

# APPLICATION REPORT - PA/344254/19

Planning Committee, 27 May, 2020

**Registration Date:** 03/12/2019  
**Ward:** Royton South

**Application Reference:** PA/344254/19  
**Type of Application:** Full Planning Permission

**Proposal:** Three storey extension to provide 13no additional bedrooms and additional lounge at ground floor.

**Location:** Dryclough Manor, Shaw Road, Royton, OL2 6DA

**Case Officer:** Dean Clapworthy

**Applicant** Carewise Homes Ltd  
**Agent :** C C Gladding Architects

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Members will recall that Committee resolved to grant planning permission for the development subject to an additional planning condition relating to the provision of additional on-site car parking. The precise wording and validity of the additional condition was subsequently raised later in the meeting.

Council officers believe that the committee members thought they were voting for the on site parking to be provided for local residents, whereas what was actually proposed and seconded for approval did not specifically mention that the parking should be for local residents.

In addition, the Council's planning and legal officers have confirmed that a planning condition which required the developer to provide on site parking for persons not associated with the development would not be valid.

In view of the above, it has been decided that the planning application should be reconsidered by planning committee.

## THE SITE

Dryclough Manor is a residential care home occupying a large detached and extended two storey building which is positioned within large mature grounds that are bounded to the south, west and north by Valley Road, Shaw Road and Salmon Fields. To the east is a wooded area and communal garage site. There are presently 44 residents.

The premises are accessed via Eleanor Road, which is a relatively narrow residential street serving traditional terraced dwellings without off-street parking. Trees within the site are protected by Tree Preservation Order (TPO).

## THE PROPOSAL

The proposal is for a three storey extension attached to a previous extension to provide 13no additional single bedrooms for people in need of care and an additional lounge at ground floor. The extension would be finished in facing brick with grey concrete roof tiles.

No alterations are proposed to the existing site layout, which has twelve off-street parking spaces.

The submitted car parking statement confirms that the site presently employs 38 staff of which a maximum of 12 are on site at any one time. They arrive by mixed modes of transport, either in private cars, public transport or walking. The proposed development would result in an increase of 3 members of staff on site at a time.

#### **RELEVANT HISTORY OF THE SITE:**

PA/337280/15: Single storey extension to lounge area. Approved September 2015.

PA/041081/01: Single storey extension to contain residents kitchen. Approved April 2001.

PA/033009/95: Extension to residential care home (resulting in 40 beds). Approved June 1995.

PA/032051/94: Renewal of consent for extension to residential care home (resulting in 30 beds). Approved June 1994.

PA/029992/93: Conservatory and new windows. Approved March 1993.

PA/027653/91: Removal of Condition 5 of PA/027653/91. Approved September 1991.

PA/024486/89: Extension to residential home. Approved Jan 1990.

PA/19076/85: Change of use to home for the elderly. Approved January 1986.

#### **RELEVANT PLANNING POLICIES & GUIDANCE**

Section 38(6) of the Planning and Compulsory Purchase Act 2004, reiterated in Paragraph 2 of the NPPF, requires that, to the extent that development plan policies are material, planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

The 'Development Plan' is the Joint Core Strategy & Development Management Policies Development Plan Document (DPD) which forms part of the Local Plan for Oldham. The site is unallocated on the DPD Proposals Map. The following policies are relevant to the determination of this application.

#### **Joint Development Plan Document (DPD)**

Policy 1: Climate Change and Sustainable Development

Policy 2: Communities

Policy 5: Promoting Accessibility and Sustainable Transport Choices

Policy 9: Local Environment

Policy 20: Design

#### **Saved Unitary Development Plan Policies**

Policy D1.5: Protection of Trees on Development Sites

#### **CONSULTATIONS**

Highway Engineer

No objection.

Environmental Health	No objection, subject to a condition relating to ground conditions.
Coal Authority	No objection, subject to a condition requiring the investigation of past mine workings.
Drainage	No objections.
Tree Officer	No objection, subject to condition requiring tree protection measures.

## REPRESENTATIONS

The application has been advertised by direct neighbour notification and site notice. 61 representations have been received raising matters that can be summarised as follows:

- The proposal would result in an unacceptable increase in traffic in an already congested area with insufficient existing parking at the site. Roads leading to the site are narrow and visitor, delivery and emergency vehicles can experience difficulties gaining access. An alternative access route to the site should be required with increased on-site parking
- Due to the existing congestion, the Council issued letters to nearby residents of the surrounding streets stating that double yellow lines may be required to ensure emergency vehicle access is maintained
- There is a culverted stream at the site which needs to be considered
- The Coal Mining Report relates to a previous extension
- The extension would extend towards neighbouring residential dwellings, impacting on amenity
- The proposal will have an impact on property values

## PLANNING CONSIDERATIONS

### Background

The proposal has been called-in for Planning Committee determination by Councillor Bashforth due to concerns relating to the access and parking at the site and the potential detrimental effect of additional traffic on the surrounding streets.

The main issues to consider are:

- The principle of the proposed development
- Access and highway safety
- Design and impact on visual amenity
- Amenity
- Other matters

### The principle of development

DPD Policy 2 states that the council will support proposals for new and improved community facilities that meet an identified need. A care home constitutes a community facility and the applicant has identified a need for further accommodation for residents in need of care. The proposal is therefore acceptable in principle.

### Access and highway safety

DPD Policy 5 states that the Council will ensure the safety of pedestrians, cyclists and other vulnerable road users by ensuring appropriate highway safety measures and schemes are implemented as part of development proposals. Policy 9 states that local environmental quality and amenity will be protected and/or improved by ensuring development minimises

traffic levels and does not harm the safety of road users. The NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

This is the principal issue raised in representations. The proposal would facilitate 13 additional residents, supported by 3 full time equivalent additional staff members on site at any one time. The Highway Officer confirms that there are no national or local parking standards and that any assessment needs to be based on the location and existing conditions.

It is noted that the proposed development is located in a sustainable location with links to public transport and opportunities for staff and visitors to travel to the site by more sustainable modes of transport. Whilst it is recognised that the access to the site can and does become congested, the increase in the bedroom numbers and the associated visits by medical professionals, staff and other visitors will not have any significant or detrimental impact on the local highway network either from traffic generation or demand for on-street parking. As a result, the Highway Officer does not object to the proposed extension.

Given the assessment by the Highway Officer and the scale and nature of the proposed extension, it is not considered that the proposal would have any unacceptable impacts on the safe operation of the local highway network.

### **Design and impact on visual amenity**

DPD Policy 1 states that the Council will ensure that development proposals respect Oldham's built environment. This is also reflected in Policy 20 as it requires proposals to respond positively to the environment, contribute to a distinctive sense of place, and make a positive contribution to the street scene. Furthermore, Policy 9 stipulates that development should not have a detrimental impact on the visual appearance of an area.

The proposed extension would largely continue the scale and form of the existing extension and the fenestration would replicate the regimentation and alignment of the existing. The materials would match. A generous distance of around 12 metres would be retained to the southern boundary, such that the building to plot ratio would remain low. Land reprofiling would be minor in scale and would not be significant, particularly from beyond the site boundaries.

The proposed extension would therefore appropriately assimilate with the existing building and the site

### **Amenity**

DPD Policy 9 aims to safeguard the users or occupiers of adjoining land or properties from the impacts likely to be associated with development proposals.

The proposed extension would retain a distance of at least 25 metres to nearest boundaries of neighbouring dwellings to the south with intervening trees, which would be retained and would significantly screen it. Given these circumstances, the proposal would not have any unacceptable impacts upon neighbouring amenity.

### **Other matters**

The site falls within an Air Quality Management Area (AQMA), but relates to an existing facility that falls within a densely populated residential area. Neither the Lead Local Flood

Authority, Environmental Health Officer, Tree Officer or Coal Authority have objected to the proposal. Conditions are recommended to ensure that the proposed development proceeds in a manner that ensures that ground conditions are appropriate and trees are adequately protected.

Other matters have been raised in representations that are not material to the assessment and determination of the proposal.

## **Conclusion**

The proposed development would enable an existing community facility to expand and improve its facilities at the site. Subject to appropriate conditions, the proposal would not have any unacceptable adverse impacts on traffic and highway safety, visual and neighbouring amenity and would not be at risk from contamination or former coal mining activity in the area and protected trees would be adequately protected during construction works.

The proposal therefore complies with the relevant Oldham Local Plan policies and the NPPF.

## **RECOMMENDATION**

Approve, subject to the following conditions:

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission.

Reason - To comply with the provisions of the Town & Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be fully implemented in accordance with the following approved plans and specifications:

Drawing No. 2269/loc/a  
Drawing No. 2269/LGF19/1  
Drawing No. 2269/LGF19/2  
Drawing No. 2269/LGF19/3

Reason - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be consistent in terms of colour, size and texture with those used in the existing building.

Reason - To ensure that the appearance of the existing building is acceptable having regard to Policy 20 of the Oldham Local Plan.

4. Prior to the commencement of development a site investigation and assessment to identify the extent of land contamination shall be carried out and the consultant's report and recommendations submitted to and approved in writing by the Local Planning Authority. Written approval from the Local Planning Authority will be required for any necessary programmed remedial measures and, on receipt of a satisfactory completion report, to discharge the condition.

Reason - Prior approval of such details is necessary as they are fundamental to the initial site preparation works and in order to protect public safety having regard to Policy 9 of the Oldham Local Plan.

5. Prior to the commencement of the built development hereby approved, the following details should be submitted to and approved in writing by the Local Planning Authority:

- a) The undertaking of a scheme of intrusive site investigations to properly assess the ground conditions and the potential risks posed to the development by past shallow coal mining activity;
- b) The submission of a report of findings arising from the intrusive site investigations;
- c) The submission of a scheme of remedial works for approval, should such works be found to be necessary.

Thereafter, the development shall be implemented in accordance with the approved remedial works.

Reason - Prior approval of such details is necessary as they are fundamental to the initial site preparation works and to mitigate against risks associated with coal mining having regard to Policy 9 of the Oldham Local Plan.

6. Prior to the commencement of development a full Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority which shall detail how trees within and adjacent to the site will be protected for full duration of the construction of the development. Thereafter, the development shall be implemented in accordance with the approved details.

Reason - Prior approval of such details is necessary to protect existing trees having regard to saved Policy D1.5 of the Unitary Development Plan.