more shade tolerant, fully evergreen and relatively quick growing.”

Staffordshire County Council Highways: No objection.

Severn Trent Water: No objection.

5 OFFICER COMMENT AND PLANNING BALANCE

Policy Context and Principle of Development

- 5.1 The Local Planning Authority is required to determine planning applications in accordance with the development plan, unless there are material considerations which indicate otherwise and in determining these applications, it shall have regard to the provisions of the Development Plan, in so far as material to the application and to any other material considerations.
- 5.2 Paragraph 73 (NPPF July 2018) requires the council to identify a five-year supply of deliverable housing land, including a 5% buffer to allow for choice and competition in the market or, in this instance, 20% where there has been a significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply. It is acknowledged that the council cannot demonstrate a five year housing land supply and as of 31st March 2017 the figure was 1.99 years.
- 5.3 Paragraph 11 of the National Planning Policy Framework (July 2018) states that plans and decisions should apply a presumption in favour of sustainable development. For decision-takers this means: “(c) approving development proposals that accord with an up-to-date development plan without delay; or (d) where there are no relevant development plan policies, or the policies, which are most important for determining the application are out-of-date, granting planning permission unless: (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole”. NPPF para 8 identifies the three dimensions to sustainable development as economic, social and environmental. The National Planning Policy Framework is a material consideration in planning decisions.

- 5.4 Policy SS1 of The Staffordshire Moorlands Core Strategy identifies that development should contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands. Core Strategy policy SS1a establishes a 'Presumption in Favour of Development' in line with National Planning Policy where (1) planning applications that accord with policies within the Core Strategy will be approved without delay and (2) where there are no relevant policies or they are out of date, the Council will grant planning permission unless material considerations indicate otherwise considering:-
- I. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework (NPPF) taken as a whole, or,
 - II. Specific policies in within the Framework indicate that development should be restricted.
- 5.5 There are no local planning policies or government planning guidance specifically relating to care homes but housing policies in general at both local and national level do require a range of different housing and housing for all groups including the elderly. There is an ageing population and therefore a likely demand across the District for more elderly care accommodation. The principle of the enlargement of the care home within the confines of a large village, close to a range of shops and services and in a sustainable location, is therefore acceptable.
- 5.6 With regard to how the proposal sits in terms of the requirements set out in para. 5.4 of this report and para 11 of the NPPF, there would be a presumption in favour of the proposal unless any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits against the policies in the National Planning Policy Framework (NPPF) taken as a whole. The remainder of the report will focus on whether such adverse impacts exist.
- 5.7 This is a re-submitted scheme following the refusal of the previous application for the extension to the care home to provide additional bedrooms and accommodation. The principle of the enlargement was considered to be acceptable. However, adverse impacts were identified which were considered to outweigh the benefits of the proposal in adding to the District's stock of care accommodation. The adverse impact identified was the harm to the residential amenities of the occupants of No.3 Hillside Avenue by virtue of the scale, height, form and siting of the extension which overall was considered to amount to a visually intrusive and overbearing development when viewed from that property, affecting the living conditions of the occupants.

The Impact on Residential Amenity

- 5.8 The height, width and siting of the back wall of the new revised proposed extension has not changed. There have been no changes to the application site or the rear part of the affected property, No.3 Hillside Avenue, since the previous scheme was refused. Despite the removal of the pitched roof from the rear roof eaves directly opposite the rear boundary of No.3, the rear wall would still be as harmfully prominent as the rear wall of the previous scheme, when viewed from No.3 Hillside Avenue. In fact, its prominence would be increased by virtue of the fact that in the previous scheme, the top part of the wall would have been screened by the roof overhang resulting in a visible wall height of 4.8 metres when stood at the rear wall of No.3. With this new scheme, the roof on this part of the extension has been removed resulting in the whole wall of a height of 5.05 metres being visible.
- 5.9 The vegetation between the boundary and extension has been removed and although a replacement hedge is proposed, the Tree/Landscaping Officer considers it unlikely that this would over a short space of time provide a sufficient screen for the extension when viewed from No.3. The canopy of the protected tree in the rear garden of No.3 is also too high above the ground to provide any screening. The back wall would have a cream render finish which although would harmonise with the existing finish of the main building, would only add to the prominence of the extension and it is difficult to envisage what alternative materials could be used to sufficiently reduce the visual impact of the extension to a sufficiently avoid visual intrusion to an acceptable extent, given the overall height and scale of the extension and its siting in relation to No.3.
- 5.10 An alternative species of hedge has been discussed between the applicant's agent and the Council's Tree Officer and a cherry laurel hedge has been suggested as this is fast-growing. However, amended details have not been received. There remains an absence of details such as planting sizes and rates of growth. A 3.2m high hedge is shown but it is considered the height would need to be at least 4.0 metres in order to provide a sufficient screen for the extension. An amended plan and details for the proposed hedge received before the Committee meeting date will be assessed and reported to the Committee but as things stand there is no guarantee or evidence that the planting of a hedge in the gap between the extension and boundary will develop into a sufficient screen and it was commented previously by the Tree Officer that the size of gap between the two (which has not been enlarged) would be insufficient for an adequate hedge screen.

Design and Visual Impact (Character and Appearance)

5.11 It is considered the large expanse of flat roof as a result of removing much of the previously proposed pitched roof would result in an extension which does not harmonise with the traditional pitched roofed design and appearance of the main building. Although the flat-roofed part of the extension would not be easily visible from the public highways or public footpath, or from the private cul-de-sac facing the front of the extension (where it would be hidden by the front false-pitch roof), it would still be highly visible from the residential properties on Hillside Avenue, particularly nos. 3 and 5 Hillside Avenue. Two-storey flat roofed buildings or extensions are not a traditional feature of the area and although there are single-storey flat roofed parts of dwellings on Hillside Avenue, these are garages or extensions which are much smaller than the host dwellings and appear subservient to them. The flat-roofed part of the structure proposed for the care home would be much higher and larger and as a result would harm the overall character and appearance of the care home building.

5.12 It is also considered the flat-roofed part of the extension would increase the visually intrusive nature of the development when viewed from the rear of nos. 3 and 5 Hillside Avenue. Views from those properties contain primarily well proportioned buildings of traditional form and pitched roofs. The proposal, if built, would result in a highly prominent view of a flat-roofed block-shaped structure of two-storey height, a design contrasting sharply with other buildings in view from those properties. It is considered that a structure with a pitched roof and significantly lower roof eaves would be far more preferable in terms of visual impact, if placed 3.0 metres from the rear boundaries of nos. 3 and 5. The previous scheme was not considered harmful to the residential amenities at No.5 as the part of the extension closest to No.5 would have been seen against the main building. However, the flat-roofed element of the extension would be as equally prominent from No.5 as it would be from No.3 and presents itself as an intrusive feature when viewed from that property.

Impact on the Protected Tree

5.13 The issues regarding the impact on the protected tree in the garden of No.3 Hillside Avenue were resolved at the time of the Committee meeting where the previous scheme was discussed. There have been no changes to the position of the proposed rear wall of the extension and no changes to the tree since the previous decision was made and therefore there is no requirement to re-submit the tree protection information or previous reports relating to the tree as the revised proposal does not lead to any additional tree concerns.

Impact on Highway Safety

- 5.14 The revised proposal does not lead to any increase in the number of additional bedrooms in relation to the previous scheme. No objection was raised by Staffs County Council as Local Highways Authority in response to the previous proposal in terms of the impact on highway safety. Although the proposal may lead to an increase in predicted staff numbers, parking provision within the site and on the private cul-de-sac is deemed to be sufficient and would not be reduced as part of the scheme.

Conclusion and Planning Balance

- 5.15 The re-design of the care home extension would fail to remove the visually intrusive and overbearing impact affecting the residential amenities of No.3 Hillside Avenue, not least because the height, width and siting of the rear wall close to the rear boundary of No.3 has not changed and there is insufficient evidence at this stage that hedge planting would sufficiently alleviate this impact. Furthermore, it is considered there has been a deterioration in design quality as a result of the introduction of a two-storey flat-roofed element of the scheme which contrasts harmfully with the character and appearance of the main building and which due to its visibility from Hillside Avenue properties, adds to the visually intrusive nature of the proposed development to the further detriment of residential amenity. The adverse impacts to both the residential and visual amenities of the area would further outweigh the benefits of the schemes in providing additional care home accommodation in the area. The revised proposal would remain to be contrary to the NPPF and policies H1 and DC1 of both the adopted Core Strategy and the emerging Local Plan (Submission Version). The application is therefore recommended for refusal.
- 5.16 Any changes to the proposed hedge screen between the rear wall of the extension and the rear boundaries of Hillside Avenue properties and its effects in aiming to reduce the impact on the amenities of the area will be reported at the meeting.

6 OFFICER RECOMMENDATION

A Full Planning Permission is refused for the following reasons:-

- 1. The proposed care home extension, by virtue of a combination of its height, two-storey flat-roofed form, excessive width, and siting close to the rear boundaries of properties on Hillside Avenue, would lead to a visually intrusive and overbearing form of development when viewed from the rear windows and rear garden of Nos 3 and 5 Hillside Avenue, significantly harming the residential amenities of the occupants thereof. The benefits of the scheme in providing additional care home**

accommodation in a sustainable location are outweighed by the adverse impact on the existing residential amenities of the area identified. The proposal is contrary to policies H1 and DC1 of both the Council's Core Strategy Development Plan Document (adopted March 2014) and the emerging Local Plan (Submission Version – February 2018) and is also therefore not in line with Section 12 of the National Planning Policy Framework (NPPF), 'Achieving Well Designed Places'.

2. The proposed two-storey flat-roofed form and design of part of the extension would not harmonise with the traditional character and appearance of the main building on site and as it would be visible from adjacent residential properties would be harmful to the overall visual amenities of the area. The benefits of the scheme in providing additional care home accommodation in a sustainable location are outweighed by the adverse impact on the existing visual amenities of the area identified. The proposal is contrary to policies H1 and DC1 of both the Council's Core Strategy Development Plan Document (adopted March 2014) and the emerging Local Plan (Submission Version – February 2018) and is also therefore not in line with Section 12 of the National Planning Policy Framework (NPPF), 'Achieving Well Designed Places'.

B; In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Operations Manager – Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Informative

1. It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF. Such matters have been discussed with the applicant with a view to seeking solutions, via meetings, although such solutions have not been possible as the application has not been amended sufficiently to overcome the problems.

