

**Application Ref:** 13/01272/FUL

**Proposal:** Proposed extension to care home to form 3 bedrooms and a lounge

**Site:** Lavender House, 205 Broadway, Peterborough, PE1 4DS

**Applicant:** Mr Ajay Marjara  
Peterborough Care Ltd.

**Agent:** Portess Richardson  
Portess and Richardson

**Referred by:** Cllr Peach

**Reason:** Overdevelopment and impact on the Conservation Area

**Site visit:**

**Case officer:** Mrs J MacLennan

**Telephone No.** 01733 454438

**E-Mail:** janet.maclennan@peterborough.gov.uk

**Recommendation:** **GRANT** subject to relevant conditions

**1 Description of the site and surroundings and Summary of the proposal**

The application site is located on the south side of Broadway and within the Park Conservation Area Boundary. The site contains a large two storey property which dates from the early 20<sup>th</sup> Century which has had significant extensions and now operates as a residential care home run by Peterborough Care. The surrounding area is predominantly residential in character and there is another care home 'Broad Leigh' further to the east at 213 Broadway, also run by Peterborough Care.

The site currently has 31 rooms, two of which are double rooms and most are equipped with en-suite facilities. The care home is currently registered for 33 beds.

**Proposal**

The application seeks approval for a single storey extension to an existing single storey rear element of the existing building. The extension would be located on land which is currently the far rear garden of number 209 Broadway. The extension would provide 3 bedrooms with en-suite facilities and a lounge. The dimensions of the extension are 9.6m in length x 11.2m in width. The height would align with the existing single storey element of the building. The proposal would replace 2 no double rooms and enable the provision of en-suite facilities to bedrooms within the existing care home. The 33 registered number of beds would remain the same. The proposal would not result in any additional employees at the care home.

## 2 Planning History

Reference	Proposal	Decision	Date
02/00704/FUL	Extension and conversion of old laundry room to provide two bedrooms with en-suites and extension to kitchen	Application Permitted	16/09/2002
02/00762/FUL	Conversion of existing dining room to form two new bedrooms and extension to form a new dining room and quiet lounge	Application Refused	16/09/2002
02/00763/FUL	Extension to provide three new bedrooms with en-suites	Application Refused	16/09/2002
03/00066/FUL	Conversion of old dining room to form two new bedrooms and the construction of a new dining room area	Application Refused	21/03/2003
03/00070/FUL	Extension to provide two new bedrooms with en-suites	Application Refused	21/03/2003
04/01330/FUL	Single storey extension to create two extra bedrooms	Application Permitted	11/10/2004
07/00127/FUL	Single storey conservatory extension	Application Refused (including at appeal)	26/06/2007
07/00130/FUL	Single storey extension to lounge	Application Refused (including at appeal)	26/06/2007
07/00431/ADV	Externally illuminated fascia sign (retrospective)	Application Refused	22/05/2007
12/00972/FUL	Proposed relaxing room	Application Withdrawn	14/11/2012
13/00522/FUL	Proposed extension to include 4 bedrooms and a lounge	Application Withdrawn	14/06/2013

### Site History

The site has operated as a residential care home since 1992 and has had a number of extensions. In 2007 planning permission was refused for two applications; 07/00129/FUL 'Conservatory' to the west elevation and 07/00130/FUL 'single storey rear extension' to the south elevation at the south western corner of the site. The 2 applications were subsequently dismissed at appeal.

It was the Inspector's view that the existing building has been significantly extended and as such was generally at odds with the established character of the building due to the amount of development that had already taken place to the rear of the site. It was considered that this had already had an urbanising impact on the quiet, green and landscaped character which exists to the rear of the housing in the immediate vicinity. The Inspector considered that the small remaining areas to the west and south of the existing building were important to retain some sense of space and landscaping between the site and the neighbouring plots. The proposed extensions would push the building closer to the boundaries taking up more of the limited open spaces. As such the proposal would have had a harmful urbanising impact of the character of the area due to the loss of open space around the building.

Furthermore, the extensions would have resulted also in the loss of trees to the south western corner of the site which contribute to the character of the area and provide screening; the loss of which would result further in a reduction of the suburban character of the site.

In addition and in relation to the addition of the conservatory to the west of the site, the Inspector

concluded that there would be an adverse impact upon the amenity of the occupiers of no. 203 Broadway due to additional noise, disturbance and lighting glare.

### **3 Planning Policy**

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

#### **National Planning Policy Framework (2012)**

##### **Section 6 - Backland Development**

Inappropriate development of residential gardens where harm would be caused to the local area should be resisted.

##### **Section 6 - Residential Development in the Open Countryside**

Housing should be located where it will enhance or maintain the vitality of rural communities. New isolated homes in the open countryside should be resisted unless there are special circumstances.

#### **Peterborough Core Strategy DPD (2011)**

##### **CS14 - Transport**

Promotes a reduction in the need to travel, sustainable transport, the Council's UK Environment Capital aspirations and development which would improve the quality of environments for residents.

##### **CS16 - Urban Design and the Public Realm**

Design should be of high quality, appropriate to the site and area, improve the public realm, address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents.

##### **CS17 - The Historic Environment**

Development should protect, conserve and enhance the historic environment including non-scheduled nationally important features and buildings of local importance.

#### **Peterborough Planning Policies DPD (2012)**

##### **PP02 - Design Quality**

Permission will only be granted for development which makes a positive contribution to the built and natural environment; does not have a detrimental effect on the character of the area; is sufficiently robust to withstand/adapt to climate change; and is designed for longevity.

##### **PP03 - Impacts of New Development**

Permission will not be granted for development which would result in an unacceptable loss of privacy, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

##### **PP04 - Amenity Provision in New Residential Development**

Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

##### **PP12 - The Transport Implications of Development**

Permission will only be granted if appropriate provision has been made for safe access by all user groups and there would not be any unacceptable impact on the transportation network including highway safety.

### **PP13 - Parking Standards**

Permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

### **PP16 - The Landscaping and Biodiversity Implications of Development**

Permission will only be granted for development which makes provision for the retention of trees and natural features which contribute significantly to the local landscape or biodiversity.

### **PP17 - Heritage Assets**

Development which would affect a heritage asset will be required to preserve and enhance the significance of the asset or its setting. Development which would have detrimental impact will be refused unless there are overriding public benefits.

## **4 Consultations/Representations**

**Conservation Officer** - No objections - the extension would have little or no impact on the setting of the conservation area or the amenity of neighbouring properties. The resubmission has reduced the size of the footprint to the earlier scheme and I therefore do not wish to sustain any objection to this application.

**Landscape Officer** - No objections - The tree survey provided has been carried out in line with BS5837:2012. The trees within the applicant's ownership provide virtually no public visual amenity value and none are worthy of a Tree Preservation Order (TPO). I have no objections to them being removed to facilitate the development. In terms of NT1 and NT2, I am of the opinion that there will be little impact on the Root Protection Areas (RPAs), the majority of the RPAs are unaffected being off-site. 2 off-site trees NT3 & NT4 are implicated by the development here but have been afforded appropriate protection measures. The Tree Survey and plan 2350.TPP should be secured by condition.

**Victoria Park Residents Association** - No comments received

**Building Control Surveyor** - Building regulations approval required.

**Transport & Engineering Services** - No objections - The proposal would not result in the increase in bedrooms and therefore there are no highway objections.

**Councillor J Peach** - The care home at 205 Broadway has been the subject of multiple extensions over recent years to the point where the extensions cover a far larger footprint than the original house. The extensions now occupy a large proportion of the site, including an extension over a large part of what was originally the garden of 207 Broadway. This site is already grossly overdeveloped and is in the Park conservation area.

The proposed development further extends the property over a large part of the back garden of what is now 209 Broadway. Broadway is a leafy area with good sized gardens, and the trees and shrubs are an important part of the character of the Park Conservation area. The area is gradually being degraded by back garden development. Extension of the care home over another back garden would be detrimental to the conservation area through further loss of green space.

**Cllr J Shearman** - I have received representations from both the applicant and the Broadway Residents' Association over this application. There are merits on both sides. On the one hand, with the Council's closure of two care homes, and the dramatic increase in dementia both nationally and in Peterborough, there is clearly a need for additional care accommodation in the City. On the other hand the application address is within a conservation area and the environmental impact of the proposed development is a serious consideration. Although I believe, on balance, the environmental issues are of greater significance.

## Local Residents/Interested Parties

Initial consultations: 23

Total number of responses: 6

Total number of objections: 5

Total number in support: 1

**Broadway residents Association** - The site is already overdeveloped. The extension would include the rear garden of no. 209 and another garden, which would be detrimental to the Conservation Area through the loss of green space. The development would almost link up with Broad Leigh Care home leaving only the garden at 211. The applicant has referred to consultation with the Broadway Residents Association which is noted in section 4.6 of the Design and Access Statement. Our response has not been included and our views misrepresented. Our response was 'While the care at Lavender House and Broadleigh are no doubt to a very high standard and we understand the wish to improve standards, this is not relevant to the planning application.

2 neighbour objections have been received raising the following objections:

- The extension will upset the balance between the residential and business uses along Broadway – *Whilst the proposal does result in the loss of part of a residential garden, the loss is modest.*
- The 2 sizable care homes have a significant impact on an otherwise residential neighbourhood and residential area – *The proposal does not increase the number of rooms at the care home and so no increase in impact over and above what happens now is expected.*
- The extension would have an adverse impact on amenity due to increased noise, traffic – *There is no increase in bed space and no additional employees and so no intensification of use on the existing site*
- The extension would degrade the leafy character of the conservation area – *The trees that would be felled are not visible from the Conservation Area and are not worthy of a TPO. Only glimpses of the extension would be observed from the street.*
- Development should not take place unless it would improve or enhance the Conservation Area – *Addressed in report*
- The loss of the garden area would have a negative impact on the Broadway area – *Addressed in report*
- Plans that were sent to us by the agent show further development adjacent to our property. The applicants clearly intend further development. – *The Council can only consider the proposal as submitted.*
- We refer to previous refusals by the Planning and Environmental Protection Committee and appeals and we contend that the density and layout of the proposal would harm the character and appearance of the area – *Addressed in report*
- Inappropriate backland development is discouraged in the National Planning Policy Framework –*Addressed in report*
- Loss of green corridor and leafy aspect – *Addressed in report*

- Overdevelopment of the site and impact on area – *Addressed in report*
- The care home is constantly lit impacting on our amenity – *This would not be made worse by the development*
- The site has reached its limit for further extensions – *Addressed in report*
- Signs have been erected in the car park for which no consent has been sought – *This is not relevant to the application*
- Solar panels have been erected to the rear of the property and trees have been cut down without appropriate consent – *This is not relevant to the application*
- Parties are held in the garden without notifying us – *This is not a planning matter*
- We are constantly hearing residents crying out for help – *This is not a planning matter*
- The development is contrary to policy – *Addressed in report*
- The business has outgrown the site and should consider relocating – *This is not a planning matter*

1 letter in support of the application stating:

- Since the City Council closed the two care homes that it ran, it has been left to the private sector to fill the gap, and with an ever aging population leading to greater numbers requiring care and support, we feel that it is important to assist by approving this, and other similar applications.
- The impact on the Conservation Area would be negative in that this small extension cannot be seen from any road or public place.
- It will not increase the traffic in the area, and while there are a small number of trees to be removed, the Councils Tree Officer had previously declared that these were all of little value, and supported their removal.

## **5 Assessment of the planning issues**

### a) Background

An application was submitted earlier this year for an extension to the rear of the property to provide 4 bedrooms and a lounge (ref. 13/00522/FUL). The applicant was advised by the planning officer to withdraw the application as it was considered the extension would be an overdevelopment, would not provide a satisfactory level of amenity for the future residents due the extension's proximity to the boundary, poor outlook for residents and lack of external amenity space. The revised scheme has addressed the officer's concern with the previous proposal.

### b) Impact on Character and Visual Amenity of the Area

The original building dates from the early 20th century. It is typical of the period and although the building has been extended and remodeled to the side and rear the house still makes a positive contribution to the conservation area.

The extension would be to the rear and to the east of the existing building and would be positioned on land which is currently part of the far rear garden to no. 209 Broadway. The footprint of the

extension would occupy half of the acquired land; the remaining half would provide an external amenity area to serve the care home. This is an improvement on the original submission where the proposed extension would have almost occupied the whole of the acquired garden land and would have been an overdevelopment of the site leaving little amenity space.

It is noted that the National Planning Policy Framework advises that local planning authorities should resist inappropriate development of residential gardens where development would cause harm to the local area. It is considered that the extension would not cause harm and would not be visible from the street scene or from the Conservation Area.

The existing residents of 209 Broadway could implement their permitted development rights and erect an outbuilding within the rear garden and the Local Planning Authority would have no control over this.

Comments have been made regarding an Inspector's decision to dismiss an appeal at the site in 2007 when the Local Planning Authority refused permission for a conservatory extension to the west and a single storey extension to the rear. This is referred to in the 'Site History' section above.

In this instance there would be no further loss of space and landscaping within the care home site. The extension would be on garden land to the neighbouring property and the proposal would include the provision of external amenity space for use by the residents of the care home. The proposal would result in at least 130m<sup>2</sup> of additional amenity space which would be a significant enhancement on existing provision.

It is considered that the design, scale and proposed materials of the proposed extension would harmonise with the existing building.

The conservation officer's views are that the extension would have no impact on the character and appearance of the Conservation Area. The proposal therefore accords with policies CS16 and CS17 of the Adopted Peterborough Core Strategy DPD and policies PP2 and PP17 of the Adopted Peterborough Planning Policies DPD.

#### c) Neighbouring Amenity

Objections have been received from the neighbouring occupier to the west of the site regarding the likely increase in noise and activity that would result from the extension. However, the extension would not result in any additional residents or staffing at the site and seeks only to improve the existing facilities. As such it is not considered that the extension would result in any intensification of use of the site or additional vehicular activity.

The extension would be to the south eastern corner and would be located at an adequate separation distance to neighbouring properties on Eastfield Road to the rear or properties on Broadway. The proposal would not unduly impact upon the amenity of the occupiers of neighbouring properties and accords with policy CS16 of the Adopted Peterborough Core Strategy DPD and policies PP3 of the Adopted Peterborough Planning Policies DPD.

#### d) Residential Amenity

The proposal would provide enhanced facilities for the occupiers of the existing care home in terms of en-suite facilities and an additional lounge. There are few external sitting areas around the building and the proposal would provide an enhancement to the existing provision. The details for the landscaping of the amenity will be secured by condition. The proposal therefore accords with policy PP4 of the Adopted Peterborough Planning Policies DPD.

e) Landscape Implications

A tree survey has been undertaken and a report has been submitted in support of the application. There are existing trees along the eastern boundary which will be removed in order to implement the development. The trees consist of a number of Limes that have been pollarded historically, some fruit trees and some young Hollies. None of the trees justify a grade higher than 'C'. None of the trees can be seen from a public place (with the possible exception of a glimpsed view of Pear 1410).

None of the trees are deemed worthy of a Tree Preservation Order. There are two Scots Pine trees within the neighbouring site at no. 209 which show no visible defects. There are two plum trees within the middle of the site which are fully mature and now showing signs of structural degradation. It is considered that grade C trees can continue to offer amenity value however they should not prevent development. The development would result in the loss of 1 no Pear, 4 no. Limes, 3 no Hollies, 4 no Plums, one Silver Birch and Privet Hedge. These trees broadly offer no public visual amenity and their value is restricted to site.

The neighbouring Pine trees to the north of the site remain unaffected by the proposal. Neighbouring trees have root protection areas that lie within the site although would not be significantly affected by the proposal as root protection measures are proposed.

Overall, the proposed layout will have no effect on the visual amenity of the area or lead to a loss of trees that make a positive contribution to the landscape.

The extension would be minimally affected by shade from neighbouring trees, however, it is unlikely that the minor morning shade cast by the trees would lead to calls for their removal.

The Landscape Officer has considered the proposal and is content with the information provided subject to the tree protection measures contained with the report being secured by conditions.

The proposal has considered the trees within the site and makes provision for additional landscaping which would be secured by condition. Hence the proposal accords with policy PP16 of the Adopted Peterborough Planning Policies DPD.

f) Highway implications

The proposal would not result in any additional residents or staffing levels and therefore there would be no additional parking requirements needed to serve the development. As such the Local Highways Authority raises no objections to the proposal. The extension would not result in any adverse highway implication and accords with policies PP12 and PP13 of the Adopted Peterborough Planning Policies DPD.

g) Ecological implications

An ecological scoping survey was undertaken at the rear of 209 Broadway and Lavender House. The survey concluded that the site provided limited nesting opportunities for birds; there was no evidence of badgers, reptiles or bats on either site. The sites were considered to be of low ecological value. An informative shall be appended to any grant of planning permission advising that if any trees or shrubs are to be removed then this should be carried out outside the bird breeding season (March to September) inclusive, if this is not practical then a qualified ecologist should make an inspection of any trees and shrubs prior to removal. The biodiversity value of the site could be improved by the provision of bird boxes, the details of which shall be secured by condition.

h) Enhancement of facilities



The extension would provide improved facilities and will allow for modifications and improvements to be made to the existing rooms. The applicant has provided information on the demand for all forms of care both locally and nationally as the elderly population continues to increase. This is not disputed. It is considered that the proposal would enable the enhancement of facilities within this established care home which provides for a particular housing need as encouraged by section 6 of the National Planning Policy Framework.

## **6 Conclusions**

Subject to the imposition of the attached conditions, the proposal is acceptable having been assessed in the light of all material considerations, including weighing against relevant policies of the development plan and specifically:

- The extension would be to the rear of the site and would not harm the character and appearance of the conservation area;
- It is considered that the design, scale and proposed materials of the proposed extension would harmonise with the existing building;
- The proposal would provide enhanced facilities for the existing residents in terms of accommodation and external amenity space;
- The extension would not result in any adverse impact on the amenity of the occupiers of neighbouring properties;
- The proposal would not result in the loss of high quality trees; and
- The proposal would not result in additional bed space or employees and would not result in any adverse highway implications.

Hence the proposal accords with policies PP2, PP3, PP4, PP12, PP13 and PP16 of the Adopted Peterborough Planning Policies DPD 2012, policies CS14, CS16 and CS17 of the Adopted Peterborough Core Strategy DPD 2011 and the National Planning Policy Framework.

## **7 Recommendation**

The case officer recommends that planning permission is **GRANTED** subject to the following conditions:

- C 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

- C 2 No development other than groundworks and foundations shall take place until details of materials to be used in the external elevations of the extension; have been submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details.

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

- C 3 (a) Works shall be carried out in strict accordance with the tree survey/tree protection

measures submitted in support of this application dated March 2013 which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of a Tree Preservation Order currently in force; no development or other operations shall take place except in complete accordance with the approved protection scheme;

(b) No operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition work, soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place;

(c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme;

(d) Protective fencing shall be retained intact for the full duration of the development hereby approved, and shall not be removed or repositioned without the prior written approval of the Local Planning Authority;

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policies PP16 of the Adopted Peterborough Planning Policies DPD 2012.

C 4 Prior to the commencement of development a scheme for the landscaping of the external amenity area to the east of the extension shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out as approved no later than the first planting season following the occupation of any building or the completion of development, whichever is the earlier

The scheme shall include the following details

- Planting plans including retained trees, species, numbers, size and density of planting
- type and location of bird boxes

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policy PP14 of the Peterborough Planning Policies DPD (2012).

C 5 No lighting shall be erected unless it is in accordance with details which have been submitted to and approved by the local planning authority. The lighting shall be erected in accordance with the approved details.

Reason: In the interests of neighbouring amenity and in accordance with policy PP3 of the Adopted Peterborough Planning Policies DPD.

C6 Surface water to be disposed of by soakaway or by an alternative method (if percolation test deem this unsuitable) to be submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding and in accordance with policy CS22 of the Adopted Peterborough Core Strategy DPD.

Copies to Councillors: P M Kreling, J Shearman, J P Peach

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