

MC/17/0808

Date Received: 2 March, 2017

Location: Aquarius, 8 Watson Avenue, Horsted, Chatham,, ME5 9SH

Proposal: Construction of a first floor extension to form additional accommodation to the existing care home incorporating a terrace area; installation of steps together with two single storey extensions to the west elevation

Applicant: Aquarius Residential Care Home

Agent: Mrs Sullivan Nest Design 28 Galpin Street Modbury PL21 0QA

Ward Rochester South & Horsted

Case Officer Doug Coleman

Contact Number 01634 331700

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 13 June 2017.

Recommendation - Approval with Conditions

- 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 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing numbers 100/ARC/PA08, 100/ARC/PA09, 100/ARC/PA11, 100/ARC/PA15, 100/ARC/PA16, 100/ARC/PA17 and 100/ARC/PA18 received on 3 March 2017; and 100/ARC/PA06A, 100/ARC/PA07A and 100/ARC/PA10A received on 15 March 2017.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 All materials used externally shall match those of the existing building.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy BNE1 of the Medway Local Plan 2003.

- 4 The parking area shown on drawing number 100/ARC/PA06A herein approved shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on that area of land or in such a position as to preclude its use.

Reason: Development without provision of adequate accommodation for the parking, loading, off-loading and turning of vehicles is likely to lead to hazardous conditions in the public highway and in accordance with Policy T13 of the Medway Local Plan 2003.

For the reasons for this recommendation for approval please see Planning Appraisal Section and Conclusions at the end of this report.

Proposal

This application is for the construction of a first floor extension to form additional accommodation to the existing care home incorporating a terrace area; installation of steps together with two single storey extensions to the west elevation. The application is a resubmission of application MC/16/2045, which in turn is a re-submission of application MC/15/2072, both of which were refused and subsequently dismissed on appeal. The proposed extension is to provide additional living accommodation within the care home.

The proposed extension would be at the front of the building with a return to Thorndale Close. The accommodation within the first floor would comprise 7 bedrooms, a dining room, a lounge and a drug store. This contrasts with the previous scheme, which proposed an additional 10 bedrooms at first floor, together with a dining room, a lounge, drug store and office/staff room. A roof terrace is also proposed with an opaque glazed screen roof, and a stairway leading from the terrace to the courtyard below.

The proposed two storey element would occupy the entire Watson Avenue frontage and project up to 15m to the rear (south), compared to approx. 23m under the previous scheme.

The proposed extension would create an additional approx. 190 sq. m. of floorspace, compared to approx. 280 sq. m. under the previous scheme. Each of the proposed new bedrooms would be approx. 14 sq. m. The front entrance would be clad in timber and a glazed screen and other materials would be similar to those used in the locality.

Currently, twelve full-time and six part-time staff are employed at the home. Under the proposal, a further five full-time and three part-time staff would be employed. However, employees are required to cover 24 hours a day, seven days a week and so are not all on duty/working at the same time. It would be reasonable to expect up to half of the staff to be on site at any one time, albeit at night it would likely be less.

Relevant Planning History

MC/16/2045	Construction of a single storey side extension and construction of an additional storey to create a first floor for use as a care suite together with roof alterations and installation of an external staircase - Resubmission MC/15/2072 Refused 28 July, 2016 Appeal dismissed 16 December 2016
MC/15/2072	Part two storey/part first floor extensions to facilitate additional 12 bedrooms at first floor level with roof garden and relocation of fire escape. Refused 29 July, 2015 Appeal dismissed 16 February 2016
MC/13/0420	Replacement of existing conservatory; creation of inner courtyard area; construction of a single storey side extension to provide three additional bedrooms and conversion of loft space including installation of rooflights to provide staff bedroom Approved With Conditions 3 May, 2013
MC/10/2319	Construction of single storey side extension to facilitate 3 bedrooms and conservatory to rear/side Approved With Conditions 20 September, 2010
MC/03/2458	Construction of single storey side/rear extension and single storey rear extension (demolition of garage) Refused 26 January, 2004
MC/99/5351	Erection of a single storey side extension. Approved with Conditions 26 August 1999
ME/90/0593	Single storey extension to residential home Approved with Conditions 23/08/1990
ME/87/451	Proposed conservatory at rear Approved with Conditions 10 August, 1987
ME/86/169	Two separate single storey rear extensions Approved with Conditions 20 May, 1986
ME/85/551	Change of use to residential home for, five elderly people Approved with Conditions 16 September, 1985

Representations

The application has been advertised on site and by individual neighbour notification to the owners and occupiers of neighbouring properties.

3 letters have been received raising the following objections:

- Proposal would be dominant, overbearing and out of character;
- Loss of light;
- Noise and disturbance from roof terrace;
- Increase in staff and visitors would generate more traffic;
- Proposal would increase indiscriminate on street parking.

31 letters have been received making the following comments in support of the application:

- This is a well run care home;
- The care home does not cause any parking problems and staff use public transport. Any indiscriminate parking is caused by school traffic and commuters;
- There is a need for additional care facilities in Medway;
- The latest scheme has taken account of previous objections.

Development Plan

The Development Plan for the area comprises the Medway Local Plan 2003 (the Local Plan). The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework 2012 and are considered to conform.

Planning Appraisal

Background

There have been a number of planning applications on the site, with planning permission having been granted for the change of use of the original bungalow to a care home in 1985 (ME/85/551). Subsequently, planning permission has been granted for various single storey extensions to the property, the last being in 2013 (MC/13/0420).

The last planning application (MC/16/2045) was for the construction of a single storey side extension and construction of an additional storey to create a first floor use as a care suite together with roof alterations and installation of an external stair and was refused by Committee on 29 July 2015 on the grounds that:

- 1 *The proposal, due to its scale, and mass and prominent location would represent a dominant form of development and an overdevelopment of the site contrary to Policy BNE1 of the Medway Local Plan 2003 and Paragraphs 58 and 64 of the NPPF.*
- 2 *The proposal fails to provide adequate amenity space for the occupiers of the proposed development and as such would be contrary to Policy BNE2 of the Medway Local Plan 2003.*
- 3 *The proposed extension is likely to result in an increase in parking pressure*

and potentially indiscriminate parking on the surrounding residential roads contrary to Policy BNE2 of the Medway Local Plan 2003.

A subsequent appeal was dismissed on 19 December 2016.

The issue for consideration in respect of the current application is whether the current proposal addresses the concerns raised by the Inspector in the previous appeal decision.

Principle

Aquarius is a care home located within an urban residential part of Chatham and therefore the principle of an extension is acceptable. Policy H8 supports residential institutions where residential amenity is protected, where they are located close to amenities for more mobile residents and where there is adequate amenity space and adequate parking provision. As this is an existing institution, the main factors to consider are residential amenity and the provision of amenity space.

Policy CF5 supports nursing and special care accommodation, subject to there being no undue loss of amenity to neighbouring residents and it states that proposals should be of a size, design and location that will provide a satisfactory environment for future residents.

Paragraph 50 of the NPPF recognises the need to provide high quality homes for different groups in the community including older people and people with disabilities.

The principle of such a development is therefore considered acceptable and in accordance with Policies H8 and CF5 of the Local Plan and paragraph 50 of the NPPF.

Design and appearance

The property is located on the corner of Watson Avenue and Thorndale Close and is currently occupied by a detached bungalow with a steeply pitched roof. The building has been occupied as a care home since 1985. At present, the accommodation within the building comprises 20 rooms on the ground floor, together with an office/waiting room, TV room, dining room, kitchen, conservatory and bathrooms. There is a large single storey flat roof extension to the side/rear fronting onto Thorndale Close.

The previous application was refused, in part, due to the scale and mass of the proposal, its prominence on a corner, and overdevelopment of the site.

In his decision letter, the Inspector considered that *"the appeal proposal would significantly increase the size of the property so that it would appear out of scale with other properties in the locality and would appear overdeveloped. It would diminish the spacious character and appearance of the locality.*

He added that *the appeal development's largely two storey form along the Thorndale Close frontage would appear out of scale with the single storey properties that dominate the street. Due to its general height and length it would appear visually*

dominant and overbearing when viewed from Thorndale Close and the area around the junction with Watson Avenue.

The current proposal removes the pitched roof over the existing rear extension that was proposed under the previous scheme along the Thorndale Close frontage. The current proposal introduces a two storey building onto the Watson Avenue frontage only, with a small return on the corner. The two storey element along the Watson Avenue frontage would be in character with the general street scene, which is a mix of bungalows and two storey houses. There has been no objection raised by the neighbouring properties at 4 and 6 Watson Avenue, which are also two storey. The rear of the site, fronting onto Thorndale Close, would remain unchanged. Accordingly, no objection is raised in terms of design and appearance under Policy BNE1 of the Local Plan and Paragraphs 56 and 58 of the NPPF.

Occupier amenity

The previous application was also refused on account of the proposal failing to provide adequate amenity space for the occupiers of the proposed development. The Inspector noted that there is an existing small courtyard for use by residents which would remain unchanged, but the proposed development would result in up to 10 more residents using this space, which he considered to be unacceptable.

The current proposal seeks to address this concern both by reducing the number of additional residents from 10 to 7 and by introducing the roof terrace to create an additional approx. 23 sq. m. of private amenity space. In terms of occupier amenity therefore, it is considered that the introduction of this roof terrace addresses the Inspector's concern with regard to inadequate amenity space for residents, and in this regard, no objection is raised under Policy BNE2 of the Local Plan and paragraph 17 of the NPPF.

Neighbour amenity

The immediately adjoining property, 6 Watson Avenue is a two storey semi-detached house. The bulk of the proposed extensions would be on the eastern side of the site. Whilst there are windows on the proposed extension in the western flank of the first floor element, these would be approx. 12m from the shared boundary and would not overlook the most useable part of this neighbour's garden. On balance, the proposal is not considered to cause harm regarding overlooking. In terms of outlook, sunlight and daylight, the extensions would be the opposite side of the building to this neighbour and therefore no objection is raised in this respect.

2 Thorndale Close is situated to the south of the application site. This is a semi-detached bungalow with a small rear garden. This neighbour's garage extends the depth of their garden and is located between their garden and the application site. There is a front door in the side (northern) flank. No objection was raised to the previous scheme in terms of the impact on 2 Thorndale Close, which would have resulted in the proposed pitched roof over the existing single storey extension coming to within approx. 7m of the flank wall of that property. Under the latest proposal, the proposed extension would be approx. 20m from the flank wall of that property and the proposed roof terrace, which would also be screened, would be approx. 14m away.

The proposal would not, therefore result in any detrimental impact on that property in terms of light privacy or outlook.

There are no other neighbouring properties within close proximity that would suffer any loss of amenity.

The proposal therefore accords with Policy BNE2 of the Local Plan and paragraph 17 of the NPPF.

Highways

The two previous applications were also refused due to likely increase in on-street parking and the impact on the amenities of nearby residents. On both occasions, the Inspector has not supported this reason for refusal.

The Inspector who determined the last appeal re-iterated the comments of the previous Inspector that *even though it was highly likely that the off street parking provision at the site would not be sufficient to fully cater for the parking needs of the development, the additional parking demand that would result would be unlikely to have a material impact on the demand for and availability of on-street parking in the area.*

The Inspector added that he had *no evidence that the space at the front of the property, currently used for parking had changed since the early appeal decision.* He took into account the view of local residents, including photographic evidence but he did not consider that this amounted to substantive evidence of a change in circumstance since the last decision and there is no evidence that on street parking had reach saturation point. Whilst there was some evidence of inconsiderate parking, he agreed with his colleague that this is controlled under other legislation. He considered that he had no reason to take an alternative view to his colleague in this regard and concluded that the appeal proposal would not have a material impact on parking pressure in the locality, and thereby would not increase inconvenience for local residents or result in a material increase in indiscriminate parking in the immediate area. The Inspector made an award of costs against the Council in respect of this ground of refusal.

Since the previous application was considered the applicant has removed the hedge as approved under application MC/13/0420. This has enabled the parking area at the front to be properly marked out with six spaces, including two disabled persons' spaces.

In addition it should also be noted that the latest scheme is smaller than the previous two schemes and that there would be a consequent reduction in additional staff and visitors than for previous schemes. The latest scheme proposes an additional 5 full time and 3 part time staff, compared to 7 full time and 5 part time staff under the previous scheme. The latest proposal, would, therefore have less potential for additional on street parking than previous schemes.

Accordingly, no objection is raised under Policy BNE2 and T13 of the Local Plan and paragraph 17 of the NPPF in terms of parking.

Local Finance Considerations

There are no local finance considerations raised by this application.

Conclusions and Reasons for Approval

The principle of the proposed development is acceptable and the latest proposal is considered to have addressed the concerns raised by the appeal Inspector in the previous scheme and is acceptable in terms of design and appearance, occupier amenity, neighbour amenity and parking. As such, the development would comply with Policies BNE1, BNE2, H8, CF5 and T13 of the Local Plan and paragraphs 17, 50, 56 and 58 of the NPPF and is recommended for approval.

This application would normally fall to be determined under officers' delegated powers, but is being reported for Members' consideration, due to the number of representations received contrary to the officer's recommendation and on account of the previous decisions.

Background Papers

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://publicaccess.medway.gov.uk/online-applications/>