

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H16-0869-19	Applicant:	Tanglewood Care Homes Ltd
Proposal:	Part single-storey, part two-storey extension and alterations		
Location:	Tanglewood Cedar Falls Little London Spalding		
Terminal Date:	17th January 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
04	Approach to Flood Risk
28	The Natural Environment
32	Community, Health and Well-being
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Section 2 - Achieving sustainable development
 Section 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
ENVIRONMENT AGENCY	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	0	1
RESIDENTS	1	0	0	1

CASE OFFICER ASSESSMENT

Proposal

A single storey extension to provide additional laundry facilities to the northern courtyard elevation and a part single-storey, part two-storey side extension to the southern side of the existing care home, and alterations to provide a restaurant, hairdressing room and a sun room at the ground floor, with a sunroom at the first floor.

Site Description

The care home is a detached "H" shaped building with associated structures and parking, set in a large garden, accessed via a drive from Little London.

The host building is set back into the site and is glimpsed from Little London via the access drive. There are a number of mature trees on the site, within the established garden surrounding the property.

The site is adjoined to the south, east and west by dwellings. This part of Spalding is an established residential area, characterised by a mix of dwelling types and sizes.

To the north-east are bungalows within Westminster Drive, and to the south-west are dwellings within Mayfair Drive; a mix of two storey and single storey dwellings.

The site is within the settlement boundary of Spalding as set out in the South East Lincolnshire Local Plan, 2019.

History

H16-0868-19 - Proposed Annexe Buildings. Under consideration.

H16-0721-19 - TPO - Works to Spalding Tree Preservation Order No 46 1991. Approved 19-09-19.

H16-0566-18 - Building to house a biomass boiler system and pellet storage. Approved 16-11-18.

H16-0932-11 - Two storey extension to care home. Approved 01-02-12.

H16-1333-02 - Erection of 5 care cottage bungalows and associated parking. Refused 03-11-03. Appeal dismissed. 16-06-04.

H16-0854-02 - Erection of 6 care cottages and associated car parking. Refused 04-09-02.

H16-0563-93 - Erection of three sheltered bungalows (Plots 9A, 10 & 11). Approved 10-08-93.

H16-1045-92 - Erection of eleven sheltered bungalow units in association with adjacent nursing. Approved 26-11-92.

H16-0763-92 - Erection of 15 sheltered bungalow units in association with adjacent nursing home. Refused 28-09-92.

H16-1321-91 - Erection of 13 no. sheltered bungalow dwellings. Refused 27-03-92.

Consultation Responses

SHDC Environmental Protection - Requests standard construction management plan.

Environment Agency - No objection, subject to condition.

LCC Highways & SUDS Support - No observations.

Third Parties (two objections):

- Overlooking and loss of privacy
- Noise levels - current and proposed
- Access to the site during development
- Noise levels and working hours during construction.

Planning Considerations

Principle of development

The application site is within the settlement of Spalding, and the host dwelling is an established business and residence.

Impact on residential amenity

The extensions being proposed are at a sufficient distance from existing neighbouring dwellings so as to not lead to an unacceptable degree of overlooking or loss of privacy, loss of sunlight or daylight. In particular the two storey extension would have a significant separation distance from adjoining independent dwellings and would be viewed as part of the wider development.

The site as a whole is used as residential accommodation for the elderly and is not considered to be a use that is inappropriate to a residential area. If any excessive noise were to be coming from the property then this would be dealt with by Environmental Health.

Access

Access to the site would be via the existing access from Little London, which enables safe connection to the highway for vehicles and pedestrians.

Parking

This proposal would not create further residential accommodation and would not be occupied independently of the host use. It is considered that it would be unreasonable at this time to request further parking to be provided on the site as a result of this development.

Flooding and drainage

The site is within the flood zone and the ground floor of the development requires a finished floor level of a minimum of 0.3m above the existing ground level, as well as flood resilient construction. This is clarified by the Environment Agency, and is to be controlled via condition.

Issues during construction

As the site is within an established residential area it is considered reasonable to impose hours of construction via condition. The access to the site is via Little London and construction vehicles would be expected to utilise this. A condition requiring a construction management plan is suggested.

Other Matters

Objection has raised the issue of the storage of refuse on the site, which is now being controlled via works that are permitted development.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the

special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation to approve details in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation to approve details in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.