

REPORT FOR SOUTHERN AREA PLANNING COMMITTEE **Report No. 7a (lbc)**

Date of Meeting	15 th November 2018
Application Number	18/06723/LBC
Site Address	Little Manor Nursing Home, Manor Farm Road, Milford, Salisbury, SP1 2RS
Proposal	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). Resubmission of 17/11681/LBC
Applicant	Wessex Care Ltd
Town/Parish Council	Salisbury City Council
Electoral Division	Salisbury St Martins and Cathedral, Cllr S Hocking
Grid Ref	
Type of application	LBC (and associated 18/06366/FUL)
Case Officer	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 impact on the listed building.

1. Purpose of Report

To consider the above application and the recommendation that planning permission be refused.

2. Report Summary

The main planning issues to consider are:

1. Impact on the character and setting of the listed building.
2. Conclusion

The application in its original form generated 1 letter of support from Milford Preservation Group.

3. Site Description and Proposal

The applicant is proposing to:

- Demolish 365sqm of the existing gross floorspace 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. Proposed Total Floor Area 1100m² (Net increase 735m²) Three storeys with double pitch roof with flat roof to valley. Contemporary style.
- New extension would have external walls finished in render and stained boarding and red brick with bonds articulated to provide interest. Dark grey powder coated metal

windows and doors to extension. High performance flat roof materials and standing seam zinc on mansard roof slopes only.

- Etched bay windows to 1st and 2nd floor residents' rooms. Three pane (smaller panes) bays which have ALL panes (with potential neighbour overlooking issues) acid etched (ie no clear glazed windows looking out toward neighbouring properties). Only the return side lights have clear glazing and these windows have a 100mm opening restriction (H+S).
- Provide 2 additional parking spaces (4 increased to 6) and 10 cycle spaces and 1 disability space, with automatic gates to entrance. Bike shelter and smoking shelter.
- New red brick dwarf wall and metal railings to enclose courtyard to front of period building. Reinstatement of wrought iron gates at pedestrian entry to main entrance
- Refurbishment works to existing original listed building using matching materials.
- Removal of garage. Landscaping works. Provision of sensory garden
- 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
- Archaeological Desk Based Assessment
- Waste Audit
- Heritage Impact Assessment and Statement of Significance
- Updated Care Needs Assessment Report
- Tree Survey and Arboricultural Impact Assessment
- Updated Ecological Appraisal - Bat and Nesting Bird Survey
- Schedule of Works to Listed Building

Main changes made since the 2017 scheme (provided in full in Appendix 1)

Most notably, the extension has been moved 0.6m further away from the boundary of No. 10 Westbourne Close, raised pleached trees and an intervisibility screen have been added as privacy screening for the Care Home residents and the occupiers of No 10 Westbourne Close and the building has been set 0.3m lower into the ground. A mansard roof introduced to the proposed replacement building/extension to lower the eaves level/visual height of the building ('gutter level' now lower than that of the Listed Building) and clad with standing seam zinc cladding. Elevations below 'roof' of extension clad in stained timber down to top of Milford Hollow 'wall' level/ground floor accommodation. Off-set/angled bays replaced by 'stacked' projecting square bays with clear glazing to sides looking forward/backwards along flank of building and acid etched obscure glazing facing neighbouring properties to allow light for elderly/those with dementia.

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 1st 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

17/11681/LBC 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.

Refused by Committee 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.

Since this decision, an appeal has been lodged and validated and the NPPF has been revised.

4. National and Local Planning Policy

National Planning Policy Framework (NPPF updated 2018) and the NPPG

Wiltshire Core Strategy (WCS):

Core Policy 58: Ensuring the conservation of the historic environment

Planning (Listed Building and Conservation Areas) Act 1990

Section 6: Decisions

Section 66: Special considerations affecting planning functions

5. Summary of consultation responses

Wiltshire Council Conservation: objection

Historic England: no comment

Salisbury City Council: Objection

6. Publicity

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

7. Planning Considerations

Planning permission is required for the development. The application 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 revised NPPF confirms in para 11 that plans and decisions should apply a presumption in favour of sustainable. For decision making, that means approving development proposals that accord with an up-to-date development plan without delay. where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:

the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or

any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The NPPF also states that the policies in the Framework are material considerations which should be taken into account in dealing with applications from the day of its publication. However, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). (para 202 and 203).

7.1 Impact on the character and setting of the listed building.

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 189, 190, 192-5 of the NPPF state:

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

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 into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness.*

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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be **exceptional**;*

195. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

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, due to the judicious planning, design and materials of the proposals, there would be 'less than substantial harm' to the listed building under the terms of the NPPF. As such, and in accordance with paragraph 134 (now 196) 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 Council's Conservation officer has stated:

I've had a careful look through the proposals and considered the impact on the listed building and its setting. I'm afraid I can see nothing that would reduce the concerns raised by the previous application, and the same reason for refusal would be appropriate.

On the basis of this response, the proposed revised scheme is still perceived to be 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 still presents a strident, contemporary design, which is more institutional in appearance and will create more prominent building than the existing listed building, particularly due to 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 be contrary to CP57, CP58, the NPPF para 194 and 195 and S16 and S66 of the 1990 Act.

8.0 Conclusion

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

The development seeks to remove modern extensions and then extend a Grade II listed building and make various internal and external alterations to the original building. Officers consider that whilst the alterations to the historic core of the listed building are acceptable, the proposed extension would cause substantial harm to the setting of the listed building and are inadequately justified in terms of the *substantial public benefit* terms required by the NPPF para 195 (previously 133) which states:

*195. Where a proposed development will lead to substantial harm to.. a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm..is necessary to achieve **substantial** public benefits that outweigh that harm or loss.*

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 or neutrality within the proposals (by removing the poor quality modern extensions and the proposed refurbishment works to the original building), 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 and are inadequately justified in terms of the *substantial* public benefits required by the NPPF para 195. The proposal would therefore be contrary to Sections 16 and 66 of The 1990 Act, Paragraph 195 of the NPPF and the aims of Wiltshire Core Strategy Core Policy 58.

ctd.....

Appendix 1 Summary of Main Changes to Scheme:

- Proposed replacement building/extension moved 600mm further away from the boundary of No. 10 Westbourne Close. (ie to the east/toward Manor Farm Road).
- Raised pleached trees added as privacy screening for the Care Home residents and the occupiers of No 10 Westbourne Close (WC). Note: Each tree is positioned so as to maximise the screening effect between residents and neighbours windows and inclined at 45 degrees to the boundary for ease of access to both sides of the 'raised screen hedge' to enable pruning/long term maintenance and also so as to allow light/air between the properties. The raised pleached tree nearest to the Residents Garden is precisely located so as to obscure direct views between Residents Bedroom No. 20 and the 1st floor window of No 10 EC.
- Following submission of the current scheme the Planning Officer questioned the year round effectiveness/permanency of the pleached tree(s) as a screen.

(NB: The species specified within the application for the pleached screen trees is Hornbeam. Whilst Hornbeams change colour in the autumn they retain their leaves, thereby providing effective year round screening. Recognising the importance of these trees, the Applicant (Wessex Care) have agreed to accept a 10 year planning condition to ensure the proper establishment and maintenance of the screen trees).

However to allay any concerns over the long term effectiveness of the pleached tree screen we are now proposing to also add a fixed permanent timber and metal screen designed to block direct views between the residents of the care home and the occupiers of No 10 WC.

This fixed screen also now forms part of the application. The pleached tree(s) screening will be retained for screening and landscape/visual amenity purposes.

- Patio and patio doors formerly located on the west elevation and facing boundary with No 10 EC have now been relocated so as to be on the north elevation facing the Residents Garden. In place of the former patio area landscape planting has been provided so as to soften flank wall of the proposed replacement building/ extension and to act as a buffer between the boundary and the building.
- Boiler chimney relocated so as to be within proposed replacement building and 5m further away from neighbour at no 10 EC
- Building set 300mm lower into the ground. This will lower building height/windows/general visual impact etc.
- Lowering building has required re-planning the building so as to place the Spa/Physio/Residents Kitchen within the proposed replacement building/ extension where we can now only achieve high level windows. This also reduces the level of intervention required within the Listed Building. The Care Rooms have been located elsewhere within the building.
- A mansard roof introduced to the proposed replacement building/extension so as to lower the eaves level/visual height of the building ('gutter level' now lower than that of the Listed Building) and clad with contemporary but regressive (in terms of colour) standing seam zinc cladding.
- The steeply pitched 'feature' glazed light located over the Entrance/Main Stair area of the replacement/extended building (light pollution/visibility) has been removed from the current application.

- Elevations below 'roof' of extension clad in stained timber down to top of Milford Hollow 'wall' level/ground floor accommodation – softer/quieter/more regressive than buff coloured faux stone. Timber cladding to be low maintenance dark/mid grey Accoya (sustainably grown timber with 50 year life span – samples available).
- Off-set/angled bays replaced by 'stacked' projecting square bays with clear glazing to sides looking forward/backwards along flank of building and acid etched obscure glazing facing neighbouring properties – allows light but not sight – light vital for elderly/those with dementia).
- Stacking the bays will simplify the elevations and be a less visually challenging than the contemporary configuration.
- Obscure glazing will be noted as being acid etched glass (not film coating) and indicated as hatched on the elevations.
- All changes/concessions (and more as noted above) made to Conservation Officers leading up to consideration of the previous scheme by SAC are incorporated into revised application plans/elevations.
- External escape stair removed and relocated within the glazed 'link' and adjacent to Milford Hollow. Fire Escape/Staff Entrance door (like a 'garden gate') will be located below the half landing of this stair.
- Loft area within Listed Building changed to be Storage ONLY. Staff Cloaks/Shower Rm facility also removed thereby negating the need for the former roof level escape stair.
- To avoid confusion we no longer show the basement accommodation (in section) on the west elevation (not visible above ground). This clearly illustrates the fact that there are only 2 x above ground storeys adjacent to No 10 WC boundary.
- Top of the existing/very high brick boundary wall (now even higher relatively speaking as building has been lowered 300mm into the ground) highlighted on west elevation facing No 10 WC. NB: Relative level of garden/top of wall amended/corrected based on information provided by the occupiers of No 10 WC.
- Elevation from No 10 WC's side of the boundary wall now included within the application drawings and shows screening effect of existing boundary wall, raised pleached trees and extent of garden to No 10 EC. NB: Relative level of garden/top of wall amended/corrected based on information provided by the occupiers of No 10 WC. Applicant has/had agreed to maintain the line of the top of the boundary wall on to the end of the site (currently wall sweeps down to lower level for the last 1/3rd [approx.] of the wall length).
- We have provided cross section set at 45 degree to rear of No 10 EC to illustrate relationship of proposals to No 10 WC and to demonstrate effectiveness of raised pleached tree screen (see also 2nd bullet point and above). NB: Relative level of garden/top of wall amended/corrected based on information provided by the occupiers of No 10 WC. Applicant has/had agreed to maintain the line of the top of the boundary wall on to the end of the site (currently wall sweeps down to lower level for the last 1/3rd [approx.] of the wall length).
- Made clearer/annotated on Site Plan the fact that front boundary wall with Manor Farm Road is set back as it approaches 'Rosemead' to improve visibility to highway from 'Rosemead's' access drive.
- Central vehicle manoeuvring diagram for 'refuse vehicle' will also allow rigid van type deliveries to enter the site instead of parking on Manor Farm Road as at present thereby reducing incidence of obstructing visibility around the swept corner in Manor Farm Road.

- Site Plan annotated to identify “Onsite Staff/Visitor Parking”. Increased on-site parking from 4 to 7 spaces will reduce roadside parking/congestion over present parking availability/arrangement.
- General/Staff Cycle Store detailed and annotated as such (also doubles as a Staff/Residents Smoking Shelter – see next).
- The ‘cycle store’ is now a pavilion of which 50% will be annotated as being a ‘Smoking Shelter’ which is located well away from the boundary with No. 10 EC
- Revised proposals have been discussed in detail with neighbours at No 10 Westbourne Close and Milford Grove/White Lodge on Shady Bower.