

**REPORT OUTLINE FOR AREA PLANNING COMMITTEES Report No.**

<b>Date of Meeting</b>	8 <sup>th</sup> March 2018
<b>Application Number</b>	17/11250/FUL
<b>Site Address</b>	Little Manor Nursing Home, Manor Farm Road, Milford, Salisbury, SP1 2RS
<b>Proposal</b>	External and internal alterations/refurbishments of the historic part of a 24 bed residential care home. Demolition of the recent extensions to the rear, and construction of a Care Quality Commission (CQC) compliant replacement extension, increasing capacity to 30 beds and alteration to existing access. Demolition of 2 ancillary buildings and associated landscape works.
<b>Applicant</b>	Wessex Care Ltd
<b>Town/Parish Council</b>	Salisbury City Council
<b>Electoral Division</b>	Salisbury St Martins and Cathedral, Cllr S Hocking
<b>Grid Ref</b>	
<b>Type of application</b>	Full (and associated 17/11681/LBC)
<b>Case Officer</b>	Mrs. Becky Jones

**Reason for the application being considered by Committee:**

Cllr. Hocking has called the application to committee to be determined if recommended for refusal by officers, on the following grounds:

- The need for the development

**1. Purpose of Report**

To consider the above application and the recommendation of the Area Development Manager that planning permission be refused.

**2. Report Summary**

The main planning issues to consider are:

1. Principle and need for the development
2. Impact on the character of the area and the character and setting of the listed building.
3. Neighbouring amenity, noise and public protection
4. Ecology and Archaeology
5. Highway safety
6. Drainage and Flooding
7. Community Infrastructure Levy
8. Waste, Recycling & Energy Efficiency
9. Public Open Space
10. Conclusion

The application in its original form generated 1 letter of support from Salisbury City Council (with concerns about lack of car parking), 7 letters of concern/objection and one letter of support.

**3. Site Description and Proposal**

The site lies within the settlement boundary for Salisbury in an Area of Special Archaeological Significance, within Flood Zone 1. Little Manor is a Grade II listed building. A Grade II listed wall extends east from Milford Manor which is south of the site, to Milford Mill Road. Manor Farm Road is an unclassified highway and a public right of way (footpath SALS 74, maintainable by Wiltshire Council) runs to the south of the site along Milford Hollow.

The applicant is proposing to:

- Demolish 2,136sqm of the red brick building erected in 1980 at the rear/west of the site.
- Provide a replacement rear wing extension to the listed building to increase capacity from 24 to 30 beds. Net additional gross internal floorspace of 751 sqm. 3 storeys with flat roof. Contemporary style with contrasting materials to each floor.
- Extension would have external walls finished in red brick at ground level, concrete block (flush joint with Bath stone colour) at first floor and concrete blockwork (raked joint) at second floor level. Painted timber doors and dark grey powder coated metal windows to extension. Directional angled bay windows to 1<sup>st</sup> and 2<sup>nd</sup> floor residents' rooms, with smaller of the two panes on each bay obscure glazed for privacy. Cassette type green roof with powder coated metal details.
- Provide 2 additional parking spaces (4 increased to 6) and 10 cycle spaces and 1 disability space.
- New red brick dwarf wall to enclose courtyard to front of period building. Reinstatement of wrought iron gates at pedestrian entry to main entrance
- Galvanised steel escape stairs with mesh enclosure
- Refurbishment works to existing original listed building using matching materials.
- Removal of garage and landscaping works. Provision of sensory garden
- Bollard lights to entrance courtyard and parking area
- Increase employees from 5 full time to 7.

Documents submitted:

- Planning Statement – including background to Wessex Care nursing and residential homes
- Design and Access Statement
- Heritage Impact Assessment
- Care Accommodation Assessment
- Tree Survey and Arboricultural Impact Assessment
- Ecological Appraisal - Bat and Nesting Bird Survey
- Schedule of Works to Listed Building

**Planning History (a selection below from full list since 1949):**

1949/3894 Change of use from dwellinghouse to guest home for aged people AC

1974/385 Nursing staff quarters Refused 26.6.74. Appeal allowed 29.8.75

76/847 Residential staff quarters AC 15.2.77

S/1987/0909 and 910 1<sup>st</sup> floor extension and internal alterations AC

S/1991/1496 Change of use from private dwelling (bungalow) to nursing accommodation. AC

S/1996/0607 and 0608 Alterations and extension to ground floor to provide individual bedrooms and bathroom AC

S2004/1359 and 1360 Addition of residential bed unit and ensuite. AC

#### **4. National and Local Planning Policy**

**National Planning Policy Framework (NPPF) Para 17, 23, 128, 135 and the NPPG**

##### **Wiltshire Core Strategy (WCS):**

Core Policy 1: Settlement Strategy

Core Policy 2: Delivery Strategy

Core Policy 3: Infrastructure Requirements

Core Policy 20: Spatial Strategy for the Salisbury Community Area

Core Policy 41: Sustainable Construction and low Carbon Energy

Core Policy 46: Meeting the Needs of Wiltshire's Vulnerable and Older People

Core Policy 50: Biodiversity and Geodiversity

Core policy 51: Landscape

Core Policy 57: Ensuring high quality design and place shaping

Core Policy 58: Ensuring the conservation of the historic environment

Core Policy 60: Sustainable Transport

Core Policy 61: Transport and Development

Core Policy 62: Development Impacts on the Transport network

Saved Policy R3 Public Open Space (annexe D of WCS)

##### **The Community Infrastructure Levy Regulations 2010 (as amended)**

**The Conservation of Habitats and Species Regulations 2010,**

**EC Habitats Directive when as prescribed by Regulation 3(4) of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended).**

**Circular 06/2005**

##### **Planning (Listed Building and Conservation Areas) Act 1990**

Section 66: Special considerations affecting planning functions

##### **Waste Core Strategy Policy WCS6.**

**Related:** The State of Health Care and Adult Social Care in England 2015/2016, The Care Quality Commission, 2016.

#### **5. Summary of consultation responses**

**Conservation:** objection

**Historic England:** no comment

**Waste:** No comment

**Public Protection** – no objection subject to conditions

**Highways:** No objection subject to conditions

**Ecology:** No objection subject to condition

**Public Protection:** No objection subject to conditions

**Archaeology:** No objection subject to condition

**Rights of Way** – no objection subject to Informative

## **Wiltshire Council Commissioning: Support**

**Housing:** *Little Manor Nursing Home is classified as C2 "Residential Institutions," for which no affordable housing provision would be sought provided as there are no individual tenancy agreements.*

### **6. Publicity**

The application was advertised by site notice, press advert and neighbour consultation.

The application generated **7 letters of concern/objection on the following grounds:**

- Detail of proposed south west corner unclear
- Light pollution from glass link and 6 sky lights - currently have curtains and blinds.
- Overlooking from glass link, loss of seclusion and privacy from proposed windows.
- Glass link would appear incongruous and unsympathetic with listed building.
- During demolition and construction – dust and noise.
- Temporary closure of walkways and footpath and obstruction of narrow highway from construction vehicles
- Insufficient parking for no of beds and visitors. Employees park off site. No provision for large delivery vehicles. Danger to other users near busy, dangerous junction. Rat run. Need to prohibit parking on the road north of the properties on the east of Manor Farm Road.
- Obstructed visibility for neighbouring accesses from parked vehicles and the planned perimeter wall, which should be slanted back.
- Noise impact from inside the development will be increased by more glazing replacing existing brick construction.
- Dominance. Existing pitched roof and brick elevations with minimal windows are sympathetic with surroundings and blend well, with minimal intrusion to neighbours. *"Replace with three storey fully windowed flat roofed commercial style block that will tower over Milford Hollow and gardens."*

### **and one letter of support from the Milford Preservation Group:**

*The Milford Preservation Group (MPG) has studied the proposed development of Little Manor Care Home, and fully agrees with the planned work. Not only will an expanded care home provide additional care facilities, but also the proposed work at the site will create better access for service vehicles and visitors; this will alleviate the present parking problems at the junction of Manor Farm Road and Milford Mill Road. Furthermore, the proposed refurbishment of the listed building should restore its appearance to its former glory.*

### **7. Planning Considerations**

Planning permission is required for the development. The applications must be determined in accordance with the development plan unless material considerations indicate otherwise. (Section 70(2) of the Town and Country planning Act and Section 38(6) of the Planning and Compensation Act 2004). The NPPF is also a significant material consideration and due weight should be given to the relevant policies in existing plans according to their degree of consistency of the framework. (Paragraph 215 at Annex 1).

#### **7.1 Principle of the development and need**

**Core Policy 1** outlines the settlement strategy for Wiltshire and identifies the settlements where sustainable development will take place. Salisbury is listed as a Principle Settlement within the Salisbury Community Area. **Core Policy 2** addresses the issue of development within settlement boundaries:

*Within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages.*

The proposed development would affect an existing residential institution within the settlement boundary is therefore acceptable *in principle*. The proposal is also subject to the other policies and provisions set out in the development plan and NPPF.

**Core Policy 46**, Meeting the needs of Wiltshire's vulnerable and older people, states:

*The provision, in suitable locations, of new housing to meet the specific needs of vulnerable and older people will be required. Wherever practicable, accommodation should seek to deliver and promote independent living.*

#### **Specialist accommodation**

*The provision of sufficient new accommodation for Wiltshire's older people will be supported, including:*

- i. Nursing accommodation*
- ii. Residential homes and*
- iii. Extra care facilities.*

*[Proposals for extra care accommodation to be sold or let on the open market are not considered exempt from the need to provide affordable housing. Therefore proposals for extra care accommodation will be expected to provide an affordable housing contribution in line with Core Policy 43.]*

Members will note that the proposed accommodation is affects a residential institution and not open market housing. The new housing team have commented regarding need:

#### **Need**

The Care Accommodation Assessment looks at quantitative need for additional care in the local area, including projected levels of need in 5 and 10 years' time, and a qualitative assessment of accommodation currently on offer in the home and benefits from the development. In summary:

- The population of people aged 65 plus within the catchment area is set to increase from 26,200 persons in 2016 to 30,790 by 2026, an increase of 4,590 in the next ten years.
- There are 3,780 people aged 85 years or over within the catchment area as at 2016 and this is set to increase to 5,320 by 2026. This age group has the highest likelihood to require long term residential care.
- The numbers of people aged 65 years plus identified as requiring care will increase from 1,036 in 2016 to 1,359 by 2026
- The data shows that there is currently a supply of 1136 care bed spaces in the catchment area

- Of the existing care accommodation within the catchment area approximately 135 of bed spaces are in shared rooms and additionally a number of single bedrooms are not en-suite or less than 12 square metres in area, which are no longer supported for new registrations under current care home accommodation standards (the regulations state that when a space becomes available in a shared room the remaining occupant should have the choice of whether or not to continue sharing, so many shared rooms are in fact occupied as singles). If double rooms are changed to single rooms in the future, and/or rooms that do not meet the standards in order areas fall out of use there is likely to be a growing shortfall in accommodation over time.
- By 2026, assuming no other developments come forward, there is a projected potential shortage of at least 295 bed spaces in the area.
- The actual shortfall of care accommodation is likely to be even higher, because the above figures reflect need for long term care accommodation, and do not take account of respite and rehabilitation care, on which there is increasing emphasis.
- The additional bedrooms proposed to be provided at Little Manor can contribute towards addressing this projected shortfall in care accommodation.

The Housing Team provided the following details:

*There are currently 672 bed spaces across 17 care homes providing a range of residential and nursing care in the Salisbury Community Area. The Older People's Accommodation Development Strategy [2010] sets out the need for an additional 80 bed nursing home and a 64 bed care home for people with dementia in the Salisbury community area. There is and will be significant demand for older people's accommodation in the Salisbury area [as with the whole county] with the projected population figures showing a steep increase in older people with the percentage of the population in Wiltshire aged 65 or over reaching 22.6% by 2021. This represents a 32% increase in the number of people over 65 in Wiltshire from 2011. The number of Wiltshire's residents aged over 85 years is projected to increase from around 12,000 in 2011 to over 17,000 by 2021 (42.4%).*

Wiltshire Council Commissioning team support the proposal and stated:

*Wessex Care have a 5-year development plan to rebuild their services to ensure they are fit for purpose for the next 20-30 years, and the alterations at Little Manor are part of this overarching plan.*

*Adult Social Care currently has a significant block contract with this provider for the provision of care home beds, and, on behalf of the Council and the Wiltshire Clinical Commissioning Group, also currently commissions a number of intermediate care beds, to support people who have had an acute hospital admission, or who may otherwise be admitted to hospital unnecessarily.*

*The Council's ability to provide care for Wiltshire residents should benefit from this re-provision and expansion of beds in Salisbury.*

The development would therefore comply with Core Policy 46.

## **7.2 Impact on the character of the area and the character and setting of the listed building.**

**Core Policy 57** considers design and place shaping and requires a high standard of design in all new developments *including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality.*

The Little Manor is a Grade II listed building and the development would affect its curtilage and setting.

There is a duty placed on the local planning authority under section 66 of the Planning (Listed Building and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a listed building or its setting to have special regard to the desirability of preserving the building and its setting.

Paragraphs 129, 132 and 134 of the NPPF state:

*Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal*

*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.*

*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.*

Public benefits may include heritage benefits, such as:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long term conservation

Core Policy 58 aims to ensure that Wiltshire's important monuments, sites and landscapes and areas of historic and built heritage significance are protected and enhanced in order that they continue to make an important contribution to Wiltshire's environment and quality of life. Heritage assets include listed buildings and conservation areas. Development should protect, conserve and where possible enhance the historic environment. Designated heritage assets and their settings will be conserved, and where appropriate enhanced in a manner appropriate to their significance.

The submitted Heritage Impact Assessment concludes:

*3.1 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 confers a strong presumption for development to preserve the setting of listed building, and the courts have reminded that this must be given considerable importance and weight in the planning*

balance. In exceptional cases, however, the presumption may be overridden in favour of development which is desirable on the grounds of public interest.

3.2 Aside from other potential public benefits that may accrue as a result of the development, there would be heritage benefits through the removal of the unsympathetic additions to the building and the restoration of the building's frontage.

3.3 However, it is acknowledged the proposals would result in some loss of spaciousness within the site that contributes to the setting and in turn the significance of the listed building.

**3.4 Overall, however, the proposals would cause 'less than substantial harm' to the listed building under the terms of the NPPF. As such, and in accordance with paragraph 134 of that document, the harm should be weighed against the public benefits of the proposals, including rectifying some of the harmful interventions of the past while securing the building in its optimum viable use.**

Historic England has made no comment on the proposal. The Conservation officer has stated:

*Having now viewed my colleague's comments on the preapp submission, and made my own site visit (external only), I'm afraid that I'm of the opinion that none of the fundamental issues previously raised has been adequately addressed. Without doubt, while there are elements of heritage gain, or at least neutrality, with demolition of the garage and C20 extensions, the sheer scale of extension is much too ambitious for the site and its principal building. The listed building, despite its relatively poor quality extensions, is preeminent on the site and the extensions are very much secondary and partially obscured from view. The same cannot be said of the proposal, with a substantial three-storeyed cranked range occupying a footprint significantly more than double that of its host; even if reduced to two storeys, I consider that the scale of extension would be too great for the listed building. The D&A seems to demonstrate that nothing other than three-storeyed options were considered. The appearance of the extension does nothing to complement the site and seems to have been imposed irrespective of the existing character of the site and its surroundings.*

*Although there is a detailed 'Schedule of works to listed building', I can find nothing that assesses the heritage impact of the internal works to the historic core of the listed building. For instance, removal of the ensuite partition in room 2 (gd flr) would clearly be a benefit, but removal of masonry walls to the rear of room 3 and the kitchen appear to incur the permanent loss of original historic fabric. Mention is made of replacement windows, I think solely of the existing (presumably unauthorised) upvc windows; this is welcomed but we must see full details of these if consent is to be granted. The replacement dormers are fine (and appear only to replace C20 replacements), and the new steps to the front door entirely appropriate in materials and detail.*

*I consider that the proposed extension, by virtue of its height and footprint, would cause substantial harm to the character and setting of the listed building, contrary to section 16 and 66 of the Act and para 133 of the NPPF, and the aims of CP58; and that alterations to the historic core of the listed building would cause 'less than substantial harm' and are inadequately justified in public benefit terms as per NPPF 134.*



In conclusion, the proposed scheme is perceived to be very institutional in character and appearance, and although the existing buildings and extensions on the site are somewhat ramshackle in appearance, they have managed to retain the setting of the main building and are relatively unobtrusive within their surroundings and the streetscene. This is probably because they are mainly subservient, and of a simplistic, traditional design approach, with pitched roof details and matching brick and tile materials. This is a sentiment echoed by several third parties.

The proposed extension presents a very strident, contemporary design, which is more institutional in appearance and will create more prominent building than the existing listed building, particularly due to its different, perhaps discordant materials and colours, and its rather uniform scale and design. This would be at odds with the existing modest character of the listed building, to the detriment of its setting. The scale of the proposed building would not seem to reflect the simple, small scale of existing development in the immediate area. The existing outbuildings are simply designed, subservient and they manage to retain the setting of the main building. The proposals would impact on the predominantly modest residential nature of the area, the character of which contributes to the existing informal setting of the listed building.

For these reasons, officers consider that the proposal would therefore be contrary to CP57, CP58, the NPPF para 133 and S16 and 66 of the 1990 Act.

### **7.3 Neighbouring amenity, noise and public protection**

The proposal has generated 7 letters of concern/objection and the case officer has visited some of the properties immediately adjacent to the site. Some neighbours are concerned about the impact of light pollution from the skylights, angled windows and glazed link at night and also potential noise disturbance from windows. There are also concerns about the impact of the development on privacy, including the increase in the numbers of “dormer” windows from 2 to 6 (south elevation), and the dominant appearance of the flat roof, three storey extension when viewed from properties adjoining the site to the south and west.

Core Policy 57 sets out the general principles for the design of development, including impacts on neighbours. It states:

*A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality. Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire through:*

*vii. Having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing; vibration; and pollution (such as light intrusion, noise, smoke, fumes, effluent, waste or litter).*

The public protection officer has considered the scheme in relation to neighbouring properties and commented as follows.

*I note a floor to ceiling glass walkway is proposed as the connecting link between the listed building and the new three storey extension. It is very likely that lights in corridors will be on at all times during hours of darkness to allow safe passage of staff and residents around the*

building. The glass link is directly opposite, and within close proximity of existing nearby residential properties. I have concerns regarding the potential for loss of amenity as the result of light intrusion from any lights positioned in the glass walkway, particularly if the lights will be on during all hours of darkness. I therefore request that a lighting scheme is submitted by the applicant to the local planning authority for approval, to clearly demonstrate what lighting will be installed, and how artificial light from the site, and in particular light in the glass walkway will be controlled to minimise the impact of light intrusion on nearby residential properties. You may wish to condition this, if this information is not readily available at this stage.

The application also states the kitchens will primarily be used for the storage and regeneration of pre-prepared meals, using a re-heat operation that does not require a commercial extraction / ventilation system be installed, and there are no plans to install commercial extraction/ ventilation system as a result. Should this position change in the future, I recommend that a condition for a scheme of works to control and disperse atmospheric emissions (ie dust, odours, fumes and noise etc) is applied to any approval of this application. Conditions relating to burning of materials, hours of construction and submission of a dust management plan are also recommended.

The impact of the development in terms of dominance and loss of privacy have also been considered in relation to CP57 (vii):

### **East – Meadow View, Bourne Cottage and Corner Cottage**

These properties face towards the site (see impression below) and have access onto Manor Farm Road. These dwelling would be sited more than 40 metres from the north east corner of the development and so the occupiers would not be adversely affected in terms of dominance or overlooking. The revised site access would be in close proximity to these properties, but the highways team have raised no objections and therefore, it would be unreasonable to raise an objection on amenity grounds related to the revisions to the access for the site.

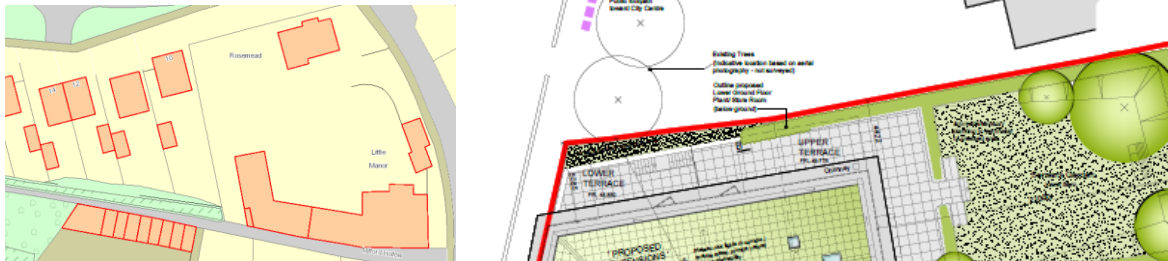


### **North – Rosemead**

This property (shown above in relation to the extension) is a single storey bungalow with an access to the side of the nursing home. The corner of the proposed extension would be less than 4 metres from the bungalow. This bungalow has one west facing dormer, which would face obliquely towards the proposed Upper Terrace for the lounge/dining rooms. This relationship would enable some direct/oblique overlooking into the dormer from users of the terrace. However, most of the private spaces for this property are apparently sited away from the development, to the front of the bungalow and to the north corner. Therefore, whilst the extension will appear dominant when viewed from this bungalow, the relationship is considered to be acceptable, on balance.

The occupiers of Rosemead have responded to the consultation with a request for the east boundary wall to be pulled back, to give them better sight lines. However, the highways officer has re-checked the sight lines and is satisfied that Rosemead will have more than sufficient sight lines for their access (see below).

**West - 10-14 Westbourne Close**



The development would increase the present scale and bulk of development along the west boundary with No 10, in particular. The private areas of this property, including the garden, small patio area and french doors to the lounge face directly towards the proposed north elevation of the development, and the proposed west elevation would run parallel and in close proximity to the garden wall boundary between the properties. The existing nursing home currently presents modest elevations towards this property.



*Existing views from bedroom*



*and living room French doors/patio*



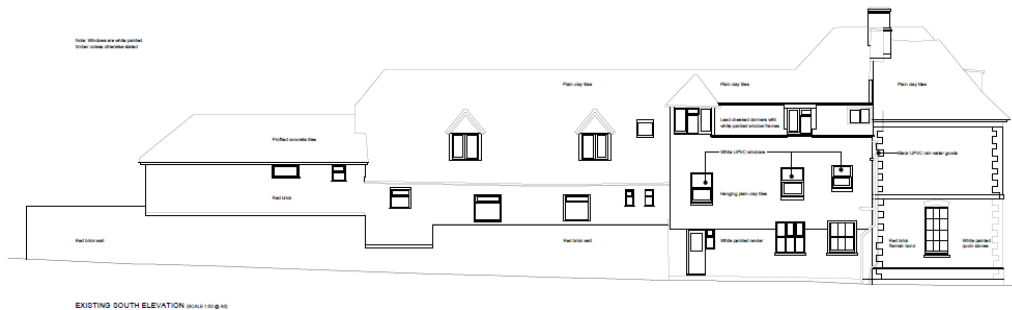
The proposed development, in increasing from a single storey bungalow with a pitched roof to a vertical structure with at least two storeys being visible above the wall, is likely to appear dominant when viewed from No 10 and officers are not satisfied that appropriate levels of privacy for the occupiers can be achieved by the development, as presented. The inter-relationship between the existing rear elevation of No 10 and the proposed dining room (double sets of French doors) and terraced areas of the development is likely to be particularly close and overbearing, and also resulting in a loss of privacy for nursing home residents.

## South – The Corner House, White Lodge, Milford Grove

The north elevations of these dwellings are approximately 12m, 35m and 34m from the south boundary wall of the nursing home. The Corner House is oriented in such a way that the development is unlikely to have a detrimental impact on the occupiers. Its garden and living areas are sited to the south, away from the development. Two windows and a garage/parking area only would be affected, but whilst the development would be visible, no likely harm to amenity is perceived.

Concerns have been expressed regarding the change in the appearance and character of the development, which is presently visible at the end of the gardens for White Lodge and Milford Grove. Concerns centre on the change from a large expanse of a tiled pitched roof to provision of a third storey with a flat roof, the increase in the number of windows (noise and privacy), the glazed link (loss of privacy, overlooking) and light intrusion from the skylights and glazed link.

Existing south:



Proposed south:



Current views looking north from White Lodge and Milford Grove gardens



Officers consider that the change in the roof shape from a sloping pitch to a vertical wall with a flat roof is likely to result in a significant increase in the dominance of the nursing home in relation to these properties. Presently, there are four dormer windows on a sloping roof facing the gardens. This would be replaced with six oblique windows, on a vertical elevation.

Whilst the smaller of the two panes would be obscure glazed for privacy, the increase in windows and their position on a vertical wall and the proposed glazed link is likely to increase the perception of and actual overlooking of the properties and gardens to the south of the development.

The adverse impacts of the development on amenity are considered to be contrary to CP57 for the reasons described and the harm that would be caused to residents in amenity terms is not considered to be outweighed by the need for this development in its *current* architectural form.

## 7.4 Ecology and Archaeology

### Ecology

The NPPF para 118 states: *When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:*

- *if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- *development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;*
- *opportunities to incorporate biodiversity in and around developments should be encouraged*

The NPPG also sets out guidance. **Core Policy 50** seeks to ensure that all development proposals incorporate appropriate measures to avoid and reduce disturbance of sensitive wildlife species and habitats throughout the lifetime of the development.

A bat and nesting bird survey has been submitted and concludes that:

- No evidence was found for use of any of the buildings by bats during the daytime survey/assessment.
- The site does not otherwise appear suitable for material use by bats for foraging or commuting.
- No bats were seen to emerge from, enter or show any particular interest in any of the buildings during any of the dusk/dawn watches.
- Local bat activity during the dusk/dawn watches was limited to a small number (<10 passes per watch) of foraging or commuting passes by individual Common pipistrelle bats, mostly along the adjacent lane (to the southwest) or over neighbouring gardens (to the west).
- No evidence was found for birds having nested recently within or upon any of the buildings.
- There is a low risk of common birds nesting within various shrubs in the formal garden area.
- No other evidence was found for use or likely significant use of the site or immediately adjacent land by protected species. In this regard we note that:
  - i. the location is suburban – there are no adjoining ‘natural’ or semi-natural habitats;
  - ii. there are no ponds present upon the site or apparent in the immediate vicinity.

Recommendations: ***i. any removal of shrubs/trees be carried out between October and February inclusive (so as to avoid the nominal bird nesting season) or otherwise only following a thorough check to confirm that no active birds nests are present at the time. Should birds start to nest within or upon the buildings at any time then all works liable to impact upon such nests should be delayed until the nests are no longer occupied.***

Other than the above, the applicant's surveyor saw no need for any further ecological survey in relation to the proposed works. The Council's ecologist has considered the report and raised no objection, subject to the development being implemented in accordance with the above recommendation, by condition.

In conclusion, on the basis of the survey recommendations, the development is considered to pose a negligible threat to protected species and no objection is raised to the development and the proposed mitigation, in accordance with Core Policy 50, the NPPF, guidance in the NPPG and the ODPM circular 06/2005.

## **Archaeology**

Core Policy 58 aims to ensure that Wiltshire's important monuments, sites and landscapes and areas of historic and built heritage significance are protected and enhanced in order that they continue to make an important contribution to Wiltshire's environment and quality of life. Heritage assets include Listed Buildings and Conservation Areas.

The Archaeologist has considered para 128 of the NPPF and stated:

*The desk based assessment (DBA) which accompanies the application recognises that there is archaeological potential for the site, but also does a good job of explaining the later land use which has affected that potential.*

*The National Planning Policy Framework (NPPF) states that an application should describe the significance of heritage assets affected by an application. NPPF policy 128 states that 'Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.' I consider that the DBA fulfils the first part of this paragraph. It also explains why field evaluation before the determination of the application may be problematic.*

*The NPPF also says: 141. Local planning authorities should make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible. They should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.*

*It is therefore recommended that a programme of archaeological works is carried out as part of any development, secured by a condition. These works may be phased, with elements of watching brief and evaluation included in order to inform any mitigation works.*

In conclusion, no objection is raised under CP58 and the NPPF provisions, subject to a condition requiring a written programme of archaeological investigation.

## **7.5 Highway Safety and Public Right of Way**

The development would provide 2 additional parking spaces, 10 cycle spaces and 1 additional disability space. Several third parties have objected to the proposal on the grounds that the site and surrounding areas are already congested with vehicles and that these cause an obstruction to existing accesses and are a danger to highway users, close to a dangerous junction. The proposed expansion of the care home will only exacerbate this problem. One resident feels that parking restrictions should be imposed and another suggested amending the alignment of the proposed external wall to improve visibility to their access.

**The NPPF** The NPPF sets out the criteria for new transport related development:

*32. All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:*

- *the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;*
- *safe and suitable access to the site can be achieved for all people; and*
- *improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.*

***Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.***

**Core Policy 57, 60, 61 and 62** are also relevant and the highways officer has responded:

*I note the proposal seeks the refurbishment and extension of the existing 24 bed care home, to a 30 bed care home, including a revised access and parking area from Manor Farm Road. The existing care home is substandard in terms of parking provision, with only 4 no. parking spaces available. The proposal will increase the number of spaces available to 7, including one dedicated disabled space and whilst overall parking provision for the care home would remain substandard, the increase in spaces is adequate to accommodate the modest extension of 6 bedrooms.*

*Alterations to the existing access will be relatively significant and I am satisfied with the visibility splays shown on plan, on the basis that the site is within a 20mph zone. I also feel that the new access and parking arrangement will improve highway safety on a section of Manor Farm Road that narrows, as a result of onsite vehicle turning now being provided. This will also benefit any delivery vehicles accessing the care home. I also note that new cycle parking is proposed, which is welcomed.*

*As a result of the above, I do not believe the modest extension and alterations will have a detrimental impact upon highway safety and as such, I recommend that no Highway objection is raised, subject to conditions and an informative being added to any consent granted.*

With specific reference to Rosemead, the highways officer considered the proposed wall:

*I have double checked this & the wall is set sufficiently back from the edge of the road so as not to obstruct visibility. We require visibility to be measured from a point 2.4m back from the edge of the road & the wall does not create an obstruction when measuring visibility in this way from the adjacent property's access.*

*A minimum visibility splay of 2.4m x 25m is required in this location and despite the wall, the property would appear to have at least 35m visibility to the south, when measured from 2.4m back.*

*Its potentially worth highlighting that the wall is not the redline but is actually set back from the redline boundary. The wall would also appear to be in a similar position to the existing fence.*

The applicant has produced land registry evidence to show that their ownership extends to the centre of Milford Hollow, and this reflects the presence of the overhanging jetties on the original building over the right of way. The rights of way officer has raised no objection and feels that the right of way would not be affected by the development: *“This part of Milford Hollow (public footpath SALS74) is maintainable by Wiltshire Council as highway authority. I have no objection.”*

An informative would be added to any permission to advise the developer that the right of way must not be obstructed at any time during construction.

## 7.6 Drainage and Flood Risk

The site lies within Flood Zone 1. The drainage team have raised no objection to the proposals relating to the discharge of surface and foul water from the site (soakaway and mains drainage).

## 7.7 Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is a charge that local authorities in England and Wales can put on new development in their area to raise funds to help deliver the infrastructure necessary to support this development. The Wiltshire Community Infrastructure Levy May 2015 Charging Schedule states that new C2 floorspace would be charged at a rate of £85 per square metre in Zone 1. Therefore, an informative would be added to any permission to bring to the applicant's attention the requirement for the levy to be paid on commencement of development.

Table 2.1 – Rates of CIL to be charged on new development

Development Type <sup>1</sup>		CIL charge £/ sq m	
		Charging Zone 1 (settlement categories 1, 2 and 3)	Charging Zone 2 (settlement category 4 <sup>2</sup> )
Residential development	Residential development (excluding strategically important sites as set out in the Wiltshire Core Strategy)  Planning Use Classes: C2, C2A, C3 and C4	£85	£55

## 7.8 Waste, Recycling and Energy Efficiency



As the scheme is classified as a major development (over 1,000sqm), the applicant has prepared a waste Audit, which seeks to ensure the maximum recycling of existing materials on the site and the minimisation and segregation of any waste arising from the proposed redevelopment. Waste team have raised no objection, in accordance with Waste Core Strategy **Policy WCS6**.

For new build development exceeding 1,000sqm gross, a condition would normally be applied under **Core Policy 41** requiring evidence that the “very good” BREEAM standard (or any such equivalent national measure of sustainable building which replaces that scheme) has been achieved for the development. This is normally achieved through the building regulations procedure.

### **7.9 Public Open Space:**

The proposals also need to comply with saved **Policy R3**:

*R3 The recreational open space requirement for new development providing accommodation for the elderly will be reduced to 0.8 hectares per 1000 population. Additional amenity open space within the site will be sought as appropriate.*

*Development proposals for nursing homes will be required to provide on-site amenity space. In both cases, on-site amenity space should be of a sufficient size and appropriately landscaped to provide informal sitting out areas, and should be located to maximise the south and south western aspects of the site and the outlook from it.*

The Local Planning Authority recognises that certain developments, such as nursing home accommodation for the elderly, generate different open space needs because of the greater reliance which their occupants have on on-site amenity space and the very limited demand for recreational facilities. On-site amenity space is, however, important in these types of development, providing pleasant views from habitable rooms within the development and as sitting out areas for residents. Amenity space has been provided for this development, including a new sensory lawn/garden and a separate garden and seating to the front of the site. This would enable residents to enjoy interaction with one another and would satisfy Policy R3.

### **7.10 Conclusion**

The proposal seeks to extend an existing nursing home from 24 to 30 beds, within the Salisbury settlement boundary and the development is acceptable in policy principle.

The development seeks to remove modern extension and then extend a Grade II listed building and make various internal and external alterations to the original building. Officers consider that the proposals would cause substantial harm to the setting of the listed building and that alterations to the historic core of the listed building would cause ‘less than substantial harm’ and are inadequately justified in public benefit terms as required by NPPF para 134.

Neighbours immediately adjacent to the site (south and west) have objected to the development on the grounds of dominance, loss of privacy and overlooking and light intrusion. Officers feel that these objections are justified and have given reasons for the amenity objections under CP57 in this report. The public protection officer feels that the glazed link is also likely to give rise to light intrusion, in the absence of lighting details.

There are no objections to the development on parking and access grounds, as the development would see a modest increase in parking provision and an improvement in the site access.

**RECOMMENDATION: REFUSE for the following reasons:**

1. The development seeks to remove modern extensions and to extend and alter a Grade II listed building comprising a 24 bed nursing home. The proposed extension and alterations would add six new bedrooms and other facilities, to create a modern, 30 bed nursing home facility. The listed building, despite its relatively poor quality extensions, is pre-eminent on the site and the present extensions are very much secondary and partially obscured from view from Manor Farm Road. The proposed extension is a substantial three-storeyed cranked range occupying a footprint that is significantly disproportionate to its host.

Whilst there are some elements of heritage gain within the proposals (such as the proposed stairs to the front door) and neutrality by removing the poor quality modern extensions and refurbishment works to the original building, the alterations to the historic core of the listed building (such as removal of masonry walls to the rear of room 3 and the kitchen) appear to result in the loss of historic fabric and are inadequately justified in public benefit terms as required by NPPF para 134.

Therefore, the proposed extension, by virtue of its overall design, height and footprint, would cause “substantial” harm to the character and setting of the listed building, contrary to section 16 and 66 of The 1990 Act and paragraph 133 of the NPPF and the aims of Wiltshire Core Strategy Core Policy 58; and alterations to the historic core of the listed building would cause “less than substantial” harm and are inadequately justified in public benefit terms, contrary to NPPF paragraph 134.

2. The site lies adjacent to No 10 Westbourne Close, Milford Grove and White Lodge. The proposed 3 storey extension to the listed building, by virtue of its design, scale, massing and proximity to boundaries would result in an unacceptable level of actual and perceived overlooking towards neighbouring residential properties, is likely to give rise to unwanted light intrusion and would appear unduly dominant, to the detriment of the neighbouring occupiers, contrary to Wiltshire Core Strategy Core Policy 57 (vii) and paragraphs 9, 56 and 64 of the NPPF.