
APPLICATION DETAILS

Application No:	19/0752/FUL
Location:	Fountains Court Care Home, The Pastures, Middlesbrough TS8 0UJ
Proposal:	Single storey extension to rear to provide 14 no. additional bedrooms
Applicant:	Mr George Dixon
Agent:	Mr Garry Phillipson
Company Name:	GP Designs Architectural Services
Ward:	Coulby Newham
Recommendation:	Approve with Conditions

SUMMARY

The application seeks approval for an extension to support the expansion of the care providing 14 additional en-suite bedrooms. Following consultation three objections were received from residents. The main reasons of objection are the potential increase to the volume of traffic, parking and impacts on highway safety. As part of the proposal additional parking has been provided in line with the requirements of the design guide standards. Although relatively large the extension has been designed well so that it will not have a detrimental impact on the character and appearance of the area or significantly impact the amenities of the adjacent residential properties. The proposal is a suitable development which accords with Policies REG29, CS13, CS4, CS5, DC1.

SITE AND SURROUNDINGS AND PROPOSED WORKS

1. The application relates to Fountains Court Care Home which is situated at the head of a cul de sac to the north western corner off the Pastures estate in Coulby Newham off Bonnygrove Way in what is a predominately residential area. The site sits directly to the south of Stainton Way.
2. The application seeks planning approval for a single storey extension to create an additional 14 bedrooms with en-suite facilities.

PLANNING HISTORY

3. No relevant planning history.

PLANNING POLICY

In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities must determine applications for planning permission in accordance with the Development Plan for the area, unless material considerations indicate otherwise. Section 143 of the Localism Act requires the Local Planning Authority to take local finance considerations into account. Section 70(2) of the Town and Country Planning Act 1990 (as amended) requires Local Planning Authorities, in dealing with an application for planning permission, to have regard to:

- The provisions of the Development Plan, so far as material to the application
- Any local finance considerations, so far as material to the application, and
- Any other material considerations.

Middlesbrough Local Plan

The following documents comprise the *Middlesbrough Local Plan*, which is the Development Plan for Middlesbrough:

- Housing Local Plan (2014)
- Core Strategy DPD (2008, policies which have not been superseded/deleted only)
- Regeneration DPD (2009, policies which have not been superseded/deleted only)
- Tees Valley Joint Minerals and Waste Core Strategy DPD (2011)
- Tees Valley Joint Minerals and Waste Policies & Sites DPD (2011)
- Middlesbrough Local Plan (1999, Saved Policies only) and
- Marton West Neighbourhood Plan (2016, applicable in Marton West Ward only).

National Planning Policy Framework

National planning guidance, which is a material planning consideration, is largely detailed within the *National Planning Policy Framework* (NPPF). At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The NPPF defines the role of planning in achieving economically, socially and environmentally sustainable development although recognises that they are not criteria against which every application can or should be judged and highlights the need for local circumstances to be taken into account to reflect the character, needs and opportunities of each area.

For decision making, the NPPF advises that local planning authorities should approach decisions on proposed development in a positive and creative way, working pro-actively with applicants to secure developments that will improve the economic, social and environmental conditions of the area and that at every level should seek to approve applications for sustainable development (paragraph 38). The NPPF gives further overarching guidance in relation to:

- The delivery of housing,
- Supporting economic growth,
- Ensuring the vitality of town centres,
- Promoting healthy and safe communities,
- Promoting sustainable transport,
- Supporting the expansion of electronic communications networks,
- Making effective use of land,
- Achieving well designed buildings and places,

- Protecting the essential characteristics of Green Belt land
- Dealing with climate change and flooding, and supporting the transition to a low carbon future,
- Conserving and enhancing the natural and historic environment, and
- Facilitating the sustainable use of minerals.

The planning policies and key areas of guidance that are relevant to the consideration of the application are:

CS5 - Design
 DC1 - General Development
 UDSPD - Urban Design SPD

The detailed policy context and guidance for each policy is viewable within the relevant Local Plan documents, which can be accessed at the following web address.
<https://www.middlesbrough.gov.uk/planning-and-housing/planning/planning-policy>

CONSULTATION AND PUBLICITY RESPONSES

4. Neighbouring properties were consulted on the proposal, three site notices were also posted around the site.

5. The following representations have been made.

6. Mr K McGarrity - 21 The Pastures

This care home is a very close neighbour of mine, and the proposal to enlarge the home by some 14 bedrooms is causing me great concern, I consider myself a good neighbour, I do not consider the current staff and management to be good neighbours of mine.

At the moment, the vehicle traffic the home generates, with permanent staff, delivery's and the fact that they appear to use this location for meetings that draw staff from other locations as well as functions for residents that have invites for family members means than the existing car park cannot cope and these visiting staff and family members have absolutely no regard for the people that live nearby and park wherever they like. The Pastures on days when Fountains Court have these events resembles a car park without even the usual rules a car park would insist on, the proposals for the extra parking are wholly inadequate, in fact would be inadequate for the rooms they have now, let alone the future expansion of rooms.

As I understand it, there are covenants on this property that refer to times when deliveries can be made and staff changeover times etc., these have never been observed and are hardly likely to be better observed in the future if this application is given consent.

My property is currently classed as band E, will my property be reclassified to something more appropriate given this enlarged business premises on my door step? I want to indicate my opposition to this extension in the strongest possible terms.

7. Mrs J Manders - 22 The Pastures

Increased volume of traffic, to an already very busy care home. This includes increased emergency services, family visitors, staff, deliveries, refuse collection and other agencies. Much of this traffic is 24 hours a day, 365 days a year.

Highway safety. The access road into the care home is via a residential cul de sac, which was not built to accommodate the type and amount of vehicles that currently use it - this is evident in the potholes as you enter the cul de sac. Compounding this, each household has 2 or 3 cars. The road has some safety issues and access is very

difficult when large deliveries, refuse collection and emergency vehicles are try to access either the care home or resident's houses due to a very tight, blind corner leading into the care home. We have witnessed a number of near misses as vehicles are either too big to safely negotiate the tight corner or going too fast not thinking that someone maybe coming out of their property. There are lots of families in the road and as it is a cul de sac often let their children play out on the road. An increase in traffic will obviously mean the road becomes an unsafe place for families to live.

Parking Provision. The care home already struggles to accommodate visitors at weekends and busy times and they end up parking on the pavements outside people's homes causing access issues and inconvenience. Last time the fire brigade were called to a fire alarm there were three appliances and a fire car, however the car park was full and the access is so narrow only one of the engines could actually drive into the care home, consequently the other appliances were having to park anywhere they could find in the cul de sac but could not get near the home. This is very worrying on many levels for both the residents of the care home and The Pastures residents and needs to be seriously taken into consideration.

My final concern is the increased noise and disruption should this build be allowed to go ahead, both during the build and after. The sheer volume and size of the construction vehicles that will need to access the cul de sac will have a very negative and damaging impact in the lifestyle of the residents not just in The Pastures but in the surrounding roads on all sides of the care home.

In fact, it is unimaginable to think how the large construction vehicles are even going to get in and out of the site. It is also a question as to if the home is safe to stay open if the build goes ahead. Where will staff and visitors park? Will services be able to access the home safely? What is the impact going to be on the residents of The Pastures?

8. Mr Keith Morren -19 The Pastures

Concerned about increased traffic in residential area

9. MBC Environmental Health

No objections subject to relevant noise conditions.

10. MBC Waste Services

Given the number of bedrooms, and the commercial activities associated with the care home, there should be provision for at least x5 1100ltr eurobins for waste and x5 1100ltr eurobins for recycling based upon a weekly collection for waste and fortnightly collection for recycling, however, as these collections are through commercial collections, the frequency can be increased if the bin provision is smaller.

11. MBC Highways

The car parking facility seems sufficient based on the number of residents, staff etc. As a result, we wouldn't have any objections.

12. Public Responses

Number of original neighbour consultations	22
Total numbers of comments received	3
Total number of objections	3
Total number of support	0
Total number of representations	0

PLANNING CONSIDERATION AND ASSESSMENT

Principle of Development

13. The application relates to Fountains Court Care Home which is situated at the head of a cul de sac to the north western corner of the Pastures which is a modern housing estate in Coulby Newham off Bonnygrove Way. The site sits approximately 30m south of Stainton Way and is situated in an area which is used predominately for residential purposes.
14. The application seeks planning approval for a single storey extension which will link the existing north western and south western wings of the building which project from the central courtyard at the rear of the site creating 14 additional bedrooms with en-suite facilities and link corridor.
15. The proposed extension will span almost 20m along its western boundary and almost 14m along the northern boundary. The extension will have long spanning hipped roofs of a similar style and height to match the existing building. Plans indicate that windows styles and proportions will be replicated and matching materials will be used ensuring consistent design. The care home has its own parking provision (18 spaces) at the front of the site and has enclosed gardens/landscaping at the rear.
16. Policy CS5 and Policy DC1 are the relevant policies which will be considered in this case. Policy CS5 aims to secure a high standard of design for all development, ensuring that it is well integrated with the immediate and wider context. Policy DC1 takes account of the visual appearance and layout of the development and its relationship with the surrounding area in terms of scale, design and materials. This is to ensure that they are of a high quality and to ensure that the impact on the surrounding environment and amenities of nearby properties is minimal.
17. The proposal to extend an existing commercial residential accommodation within a residential area is considered to accord with general policy principles, being located in a sustainable location relative to the existing operation.

Impacts on Surroundings

18. The proposed extension is well placed to the rear of the site (adjacent to a public walkway and cycle path) so that it is not visible from the roadside and set away from neighbouring properties. Furthermore with the extension being single storey and fairly low level sat behind the boundary walls / high hedges will be partially screened. Resident's room windows will all look inwards towards the shared inner garden space and therefore no overlooking issues or privacy issues will arise for surrounding residents. On this basis it is considered that the overall development would not have an adverse impact on loss of privacy to future occupants or neighbouring properties.
19. Whilst the extension has a fairly large projection the site will be able to accommodate the addition well whilst retaining a good level of soft landscaping and outdoor amenity space around the site for residents to enjoy.
20. The extension is considered to be of an acceptable scale in relation to the existing care home and has been designed sympathetically to ensure that it will harmonise well with the existing building. As the extension will be partially screened within the streetscene the extension will have a minimal impact on the character and appearance of the area and is therefore considered a suitable addition in this location.

21. As the extension will be situated directly to the south of Stainton Way, Environment Health have requested that an assessment of road noise and a scheme for protecting the proposed units and associated residential outdoor space from traffic noise is submitted before the units are occupied. The care home is situated in excess of 30m from Stainton Way and is separated from the highway by a verge which is lined with mature trees and cycle path/footpath which sits adjacent. The home is already enclosed by the existing boundary treatment and the additional rooms have also been designed to be served from a corridor which will act as a buffer with room windows facing out onto the internal garden/courtyard. It was also noted on the site visit that the home did not appear to be subject to a high level of traffic noise. In view of this the home already benefits from a reasonable level of noise mitigation therefore the noise attenuation condition is not considered essential in this case.

Highway related matters

22. Following a neighbour consultation three objections were received from residents who had concerns regarding car parking implications as a result of the proposed increase to the number of residents. Specific concerns included existing parking related problems / issues at staff hand over times and events held by the home.
23. The design guide standards dictate that sufficient operational parking and area for manoeuvring within the site must be provided as follows, 1 space per 3 members of staff on duty at any one time, 1 space per 8 residents as visitor parking, and 1 space for professional visitors.
24. The care home is expected to have no more than 56 residents at any one time, and a maximum of 18 members of staff at any one time. Along with a space for a professional visitor a total of 14 parking spaces are required in this case in accordance with the Design Guide for Parking Standards. The existing arrangements already provides 18 spaces although an additional 4 spaces which will be created as part of the proposal providing 22 overall. The proposal is therefore considered to meet the relevant parking requirements in this instance. The Highways Authority were consulted on the proposal and have raised to objection to the development.
25. Whilst it has been noted that residents have raised concerns regarding existing parking issues the application can only be expected to address its own impact rather than wider or existing impacts. The original planning application for the care home would have taken into account the required parking standards at that time and any existing lack of parking should therefore not weigh heavily on these current considerations. Furthermore, it is not good planning practice to require parking to be provided for all eventualities such as emergencies or events of a more occasional aspect as developments would become dominated by parking which is unused for the majority of time. In view of these matters, the level of parking provided is considered to be acceptable.

Conclusions

26. On balance the extension is deemed to be an acceptable form of development in this location which will have a limited impact on the adjacent occupiers. The extension will sit a satisfactory distance from all adjacent occupiers, no main habitable room windows will be significantly affected as a result of the works. Any impact in terms of light or visual impact will be minimal. The streetscene and character and appearance of the area will not be unduly compromised as a result of the works. The parking provision provided as part of the application is deemed to be acceptable in this instance.

27. Overall the development is considered to be in accordance with DC1 and CS5 and the extension incorporates a good standard of design, harmonises well with the existing care home and there are no significant impacts of any of the neighbouring properties or parking provision.
28. In view of the above the proposal is therefore deemed a satisfactory form of development fully in accordance with relevant policy guidance there are no material considerations that indicate that the application should be refused. Officer recommendation is to approve subject to conditions relating to the additional parking provisions and waste storage.

RECOMMENDATIONS AND CONDITIONS

Approve with Conditions

1. **Time Limit**
The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. **Approved Plans**
The development hereby approved shall be carried out in complete accordance with the plans and specifications received 24th December 2019 and shall relate to no other plans.

Reason: To ensure a satisfactory form of development and for the avoidance of doubt.
3. **Bin Store Required**
Full details and specifications of a bin store must be submitted to and approved in writing by the local planning authority and implemented on site prior to the first occupation of the development. The bin store must provide adequate provision for the scale of the development. The bin store shall be retained on site in perpetuity.

Reason: In the interests of the amenities of residents to ensure a satisfactory form of development having regard for policies DC1, CS4 and CS5 of the Local Plan and section 12 of the NPPF.
4. **Additional Car Parking**
No part of the development hereby approved shall be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason; To ensure a satisfactory form of development and in the interests of highway safety having regard for policies CS5 and DC1 of the Local Plan and sections 9 and 12 of the NPPF.

REASON FOR APPROVAL

This application is satisfactory in that the design of the proposed single storey extension creating 14no additional bedrooms with ensuites; accord with the principles of the National Planning Policy Framework (NPPF) and, where appropriate, the Council has worked with the applicant in a positive and proactive way in line with paragraphs 186-187 of the NPPF. In addition the proposed single storey extension accords with the local policy requirements (Policies CS5 & DC1 of the Council's Local Development Framework).

In particular the extension is designed so that its appearance is complementary to the existing care home and so that it will not have a detrimental impact on the amenity of any adjoining or nearby resident. The extension will not prejudice the character and appearance of the area and does not significantly affect any landscaping nor prevent adequate and safe access to the care home.

The application is therefore considered to be an acceptable form of development, fully in accordance with the relevant policy guidance and there are no material considerations which would indicate that the development should be refused.

INFORMATIVES

Building materials on highway

The applicant is reminded that building materials shall not be deposited on the highway without the specific consent of the Highway Authority.

Deliveries to site

It should be ensured that, during construction, deliveries to the site do not obstruct the highway. If deliveries are to be made which may cause an obstruction then early discussion should be had with the Highway Authority on the timing of these deliveries and measures that may be required so as to mitigate the effect of the obstruction to the general public

Case Officer: Joanne Lloyd

Committee Date: 6th March 2020

