

Application Number	Date of Appln	Committee Date	Ward
090558/FO/2009/S1	9th Jul 2009	22nd Oct 2009	Fallowfield Ward

Proposal Change of second floor from offices to 18 additional bedrooms in connection with the existing nursing home use together with elevational alterations

Location Chorlton Place, 290 Wilbraham Road, Fallowfield, Manchester, M16 8LT,

Applicant Mr Steve Wright, Southern Cross Healthcare, Chorlton Place, 290 Wilbraham Road, Chorlton, Manchester, M16 8LT

Agent Mr Martin Young, Martin Young & Associates, The Studio, 160 Middle Drive, Ponteland, Newcastle Upon Tyne, NE20 9DT

Description

Chorlton Place is a three storey nursing home built in the mid 1990's. It comprises residential accommodation on the ground and first floor with regional offices and ancillary uses to the nursing home on the second floor. The building has an off set 'T' footprint with a long frontage to Wilbraham Road, occupying a broadly rectangular site of 0.325 hectares. There are car parking spaces along the Wilbraham Road frontage and on the eastern side of the site. The western side and the rear of the site are given over to amenity space.

The application site occupies a prominent location on the north side of Wilbraham Road close to its junction with Withington Road.

Adjoining the site to the west is the Gita Bhavan Hindu Temple, to the north the disused playing fields for the St. Thomas Aquinas High School and to the east is a residential property. Facing the appeal site across Wilbraham Road are more residential properties.

Permission is sought to convert the second floor offices into additional accommodation for the nursing home comprising 18 EMI (Elderly Mental Infirm) beds. In addition there would be some elevational alterations comprising modifications to the windows to suite the new internal arrangements. The existing office use will be relocated elsewhere off-site.

Consultations

Local residents/businesses - no representations received

Special Needs and Supported Housing Officers Monitoring Group - The proposal to change the use of the second floor from office space to an 18 bed specialist dementia unit was supported at the Supported Housing Monitoring Group.

The support is therefore conditional that the additional 18 units are for Elderly Mentally Infirm (as opposed to general older persons residential care).

Issues

Unitary Development Plan - The relevant policies within the plan are DC2a.1(i) and the Special Needs and Supported Housing Supplementary Planning Guidance.

Policy Dc2a.1 (i) seeks to ensure a more even spread of 'special needs' accommodation within local areas and across the City as a whole, in order to encourage provision closer to where needs arise and avoid the need for people to move from their local community to find the accommodation they require.

The supplementary Planning Guidance identified the appeal site as being within a category B area, that is an area of high provision and low unsustainability. The guidance goes on to say that in category b or C areas schemes would be given careful consideration in the light of local circumstances (taking into account criteria such as type, size and whether occupancy is permanent or temporary), but could still be supported where there is clear evidence of unmet need.

Regional Planning Guidance - Since September 2008, the Development Plan for Manchester comprises the Unitary Development Plan for the City of Manchester and the Regional Spatial Strategy for the North West (formerly RPG 13).

Policy DP1 sets down the spatial principles, which underpin the RSS. These include:-
promote sustainable communities

Policy DP2 seeks foster sustainable relationships between homes, workplaces and other concentrations of regularly used services and facilities.

Principle - An earlier application on this site for the use of the second floor as 18 addition bedrooms for general older persons residential care was refused as there is an overprovision of general care beds in the area. That application is currently the subject of an appeal. This is a re-submission, which seeks to provide care for a particular client group for which there is a shortage of provision in the area. The principle of the proposed development is therefore considered appropriate.

Disabled access - the development is accessible, the original building being a purpose built care/nursing home. All the new rooms will have en-suite toilets and whilst these are not compliant with DFA2, there are fully accessible toilet, bath and shower rooms on the floor.

Crime and Disorder - There are no crime and disorder issues arising from this development.

Special Needs and Supported Housing - The Fallowfield area of the City is identified as being within category B of the Supplementary Planning Guidance, that is an area of high provision and low unsustainability. The guidance goes on to state that in such areas such would be given careful consideration in the light of local circumstances, (taking into account criteria such as type, size and

whether occupancy is temporary or permanent) but could still be supported where there is clear evidence of unmet need. There is within the City a shortage of specialist EMI beds and the proposed development would help in meeting this growing need. An appropriate condition is proposed should permission be granted.

Elevational alterations - The second floor of the premises which was built as offices had a different window pattern to the rest of the building. The proposed alterations will change the window pattern to match the remainder of the development. There are no issues with the proposed changes.

Residential amenity - The proposed development will not impact on the amenity of the occupiers of the adjoining residential properties.

Parking - In that the office element of the existing use is moving out of the premises there will be no demand for additional parking.

Conclusion - The proposed development meets an unmet need in the area and can therefore be treated as an exception to the City Council's Supplementary Planning Guidance.

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 approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation APPROVE

Approve on the basis that the proposal is in accord with the City Council's Unitary development plan in particular policy DC2a.1 (i) which seeks to ensure a more even spread of 'special needs' accommodation within local areas and across the City as a whole, in order to encourage provision closer to where needs arise and avoid the need for people to move from their local community to find the accommodation they require and the Supplementary Planning Guidance on Special Needs and Supported Housing which divides the City into four areas of constraint and there are no material considerations of sufficient weight to indicate otherwise.

Conditions and/or Reasons

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the City Council as Local Planning Authority: 1711, 1711.01, 1711.02 and 1711.03. Received on 8th July 2009

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy DC2a.1 (i) and the special needs and Supported Housing Supplementary Planning Guidance of the Manchester Unitary Development Plan.

3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) the principle use of the second floor of the premises shall be the provision of care to people with complex care needs and not exclusively as a general care home.

Reason - There is an oversupply of general care bedspaces in the area and the exclusive use of the premises for general care would result in an oversupply in the area contrary to the provisions of the Special Needs and Supported Housing Supplementary Planning Guidance and policy DC2a.1 (i) of the Unitary Development Plan for the City of Manchester.

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: 090558/FO/2009/S1 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:

Special Needs & Supported Housing
Flats 5 to 10, Strathmore Court 371a, Wilbraham Road,
288, 373, 373a, 375, 375a, 377, 379 Wilbraham Road,
229 Withington Road,
Gita Bhavan Hindu Temple, 231 Withington Road,
Flats 1 to 4, 371 Wilbraham Road,

Representations were received from the following third parties:

Special Needs and Supported Housing Monitoring Group

Relevant Contact Officer : Dave Morris
Telephone number : 0161 234 4539
Email : d.morris@manchester.gov.uk