

EP9 - Trees & Woodlands
TR4 – Highway Development Control Criteria
TR8 – Parking Standards (superseded by Policy 7 of JLSP)

Planning History 00/935 – The laying out of 12 space car park (approved)
03/634 – Outline application for residential development (withdrawn prior to determination)
05/1103 – Erection of replacement Care Home (permitted)

Consultations LCC Environment Directorate (Highways) raises no objections to the application.

The Head of Public Space Services (Tree Officer) comments in relation to the previous application can be carried over to this application given the minor change to the siting and given that only the same number of trees are proposed to be felled. The comments where that the trees are not currently protected by a TPO; there are several notable silver birches and alders that contribute to the setting of the existing building and which would be worthy of a TPO; however the proposed footprint of the revised building and the new car park would conflict with the idea of retaining the trees and these would have to be amended if the identified trees were to be retained.

The Urban Design Officer comments that the design of this amended proposal is an improvement over that already approved.

The Highways Agency has no objections to the proposal.

The Head of Public Space Services (Traffic & Highways) raises no objections to the proposal.

Representations One letter making comments has been received, the contents of which can be summarised as follows: -

- There will be ample parking facilities for the replacement care home as this was a problem when it was Healey View Care home
- The trees and hedge abutting the Daisy Fold to the front of the site should be retained

Applicant's Case The applicants stated in support of the original application (05/01103/FULMAJ) that they are an experienced provider of this type of home; the new development has been designed to take account of both the siting, massing and form of the existing building in order to allow it to fit satisfactorily into its setting; it is a logical re-use of the site given the long established use on site for residential care; the hipped roofs adjacent the site boundaries will minimise the impact of the proposal; the grounds are spacious with established planting, much of which will be retained; impact upon adjacent residential amenity should be minimal with the spacing standards meeting or exceeding Council privacy standards upon residential developments.

Assessment The principal matters for consideration are those of the design and massing of the amended care home building as well as any further impact upon residential amenity together with impact upon trees on site.

The west facing elevations of the care home have been moved

closer to the residential properties on Botany Brow with the west facing elevation of the three storey element which runs east/west moved approx. 1.7m closer although the separation distance is still considered sufficient at 17m and all windows in this elevation remain to non habitable rooms. The west facing elevation of the two storey element linking the single storey block to the three storey block will be sited 30m from the properties on Botany Brow. The roof space of this part of the building is now to be used to provide a laundry area, changing facilities, staff room and plant room thus facilitating the need for roof lights. In terms of the relationship with the properties on Botany Brow, the roof lights will be 18m from the boundaries and 30m from the properties themselves, distances, which are considered sufficient to mitigate detrimental overlooking.

In terms of the relationship with the properties to the east, the footprint of the care home has been moved approx. 2m further to the west which is considered sufficient to mitigate the 1m increase in the overall height of the two storey part of the building. The east facing elevation of the three-storey element closest to the eastern site boundary remains the same utilising a hipped roof. There are no objections in terms of the impact on residential amenity as a consequence of this relationship.

The original care home building was of poor quality in terms of its design and appearance and the approved care home represents a good quality replacement development. The fact alone that the new care home building would be an improvement upon its predecessor is insufficient justification for granting planning permission.

However, in terms of the design of the care home, the Council's Urban Design Officer has commented that the amended building is actually an improvement over that already approved and accordingly, the amended design, which comprises of the utilisation of gables to the north and south facing elevations of the care home rather than hipped roofs is considered to be acceptable. In all other respects, the external appearance of the care home remains as per that already approved.

As previously approved, the use of materials in the elevations has been rationalised to a simple brick form throughout and the windows are to utilise cast stone heads, cills, jambs and mullions. The roof detail on the building nearest the site boundaries is in juxtaposition to the properties on Botany Brow and 8 Daisy Fold in that it is hipped thus having a less austere impact than the sharp gables of the original building. The institutionalised use of the proposed building undoubtedly results in fenestration detail that is somewhat repetitive though the gables to the south and north facing elevations help to add an element of visual interest and focus whilst there is sufficient variety in other aspects of the design and detailing to mitigate against this. Accordingly, it is considered that the care home accords with Policy Nos. GN5 and HS17.

The number of trees, which are proposed to be felled remains as per the original permission granted earlier this year whereby a total of seven trees of varying maturity are to be felled to enable the construction of the care home. Accordingly, as with the previous permission, a landscaping condition is recommended requiring the applicant to submit details of a scheme of replanting which should over time help to soften the outward impact of the care home.

The access into the site and car parking spaces essentially remain the same although by virtue of the footprint being moved closer to Botany Brow, the access is closer to the properties on Botany Brow although the dimensions and number of parking spaces remains as per the approved plans and it is in the existing position of the access that served the previous care home.

Conclusion

It is considered that this is an appropriate land use for this site replacing a similar one that has been long standing. The proposed building, though with a slightly larger footprint and more substantial overall, is now considered appropriate hence it is recommended that planning permission be granted.

Recommendation: Permit Full Planning Permission Conditions

1. The proposed development must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.

Reason: In the interests of the amenity of the area and in accordance with Policy No.GN5 of the Adopted Chorley Borough Local Plan Review.

3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the 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 interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.

4. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:1991 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the area(s) so fenced. All excavations within the area so fenced shall be carried out by hand.

Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 and HT9 of the Adopted Chorley Borough Local Plan Review.

5. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) (notwithstanding any details shown on previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.

6. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by

the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.

7. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected to the site boundaries (notwithstanding any such detail shown on the approved plans) shall have been submitted to and approved in writing by the Local Planning Authority. The care home shall not be occupied until all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.

Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of nearby property and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.

8. The approved plans are:

Plan Ref.	Received On:	Title:
CHR44-03D	17 th May 2006	Proposed Second Floor General Arrangement
CHR44-05D	17 th May 2006	Proposed Elevations
-----	20 th April 2006	Location Plan
CHR44-43	20 th April 2006	Existing Site Layout
CHR44-06E	20 th April 2006	Proposed Site Layout
CHR44-01B	20 th April 2006	Proposed Ground Floor General Arrangement
CHR44-02B	20 th April 2006	Proposed First Floor General Arrangement

Reason: To define the permission and in the interests of the proper development of the site.

9. Before the development hereby permitted is first occupied, the car park and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR8 of the Adopted Chorley Borough Local Plan Review (superseded by Policy No. 7 of the JLSP)
