

EAST AYRSHIRE COUNCIL

CENTRAL LOCAL PLANNING COMMITTEE: 05 MAY 2006

**05/1229/FL: ALTERATION AND EXTENSION TO EXISTING NURSING HOME
AT HOWARD HOUSE CARE HOME, HOWARD STREET, KILMARNOCK
BY GATE HEALTHCARE LIMITED**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning permission is sought for alterations and an extension to the existing nursing home. The proposed extension is two storey in height with a conservatory to the rear. It is 22 metres long by 7.5 metres wide, and 9.7 metres wide at the conservatory, with a net increase of approximately 609 square metres. The proposed extension will provide extra bedrooms to allow the nursing home to meet the Care Commission's modern standards in terms of single occupancy for bedrooms and the provision of en-suite facilities. The number of residents will increase to 40 instead of presently 39. The design of the proposed extension complements the existing building as it respects the established building line and it is proposed to be constructed in materials to match the existing extension, in terms of render finish and a slate roof. The car parking spaces displaced as a result of this development will be replaced by 2 car parking spaces to the side of the building accessible from Seaford Street and 3 car parking spaces accessible from Howard Street.

2. RECOMMENDATION

2.1 It is recommended that the application be approved subject to the conditions indicated on the attached sheet.

3. CONCLUSIONS

3.1 As indicated in Section 5 of this report, the application does not accord with the policies of the Development Plan, therefore given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be refused unless material considerations indicate otherwise.

3.2 As indicated at Section 6, there are material considerations relevant to the application. The consultees have not raised any adverse comments. The

concerns of the objectors whilst noted, are not considered to be of sufficient weight as to merit refusal of the application. The proposed development is contrary to Policy RES 22, in terms of open space provision, however it is considered that a reduced level of open space provision is acceptable in this instance due to the quality and area of open space provided for the residents and it will not result in a reduction in the standard of amenity for the residents and the immediate vicinity.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning, Development and Building Standards it will not require to be referred to the Development Services Committee as there would be no significant breach of Council policy.

Alan Neish
Head of Planning, Development and Building Standards

Note: This document combines key sections of the associated report for quick reference and should not in itself be considered as having been the basis for recommendation preparation or decision making by the Planning Authority.

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Report by Head of Planning, Development and Building Standards

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination a full planning application which is to be considered by the Local Planning Committee under the scheme of delegation as it is subject to objections.

2. APPLICATION DETAILS.

2.1 **Site Description:** The application site is located within the Dundonald Road Conservation Area, within close proximity to Kilmarnock town centre, as defined by the East Ayrshire Local Plan. It is located within a residential area. The nursing home is a traditional stone two and half storey villa fronting onto Howard Street which has been extended to the rear onto Seaford Street. The existing extension is two storey in height with a render finish.

2.2 The area of ground proposed to be developed is currently used as a car park and garden ground, which is flat in nature. Howard House is surrounded on all sides by residential properties.

2.3 **Proposed Development:** Full planning permission is sought for alterations and an extension to the existing nursing home. The proposed extension is two storey in height with a conservatory to the rear. It is 22 metres long by 7.5 metres wide, and 9.7 metres wide at the conservatory, with a net increase of approximately 609 square metres. The proposed extension will provide extra bedrooms to allow the nursing home to meet the Care Commission's modern standards in terms of single occupancy for bedrooms and the provision of en-suite facilities. The number of residents will increase to 40 instead of presently 39. The design of the proposed extension complements the existing building as it respects the established building line and it is proposed to be constructed in materials to match the existing extension, in terms of render finish and a slate roof. The car parking spaces displaced as a result of this development will be replaced by 2 car parking spaces to the side of the building accessible from Seaford Street and 3 car parking spaces accessible from Howard Street.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council's Roads and Transportation Division, East Ayrshire Council's Environmental Health and Waste Management Section, Historic Scotland and the Access Panel have no adverse comments to make regarding the proposed development.

Noted.

3.2 Ayrshire and Arran NHS Trust and Grange/Howard Community Council have not responded to their consultation letter at the time of writing this report.

Noted.

4. REPRESENTATIONS

4.1 There are three objections to the proposed development and their grounds of objection are as follows:-

4.2 There is a reduction in the number of car parking spaces.

A total of 5 car parking spaces are proposed to replace 7 car parking spaces displaced as a result of the development and this is acceptable to the Council's Roads Division.

4.3 If the development goes ahead it will contribute to additional traffic congestion.

It is not considered that the proposed development will generate significant additional traffic as the number of residents will only be increased by one as a result of the proposed extension. The Council's Roads and Transportation Division have no adverse comments to make regarding the proposed development.

4.4 The proposed passage will be inadequate for the waste bins to pass through.

It is not envisaged that there will be any issues regarding accessing the waste bins for emptying. Environmental Health and Waste Management have no adverse comments to make regarding the proposed development.

4.5 Contractors use the existing car park to deliver goods which can amount to five or six deliveries per day and they cannot see any alternative access in the proposed alterations for this service.

It is not envisaged that there will be any issues regarding servicing the nursing home as a result of the proposed extension.

4.6 Funeral Directors access the premises from the existing car park which will not be possible discreetly from the proposed new car park

Access from the Nursing Home is available from the side gate on Seaford Street and funeral directors will be able to use this entrance.

4.7 The removal of the tree on Seaford Street in a Conservation Area to provide parking spaces.

The proposed layout has been amended to allow the retention of the tree on Seaford Street.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of this application the development plan comprises the Approved Ayrshire Joint Structure Plan and the Adopted East Ayrshire Local Plan (EALP).

Ayrshire Joint Structure Plan

5.2 There are no policies in the Ayrshire Structure Plan that are particularly applicable to this proposal.

Adopted East Ayrshire Local Plan

5.3 Policy RES 22 requires all developers to observe the minimum private open space standards detailed in Schedule 4 of the Local Plan. The open space standard for Nursing Homes is 15 square metres per bed space. It is stated in Schedule 4 that the open space standards may be relaxed at the discretion of the Council where it is considered appropriate.

The proposed extension to the nursing home would allow for forty residents, and the open space requirement for Howard House would be 600 square metres. As the proposal is for an extension to an existing facility it is intended in this instance to accept a reduced area of open space. The open space provision currently is 300 square metres, and it will be reduced to 200 square metres as a result of the proposed development. This is considered sufficient to allow an acceptable area of open space for the nursing home given

the quality of garden space available to residents and the provision of a sensory garden linked to the proposed dayroom/conservatory.

5.4 Policy ENV 7 requires developers to comply with the Council's Design Guidance. The Design Guidance requires alterations and extensions in Conservation Areas to remain subordinate to the original building and the design of alterations and extensions to reflect and enhance the overall character and appearance of the Conservation Area in terms of size, scale, fenestration, finish and materials used. The material finish of any extension should be in keeping with and sympathetic to the existing building.

The proposed extension is considered to be in keeping with the existing extension in terms of its height, design and materials. It will not detract from the visual amenity of the Conservation Area.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of this application are the consultation replies and the objections received detailed in Sections 3 and 4 of this report.

Consultations Received

6.2 There have been no adverse comments received within the consultation responses.

Representations Received

6.3 The issues raised by the objectors to this application are not considered to be material in the determination of this application. Their concerns regarding access and car parking have not been supported by the Roads Division. The design, layout and materials for the proposed development are considered acceptable within the Dundonald Road Conservation Area.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial or legal implications for the Council in the determination of this application.

8. CONCLUSIONS

8.1 As indicated in Section 5 of this report, the application does not accord with the policies of the Development Plan, therefore given the terms of

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be refused unless material considerations indicate otherwise.

8.2 As indicated at Section 6, there are material considerations relevant to the application. The consultees have not raised any adverse comments. The concerns of the objectors whilst noted, are not considered to be of sufficient weight as to merit refusal of the application. The proposed development is contrary to Policy RES 22, in terms of open space provision, however it is considered that a reduced level of open space provision is acceptable in this instance due to the quality and area of open space provided for the residents and it will not result in a reduction in the standard of amenity for the residents and the immediate vicinity.

9. RECOMMENDATION

9.1 It is recommended that the application be approved subject to the conditions indicated on the attached sheet.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning, Development and Building Standards it will not require to be referred to the Development Services Committee as there would be no significant breach of Council policy.

Alan Neish
Head of Planning, Development and Building Standards

26 April 2006
(FC/MMM)

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Form and Plan.
2. Statutory Letters/Certificates.
3. Consultation Replies.
4. Letter of Representation.
5. Approved Ayrshire Joint Structure Plan.
6. Adopted East Ayrshire Local Plan.

Anyone wishing to inspect the above papers please contact Fiona Campbell, Planning Officer, on 01563 576787.

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

05/1229/FL

Site of Proposal:	Howard House Care Home Howard Street KILMARNOCK KA1 2BP
Nature of Proposal:	Alterations and Extension to Existing Nursing Home
Name & Address of Applicant:	Gate Healthcare Ltd City Wall House 32 Eastwood Avenue GLASGOW G41 3NS
Name & Address of Agent:	Lawrence McPherson Associates The Atrium 6 New Road AYR KA8 8EX

DPOs Reference: FC/MMM

The above FULL application should be granted subject to the following conditions:-

1. The proposed development shall be carried out in accordance with the application form received on 23 November 2005, plans received on 25 November 2005 and amended plans received 10 February 2006 and 17 March 2006.

REASON To ensure that the development is carried out in accordance with the approved details.

2. Prior to the commencement of any works on site, details and samples of all finishes and colours to be used as external materials on the proposed development shall be submitted to and approved in writing by the Planning Authority and thereafter implemented as approved on site.

REASON To ensure the visual integration of the proposed development with the surrounding area.

3. The proposed car parking spaces as identified in drawing no. 876(P)004B shall be implemented for use prior to the occupation of the approved extension.

REASON To ensure adequate car parking is provided for the nursing home.

4. Notwithstanding the plans hereby approved and prior to commencement of any works on site, details and samples of all external ground treatments shall be submitted to and agreed in writing by the Planning Authority and thereafter implemented as approved.

REASON In the interests of amenity of the development.

5. No external construction work, site clearance or preparation works shall take place before 08:00 hours and after 18:00 hours Monday to Friday before 08:00 hours and after 13:00 hours on Saturdays and at any time on Sundays.

REASON In the interests of the amenity of the neighbouring residential property.

6. Notwithstanding the plans hereby approved, details of the landscaping of the open space areas to the front and side of Howard House shall be submitted to and agreed in writing by the Planning Authority prior to the commencement of works on site and implemented within the next planting season following the occupation of the extension.

REASON In the interests of the visual and residential amenity of the area.

7. Notwithstanding the plans hereby approved, details and samples of all boundary treatments shall be submitted to and approved in writing by the Planning Authority prior to commencement of any development on site and implemented thereafter as approved.

REASON In the interests of the amenity of the area.

8. During the construction works, the developer of the site shall ensure that adequate and continuing measures are taken to ensure that roads and footpaths adjoining the site are maintained free from mud and other material carried from the site by construction and other vehicles.

REASON In the interests of public and road safety and residential amenity.

NOTE:- The applicant is advised to contact East Ayrshire Council's Roads and Transportation Division (01563 576359) prior to commencement of works on site.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S
PLANNING OFFICE IN KILMARNOCK. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 576790.**