

**TITLE: 2005/200 - ERECTION OF REPLACEMENT RESIDENTIAL CARE HOME  
RAVENGARTH, LANCASTER AVENUE, HASLINGDEN**

**TO/ON: DEVELOPMENT CONTROL COMMITTEE - 2 AUGUST 2005**

**BY: TEAM MANAGER DEVELOPMENT CONTROL**

**APPLICANT : TRI-CARE III LTD**

**DETERMINATION EXPIRY DATE : 1 JULY 2005**

### **Human Rights**

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights: -

#### **Article 8**

The right to respect for private and family life, home and correspondence.

#### **Article 1 of Protocol 1**

The right of peaceful enjoyment of possessions and protection of property.

### **Site**

This application relates to a site within the Urban Boundary of Haslingden. The residential care home which occupied it when the application was submitted has since been demolished. When last used as a care home by LCC it was registered for 28 people, a figure much reduced from its peak as a result of changes in regulations precluding double-occupancy of rooms, etc.

The site has a long frontage to Lancaster Avenue, sloping down gently by 2m from north to south, and has mature hedges and a handful of trees on/near certain boundaries. The recently demolished building was constructed of brick, with a tiled roof. It was for the most part of 2-storey construction, an element at the southern end of 1-storey.

Whilst the site is bounded on its northern side by houses, to the other sides are bungalows. The facing materials of the neighbouring properties vary, many are or incorporate a significant amount of rendering/pebble-dashing.

### **Proposal**

As first submitted the application proposed erection of an 80-bed residential care home. At my request the scheme has been amended to address particular concerns I had about the siting and size of the proposed building, and how this would limit the

extent to which existing boundary planting could be retained/reinforced and its impact upon the amenities of neighbours and users of the public footpath running along the northern boundary.

As amended the scheme will now result in the replacement care home having 76-bed spaces. In short :

- The proposed building will be askew to the road (as was the previous building), with a central block of 3-storey construction and wing to each side of 2-storeys.
- The ground-floor will be faced with brick, with the floors above rendered.
- The building will be topped by tiled roofs, hipped in the case of the wing-blocks.
- The slab-level of the proposed building will broadly reflect the existing ground level where the central-block is to be constructed, necessitating a little further excavation of the ground towards the northern end of the site and its elevation towards the southern end in order to maintain a uniform slab-level.
- A small parking area will be formed immediately in front of the central-block for use as a drop-off point/parking area for disabled.
- The main car park will be located towards the northern end of the site, with 9 spaces for use by staff and visitors; the applicant envisages that the premises will employ 16 people at the busiest time.

### **Consultation Responses**

ENVIRONMENT AGENCY

No objection in principle; drainage condition requested.

LCC (HIGHWAYS)

No objection in principle; amendments sought (& duly obtained) in respect of details about the parking and paths within the site.

### **Notification Responses**

None

### **Development Plan Policies**

Rossendale District Local Plan (Adopted 1995)

DS1 - Urban Boundary

E4 - Tree Preservation

Joint Lancashire Structure Plan (Adopted 2005)

Policy 1 - General Policy

Policy 2 - Main Development Locations

Policy 7 - Parking

### **Other Material Planning Considerations**

PPS1 - Sustainable Development

PPG13 - Transport

LCC Parking Standards

### **Planning Issues**

In dealing with this application the main issues to consider are :

1) Principle; 2) Townscape Impact; 3) Neighbour Amenity; & 4) Traffic/Parking.

## PRINCIPLE

There is no objection in principle to the proposed development :

- the site is located within a Main Town;
- no change of use of the land is involved;
- the intensification in use proposed does not tip the balance against a permission.

## TOWNSCAPE IMPACT

The proposed building is materially larger than the one it replaces. However, I am satisfied that it is not of disproportionate size in relation to the site, and will not appear unduly prominent or intrusive in the street-scene.

The amendments to the scheme sought have, in the main, been taken on-board by the Applicant. The mass of the building will be suitably broken-up by the design and variation in facing materials intended. This will be assisted by the trees now to be retained at the northern end of the site frontage and new tree planting proposed elsewhere along the frontage.

## NEIGHBOUR AMENITY

The proposed development will not result in significant detriment for any neighbour :

- The northern wing will stand 23m from the houses on Leicester Walk which face it.
- Whilst the gap between this wing and 24 Chester Avenue narrows to 12m, neither of the facing elevations contains principal windows to habitable rooms.
- The 3-storey central-block will stand 14m from the rear boundary of the site, aligned to face towards the turning-head/front gardens of the bungalows on Ravencroft rather than the bungalows themselves or their rear gardens.
- The rear elevation of the southern wing has been kept free of habitable-room windows and will stand 7m from the party boundary with 9 Ravencroft and 18m from the rear windows of this bungalow, retention of the intervening young 5m high trees and hipping of the roof of the proposed building helping to minimise its impact.
- This wing will stand 21m from the bungalows to the south of the site, the applicant proposing to reinforce the planting adjacent to the 1.7m high fence down this boundary.

## TRAFFIC/PARKING

The local highway network can satisfactorily accommodate the additional traffic the enlarged care home will generate. The off-street parking facilities proposed accord with the wishes of the Highway Authority and the Council's approved parking standards.

### **Summary of Reasons for Approval**

The proposed development is in principle in accord with the Development Plan and, subject to the proposed conditions, is not considered likely to detract to an unacceptable extent from the amenities of neighbours, the townscape, highway safety or any other material consideration.

### **Recommendation**

That permission be granted, subject to the following conditions :

1. The development permitted shall be begun before the expiration of five years from the date of this permission. *Reason : The condition is required by Section 91 of the Town & Country Planning Act 1990.*

2. The development shall be carried out in accordance with the following drawings :

- a. 1/4/05 Site Location Plan
- b. 12/7/05 DPD/37/05A Site Plan
- c. 12/7/05 DPB/37/01A Ground Floor Plan
- d. 12/7/05 PDB/37/02A First Floor Plan
- e. 1/4/05 PDB/37/03 2nd Floor Plan
- f. 12/7/05 PDB/37/04A Elevations
- g. 12/7/05 PDB/37/09A Cross Sections

*Reason : To define the permission and ensure a satisfactory form of Development.*

3. The development shall not be commenced until full details, including representative samples, of the external materials of construction to be used on the roof and walls of the development have been submitted to and first approved in writing by the Local Planning Authority and shall thereafter be carried out in accordance with details. *Reason : To ensure a satisfactory appearance to the development and to accord with Policy 1 of the adopted Joint Lancashire Structure Plan.*

4. First-floor windows to stair-wells/corridors in the north & east elevations of the northern wing and the east elevation of the southern wing of the building hereby permitted shall be obscure –glazed and remain as such thereafter. *Reason : To safeguard the amenities of occupiers of nearby residential properties and accord with PPS1.*

The building hereby permitted shall not exceed the building slab level shown on the approved drawings unless otherwise agreed in writing by the Local Planning Authority. *Reason : To define the permission and ensure a satisfactory form of development*

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

6. *Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy 7 of the adopted Joint Lancashire Structure Plan.*

7. Prior to first use of the building hereby permitted the existing vehicular access towards the southern end of the site frontage shall be physically closed-off and the footway/verge to Lancaster Avenue re-instated at the applicants expense. *Reason : In the interests of highway safety and to accord with PPG13.*

8. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, identify any to be retained and the measures for their protection in the course of development, and detail any changes in ground-level proposed and the materials to be used for proposed boundary fences/walls/gates and areas of hardstanding. *Reason : In the interests of visual amenity and to accord with Policy 1 of the adopted Joint Lancashire Structure Plan.*
9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the substantial completion of the building hereby permitted, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. *Reason : In the interests of visual amenity and to accord with Policy 1 of the adopted Joint Lancashire Structure Plan.*
10. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas shall be passed through trapped gullies with an overall capacity compatible with the site being drained. *Reason : To prevent pollution and to accord with Policy E9 of the adopted Rossendale District Local Plan.*

#### **NOTE FOR APPLICANT**

This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184, the County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority, or a contractor approved by the Highway Authority, can carry out these works and therefore before any access works can start you must contact the Environment Directorate at Lancashire County Council, quoting the planning application number.