

Report to the Southern Area Planning Committee

Date of Meeting	28 November 2013		
Application Number	13/03515/VAR		
Site Address	Milford House Nursing Home, Salisbury, SP1 1NJ		
Proposal	Vary condition 1 of S/2010/0809 (single storey extension to provide 12 additional bedrooms and associated facilities) to extend the time to implement the permission		
Applicant	Barchester Healthcare Ltd		
Town/Parish Council	Laverstock		
Electoral Division	Laverstock, Ford and Old Sarum	Unitary Member	Cllr Ian McLennan
Grid Ref	Easting: 415904 Northing: 129548		
Type of application	Full Planning		
Case Officer	Matthew Legge		

Reason for the application being considered by Committee

Cllr Ian McLennan has asked that this application be considered by Committee due to:

- Increasing amount of traffic along Milford Mill Road;
- the loss of amenity to residents of Milford House, caused by this huge extension in the garden;
- there is a possibility that the footpath linking the mediaeval bridge and Milford House Nursing Home can be upgraded and that this would lessen road danger to staff at Milford House;
- the situation has changed since the first permission, and the wider public are interested in the consequences and linkage to the footpath and overdevelopment of gardens.

1. Purpose of report

To consider the above application and the recommendation of the Area Development Manager that planning permission is **Granted** subject to conditions.

2. Report summary

The main issue in this case is whether or not there are material changes in circumstances since the original grant of planning permission to justify a different decision.

The Parish Council objects to the application. Two objections have been received from third parties, and no support.

3. Site Description

The site is currently occupied by the Milford House Nursing Home, a much extended listed building with two accesses on to Milford Mill Road. Car parking is provided from both accesses. Milford Mill Road is a narrow road linking Salisbury with the Peters Finger area. Adjacent to the site is a right of way which links to the Southampton Road, via a crossing under the railway.

4. Relevant Planning History

There is a long planning history for this application site. The following is considered to be most relevant to this current application:

S/2010/0809: Single storey extension to provide 12 additional bedrooms and associated facilities - approved

S/2010/0810: Single storey extension to provide 12 additional bedrooms and associated facilities – listed building consent granted

5. Proposal

To vary Condition 1 of S/2010/0809 (single storey extension to provide 12 additional bedrooms and associated facilities) to extend the time limit for the implementation of that permission.

6. Planning Policy

Adopted policies; G1, G2, G8, D3, CN3, CN5, CN21, CN22, CN23, C2, C7, C17, C23, C24, TR11, TR14, R3, PS1, PS2 as saved within Appendix C of the adopted South Wiltshire Core Strategy.

South Wiltshire Core Strategy: CP21

DRAFT Wiltshire Core Strategy: CP57, CP58, CP46, CP48, CP51, CP52, CP64, CP61

National Planning Policy Framework (NPPF)

7. Consultations

Parish Council

Object

Wiltshire Council Highways

No objection

Wiltshire Council Conservation

No objections

Natural England

No further comments

WF&RS

General comments

8. Publicity

Two letters of objection have been received.

Summary of key points raised:

- Overdevelopment of site
- Increased vehicular traffic on Milford Mill
- Concerns regarding impact of noise from Road.
- Inadequate space for lorries to deliver
- Safety concerns for pedestrians
- No provision for cycles.
- Not encouraging staff to use alternative means of travel to work
- Extension will not provide local jobs.

9. Planning Considerations

The main consideration in this case is whether or not there have been any material changes in circumstances since the original grant of planning permission to justify a different decision now.

9.1 Changes in planning policy since the 2010 approval

Since the approval of S/2010/809 and 0810 there have been changes to national planning policy. Specifically, the 'old' planning policy statements and planning policy guidance notes have been largely replaced by the National Planning Policy Framework. As this is effectively a streamlined version of the original documents it does not contain a particular references which would rule out the form of development proposed in this current application.

In addition to the NPPF the Council has replaced its development plan with the South Wiltshire Core Strategy and the draft Wiltshire Core Strategy (although the former document retains much of the Salisbury District Local Plan as 'saved' policies).

There are no new polices within the South Wiltshire Core Strategy which preclude effectual renewal of the original planning permission. Likewise, there are no policies in the draft Wiltshire Core Strategy which prevent this form of development.

9.2 Other material considerations

The material considerations relevant to the application remain unchanged from when the application was originally considered. This is reflected in the responses from statutory consultees who continue to raise no objections or have no further comments to add.

The material considerations are as follows:

- Planning policies;
- Impact on the landscape;

- Impact upon amenities;
- Impact on the character of the listed building;
- Impact upon highway safety;
- Other issues, River Avon Special Area of Conservation, Impact on Trees, Archaeology, Provision of Amenity Open Space.

The original officer's comments on each of these considerations remain unchanged, and consequently the original report is reproduced below. All policies referred to in the comments (with the exception of TR11) are 'saved' and so remain part of the Development Plan.

Policy TR11 set parking standards. This has been replaced by the Local Transport Plan (LTP). That said, the standard for nursing homes remains unchanged between TR11 and the LTP.

The original officer's comments follow:

9.1 Policy consideration

The application site is located within the Landscape Setting of Salisbury and Wilton (policy C7). This policy states that 'no new development will be permitted'. Policy C7 adopts an essentially restrictive stance in order to protect the high quality of the landscape settings of Salisbury and Wilton primarily to prevent the coalescence of the settlements. The policy indicates that there should be no new development within the lifetime of the plan. However, the supporting text to this policy states that built development or changes of use of land will be permissible where, in addition to being fully in accordance with other relevant policies of this Local Plan, it can be demonstrated that the quality of the landscape will not be impaired. If the extension to the building would create a substantive feature in the landscape, which would be prominent and intrusive, then it could be considered to be in conflict with policy C7. However, in this case, as the development is within the established boundaries of the site, the erection of an extension to an existing building could be considered to have only a minimal impact on the general visual quality of the landscape setting of Salisbury and therefore it is considered that the development would not be in conflict with the spirit of Policy C7.

The starting point for assessing this proposed dementia care unit are the community policies PS1 and PS2.

PS1 states that the development of health, social services, places of worship and community facilities will be permitted within or adjoining the settlements and that proposals to redevelop or enlarge existing facilities which are located outside settlements will be permitted where the proposed development would take place within the existing boundaries of the site. Policy PS2 relates specifically to the development of a residential care facility and states that, "the erection of new buildings in the countryside for rest or nursing homes will not be permitted". As Milford House is located in the 'landscape setting of Salisbury, it is outside the residential limits of the City and outside of the designated areas to which the housing policies of the Local Plan apply (i.e. Housing Policy Boundaries and Housing Restraint Areas), and it clearly falls within the open countryside. However, this proposed development can reasonably be construed as an extension to the

existing nursing home, within the established boundaries of the site and therefore can be considered to be in accordance with the aims of these policies.

As this application seeks planning permission for the erection of a residential dementia care extension in the open countryside, policies C23 and C24 are also relevant. Policy C23 specifically refers to extensions in the grounds of uses, such as institutional uses such as rest/nursing homes, and states that these will be permitted if there is no adverse impact on the character of the building or its surroundings. In the respect of extensions to existing buildings, policy C24 is similar in that they will be permitted if they are sympathetic in scale and character to the existing building and its surroundings and are within the existing curtilage. In this respect as the extension is physically attached to the existing building and there will be an operational linkage between the existing nursing home and the proposed dementia care facility as the intention is to allow for the on-going care of the current residents; the proposed development can reasonably be considered to be in accordance with the principle of these policies.

The proposed development must also be assessed against the design policies of the Local Plan, and in particular Policy D3 which like policy C24, relates to the need to encourage good design and for new development to respect the character and appearance of the surrounding area in respect of scale, height, massing, layout and materials.

With regard to other policies, Policy G1 seeks to ensure that development promotes a sustainable pattern of development that reduces the need to travel by car and encourages increased use of public transport, cycling and walking, makes the most efficient use of land, promotes the vitality and viability of local communities and conserves the natural environment and cultural heritage of the District. Policy G2 relates to general criteria against which development proposals will be assessed that include, amongst other factors, its impact on residential amenity, highway matters such as the effect of development on the road network, off-street parking and the suitability of access and turning facilities and the need to protect landscape and historic features. Policies TR11 and TR14 seek to ensure that new developments are provided with an acceptable level of provision of on-site parking spaces and secure cycle parking spaces respectively, while Policy R3 requires that development proposals for nursing homes should provide on-site amenity space.

The statement covers assets that are not designated but are of heritage interest and thus it is a material planning consideration. Decisions must be based on the nature, extent and level of that interest and the asset must be put to an appropriate and viable use that is consistent with their conservation.

In support of the current proposal, the applicant also states that there is a need for the provision of dementia care facilities, to support the existing nursing home, as otherwise the residents would have to be transferred to other facilities which is not conducive to residents needs or wishes. It is the applicant's contention that the proposed 12 bed unit will allow for all residents needs to be addressed, and allow the existing home to provide on-going care/care for life to all residents. 'It is well known in the care industry that residents who are frail, elderly and vulnerable suffer distress, trauma (and in some cases death) as a result of relocation. This

proposal will ensure that no local elderly person need by subjected to this trauma. There is great local demand for continued care at this facility to which this application will address.'

With regards to the need in the community for a dementia care unit, the Local Planning Authority accepts that with an ageing population the demand for specialised dementia care is set to grow. It therefore regards the requirement for this type of facility/accommodation as being firmly established. The benefits of reducing the impact and trauma of moving a resident in the event of their needs changing from residential to dementia care by minimising change in their environment are acknowledged. However, despite the obvious benefits of locating the two facilities on the same site only if the proposal is generally in accordance with Local Plan policies, should this scheme be supported as, the fact that a development is needed should not in itself override other national and local policies

9.2 Impact on the landscape/design

Development proposals in the countryside must have regard to the high quality of the landscape and the siting and scale of development must be sympathetic with the landscape and of a high standard of design. The design of the dementia care unit, which forms an 'L' shape wing to the rear of the existing care home, whilst substantial in comparison with the existing building, retains most of the established garden. Nevertheless it still represents a substantial sized building.

The extension has a width of about 11 metres across and extends 35 m into the garden with a return of the 'L' shape of the wing of a further 17 metres. In terms of its overall height, the building would be about 5.5 metres. However, the building achieves a good degree of articulation, has hipped roofs to reduce its visual bulk and the materials proposed match the existing building. Despite this, it is considered that the proposed development would not represent a visual intrusion into the open countryside and as it would be wholly within the existing site it is considered to respect the character and high visual quality of the landscape setting of Salisbury. As such, the proposed development is in accordance with the aims and objectives of polices C7, C24 and D3

9.3 Impact upon amenities

With regards to the issue of residential amenity, the application site has no immediate adjacent neighbours, though, there is a small residential grouping across the road. As there is a substantial mature tree screen along much of the boundary to the application site, and the extension is to the rear of the existing nursing home, it is not considered that the extension would result in any material harm to the amenities of the occupants of these properties. Given the limited additional traffic likely to be generated by the additional accommodation, there is unlikely to be any increase in disturbance from traffic.

9.4 Impact on the character of the listed building

Milford House is a listed grade II building dating from the 18th century. There have been substantial extensions to the original house and as the proposed dementia care unit is to the rear of an existing modern extension to the original building. The

Conservation Officer does not consider that this proposal will have any impact upon the character of the Listed building or its setting

9.5 Impact upon highway safety

The thrust of the national guidance is to encourage development in sustainable locations which offer a good range of community facilities and with good access to jobs, key services and infrastructure and which are served by public transport and offer the greatest opportunities for access by walking and cycling thereby reducing the dependency on the private car. The site of the Nursing Home is outside the settlement of Salisbury and therefore technically in the open countryside. Given this location the proposal would not usually constitute a sustainable form of development in respect of the associated traffic generation. However, the residential conversion of the buildings/barns on the opposite side of the road was deemed sustainable by the Planning Inspector.

Concerns have been raised by both the Parish Council and neighbours regarding highway safety, including the adequacy of Milford Mill Road to accommodate the additional traffic likely to result from the proposed new development. It is the Highway Authority's view though that having regard to the nature of the proposed extension i.e. to provide dementia care, any resultant additional traffic is unlikely to be significant. It is considered that visitors may be expected to visit residents mainly at weekends or during evenings when other traffic using Milford Mill Road is likely to be reduced and that any additional service traffic will be minimal. Additionally, the applicants are proposing to create an additional 5 parking spaces to meet the extra demand from staff and visitors. As it is also proposed to continue to use the existing accesses on to Milford Mill Road and no new vehicular access is proposed to serve the development the Highway Authority has concluded that it has no objection to the proposal.

9.6 Other issues

9.6.1 Special Area of Conservation, River Avon

The site is adjacent to the River Bourne, part of the River Avon System Site of Special Scientific Interest (SSSI) which has statutory protection under the Wildlife and Countryside Act 1981(as amended) and a Special Area of Conservation (SAC) which has European protection. The nature conservation interest of the river system arises from the importance of a plant (water crowfoot) and five species of fish and snails. Whilst development close to the river could damage the river eco system through loss of habitat or pollution, because of the location of the site, Natural England considers that the nature conservation interest of the river system is unlikely to be affected, by the development.

9.6.2 Impact on Trees

The application site contains substantial tree and landscape planting which provides an important screen to the frontage boundary of the site with Milford Mill Road, and there is also a substantive group of trees adjacent to the boundary on the railway embankment. The proposed extension would be a significant distance

from these respective boundaries and therefore would not adversely affect the health or retention of the existing tree/landscape planting. However, the expansion of the parking area in front of the main entrance will be located close to the rooting areas of the frontage screening and therefore the council's Arboricultural officer requires that any development be conditioned to ensure that all of the trees to be retained will not be harmed during creation of the additional parking area and therefore it is considered appropriate to impose a condition requiring the provision of protection measures to the trees and landscape planting throughout the construction period.

9.6.3 Archaeology

The site is immediately south of a scheduled monument the Medieval Pottery Kilns of Milford Farm and close to a series of earth works possibly part of a medieval settlement. Anglo-Saxon remains have also been found on the site in the past. An archaeological investigation of the site of the proposed extension, however, found no evidence of any archaeological deposits or artefacts and therefore the Council's Archaeological advisor does not require any further investigation of the site and has no objections to the proposed development.

9.6.4 Provision of Amenity Open Space

The Local Planning Authority recognises that nursing/rest home accommodation generates different needs for open space provision to that of residential dwellings because of the greater reliance that their occupants have on on-site amenity space and the very limited demand for recreational facilities. On-site amenity space is therefore important in these types of development providing pleasant views from habitable rooms within the development and as sitting out areas for residents. As such, it is considered important that amenity space of a sufficient size and landscaped to provide an attractive sitting out area/environment is provided within the site.

In this instance, the proposal includes the retention of the open amenity space to the east of the proposed building that currently provides an external amenity/garden area that is accessible from the building and that will provide an open aspect. There is also an external terrace area adjacent to the lounge areas on the southern and western corners of the building. In addition, the proposed development has been purposely designed so that the residents' lounges are all located in the south western corner of the building where they can make use of the southern and south western aspects and residents can benefit from views looking out over the gardens. It is therefore considered that the proposed development provides acceptable on-site amenity provision in accordance with Policy R3 of the Adopted Local Plan.

10. Conclusion

There have been no material changes in circumstances to justify a different outcome in this case. There is a need for dementia care and this proposal would provide this facility with the existing nursing home. The site is in a sustainable location, within the established boundary of the existing nursing home, and therefore the proposal is considered to be in accordance with the development plan.

It is considered that the extension by virtue of its overall scale and massing would not be a visual intrusion into the open countryside, the proposal would have no impact upon the character and setting of the listed building and there would be no impact on highway safety.

11. Recommendation

Planning Permission be Approved 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 the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

- 2 Details and samples of all external facing and roofing materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority before any on-site works commence. The development shall thereafter be carried out in accordance with the approved details.

REASON. To ensure that the external appearance of the building is satisfactory.

- 3 This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Drawing ref. no. 08/286(D) 001Rev A Location Plan received on 26.05 2010

Drawing ref. no. 08/286(D) 001Rev A Proposed site plan received on 26.05 2010

Drawing ref. no. 08/286(D) 003Rev A Proposed floor plan received on 26.05 2010

Drawing ref. no. 08/286(D) 004Rev B Proposed elevations received on 26.05.10

Drawing ref. no. 08/286(D) 005 Proposed site plan received on 26.05 2010

Archaeological evaluation ref CA Report 10017 dated February 2010

Design and Access statement received on 26 May 2010

Environmental Noise Survey Report 16446/PPG24_Rev A dated 24 May 2010

Heritage Statement received on 26 May 2010

Construction Method Statement received on 3 June 2010

Lighting assessment received on 26 May 2010

Sustainability statement received on 3 June 2010

REASON: For the avoidance of doubt.

- 4 Construction work shall not begin until a scheme for protecting the development against noise from road and rail traffic has been submitted to and approved by the Local Planning Authority; all works which form part of the scheme shall be completed before the development is occupied.

REASON: In the interest of amenity for the future occupants of the development.

- 5 The development must not commence until an Arboricultural Method Statement, including all relevant details of tree protection, has been submitted to the Local Planning Authority and approved in writing.

The statement must include any necessary fencing, in accordance with the relevant British Standard (Guide for Trees in Relation to Construction, BS.5837: 2005). It must also include any other means needed to ensure that all of the trees to be retained will not be harmed during creation of the additional parking area to the north of the existing building. In particular, the statement should confirm there will be minimal ground disturbance within the Root Protection Areas of the surrounding trees and an appropriate Cellular Confinement System will be used to prevent compaction.

The trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given its prior written consent to any variation.

REASON: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to ensure that the amenity value of the most important trees, shrubs and hedges growing within or adjacent to the site is adequately protected during the period of construction.

- 6 The lighting scheme submitted with the application hereby approved shall be installed and operated in accordance with these approved details.

REASON To enable the Local Planning Authority to exercise control over the appearance of the lighting installation and the level of illumination in order to conserve the high quality landscape and character of the Special Landscape Area and in the interests of residential amenity.

- 7 Notwithstanding the submitted plans, prior to the commencement of development, details of a secure and covered cycle parking facility shall be submitted to, and approved in writing by, the Local Planning Authority, and shall thereafter be constructed in accordance with the agreed details and made available for use prior to the first occupation of the building hereby approved and shall thereafter be retained.

REASON In order to secure the provisions of appropriate facilities for cyclists and to promote other modes of transport other than the car in the interests of

sustainable development.

- 8 Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Amendment) Order 1987 and the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactments thereof, the development hereby approved shall be used solely as a dementia care facility in association with the adjacent Milford House Nursing Home and for no other use purposes, whatsoever, including any other purpose in Class C2 of the Town and Country Planning (Use Classes) Order 1987 or any subsequent re-enactment, without formal planning permission first being obtained.

REASON To enable the Local Planning Authority to retain planning control over the use of the building hereby permitted in the interests of sustainable development.