

PLANNING APPLICATION NUMBER: P10/0043

Type of approval sought	Full Planning Permission
Ward	PEDMORE & STOURBRIDGE EAST
Applicant	Mr Rodger Ephraims
Location:	ORIEL CARE NH, IBSTOCK DRIVE, 87 HAGLEY ROAD, OLDSWINFORD, STOURBRIDGE, WEST MIDLANDS, DY8 1QY
Proposal	SINGLE STOREY SIDE/FRONT AND SINGLE STOREY REAR EXTENSIONS (RESUBMISSION OF REFUSED PLANNING APPLICATION P09/1410)
Recommendation Summary:	APPROVE SUBJECT TO A 106 AGREEMENT

SITE AND SURROUNDINGS

1. The site measures 0.16 hectares and comprises three buildings, no. 87 and 89 Hagley Road and no. 10 Ibstock Drive. No. 87 Hagley Road is a detached dual aspect 19th Century two storey building and no. 89 Hagley Road is of a similar period but forms an end terrace building. The extended detached two storey building that fronts Ibstock Drive is modern having been built in the late 1980's.
2. The three buildings form Oriel Care Home providing residential care for the elderly. No. 87 Hagley Road comprises 13 bedrooms, Ibstock House comprises 12 bedrooms and no. 89 Hagley Road comprises 4 bedrooms.
3. Access and parking to the site is provided both from Ibstock Drive and Hagley Road. There is a central courtyard between the three properties capable of providing a total of four off street parking spaces. A further 9 spaces are provided to the forecourt located to the front of Ibstock Drive and three spaces are located on the site's frontage to Hagley Road.

4. The site comprises an area of mature gardens located between Ibstock House and no. 87 Hagley Road. The site is interspersed with a number of mature trees and shrubs some of which are protected by Tree Preservation Orders.
5. The part of the site that fronts Hagley Road is characterised by a mix of uses. The building that fronts Ibstock Drive faces into a residential cul-de-sac. Ibstock Drive is largely characterised by two storey detached modern dwellings built during the 1970's and onwards.

PROPOSAL

6. The proposal seeks the erection of a single storey side and rear extension to create an additional 4 bedrooms to the existing nursing home and an orangery.
7. The single storey side extension would be 6 metres wide and 13.7 metres deep. The extension would be linked to the main house with a flat roofed glazed link, which would be 1.4 metres wide. The front elevation of the proposed single storey extension would project forward from the main front elevation of the building by 4.9 metres. The proposed extension would comprise a forward and rear projecting gable extending to a maximum of 4 metres in height with a traditional pitched roof behind. The single storey side extension would be defined by the addition of a square bay window and light oak effect windows.
8. The rear extensions would extend 3.9 metres from the rear of the existing rear facing gable and 3.5 metres the principal part of the rear elevation. These extensions would infill the gap between the proposed orangery and nursing home. The smaller extension would comprise a flat roof so that it ties in with the design of the orangery and the larger extension would comprise a shallow pitched roof to match the pitch of the two storey rear gable behind.
9. The proposed orangery would be sited in the location of the existing conservatory but on an enlarged footprint on the boundary with no. 85 Hagley Road. The orangery would comprise splayed corners with a flat roof but with a hipped roof lantern roof

light located centrally within the building. The orangery would extend 8 metres from the rear elevation of the existing nursing home and would be 9.2 metres wide. The orangery would be 3 metres high to its eaves and 3.5 metres high to the ridge of the proposed lantern roof.

10. The application is accompanied by a design & access statement and tree survey.

HISTORY

10 Ibstock Drive

APPLICATION No.	PROPOSAL	DECISION	DATE
86/50494	Erection of detached dwelling	Approved with conditions	24/04/86
90/51105	Change of use of residential property to elderly rest home and extensions to form 11 bed spaces.	Approved with conditions	08/11/90
P08/1268	Two storey and first floor side/rear extensions to existing nursing home. Creation of additional parking spaces.	Withdrawn	12/09/08
P08/1514	Extensions to existing care home and creation of additional parking spaces (resubmission of withdrawn application P08/1268)	Refused and dismissed at appeal.	03/08/09
P08/1408	Single storey side and rear extension to creation additional bedrooms and orangery.	Refused	15/12/09
P08/1410	Two storey side and rear extension and single storey rear extension to create additional bedrooms and orangery.	Refused	09/12/09

89 Hagley Road

APPLICATION No.	PROPOSAL	DECISION	DATE
90/51105	Change of use of residential property to elderly rest home and extensions to form 11 bed spaces.	Approved with conditions	08/11/90
95/50252	Change of use from residential to sheltered accommodation.	Approved with conditions	06/04/95

87 Hagley Road

APPLICATION No.	PROPOSAL	DECISION	DATE
SB/69/139	Vehicular Access	Approved with conditions	15/05/69
86/50415	Change of use to residential care home for the elderly.	Approved with conditions	24/04/86
87/50477	Erection of office and conservatory extensions and widening of vehicular access.	Approved with conditions	11/05/87
89/51427	Kitchen, office and two bedroom extension to elderly persons rest home.	Approved with conditions	10/08/89

11. Planning application P08/1514 was dismissed at appeal for the following reasons:

- The scale and proximity of the proposed extension to no. 85 Hagley Road would have a substantially damaging effect on the enjoyment of that property.

- The extension to the south would by reason of its scale and design in relation to the existing building and neighbouring properties, have a cramped appearance in the street scene in Ibstock Drive.
12. Further key points set out in the Planning Inspectorate's decision letter are also relevant to consideration of this latest scheme as follows:
- Proposed extensions would not have an unsatisfactory appearance by virtue of the limited width of the space between nos. 87 and 89 Hagley Road.
 - The existing building on Ibstock Drive was built as a single dwelling and the nursing home has been previously extended and it already contrasts with the character of the dwellings opposite and those built in the rear gardens of properties on Hagley Road.
 - The issue is not one of footprint but the overall design of the proposed extensions. The proposed extension to the south would be ill proportioned with an elongated frontage width out of character with both the original building and nearby properties. The gap at the side of the property is a characteristic of that side of Ibstock Drive and it provides views through to the backs of properties in Hagley Road. The Inspector states that although there is an existing single storey side extension it is modest in size whereas the proposed two-storey extension would occupy some two thirds of that space, reducing the openness of the site and its surroundings.
 - The Inspector gave little weight to the loss of amenity space for the residents associated with the proposed development.
13. Planning application P09/1410 was refused for the following reasons:
- The scale and design of the extensions in relation to the existing building and neighbouring properties would have a cramped appearance in the street scene being detrimental to the character and appearance of the area.
 - No agreement had been reached to enter into a legal agreement to secure Planning Obligations.

14. Planning application P09/1408 was refused for the following reason:

- The proposed extension would result in unreasonable overlooking of no. 91 Hagley Road by reason of its proximity and slightly elevated position resulting in a loss of privacy for the occupiers.

PUBLIC CONSULTATION

15. The application was advertised by way of seventy-two neighbour notification letters sent to the occupiers of properties located within close proximity to the site. The latest date for comments was the 10th February 2010. At the time of writing the report four letters of objection had been received, two of which are from the same household. The following material planning considerations have been raised:

- Over development of the site.
- Proposed extension would be twice the depth of the existing building and would project forward of the building line.
- Lack of screening to front elevation to properties on Ibstock Drive.
- The proposed extension would increase the width of the front elevation of the building by 50%, which would be overwhelming for this part of the cul-de-sac.
- Detrimental impact upon the enjoyment of neighbouring gardens including the potential risk of health to trees.
- Lack of parking.
- Proposed extension would be elevated in relation to properties on Hagley Road and would result in the overlooking of bedroom windows located on the rear elevations of these properties.
- The glazed link is out of keeping with the existing properties in Ibstock Drive.

OTHER CONSULTATION

16. **Group Engineer (Development):** No objection.

17. **Head of Environmental Health and Trading Standards:** No adverse comments.

RELEVANT PLANNING POLICY

- Unitary Development Plan

DD1 Urban Design

DD4 Development in Residential Areas

DD7 Planning Obligations

HE1 Local Character and Distinctiveness

AM14 Parking

NC9 Mature Trees

18. The site is not designated for any particular use within the Adopted Dudley Unitary Development Plan (2005). However, no. 55-87 Hagley Road are noted on the Sites and Monuments record as being one of the best series of mid to late 19th Century buildings in the Borough.

- Supplementary Planning Document(s)

Parking Standards and Travel Plans

Planning Obligations

New Housing Development: Establishing Urban Context

- Supplementary Planning Guidance

PGN10 Residential Care/Nursing Homes and Community Care Homes

- Regional Spatial Strategy

QE3 Creating a high quality built environment for all

ASSESSMENT

Key Issues

- Principle
- Impact on Residential Amenity
- Design and Appearance
- Loss of Trees

- Parking
- Planning Obligations

Principle

19. Following receipt of the appeal decision in relation to the previous scheme the main issues for consideration in assessing the acceptability or otherwise of any future extensions to the nursing home would be whether they would result in a loss of residential amenity to the occupiers of nearby properties and whether the design of the proposed extensions is appropriate in the context of ensuring that a cramped form of development is not formed and that the gap is retained between no. 87-99 Hagley Road.

Impact upon residential amenity

20. The submitted scheme has removed the proposed two storey side extensions on the boundary with no. 85 Hagley Road. The current proposal seeks to retain the existing boundary wall between the application site and no. 85 Hagley Road and to erect a proposed conservatory/orangery off this wall. The height of the proposed orangery would not be any higher than the existing conservatory. On this basis, it is considered that the proposed orangery would not have an overbearing impact upon the adjoining property and would not therefore detract from the enjoyment of the garden area associated with this dwelling.
21. The two single storey rear extensions proposed to be erected on the rear elevation of the existing building would face the existing care home and its access road. The separation distance between the proposed extensions and the rear of Oriel House would be 23 metres. This separation distance would be sufficient to ensure the protection of privacy. Given that the Inspector considered that the visual appearance of the previous extensions on the rear were not unacceptable when viewed from Hagley Road due to the limited gap within the street scene there is not sufficient grounds to suggest that the visual appearance of the extensions would be inappropriate when viewed from Hagley Road.

22. The main proposed single storey side extension located to the south of no. 10 Ibstock Drive would be located 23.6 metres between the principal rear elevation of no. 89 and 91 Hagley Road. No 89 is occupied as part of the nursing home and does not have main habitable room windows facing the rear of the site. In addition, whilst no. 91 is occupied as a single dwelling house this property does not comprise any windows serving habitable rooms on the ground floor that face into the application site.
23. The current scheme is a resubmission of the previously refused application (P09/1408). The amended scheme would increase the back to back separation distance between the rear elevation of the single storey side extension from 20.6 metres to 23.6 metres. In addition, the scheme proposes the erection of additional fencing and planting located between the rear boundary with no. 91 and the application site. The proposed fence and screening would once the planting has mature provide a screen of 1.8 metres high. The increased separation distance between the rear elevation of the proposed extension and the screening that would be provided by the proposed fencing and planting on the rear boundary would ensure that the development would not result in an unacceptable level of overlooking to the occupiers of this nearby property. In this regard, the amended scheme has overcome the reasons for refusal associated with planning application P09/1408.
24. The proposed extension would not be sited immediately to the rear of no. 93 Hagley Road. On this basis and given that the proposed extension would only be single storey it would be difficult to suggest that the extension would have an adverse impact to the occupiers of this property by reason of its height, dominance and resulting in a loss of privacy.
25. The side elevation of the proposed single storey side extension would face the amenity space associated with no. 20 Ibstock Drive. The proposed extension would be 4 metres high to the top of its ridge and 2.5 metres high to its eaves. There would be a 9 metre gap between the proposed extension and the side boundary of no. 20 Ibstock Drive provided by the rear amenity space associated with no. 91 and 93 Hagley Road. Given the gap that would be retained between the side elevation of the proposed extension and the side boundary of no. 20 Ibstock Drive and that the

proposed extension would only be single storey it would be difficult to suggest that the proposed extension would form an over-dominant and over-bearing structure close to the boundary with this property. On balance, it is considered that the residential amenity to the occupiers of this property would not be unduly affected to warrant the recommendation of refusal of planning permission.

26. Whilst the proposed single storey side extension would be sited forwards of the front elevation of the original building it would still retain a separation distance of approximately 30 metres between the front elevation of those properties located on the east side of Ibstock Drive and the front elevation of the proposed extension. This separation distance would be more than sufficient to ensure that an adequate level of privacy is afforded to the occupiers of these properties.
27. For those reasons set out above, on balance the proposed single storey extensions and orangery would not have an adverse impact upon the residential amenity of the occupiers of nearby properties and would be in accordance with Policy DD4 of the Adopted Dudley Unitary Development Plan (2005).

Design and Appearance

28. The design of both the orangery and single storey rear extensions to no. 10 Ibstock Drive would complement the design of the original building and due to their modest nature would form subservient additions to the original building. Given the limited gap in the street between no. 97-89 Hagley Road there would only be a glimpsed view of the proposed extensions. In view of the fact that the extensions would not be highly visible from the public realm the design and appearance of them is considered acceptable and on balance would not detract from the character of the area being in accordance with Policy DD4 of the Adopted Dudley Unitary Development Plan (2005).
29. The design approach has been amended following the appeal decision in relation to P08/1514 with respect to the proposed side extension to the south of the existing building. This extension has been reduced to single storey and would be linked to the existing building by a glazed link. The external appearance of the proposed extension

would complement the main building with the use of a matching pitched roof and complementary box bay window.

30. The amended design of the building would on balance address the previous concerns raised by the Planning Inspectorate in terms of extending to the south of the existing building. The glazed link and reduced scale of the building has removed the elongated frontage and proposing a single storey extension would retain the openness to this part of Ibstock Drive still allowing views of the Hagley Road properties beyond.
31. There is also a change in levels in Ibstock Drive with the dwellings on the east side of the road sitting at a higher level than those on the west. The finished floor level of the proposed extension would be 1 metre lower than the finished floor level of the dwellings opposite. The proposed extension would be built 0.5 metres lower than the Ibstock Drive itself. The fact that the proposed extension would sit at a lower level than the road would further reduce the scale of the building and help to retain the gap within the street scene and reduce the cramped nature of the proposed development from the previous scheme.
32. The amended scheme would bring the proposed single storey side extension forwards by 4.9 metres from the front elevation of the existing building. The west side of Ibstock Drive is not defined by a uniform building line. This side of Ibstock Drive is characterised by new build detached properties built in the rear gardens of properties on Hagley Road with varying set backs from the highway of between 7 and 8 metres and there are four blocks of apartments (Ash Court and Oak Court) located in Ibstock Drive that comprise a staggered building line. Whilst the proposed single storey side extension would sit forwards of the original front elevation of no. 10 Ibstock Drive the extension would not sit forward of the existing detached dwellings or apartments located within Ibstock Drive. In this regard, the proposed siting of the extension would therefore not be considered to be out of context.
33. In view of the points made above, the proposed extension to the south would by reason of its reduced scale and improved design from the appeal proposal not have a

cramped appearance in the street scene in Ibstock Drive and would therefore not on balance significantly detract from the character of the area to warrant the refusal of planning permission and is considered to be in accordance with Policy DD4 of the Adopted Dudley Unitary Development Plan (2005).

Loss of Trees

34. The proposed development would result in the loss of a mature Ash tree that is protected by a Tree Preservation Order. No objection is raised in principle to the loss of this particular tree. This is since the site is located within a mature residential area that is interspersed with a significant number of mature trees and shrubs. The loss of this one tree would not have a particularly adverse impact upon the visual amenity of the street scene and subject to conditions regarding replacements, would be in accordance with Policy NC9 of the Adopted Dudley Unitary Development Plan (2005).

Parking

35. Parking Standards and Travel Plans Supplementary Planning Document has a C2 Sheltered accommodation (low accessibility) of 1 parking space per 2 dwelling units. Therefore the 36 dwelling sheltered accommodation development including the proposed extension would require 18 parking spaces. This baseline standard is subject to reductions based on an accessibility assessment, which is based on walking distances to bus stops & railway stations, proximity of cycle routes, frequency of bus & rail services and accessibility to local facilities including retail outlets, crèches post offices banks, parks etc. The proposed development scored 26 points on the accessibility assessment thereby having a medium accessibility standard. On this basis, the baseline standard can be reduced by 17% thereby reducing the overall parking total parking requirement for the development to 15 parking spaces.
36. The extended Nursing Home would provide 16 car parking spaces which is considered to be acceptable, especially in light of a number of objections referring to the lack of parking for the existing development and impacts of on street parking associated with the care home in the immediate vicinity of the site. The scheme

would therefore ensure compliance with Policy AM14 of the Adopted Dudley Unitary Development Plan (2005) and the Parking Standards and Travel Plans SPD.

Planning Obligations

37. The proposed development has a requirement to provide planning obligations to mitigate against the consequential planning loss to the existing community. Should permission be granted a S106 Agreement would be required in respect of the following contributions.

Offsite Contributions:

The proposal attracts a requirement for a commuted sum to be paid towards the following infrastructure:

- Transport Infrastructure Improvements - £462.30
- Public Realm - £4,421.25
- Nature Conservation Enhancements - £714.50
- Management and Monitoring Charge - £500

38. Total Offsite Contribution equates to £5,598.05 plus monitoring and management fee of £500.

39. The applicant has agreed to the payment of these offsite planning obligations.

CONCLUSION

40. The reduced scale of the proposed development from the appeal proposal and the increase in the separation distances between the proposed development and neighbouring properties following the refusal of P09/1408 would ensure that the development would not have an adverse impact upon residential amenity. The reduced scale and amended design of the proposed extensions from the previous appeal submission would ensure that the development would not have a cramped appearance in the street scene in Ibstock Drive. On balance, the proposed development is considered acceptable.

RECOMMENDATION

41. It is recommended that the application be approved subject to:
- a) The development shall not be commenced until a scheme for the submission and approval of a planning obligation to guarantee the provision of off site contributions towards Transport Infrastructure Improvements, Public Realm and Nature Conservation Enhancements and a monitoring and management charge totalling £6,098.05 has been submitted to and agreed in writing by the Local Planning Authority.
 - b) The Scheme shall include the method, timing and arrangements including a means to guarantee a financial payment, increased through index linking from the first April each subsequent year, in accordance with the Council's planning obligations policies.
 - c) The following conditions, with delegated powers to the Director of the Urban Environment to make amendments to these as necessary

Reason for approval

The reduced scale of the proposed development from the appeal proposal and the increase in the separation distances between the proposed development and neighbouring properties would ensure that the development would not have an adverse impact upon residential amenity. The reduced scale and amended design of the proposed extensions from the previous submission would ensure that the development would not have a cramped appearance in the street scene in Ibstock Drive. On balance, the proposed development is considered acceptable.

The decision to grant planning permission has been taken with regard to the policies and proposals in the adopted Dudley UDP (2005) and to all other relevant material considerations.

The above is intended as a summary of the reasons for the grant of planning permission. For further detail on the decision please see the application report.

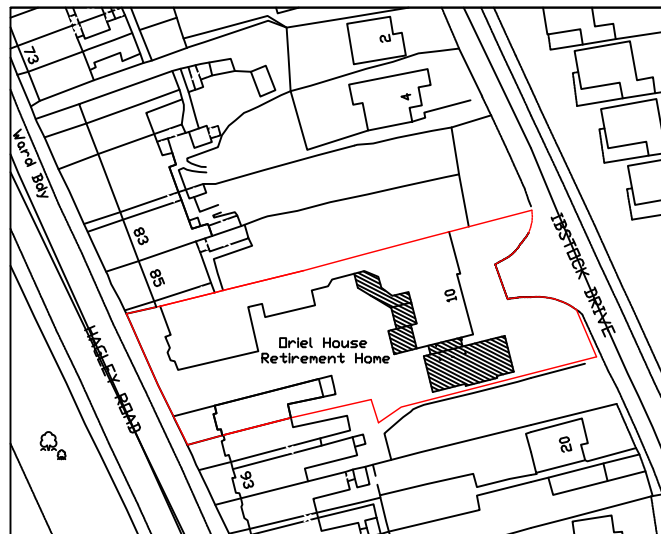
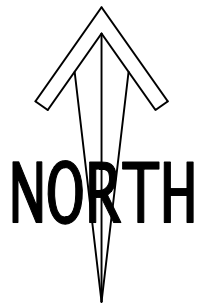
Note to Applicant

The development hereby permitted shall be built in accordance with the approved plans numbered **10:02:03, 08:21:01 and 08:21:02** unless otherwise agreed in writing by the Local Planning Authority.

Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Development shall not commence until an arrangement for the provision of off site transport infrastructure improvements, public realm, nature conservation enhancements and a monitoring and management charge has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the method, timing and arrangements to comply with the Council's policies for the provision of the infrastructure required in connection with the proposed development.
3. The materials to be used in the approved development shall match in appearance, colour and texture those of the existing building unless otherwise agreed in writing with the local planning authority.
4. Prior to the commencement of development details shall be submitted to and approved in writing showing the location, size and species of a replacement tree within the site. Following approval of the details the replacement tree shall be planted in the first planting season following the occupation of the extension hereby permitted and retained for the lifetime of the development.
5. Prior to the commencement of development details shall be submitted to and approved in writing by the Local Planning Authority of the proposed landscape screen and fencing to be situated at the rear of the site on the boundary with no. 91 Hagley Road as shown on Drawing No. 10:02:03. The details shall include the siting, species and size of planting and the specification of the proposed fencing and should include details of future maintenance and management to ensure a retained height of 1.8 metres as shown on the submitted plans. Following approval of the details both the fence and planting shall be implemented on site prior to the occupation of the extensions hereby permitted.

LOCATION PLAN



SCALE

1 : 1250

(AT A4)

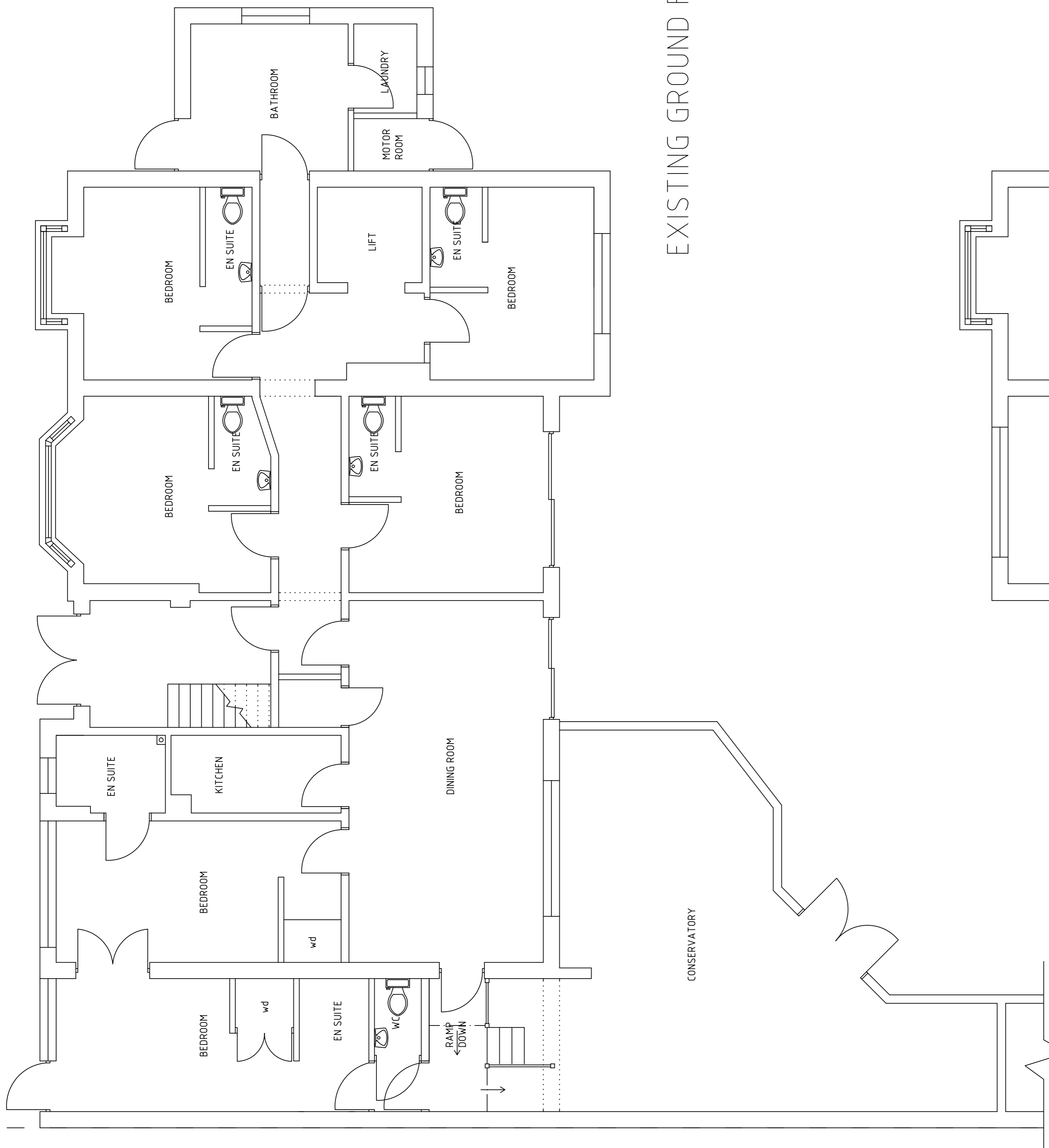
Oriel Care Nursing Home
Single Storey
Ibstock Drive
87 Hagley Road
Old Swinsford
DY8 1QY

FORRESTER ASSOCIATES

SPADESBOURNE HOUSE, 184 WORCESTER ROAD, BROMSGROVE, WORCS. B61 7AZ. tel (01527) 833876

BOUNDARY

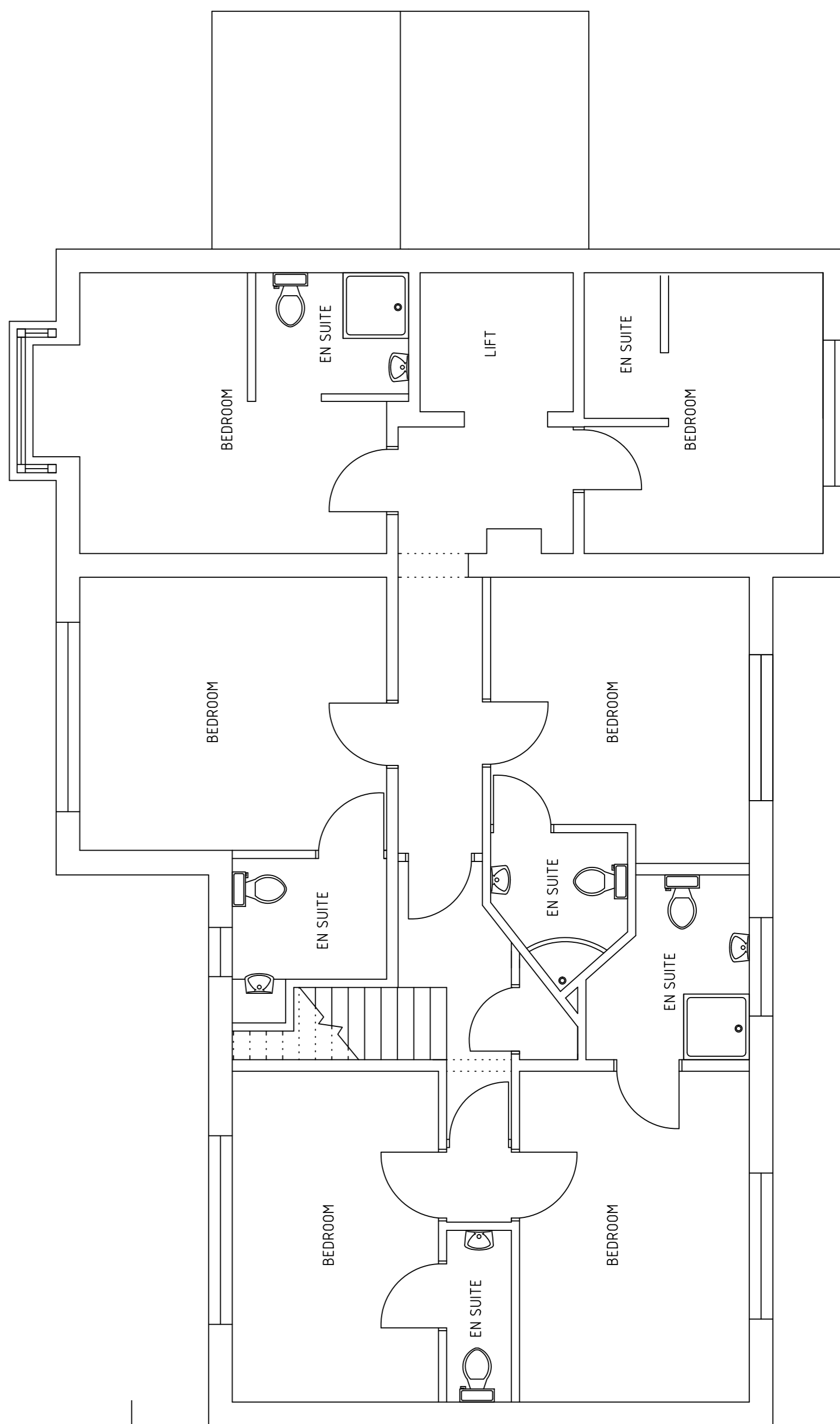
BOUNDARY



EXISTING GROUND FLOOR PLAN

SHARED ACCESS

EXISTING FIRST FLOOR PLAN



REVISIONS

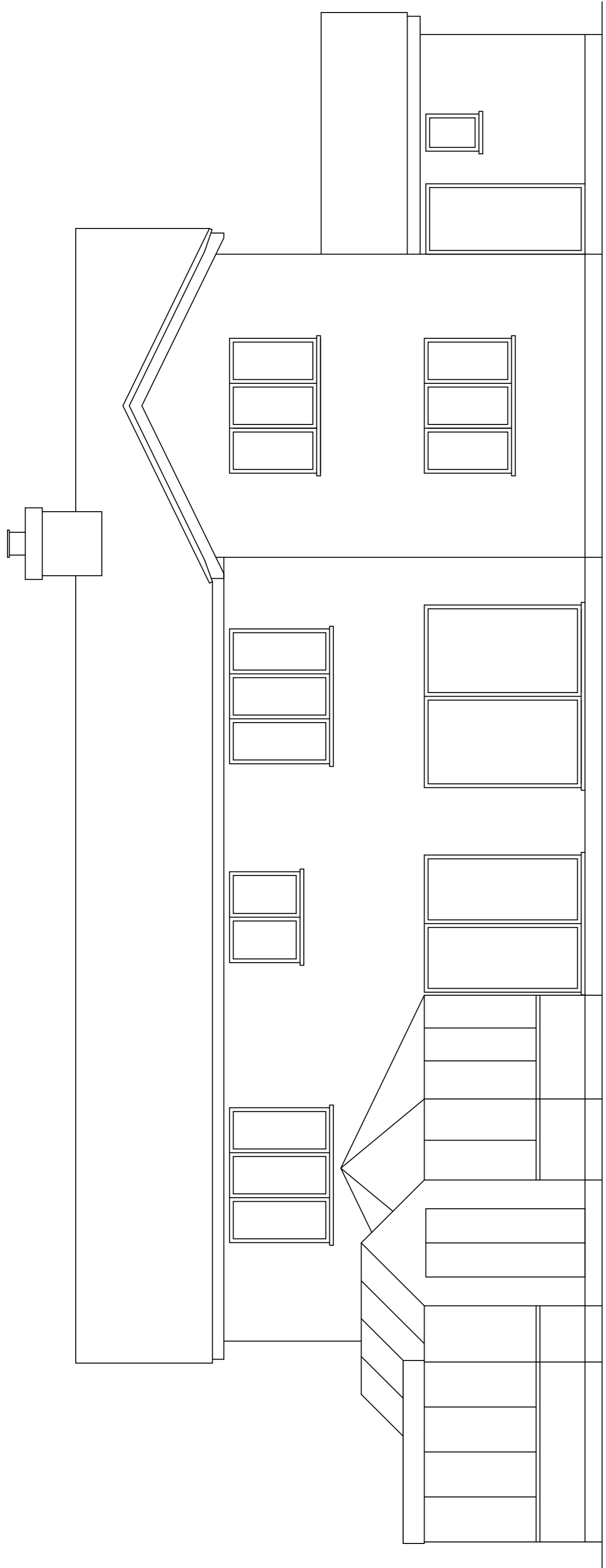
FORRESTER ASSOCIATES
 SPADES GROUPE HOUSE, 86, WORRESTER ROAD, BROMSGROVE, WORKS, B61 7AZ, TEL: 01527 833876

PROJECT

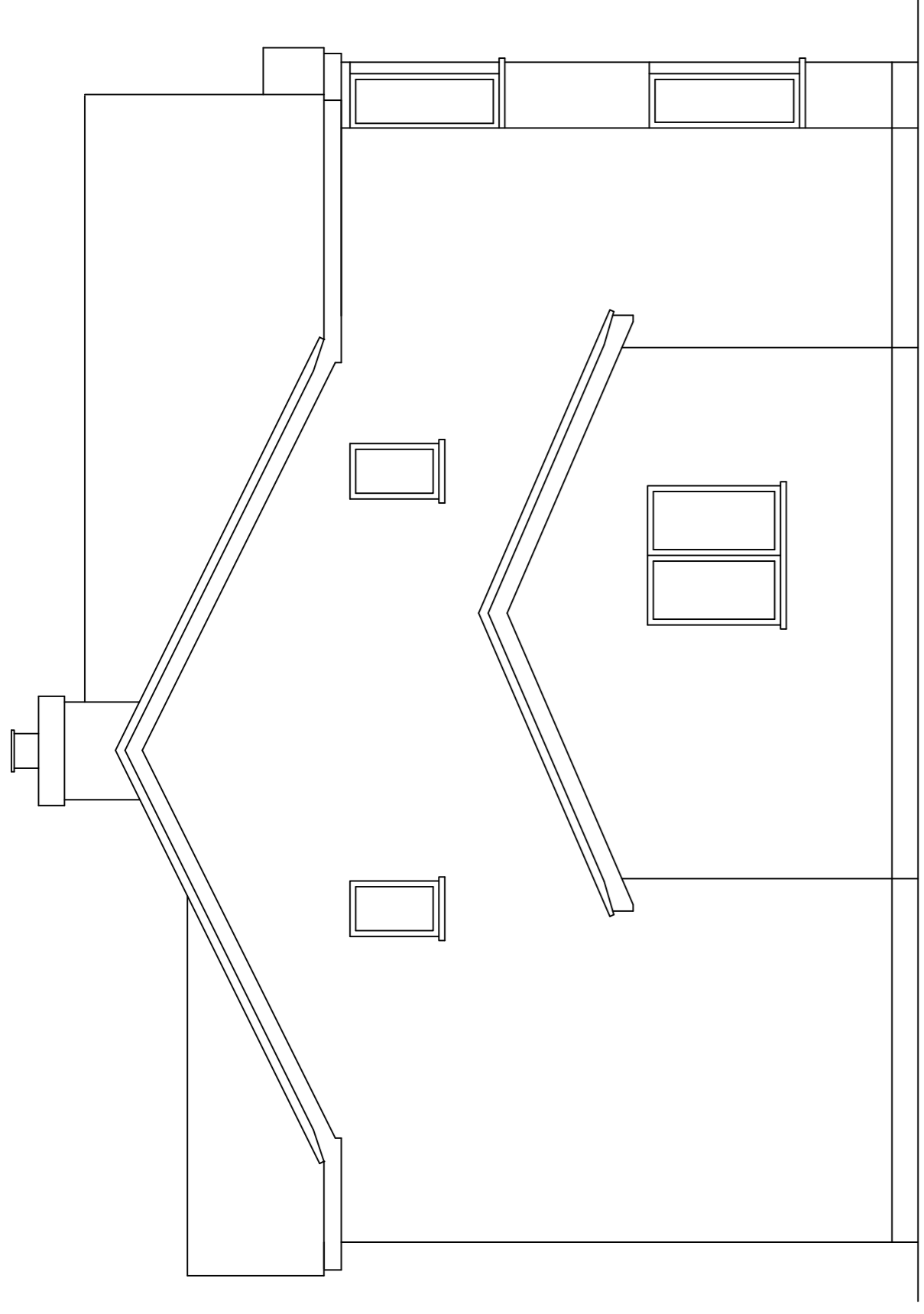
Oriel Care Nursing Home
 Ibstock Drive
 87 Hagley Road
 Old Swinsford
 DY8 1QY

PROPOSED EXTENSION AND ALTERATIONS

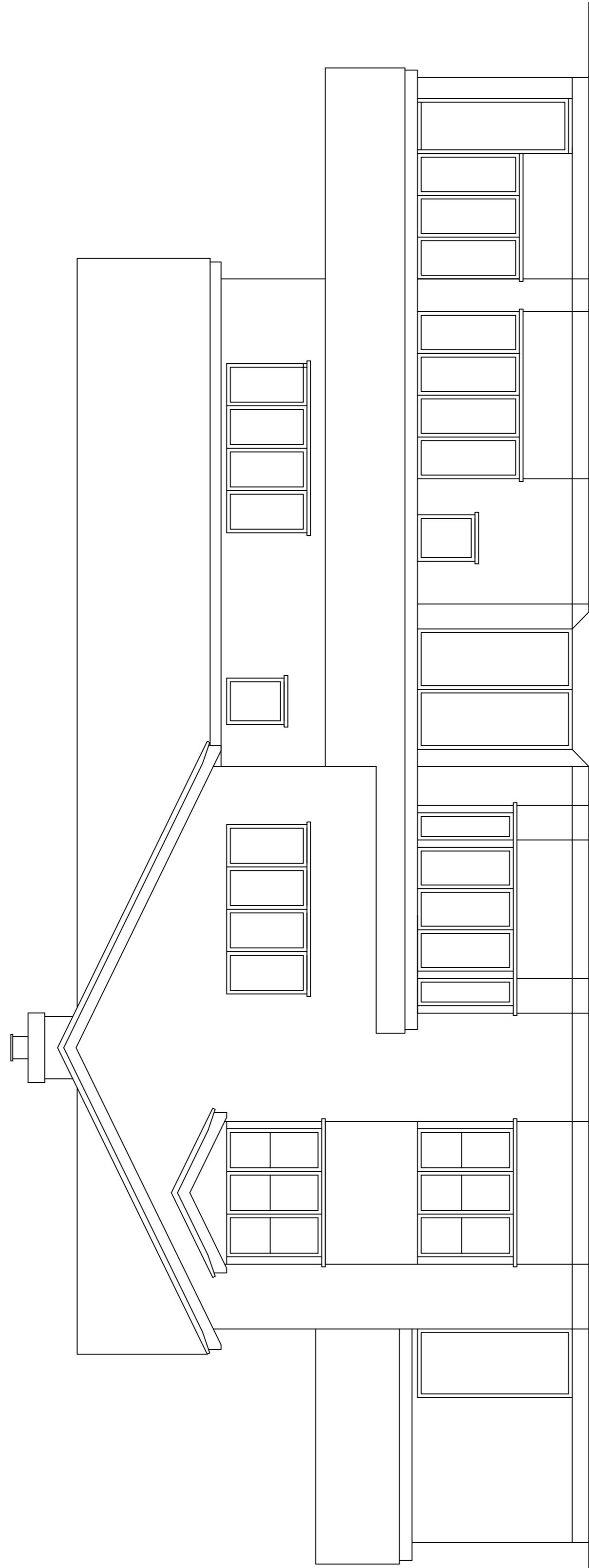
TITLE	DRAWING NUMBER
EXISTING FLOORPLANS	08:21:02
DATE	DRAWN
JULY '08	AS
SCALE	1:50



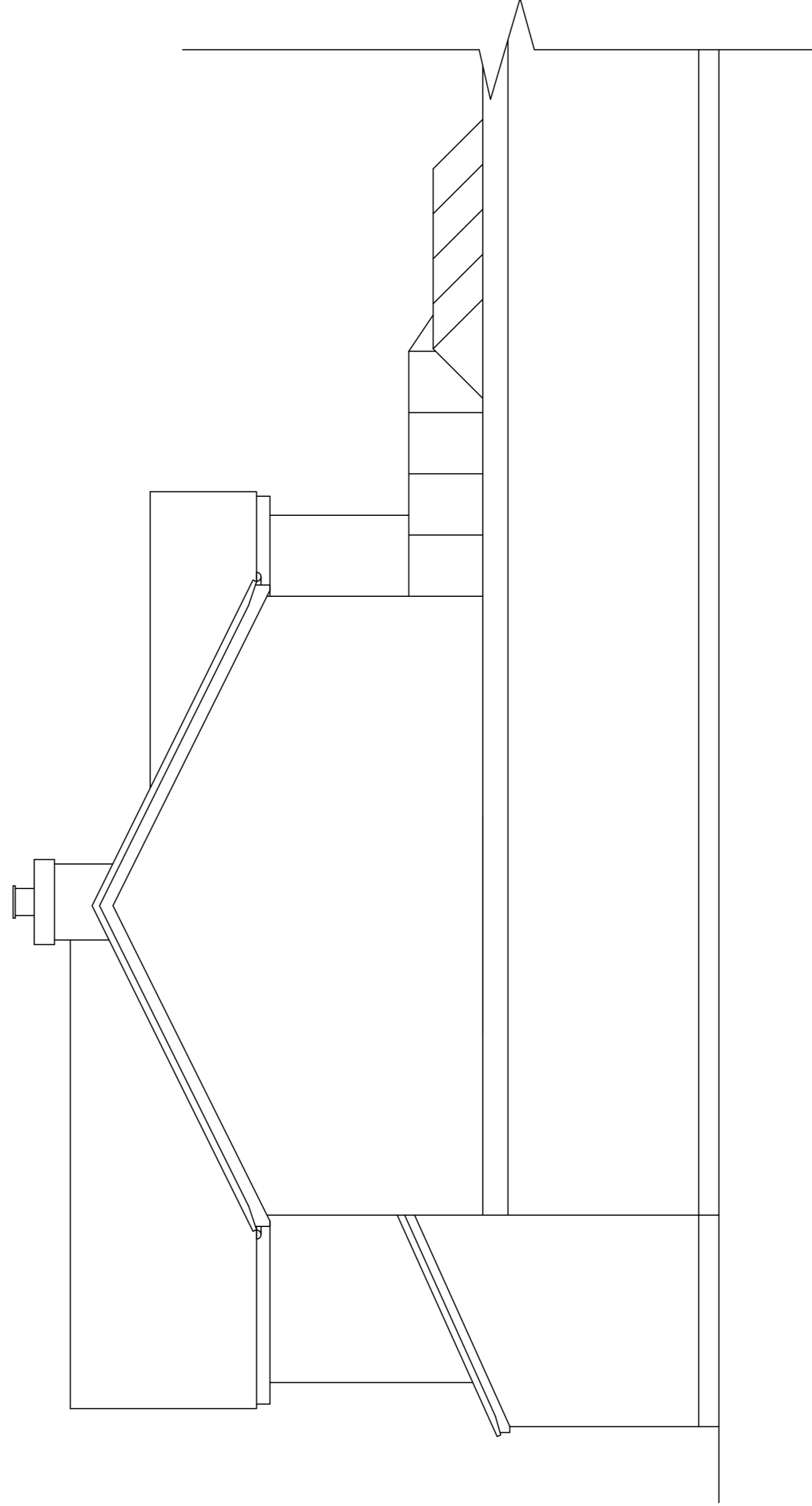
EXISTING REAR ELEVATION (E)



EXISTING SIDE ELEVATION (S)



EXISTING FRONT ELEVATION (W)



EXISTING SIDE ELEVATION (N)

REVISIONS

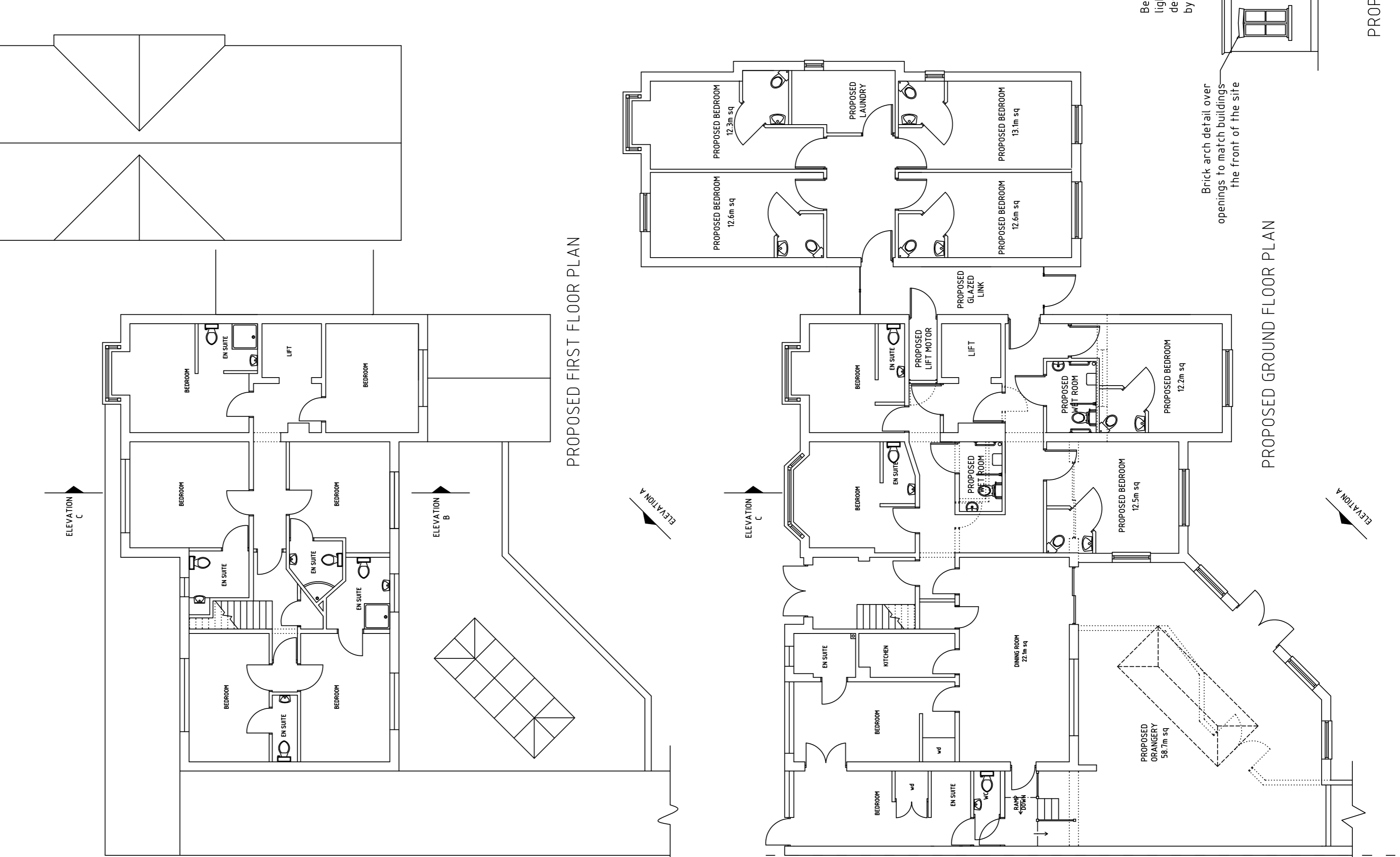
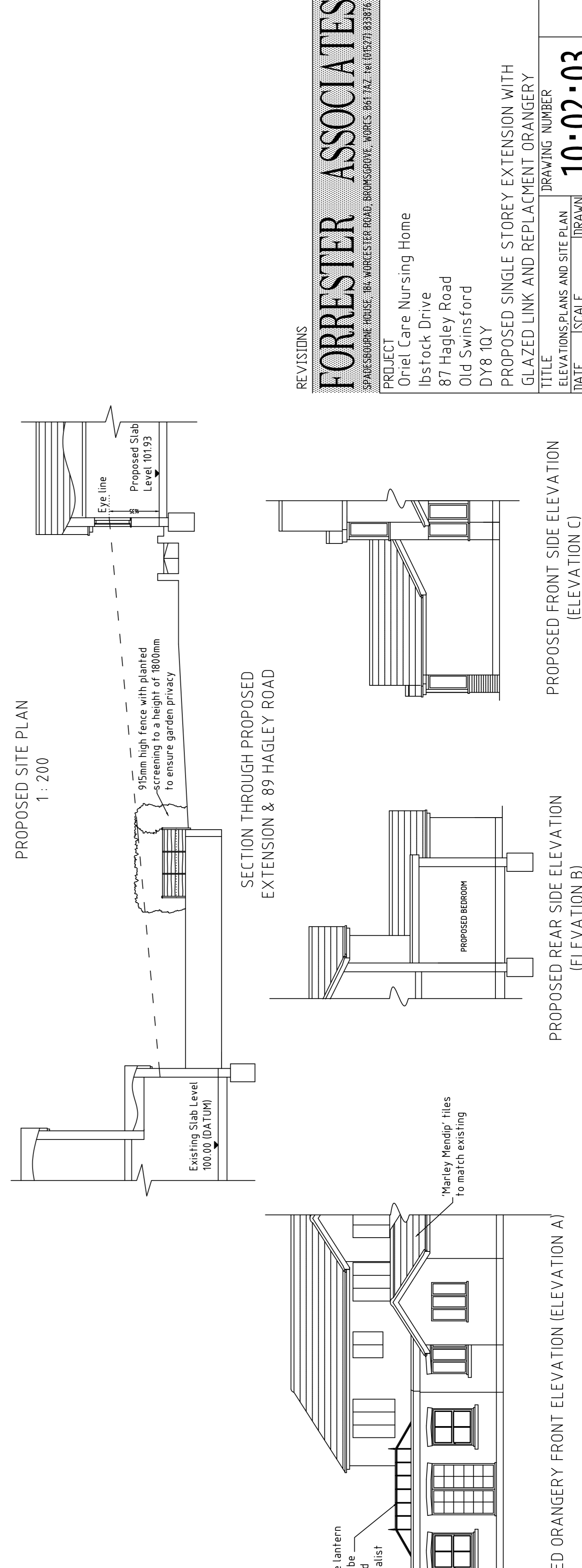
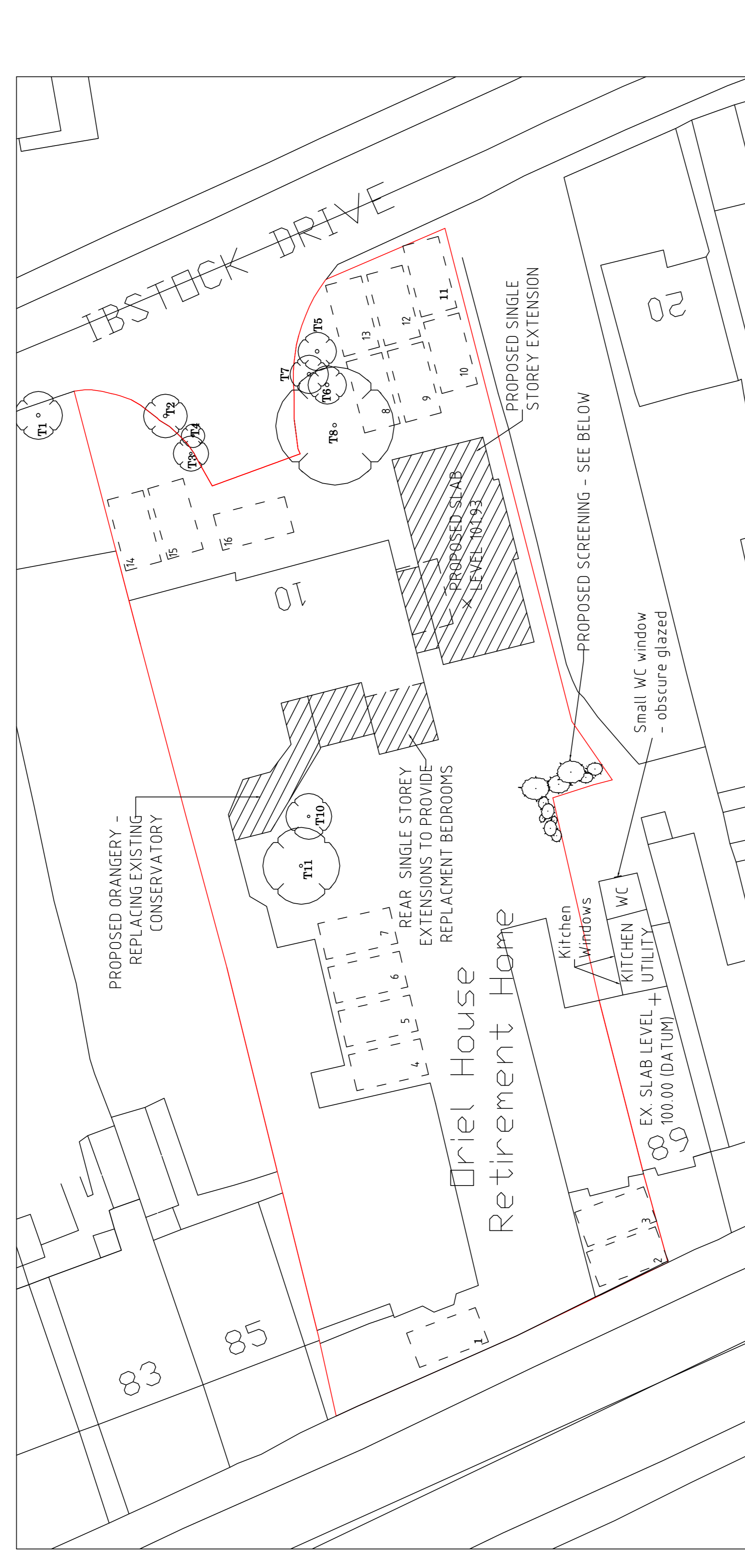
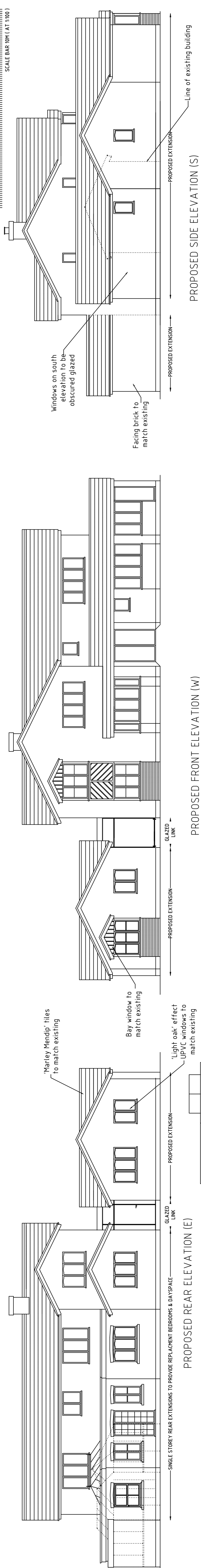
FORRESTER ASSOCIATES
 SPAREBROOK HOUSE, 98, WORRESTER ROAD, BROMSGROVE, WORKS, B61 7AZ, TEL: 05277 833876

PROJECT
 Oriel Care Nursing Home
 Ibstock Drive
 87 Hagley Road
 Old Swinsford
 DY8 1QY

PROPOSED EXTENSION AND ALTERATIONS

TITLE	DRAWING NUMBER
EXISTING ELEVATIONS	
DATE	DRAWN
JULY '08	AS
SCALE	1:50

08:21:01



REVISIONS

FORRESTER ASSOCIATES
SPALESBOROUGH HOUSE, 78A, WOLLESTON ROAD, BRIPSBOURNE, WORKS, B67 7JZ, TEL: 01527 833016

PROJECT: Oriel Care Nursing Home
87 Hagley Road
Old Swinsford
DY8 1QY

TITLE: PROPOSED SINGLE STOREY EXTENSION WITH GLAZED LINK AND REPLACEMENT ORANGERY

ELEVATIONS PLANS AND SITE PLAN
SCALE: 1:100/1:200
DATE: JAN '10
DRAWN: AS

10:02:03
DRAWING NUMBER