

## DONCASTER METROPOLITAN BOROUGH COUNCIL

### PLANNING COMMITTEE - 7th February 2017

Application	2
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Application Number:	16/02268/FULM	Application Expiry Date:	22 <sup>nd</sup> December 2016
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Application Type:	Full Major
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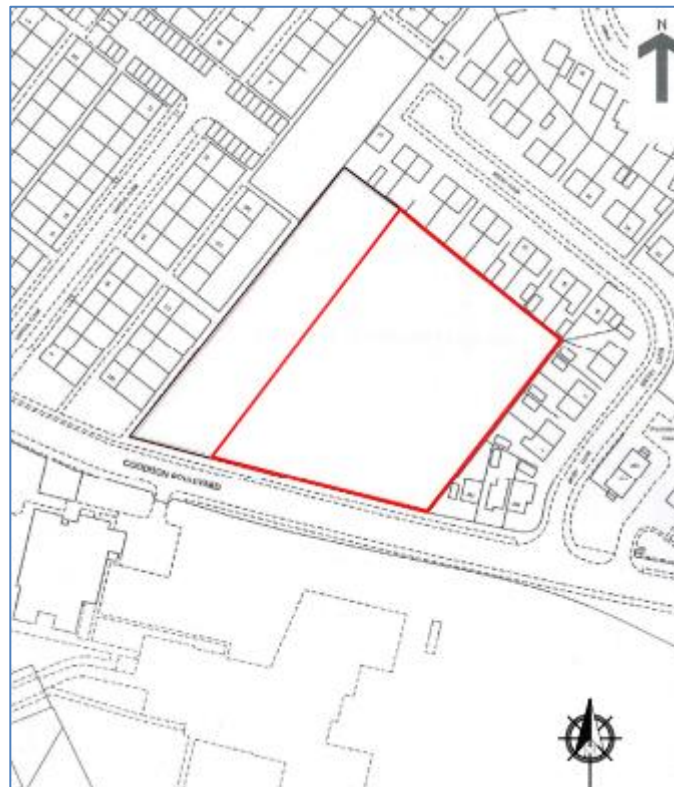
Proposal Description:	Erection of 75 bed care home
At:	Land off Goodison Boulevard, Cantley

For:	Runwood Homes
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Third Party Reps:	8 against/ 7 in favour	Parish:	N/A
		Ward:	Finningley

Author of Report	Mel Roberts
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MAIN RECOMMENDATION:	GRANT
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## **1.0 Reason for Report**

1.1 This application is being reported to Planning Committee because it is on council owned land and a departure from the development plan.

## **2.0 Proposal and Background**

2.1 This application seeks planning permission for a 75 bedroom care home on an area of informal open space off Goodison Boulevard, Cantley (see Plan 1). The proposed care home is two storeys and includes ancillary facilities for the residents including a café and hairdressers (see plans 2, 3 and 4). A secure courtyard within the confines of the building and separate landscaped gardens to the rear and side are proposed. Access to the site will be from Goodison Boulevard with parking provided at the front of the premises. A separate pedestrian access to the building is provided from the existing footpath on Goodison Boulevard. The proposed care home takes up approximately 1.5 acres of the 2 acres of open space. The remaining 0.5 acres is to be kept as open space and the indicative plan for this part of the site shows that it could be enhanced with planting and a new pathway.

2.2 The application site is a flat area of open space, which does not have any play equipment or play pitches on it. There is an informal path that runs diagonally through the site created by a desire line from the northern most corner to the south eastern corner and appears to be used as a route from the residential area to the Co-op off Goodison Boulevard. The site is surrounded by residential properties to the north, east and west of the site. On the opposite side of Goodison Boulevard lies another smaller area of open space which has play facilities. Immediately to the west of this play area is a community centre and to the east is the Co-op.

2.3 It is intended that this new care home will accommodate the residents currently living at the nearby Plantation View and those living at Gattison House, Rossington, which are considered outdated. It will provide additional beds and specialist care for residents living with dementia, those that have challenging behaviour or require end of life care. Limitations in the layout and design of the existing buildings does not meet best practice standards for residents and poses health and safety challenges to staff working in this environment. The aim of the proposal is to deliver modern care facilities that are more attractive to residents, will meet care needs and expected accommodation standards in the future and ensure the home is financially sustainable moving forward. When residents and staff have moved to this new home, the existing sites at Plantation View and Gattison House will be demolished and expected to be the subject of future applications for development.

## **3.0 Relevant Planning History**

3.1 There is no relevant planning history on this site.

## **4.0 Representations**

4.1 The applicant undertook extensive pre-application consultation with the public and interested parties before the application was submitted. The applicant sent out over 1200 questionnaires and invited over 600 households to a consultation day. 15% (180) of those consulted returned a questionnaire. 72% of the respondents were in favour of the proposal. 46% of the respondents said that the open space has some value and 54% said it has no value.

4.2 The current application has been advertised in the local press, on site and letters have been sent to existing residents that back onto the open space.

4.3 Eight letters have been received in opposition to the application and these can be summarised as follows:

- i) the green space is a valuable area for the community and provides a sense of tranquillity.
- ii) the open space is a valuable area for children to be able to play away from the road. Children wanting to engage in ball games such as football would have to travel about three quarters of a mile to Cantley Park to engage in their play.
- iii) the Green Space is always in use by dog walkers and people walking to local facilities.
- iv) vehicular access to the only off road parking area, at the rear of the houses, is via this land.
- v) the surrounding houses currently look on to an area of open space and this proposal will detrimentally affect the value of these properties.
- vi) concerns with the additional traffic that will be generated, especially as this is near a school.
- vii) the care home functions perfectly well at a site further down the road and this move would be disruptive, confusing and stressful for the current, long-term residents.
- viii) the building would overlook the surrounding residential dwellings and block the light.
- ix) there will be a lot of disruption to residents when building works start.
- x) the open space is a natural soakaway for rain water and this development will lead to flooding.
- xi) Town Moor open space would be a better place for this facility and is close to DRI if medical care were needed.
- xii) the land was left in a will to be used as green open space.

4.4 Seven letters have been received in support of the application and these can be summarised as follows:

- i) this purpose built care home will provide a much needed up-to-date facility for the elderly residents of Doncaster and those suffering with dementia. The current provisions for elderly care are dated and require improvement.
- ii) the open space is currently only used for dog walkers and anti-social younger people.
- iii) the open space is wasteland and could be put to good use for a modern home care centre, to benefit Cantley and the wider Doncaster areas vulnerable people.
- iv) there are plenty of open spaces in the area where youngsters can play.

## **5.0 Relevant Consultations**

5.1 The Local Plans team object to the application but note that during pre-application consultation, it appears the majority of the general public who live within the area are unconcerned about the loss of the open space. If permission is to be granted then consideration needs to be given to landscaping and lighting of the remaining adjacent area of open space which will not be large enough to accommodate a children's play area. Consideration should be given to providing a pedestrian crossing to allow safe access for children to the play area on the opposite side of Goodison Boulevard.

5.2 Transportation has raised no objections to the application because the impact on the network will be negligible with 7 and 13 trips in the AM and PM peak hours respectively.

5.3 Highways have responded and have raised no objections to the application.

5.4 Public Rights of Way has raised no objections to the application. There is currently an unrecorded path that runs through the site and although this is going to be lost, the plans show an alternative footpath on the land to the west of the site.

5.5 The Design Officer has responded and has raised no objections to the application, subject to conditions requiring details of landscaping, boundary treatments and materials to be agreed.

5.6 Pollution Control has requested that a condition is imposed requiring further investigation of possible contamination on the land, given the sensitive end use of the site. The proposed use is no more sensitive than open space used by the community and there is no evidence to suggest that there might be contamination on site and so no such condition is necessary.

5.7 Yorkshire Water has raised no objections subject to conditions.

5.8 The Environment Agency has been consulted and has not responded. The site falls within Flood Zone 1 and so there are no issues of flooding with the site.

## **6.0 Relevant Policy and Strategic Context**

### **National Planning Policy Framework**

6.1 The National Planning Policy Framework (NPPF) has as its central theme a presumption in favour of sustainable development. It does not change the statutory status of the Development Plan as the starting point for decision making set out at Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 (Paragraph 12). The NPPF confirms that planning law requires that applications must be determined in accordance with the development plan, unless material considerations indicate otherwise.

6.2 The NPPF states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. It states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- i) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- ii) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- iii) the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

### **Doncaster Core Strategy**

6.3 Policy CS9 states that new developments will provide, as appropriate, transport assessments and travel plans to ensure the delivery of travel choice and sustainable opportunities for travel.

6.4 Policy CS12 states that proposals for sheltered accommodation and other specialist need accommodation will be supported where they are:

- i) consistent and commensurate with identified need.
- ii) on sites suitable for other housing: and
- iii) have good access to local services by means other than the car.

6.5 Policy CS14 relates to design and sustainable construction and states that all proposals in Doncaster must be of high quality design that contributes to local distinctiveness, reinforces the character of local landscapes and building traditions, responds positively to existing site features and integrates well with its immediate and surrounding local area.

6.6 Policy CS17 states that Doncaster's green infrastructure network will be protected, maintained, enhanced and where possible extended. Proposals will be supported which make an overall contribution to the green infrastructure network by avoiding damage to or loss of green infrastructure assets or where loss is unavoidable and the benefits of the development outweigh the loss, including appropriate compensation measures.

### Doncaster UDP

6.7 The site is allocated as open space within the Doncaster UDP. Saved policy RL1 states that within open space policy areas, as defined on the proposals map, development will not be permitted, except in exceptional circumstances, for purposes other than outdoor recreation and ancillary indoor facilities; allotments; nature conservation or cemetery uses. Such development as is permitted, including ancillary built facilities, will only be acceptable where:

- i) There is no significant loss of outdoor playspace,
- ii) The visual amenity of the space is retained and where possible enhanced through the protection of important areas, vistas and frontages and careful attention to detailed design and layout, and
- iii) The environmental/ecological value of the open space is retained and where possible enhanced through the retention of existing trees and other important habitats and through appropriate landscaping.

6.8 Development for other purposes will only be permitted in exceptional circumstances or where sports and recreation facilities can best be retained and enhanced through the redevelopment of a small part of the site and provided that an alternative provision is made which is of at least the equivalent community benefit and which meets the requirements of the borough council in terms of quantity, quality, nature, location and implementation mechanism/timescale.

### Green Space Audit 2013

6.9 The 2013 Green Space Audit identifies the application site as an informal open space (site no. 255 Goodison Blvd 4) located partly in Bessacarr community profile area and partly in Cantley community profile area. The Green Space Audit shows that Bessacarr is deficient in informal open space by 0.12ha and that Cantley is sufficient by 0.16 ha.

## 7.0 Planning Issues and Discussion

### Development plan

7.1 The NPPF confirms that planning law requires that applications must be determined in accordance with the development plan, unless material considerations indicate otherwise. The site is allocated as open space within the Doncaster UDP. Both national and local planning policies seek to protect open space from development. Policy CS17 of the Core Strategy seeks to protect and enhance Doncaster's green infrastructure network. The NPPF supports policy CS17 of the Core Strategy by stating that existing open space, sports and recreational buildings and land, including playing fields, should not normally be built on. Saved policy RL1 of the Doncaster UDP states that development within open space policy areas will not be permitted for the type of use proposed, except in exceptional circumstances. Open space is an essential part of the urban heritage. It provides important opportunities for formal and informal recreation, fulfils important social, cultural and ecological roles and enhances the quality and image of the urban environment. The overwhelming thrust of planning policy is that the development of open space for uses such as a care home is not allowed and significant weight must be attached to the fact that the proposal is contrary to both the development plan and national policy.

### Open Space

7.2 The NPPF sets out 3 circumstances in which development on open space could be supported – that the open space is surplus to requirements, the loss is replaced by equivalent or better provision elsewhere or that the development is in itself for sports or recreational provision.

7.3 The first circumstance is where an assessment has been undertaken which shows that the open space is surplus to requirements. No formal assessment has been submitted to indicate whether the open space is surplus to requirements. Information that is available to inform this assessment includes the Council's Green Space Audit (GSA) 2013 which shows the application site located partly in Bessacarr community profile area and Cantley community profile area. The audit shows that Bessacarr is deficient in informal open space by 0.12 ha and that Cantley exceeds the informal open space requirement by 0.16 ha. All of the part of the site that lies within the Bessacarr community profile area will be developed, leaving Bessacarr with an informal open space deficit of approximately 0.52 ha. The GSA identifies the priority in Bessacarr as increasing the amount of informal and formal open space and children's play equipment provision. The development will lead to an informal open space deficit within the Cantley community profile area of approximately 0.04ha. The GSA refers to Cantley being the only community in Doncaster that meets the standard for all types of green space.

7.4 The proposal does not seek to support the loss of open space by providing equivalent or better provision elsewhere and does not include alternative sport or recreational facilities. The requirement for compensatory open space provision is supported by policies CS17 of the Core Strategy and RL1 of the UDP.

7.5 The application is contrary to the NPPF and policies CS17 and RL1 on the basis that the loss of open space has not been justified under the circumstances they set out. Before drawing a conclusion to this assessment that permission should be refused, it is necessary to consider whether there are any other material considerations that indicate otherwise.

## Sheltered Accommodation

7.6 Core Strategy Policy CS12 states that proposals for sheltered accommodation and other specialist need accommodation will be supported where they are:

- i) consistent and commensurate with identified need.
- ii) on sites suitable for other housing: and
- iii) have good access to local services by means other than the car.

The proposal will deliver a specialist type of accommodation for which there is an identified need. The site is also well located to local services and close to bus routes. Open space however would not ordinarily be suitable for other types of housing and the proposal is therefore contrary to policy CS12. The proposal therefore needs to be assessed against whether it will deliver greater community benefits than are offered by retaining the site in its existing use and thereby creates other material considerations sufficient to determine the application contrary to the provisions of the development plan.

## Other material considerations

7.7 The applicant carried out pre-application consultation with residents. The feedback suggests that the open space is not often used for recreation other than by dog walkers. When asked what the open space is used for, 61% of residents said it was used as a cut through and 37% identified dog walking. Children's play was identified by 21% of the respondents. There is no children's play equipment and no formal laying out of the land for sport or organised recreation. The proposal will result in 1.5 acres of this open space being built on and 0.5 acres being retained for the pedestrian cut through and dog walkers. This area will be enhanced with planting and a defined footpath and is to be secured by planning condition number 4. It is too small to incorporate a children's play area and provide the expected stand-off distances from nearby homes.

7.8 Extensive public consultation was undertaken by the applicant before submitting an application and of those residents that responded, 72% were in favour of the proposed care home and 54% said that the open space has no value. Eight residents have objected to the planning application and seven are in support. There is a well-equipped play area on the opposite the site on Goodison Boulevard.

7.9 The proposed care home will provide a new purpose built care facility that will meet the needs of residents with dementia and those that have challenging behaviour or require end of life care and will replace facilities, which do not meet these needs. The number of beds in the proposed new development will exceed the combined capacity of the current homes by 12 beds. It is understood that there is a considerable shortage of such facilities to care for the borough's residents needing of them. These points may combine to provide greater community benefit than those experienced using this area of open space. The need for this accommodation can therefore provide the other material circumstances necessary to justify making a decision contrary to the development plan.

## Design and residential amenity

7.10 The architectural style of the elevations has been reduced by sub-division to reflect the scale and nature of street development in Bessacarr and Cantley whilst being of domestic scale. The detailing reflects that of the local area with contrasting brick banding and smooth white render. The location of the building within the site and the position of windows ensure that privacy is maintained to surrounding residential properties. The

layout of the building locates many of the bedrooms such that they face away from, or are a sufficient distance from existing windows of nearby existing houses (there is generally a distance of 25m from the care home to the rear of the surrounding houses). A Construction Method Statement can be secured by a planning condition (number 6) to minimise any disruption to residents during construction of the care home. The proposals allow space for trees and new planting within the development and allow for their future growth and a detailed landscaping scheme is secured by condition 7. Proposed lighting for the site is intended to be low level and further details of this are secured by condition 8. The proposal is therefore in accordance with policy CS14 of the Core Strategy.

### Highways

7.11 A Transport Statement has been submitted with the application. The location of the site is such that trips for staff and visitors can be by viable alternatives to the car with the site being centrally placed to the surrounding residential area and cycle links towards the town centre being close by. The site is also served by a regular bus service, with bus stops on either side of Goodison Boulevard close to the site. During the peak hours, the proposal will result in only 7 additional trips in the AM peak and 13 in the PM peak. This will not have a detrimental impact on the neighbouring highway network.

7.12 The proposed access into the site from Goodison Boulevard has been positioned to provide adequate separation from the opposing junction and there is adequate visibility in both directions. The access and site layout have been designed to accommodate the largest service vehicle expected to visit the site, ensuring that vehicles are able to enter and leave the site in a forward gear. Parking has been provided at a level that can accommodate peak parking demand on site during staff changeover periods. There is provision for vehicles in a discrete format to provide safe access for pedestrians and vehicles into the site. Provision is to be made within the site for cycle parking. A new zebra crossing is to be provided on Goodison Boulevard to allow safe access for residents of the care home and allow a safe crossing to the existing play area (this is secured by condition number 5).

### Other matters

7.13 A number of issues have been raised by residents who object to the application. One of the concerns is that some people living on Limpool Close use the edge of the open space at the rear of their properties to park their car, because these properties have no parking. Residents who are parking on the open space are doing so illegally, as there is no dropped kerb to allow such access and it is not their land. The enhancement of the area of open space should help to stop this situation. Any impact on the value of residential properties is not a material planning consideration and is afforded no weight. The Council is the land owner and there is no suggestion that the land was left in a will to be used as green open space, but even if it were, this is not a material planning consideration.

## **8.0 Summary and Conclusion**

8.1 The proposed care home is to be sited on land that is allocated as open space as defined by the Doncaster Unitary Development Plan. Policies RL1 of the UDP and CS17 of the Core Strategy seek to protect areas of open space from developments such as this. Open space provides important opportunities for formal and informal recreation, fulfils important social, cultural and ecological roles and enhances the quality and image of the urban environment. The NPPF also seeks to protect areas of open space from development and cites 3 circumstances in which development on open space could be



supported which are not met by this proposal. The Greenspace Audit indicates that there is no surplus of open space in the area. The proposal also does not seek to support the loss of open space by providing equivalent or better provision elsewhere and does not include alternative sport or recreational facilities. The application is also contrary to policy CS12 of the Core Strategy because the site is not suitable for any other type of housing by virtue of the fact that it is allocated as open space in the development plan.

8.2 The NPPF confirms that planning law requires that applications must be determined in accordance with the development plan, unless material considerations indicate otherwise. The application is contrary to the development plan and so consideration must be given as to whether material considerations can override this.

8.3 Public consultation carried out both before and after submission of the application indicates that the open space is not often used for recreation other than by dog walkers and as a cut through for residents to the Co-op. The proposal includes an enhancement of the remaining 0.5 acres of open space with planting and a defined footpath. There is a well-equipped play area on the opposite site on Goodison Boulevard and access to this is to be improved with the provision of a pedestrian crossing. The proposed care home will provide a new purpose built care facility that will meet the needs of residents with dementia and those that have challenging behaviour or require end of life care and will replace facilities, which do not meet these needs.

8.4 On balance, the need for the care home together with the fact that the remaining area of open space is to be enhanced to meet the main identified uses of dog walking and a cut through outweigh the fact that the proposal is contrary to the development plan. All other issues such as design, residential amenity and highways have been satisfactorily resolved.

## RECOMMENDATION

### **Planning Permission GRANTED subject to the following conditions.**

- |            |  |
|------------|--|
| 01. STAT1  | The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.<br>REASON<br>Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.   |
| 02. U49939 | The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the approved plans listed below:<br>Drawing number 05 Rev C dated Feb 2016 (Site Plan)<br>Drawing number 03 dated 11th November 2015 (Elevations)<br>Drawing number 01 dated Feb 2016 (Ground floor plan)<br>Drawing number 02 dated Feb 2016 (First floor plan)<br>Drawing number 923 dated 20th October 2015 (Railing details)<br>REASON<br>To ensure that the development is carried out in accordance with the application as approved. |

03. MAT1A Prior to the commencement of the relevant works, details of the proposed external materials shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials.  
REASON  
To ensure that the materials are appropriate to the area in accordance with policy CS14 of the Doncaster Core Strategy.
04. U49941 The care home shall not be occupied until the remaining area of open space to the west of the site has been enhanced (to include landscaping and a footpath) in accordance with a scheme previously approved in writing by the local planning authority.  
REASON  
An enhanced area of open space is required to help offset the loss of open space as a result of the care home.
05. U49940 The care home shall not be occupied until a zebra crossing has been provided on Goodison Boulevard in accordance with a scheme previously approved in writing by the local planning authority.  
REASON  
To provide a safe crossing for occupants on the care home and for people wanting to access the area of open space on the opposite side of Goodison Boulevard.
06. ENVH4 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
- i) - the parking of vehicles of site operatives and visitors
  - ii) - loading and unloading of plant and materials
  - iii) - storage of plant and materials used in constructing the development
  - iv) - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  - v) - wheel washing facilities
  - vi) - measures to control noise and the emission of dust and dirt during construction
  - vii) - a scheme for recycling/disposing of waste resulting from demolition and construction works
- REASON  
These details have not been provided and they are required before development commences to safeguard the living conditions of neighbouring residents and in the interests of highway safety.
07. VR18 Trees and shrubs shall be planted on the site in accordance with a scheme to be approved in writing by the Local Planning Authority prior to commencement of development. This scheme is to provide details of species, siting, planting distances and programme of planting. Planting is to be carried out during the first available season after commencement of development and shall thereafter be maintained to the satisfaction of the Local Planning Authority and in accordance with the Local Planning Authority's document 'Landscape Specification in

Relation to Development sites'. Any tree or shrub planted as part of the scheme which is removed or severely damaged or is found to be dying or seriously diseased within five years of planting shall be replaced within the next available planting season with a tree or shrub of a similar size and species to the satisfaction of the Local Planning Authority.

**REASON**

These details have not been provided and they are required before development commences to ensure that a landscape/planting scheme is submitted and implemented in the interests of amenity.

08. ENVH14

No development shall take place until details of external lighting have been submitted to and approved in writing by the local planning authority. The external lighting shall be installed in accordance with the approved details and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the local planning authority.

**REASON**

To ensure that the proposed lighting scheme safeguards the character of the area and/or the living conditions of neighbouring residents, having regard to the effects of the proposed illumination.

01. U10847

**INFORMATIVE**

Works carried out on the public highway by a developer or anyone else other than the Highway Authority shall be under the provisions of Section 278 of the Highways Act 1980. The agreement must be in place before any works are commenced. There is a fee involved for the preparation of the agreement and for on-site inspection. The applicant should make contact with Malc Lucas on Tel 01302 735110 as soon as possible to arrange the setting up of the agreement.

Doncaster Borough Council Permit Scheme (12th June 2012) - (Under section 34(2) of the Traffic Management Act 2004, the Secretary of State has approved the creation of the Doncaster Borough Council Permit Scheme for all works that take place or impact on streets specified as Traffic Sensitive or have a reinstatement category of 0, 1 or 2. Agreement under the Doncaster Borough Council Permit Scheme's provisions must be granted before works can take place. There is a fee involved for the coordination, noticing and agreement of the works. The applicant should make contact with Paul Evans on Email: [p.evans@doncaster.gov.uk](mailto:p.evans@doncaster.gov.uk) or Tel 01302 735162 as soon as possible to arrange the setting up of the permit agreement.

Any alteration to the existing street lighting as a result of the new access arrangements will be subject to a costs which are to be borne by the applicant. Street lighting design and installation is generally undertaken by the Local Highway Authority. There is a fee payable for this service and the applicant should make contact with Fiona Horgan on Tel 01302 735097 or e-mail [Fiona.Horgan@doncaster.gov.uk](mailto:Fiona.Horgan@doncaster.gov.uk) regarding this as soon as possible. Further information on the selected DNO / IDNO together with the energy supplier will also be required as soon as possible as they directly affect the adoption process for the street lighting assets.

The developer shall ensure that no vehicle leaving the development hereby permitted enter the public highway unless its wheels and chassis are clean. It should be noted that to deposit mud and debris on the highway is an offence under provisions of The Highways Act 1980.

That part of the site to be used by vehicles should be designed to withstand a minimum carrying capacity of 26 Tonnes without deflection in accordance with Buildings Regulations Approved Document B (Fire Safety).

The proposed arrangement shall be subject to Road Safety Audits in accordance with DMRB Volume 5 Section 2 Part 2 Road Safety Audit (HD 19/03).

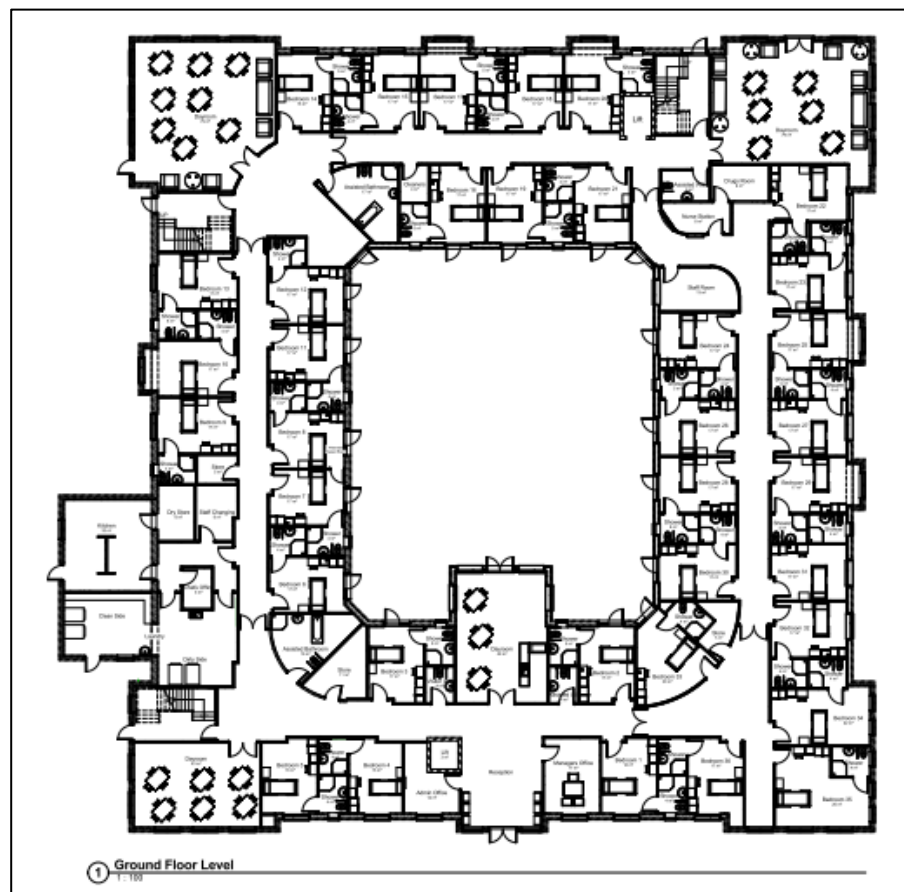
## Appendix 1



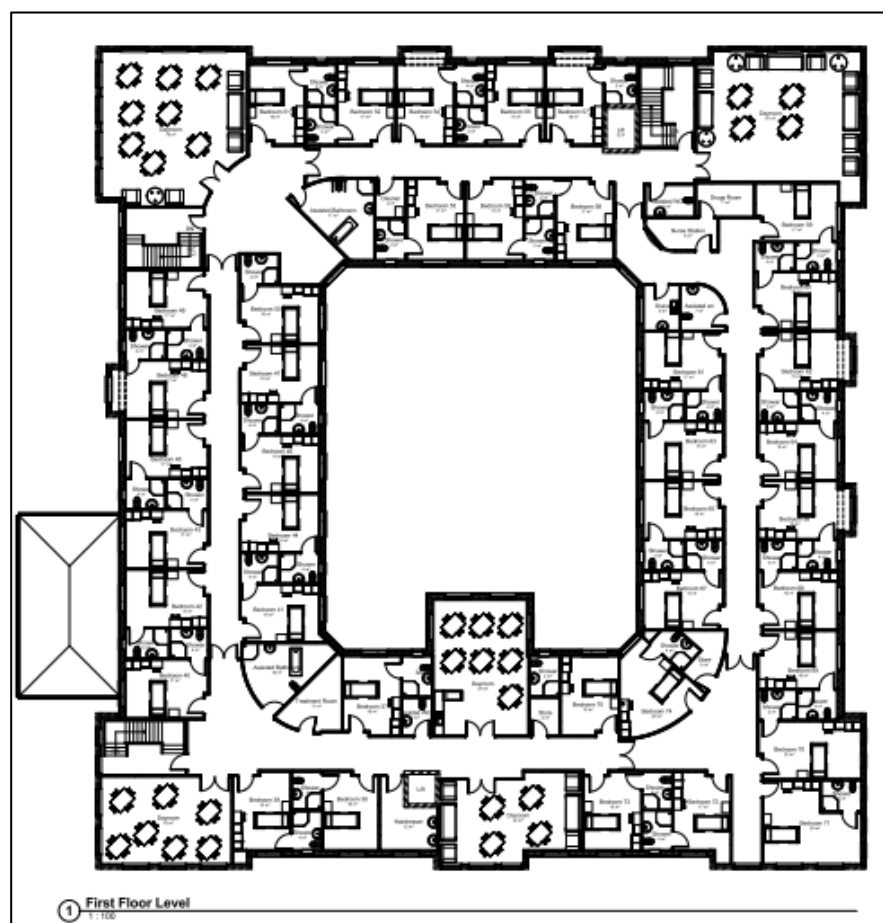
Plan 1: Proposed site plan



Plan 2: Proposed elevations



Plan 3: Proposed ground floor plan



Plan 4: Proposed first floor plan