

Application Number	Date of Appln	Committee Date	Ward
086590/FO/2008/N1	27th Jun 2008		Moston Ward

Proposal Erection of part 2 part 3 storey building to form a residential care home including associated parking, landscaping and boundary treatments

Location 147 Nuthurst Road, Moston, Manchester, M40 3NR

Applicant Orchard Care Homes, 2150 Century Way, Thorpe Park, Leeds, LS15 8ZB

Agent LNT Construction Unit 2, Helios 47, Leeds, LS25 2DY

Description

The Site - This application relates to a site located on the corner of Nuthurst Road and Broadway in the Moston area of North Manchester. The site is currently vacant, consisting of grass and a substantial number of trees (approximately 25), although the site used to accommodate a local authority care home. The area surrounding the application site is residential in nature. The site area is approximately 0.3ha in size.

The Proposal - Planning permission is sought for a new care home building that would accommodate 60 no. bedrooms. The building would be 2-3 storeys in height and would consist mainly of brick and render for the elevations with grey slate tiles for the roof. A number of the bedrooms would have Juliette balconies. The proposed users of the care home would be elderly mentally infirm (EMI) people. Of the existing trees that are present on the site, 3 no. are proposed to be removed to accommodate the proposed development. New boundary treatment is proposed along the south and east elevations of the site consisting of railings and brick piers. The existing boundary treatment along the north and west elevations would be retained. 12 no. car parking spaces are proposed to the rear of the new building with vehicular access being taken from Broadway.

Consultations

Publicity - The application has been advertised in the local press as a major development.

Neighbours - Occupiers of properties surrounding the application site were notified of the proposal. No representations have been received.

Ward Councillors - No representations received

Chief Executive's Landscape Practice Group - Agreed with most of the assessments made in the submitted Tree Survey and stated that they had no objection to 5 out of the 7 trees proposed to be felled being felled. Trees T6 and T7 should be retained as they are located in a corner position and have significant amenity value and would also help to screen the proposed new development. The crowns of all the trees along the street boundaries should be lifted. The existing trees should be protected during construction. The soft

landscaping proposals are acceptable in principle, subject to the submission of more detailed information. They would also recommend more tree planting along the Northern aspect of the building and along the Northern boundary of the site. The Cherry trees along the Northern boundary were recommended for removal and should be replaced by some larger native species. More detailed information is required in relation to the hard landscaping proposed.

Head of Engineering Services - Made some comments with regard to vehicular access into the site, refuse vehicle swept paths and pedestrian safety which the applicant has been asked to address

Environmental Health - Stated that conditions relating to acoustic insulation of the premises and any external plant, refuse storage and collection, fume extraction and delivery/servicing hours should be applied to any approval granted

Contaminated Land Section - Stated that a condition should be attached to any approval granted requiring contaminated land at the site to be investigated and, if applicable, the necessary remediation measures to deal with any land contamination should be carried out

Environment & Operations (Trees) - Assessed each tree on site and stated the action most appropriate for each tree, including recommending removal of trees T12, T17 and T19. Also stated that tree T13 appears to be within the proposed building line. If this tree is to be retained, it will require a Root Protection Area of 5.28m from the base of its stem.

Special Needs & Supported Housing - Stated that Commissioners for mental health and older people could not support the scheme at this time due to two reviews which are ongoing of older people's mental health services in the city, and also as a citywide Dementia Strategy is in the process of being drawn up. Because the reviews have not reached their conclusions a decision cannot be made at this time to support the application. The Supported Housing Monitoring Group also did not support the application because at the present time the Commissioners feel that there is not a need for this type of provision locally or citywide. In the Moston ward, there are already a number of care homes, including 3 large homes for older people and 1 large care home for mental health. The reviews should be completed around November this year, and if this proposed development has a strategic fit with the review's findings it may be supported.

Transport Policy Unit - Stated that the car park should have 2 spaces for car sharing for staff and visitors and that the appointed travel plan coordinator should work with the MCC travel change team.

North Manchester Regeneration Team - No representations received

Environment Agency - The Environment Agency has no objection in principle to the proposed development but wishes to make the following comments:-

Although the Environment Agency has no records, there may be a culverted watercourse passing beneath the site. We would advise against the

construction of any buildings above or adjacent to an existing culvert as this would be poor engineering practice and could create problems in the future.

Any diversion or alteration of an existing culvert will require the formal consent of the Environment Agency under the Land Drainage Act 1991.

Greater Manchester Police - A Crime Impact Statement (CIS) was prepared prior to this application. Subject to the details contained within the CIS, GMP are happy to support this application. The applicant should submit a residential SBD application form if/when planning permission is granted.

Issues

National Policy

Planning Policy Statement 1: Delivering Sustainable Developments (2005)

PPS1 encourages the promotion of urban regeneration to improve the well being of communities, improve facilities, promote high quality and safe development, and create new opportunities for the people living in those communities. Planning should facilitate and promote sustainable and inclusive patterns of urban development by ensuring high quality development through good and inclusive design, ensure that development supports existing communities, and contributes to the creation of safe, sustainable, liveable and mixed communities. It also states that local authorities should strive to achieve high quality and inclusive design from all developments. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.

Regional Policy

Regional Planning Guidance for the North West RPG13 (2003)

Until the RSS for the North West is formally adopted, RPG13 will remain the main policy document for the North West Region. The approach towards housing is one that emphasises better quality in both the housing stock and residential environments. Policy DP3 addresses quality in new development and explains that new development must demonstrate good design quality and respect for its setting.

Local Policy

The Unitary Development Plan for Manchester

UDP policy H1.5 'Housing' states that the City Council wishes to ensure that the City's various communities remain, or become, more sustainable in economic and social terms. In this respect, whilst generally welcoming housing developments which will provide accommodation for people with special needs in appropriate locations, the Council will seek to avoid an over-concentration of such provision in any one area.

UDP policy DC2 relates to 'Resthomes and Nursing Homes'. Policy DC2.1 states that in determining planning applications for rest homes, nursing homes and other uses within Class C2 of the Use Classes Order, the Council will have regard to, amongst other things, the effect of the proposals on visual amenity, the availability of adequate, safe and convenient arrangements for car parking and servicing, and the desirability of avoiding an over-concentration of special needs housing in any one area of the City. Policy DC2a.1 states that planning permission will be refused when it cannot be demonstrated that development proposals will contribute to the achievement of certain objectives, such as ensuring an even spread of special needs accommodation within local areas and across the City as a whole, encouraging a wide diversity of social groups to live within all parts of the City, avoiding creating disproportionate stress on local services such as health and education, and avoiding additional pressure on primary and secondary health care provision in parts of the City where there are already identified concerns about adequacy of services. Policy DC2b.1 states that the Council, in consultation with other competent agencies, will from time to time assess whether or not localised parts of the City have already reached their effective capacity to accommodate further special housing needs. The Council will only grant planning permission for special needs housing proposals where it can be demonstrated that they would not have an adverse impact on the character of the street or the locality in respect of, amongst other things, additional car parking space involving the loss of mature trees and landscaping and the design of vehicular cross-overs to parking spaces. Policy DC2.2 states that there will be a general presumption in favour of Class C2 uses within residential areas, subject to other relevant policies of the Plan.

UDP policy H2.2 'Housing' states that the Council will not allow development which will have an unacceptable impact on residential areas. The matters which the Council will consider in coming to such decisions will include the scale and appearance of the development and its impact in terms of noise, vibration, traffic generation, road safety and air pollution.

UDP policy E3.3 'Environmental Improvement & Protection' states that the Council will upgrade the appearance of the City's major radial and orbital roads and rail routes. This will include encouraging new development of the highest quality.

Policies H1.5 and DC2 are essentially concerned with protecting residential amenity and avoiding an over-concentration of special needs housing in order to promote the delivery of mixed, balanced and sustainable communities. The proposal would be inconsistent with these policies as it may lead to an over-concentration of supported housing type uses within the area and would therefore not help with achieving a more even spread of such uses across the City.

Policy H2.2 wishes to protect residential and visual amenity within residential areas and the objective of policy E3.3 is to ensure the appearance of the City's major gateway routes is maintained. For the reasons that will be outlined below, the design of the new building is not acceptable as it is considered that it would adversely affect visual amenity within the area and would be detrimental to views along a major gateway route.

Special Needs and Supported Housing Supplementary Planning Guidance (SPG) - Adopted 8 April 1998

The general aim of the SPG is to set out the City Council's adopted policy in relation to special needs accommodation and identity where such accommodation ought to be located. In order for the City to be sustainable in economic and social terms, the Council will seek to avoid an over-concentration of such provision in any one area. The Council welcomes the development of appropriately designed accommodation which enables people with special needs to maintain an independent lifestyle. However, as stated above the Council wishes to maintain an appropriate balance between different kinds of residential uses within local areas and will seek to assist in achieving the corporate objective of ensuring that the various communities which make up the City remain, or become, more sustainable in economic and social terms. The Council recognises that the social and economic balance of a community is achieved by avoiding an over concentration of special housing provision in any one area.

The SPG identifies 'Areas of constraint' in order to pinpoint where special needs accommodation should and should not be located. This is based on looking at the current level of provision of special needs and supported housing in different areas of the city and the social and economic circumstances of the resident population. The SPG states that the site is within a category D area. Although schemes in category D areas are more likely to receive support, in this instance the responses/data received from the consultation process (namely the Special Needs Consultees) has concluded that there are already a number of care homes within the Moston area, three of which are large in size. Based on current information it is considered that there is not a demand for a new care home for the elderly mentally infirm of this size in the Moston area at the present time. Therefore the proposal is not supported.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (adopted April 2007)

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance states that a high quality environment is created by buildings which reflect their purpose and respect the place in which they are located. Each new development should be designed having full regard to its context and the character of the area. The Guide also states that buildings should front onto streets but have an adequate level of enclosure if streets and open spaces are to provide a sense of place. The scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings and enhance the streetscene. Buildings should recognise the common building lines created by the front face of adjacent buildings. In terms of site boundaries, the Guide states that the impact of site boundaries can be significant and must be taken into account and incorporated into the design of new developments.

The height of the new building

The height of the new building, at 2-3 storeys, is considered to be acceptable in principle. The building drops from 3 to 2 storeys closest to the existing residential properties on Nuthurst Road, which is appropriate given the sites relationship to existing developments on Broadway.

External appearance and architectural massing

The design of the proposed building in terms of external appearance is considered to be confusing as the building proposed is neither wholly traditional or contemporary. The proposed building has a standard appearance that is not site-specific and therefore bears no relation to its context. As stated above, the elevations are proposed to consist mainly of red brick and render. The extensive use of render is questioned in this instance and is considered inappropriate in the context of the site. The building has a horizontal emphasis due to the small floor to ceiling heights proposed and the fact that the majority of windows proposed are horizontally proportioned or square. This is considered to be unacceptable. The new building would benefit from a visual uplift by having a stronger base to give it more visual strength and the windows should be vertically proportioned. Due to the long linear form of the proposed building, the resultant architectural massing is considered to be inappropriate. For these reasons, the proposed building is considered to be unacceptable in terms of its design, external appearance and architectural massing, and it would therefore be detrimental to visual amenity within the area and adversely affect views along a gateway route.

Building location/footprint

The proposed siting of the building on the site is also of concern as it would fail to respond fully to the site's geometry as the building element along Broadway would not be aligned with the back of footpath. It would be more appropriate if the building related to the established building lines on both Nuthurst Road and Broadway. It is also considered that the linear L-shaped footprint of the proposed building would be an alien feature within the area.

Boundary treatment

There is no objection in principle to new boundary treatment at the back of footpath along the southern and eastern boundaries of the site, but the railings with brick pier boundary treatment proposed is not unacceptable. It is considered that a more appropriate treatment would be the use of a brick plinth (dwarf wall) with railings above. This would have a better appearance in the streetscene and thereby not adversely affect visual amenity within the area.

Disabled Access

The building would be fully accessible throughout.

Traffic impact and car parking

12 no. car parking spaces are proposed at the rear of the site, 2 of which would be fully accessible spaces. The Head of Engineering has made some comments with regard to vehicular access into the site, refuse vehicle swept paths and pedestrian safety which have not been addressed by the applicant.

Crime and Security

Greater Manchester Police are happy with the proposal, subject to the recommendations with the Crime Impact Statement prepared for the site

Sustainability

A BREEAM rating of 'very good' has been predicted for the development.

Conclusion

There are two principle issues regarding the current proposal, which relate to the type of use and design of the building. The use is considered unacceptable as the current information regarding special needs accommodation indicates that there is sufficient provision in this area. It is acknowledged that work is being undertaken to assess the existing provision but this is unlikely to be concluded for several months.

Human Rights Act 1998 considerations – This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Unitary Development Plan, the Head of Planning has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. He believes that any restriction on these rights posed by the refusal of the application is proportionate to the wider benefits of refusal and that such a decision falls within the margin of discretion afforded to the Council under the Town and country Planning Acts.

Recommendation REFUSE

Conditions and/or Reasons

1) The development, by reason of the use proposed, would lead to an over-concentration of supported housing type uses within the area and would therefore not help to achieve a more even spread of such uses across the City. For these reasons, the proposal would be unacceptable and would be inconsistent with policies H1.5 and DC2 of the Unitary Development Plan for the City of Manchester and the City Council's Special Needs and Supported Housing Supplementary Planning Guidance.

2) The proposed development, by reason of its siting, footprint, layout on the site, external appearance, architectural massing and boundary treatment, would be unacceptable as the building would have a confused appearance, would not represent a site-specific solution so would not bear any relation to its context, would have large areas of an undurable and self-maintaining material (render), would have a poor appearance due to the elevations' horizontal emphasis and linear L-shaped footprint, would not relate fully to the site's geometry and would have inappropriate boundary treatment. For these reasons, the proposed development would be detrimental to visual amenity within the area and views along a gateway route, and therefore inconsistent with policies H2.2 and E3.3 of the Unitary Development Plan for the City of Manchester, the Guide to

Development in Manchester Supplementary Planning Document and Planning Guidance, policy DP3 of the Regional Planning Guidance for the North West (RPG13), and guidance contained within Planning Policy Statement 1: Delivering Sustainable Developments.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 086590/FO/2008/N1 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

Chief Executive's Landscape Practice Group
Engineering Services
Environmental Health
Contaminated Land Section
Environment & Operations (Trees)
Special Needs & Supported Housing
Transport Policy Unit

North Manchester Regeneration Team
Environment Agency
Greater Manchester Police

13 Borland Avenue, Manchester, M40 3LZ

15 Borland Avenue, Manchester, M40 3LZ

17 Borland Avenue, Manchester, M40 3LZ

19 Borland Avenue, Manchester, M40 3LZ

21 Borland Avenue, Manchester, M40 3LZ

22 Borland Avenue, Manchester, M40 3LZ

23 Borland Avenue, Manchester, M40 3LZ

24 Borland Avenue, Manchester, M40 3LZ

25 Borland Avenue, Manchester, M40 3LZ

135 Nuthurst Road, Manchester, M40 3NR

137 Nuthurst Road, Manchester, M40 3NR

139 Nuthurst Road, Manchester, M40 3NR

141 Nuthurst Road, Manchester, M40 3NR

143 Nuthurst Road, Manchester, M40 3NR

145 Nuthurst Road, Manchester, M40 3NR

Manchester Care Ltd, Nuthurst House Residential Care Home, 147 Nuthurst Road, Manchester, M40 3NR

1 Nevin Road, Manchester, M40 3PE

2 Nevin Road, Manchester, M40 3PE

171 Nuthurst Road, Manchester, M40 3PJ

146 Nuthurst Road, Manchester, M40 3WG

148 Nuthurst Road, Manchester, M40 3WG

150 Nuthurst Road, Manchester, M40 3WG

152 Nuthurst Road, Manchester, M40 3WG

154 Nuthurst Road, Manchester, M40 3WG

156 Nuthurst Road, Manchester, M40 3WG

158 Nuthurst Road, Manchester, M40 3WG
160 Nuthurst Road, Manchester, M40 3WG
162 Nuthurst Road, Manchester, M40 3WG
164 Nuthurst Road, Manchester, M40 3WG
166 Nuthurst Road, Manchester, M40 3WG
82 Broadway, Manchester, M40 3LJ
84 Broadway, Manchester, M40 3LJ
86 Broadway, Manchester, M40 3LJ
88 Broadway, Manchester, M40 3LJ
85 Broadway, Manchester, M40 3PD
87 Broadway, Manchester, M40 3PH
89 Broadway, Manchester, M40 3PH
91 Broadway, Manchester, M40 3PH
93 Broadway, Manchester, M40 3PH
95 Broadway, Manchester, M40 3PH
97 Broadway, Manchester, M40 3PH
90 Broadway, Manchester, M40 3WQ
Hollywood Bowl, 92 Broadway, Manchester, M40 3WQ
Wong Chinese Take Away, 94 Broadway, Manchester, M40 3WQ
Adrian Wilde Tanning Centre, 96 Broadway, Manchester, M40 3WQ
Manchester City Council, New Moston Library, Nuthurst Road, Manchester,
M40 3PJ
Broadway Hotel, Broadway, Manchester, M40 3NL
96a, Broadway, Manchester, M40 3WQ
26 Borland Avenue, Manchester, M40 3LZ

Representations were received from the following third parties:

Chief Executive's Landscape Practice Group
Engineering Services
Environmental Health
Contaminated Land Section
Environment & Operations (Trees)
Transport Policy Unit
Environment Agency
Greater Manchester Police

Relevant Contact Officer : Carolyn Parry
Telephone number : 0161 234 4022
Email : c.parry@manchester.gov.uk