

## Report of the Chief Executive

<b>APPLICATION NUMBER:</b>	<b>20/00478/FUL</b>
<b>LOCATION:</b>	<b>Site of The Magpie, Toton Lane, Stapleford NG9 7JD</b>
<b>PROPOSAL:</b>	<b>Construct 78 bed residential care home with associated parking</b>

1 Executive Summary

- 1.1 The application was first brought before Planning Committee 10 November 2020 with a recommendation for approval (original committee report attached as an appendix). Members resolved to defer making a decision on the application following concerns with the amount of parking to be provided, and the size of the building.
- 1.2 The application is being returned to committee following the receipt of an amended layout and additional information.
- 1.3 The layout which was originally presented to committee in November saw a total of 18 off street parking spaces. Members were concerned that the lack of parking spaces would have the potential to result in an increase in on-street parking, to the detriment of the local area. Amended plans received now show an additional 10 parking spaces making a total of 28, and this has been achieved by providing parallel parking along the access drive, following an increase in its' width, and relocation of cycle store and bin store (with a slight reduction in the size of the bin store).
- 1.4 The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix, and to the prior signing of a Section 106 Agreement.

## 1 Details of the Application

- 1.1 A three storey purpose built 78 bed residential care home facility (the third storey being accommodated in the roof, which is hipped in design) arranged around a central enclosed courtyard garden, providing private secure space for the intended residents is proposed. Soft landscaping is proposed around the building and to the area between the access and the common boundary with 193 Toton Lane. The building would have the main entrance to the south west corner, adjacent to the vehicle access. A path is proposed parallel to Darkey Lane, giving the residents access to the landscaped gardens. The ground floor layout shows a communal café, for use by visitors and a hairdressers and cinema, for the residents. The kitchen and communal dining space is also located on this floor. A lounge is located on each floor. All 78 bedrooms will have an en-suite.
- 1.2 The existing vehicular access, off Toton Lane, will be retained. As originally submitted, 18 vehicle parking spaces are to be provided, as well as 6 covered and secure cycle spaces. An amended layout now shows 28 parking spaces and this has been achieved by relocating the cycle store, reducing the size of the bin store area, and introducing parking spaces along the access drive to the south elevation. There is no reduction in the amount of bed spaces (78). A bin storage area is proposed to be located adjacent to the east boundary. The existing timber fences to Darkey Lane and to the common boundaries with neighbouring properties are proposed to be retained, as is the low Bulwell stone wall to the frontage.
- 1.3 The applicant wishes to draw the attention to information contained within the Transport Statement, submitted as part of the original planning application, which has recently been revised to reflect the increased number of parking spaces. The Transport Statement states that based on their experience of other care homes that they operate, a newly built similar sized care home in Silverdale, near Wilford, which has 83 bed spaces, has 22 car parking spaces and the car park currently operates with spare capacity. They find that the majority of staff working in the care home live locally, use public transport or are likely to get lifts from family members, due to the expense of owning a car. The applicant typically finds that there are very few visitors during the week, with most visits being at the weekend, the busiest time being Saturday afternoon, and therefore not in typical 'rush' hour. Typically, two families are visiting the facility at any one time. Staff shifts are typically as follows:

Early shift – 0700 hrs to 1400 hrs

Late shift – 1400 hrs to 2000 hrs

Night shift – 2000 hrs to 0700 hrs

The applicant acknowledges that there may sometimes be an overlap during shift changes, however the shift change times are typically outside 'rush hour' and school drop off / pick up times. The busiest times in terms of parking are around lunchtime, i.e. between 12 noon and 3pm.

2 Relevant Policies and Guidance

2.1 The relevant policies have previously been set out in the original committee report, attached as an appendix.

3 Re-consultations

3.1 **County Council as Highways Authority:** The Highways Authority are satisfied that all outstanding issues with regard to the parking to serve the site for use by visitors and staff have been resolved. The recommendation for a condition to require the applicant to enter into a TRO (Traffic Regulation Order) is no longer considered necessary. Will require a bin collection point to be provided within 15m of the public highway, in order to ensure safe storage and convenient collection for Waste and Recycling teams. Other conditions in regard to completion and surfacing of the access drive and parking / turning areas prior to occupation / first use are recommended.

4 Assessment

4.1 The amended layout now shows 28 car parking spaces and this has been achieved by relocating the cycle store, reducing the size of the bin store, and introducing parking spaces along the access drive. This sees an increase of 10 spaces.

4.2 The Highway Authority are now satisfied that amount of parking to be provided within the site is at an appropriate level for a care facility of this size (28 parking spaces), that the layout of the site is acceptable in terms of vehicle movements, and that there is no longer a requirement for the applicant to enter in to a TRO. An additional condition is recommended, which requires a bin collection point to be provided within 15m of the public highway, in order to ensure that refuse vehicles have safe and convenient access to the bins.

5 Conclusion

5.1 The proposed development, as amended is acceptable and would not have an unacceptable impact on highway safety or parking conditions in the wider area and as such it is recommended that planning permission be granted, subject to conditions and the prior signing of a Section 106 Agreement.

<b><u>Recommendation</u></b>	
<p>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.</p>	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with the site location plan and drawings numbered 2621(08)201 rev C, 2621(08)301 rev B, 2621(08)902, 2621(08)E02 rev A, and 2621(08)S02 rev A, received by the Local Planning Authority on 23.07.20, drawing numbered 2621(08)E01 rev B received by the Local Planning Authority on 07.08.20, drawing number ADC2521-DR-001-P1, Technical note and Travel Plan Statement received by the Local Planning Authority on 15.10.20, drawing number 2621(08) G01 rev G, ADC2521-DR-051-P2, ADC2521-DR-052-P2 received by the Local Planning Authority on 13.11.20. Drawings numbered 2621(08)101 rev D, 2621(08)901 rev B, and 2621(08)S01 rev B received by the Local Planning Authority on 18.11.20.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>No above ground works shall be carried out until details of the manufacturer, type and colour of the bricks and tiles to be used in all elevations have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed only in accordance with those details.</p> <p><i>Reason: Limited details were submitted and to ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
4.	<p>The development shall not be commenced until an investigative survey of the site has been carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and / or the environment. The report shall include details of any necessary remedial measures to be taken to address contamination or other identified problems. The building shall not be occupied or brought into use until all</p>

	<p>necessary measures have been implemented in accordance with the approved details.</p> <p><i>Reason: In the interests of public safety, in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
<p>5.</p>	<p>No above ground works shall be commenced until details of the proposed bin storage area and cycle store have been submitted to and approved in writing by the Local Planning Authority. The stores shall be installed in accordance with the approved details, prior to the first use of the building, and retained for the lifetime of the development.</p> <p><i>Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
<p>6.</p>	<p>The residential care home shall not be brought into use until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> <li>(a) numbers, types, sizes and positions of proposed trees and shrubs</li> <li>(b) proposed hard surfacing treatment</li> <li>(c) proposed lighting details</li> <li>(d) planting, seeding/turfing of other soft landscape areas</li> </ul> <p>The approved scheme shall be carried out strictly in accordance with the agreed details.</p> <p><i>Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
<p>7.</p>	<p>The building shall not be occupied until details of ventilation and filtration equipment, required to suppress and disperse odour created from food preparation on the premises, have been submitted to and approved in writing by the Local Planning Authority. The approved equipment shall be installed prior to first use of the premises, and shall be effectively operated and maintained for the lifetime of the development.</p> <p><i>Reason: In the interest of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local</i></p>

	<i>Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i>
8.	<p>The building shall not be occupied or otherwise be brought into use until the noise mitigation measures as detailed in section 4 of the Noise Assessment report, reference 13016.01 v1 dated June 20, have been implemented. The measures shall thereafter be retained for the lifetime of the development.</p> <p><i>Reason: In the interests of the amenities of future residents and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
9.	<p>The building shall not be occupied or otherwise be brought into use until the access drive, parking and turning areas have been surfaced in a bound material and constructed with provision to prevent the unregulated discharge of surface water from the access on to the public highway, and shall be retained as such for the lifetime of the development.</p> <p><i>Reason: In the interests of highway safety and in accordance with the aims of aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
10.	<p>The building shall not be occupied or otherwise brought into use until the parking and turning area (which shall be clearly delineated); the electric vehicle charging points; and visibility splays have been installed / completed in accordance with the approved plans. The visibility splays shall thereafter be kept free of all obstructions for the lifetime of the development.</p> <p><i>Reason: In the interests of highway safety and in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
11.	<p>The building shall not be occupied or otherwise brought into use until details of a bin collection point within 15m of the public highway have first been submitted to and approved in writing by the Local Planning Authority.</p> <p><i>Reason: In the interests of highway safety and in accordance with the aims of aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
12.	<p>The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the building(s), whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning</p>

	<p>Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
	<p><b>NOTES TO APPLICANT</b></p>
1.	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p>
2.	<p>As this permission relates to the creation of a new unit(s), please contact the Council's Street Naming and Numbering team: <a href="mailto:3015snn@broxtowe.gov.uk">3015snn@broxtowe.gov.uk</a> to ensure an address(es) is(are) created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.</p>
3.	<p>Given the proximity of residential properties, it is advised that contractors limit noisy works to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays and Bank Holidays. There should also be no bonfires on site at any time.</p>
4.	<p>The applicant is advised to contact the Food and Occupational Safety Section of Broxtowe Borough Council on 0115 9173435 to ensure that the premises complies with current Food Safety requirements.</p>
5.	<p>The development makes it necessary to amend and reinstate the vehicular crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at:  <a href="http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities">http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities</a></p>



**Legend**

 Site Outline

Photographs



The Magpie PH, following closure and prior to demolition



Existing access from Toton Lane, 193 can be seen to the right



Access onto the site



View along Darkey Lane, toward Toton Lane, with boundary to the site on the left



14 Darkey Lane, to the north of the site



View across the site from Darkey Lane



The rear elevations of 193, 195 and 197 Toton Lane

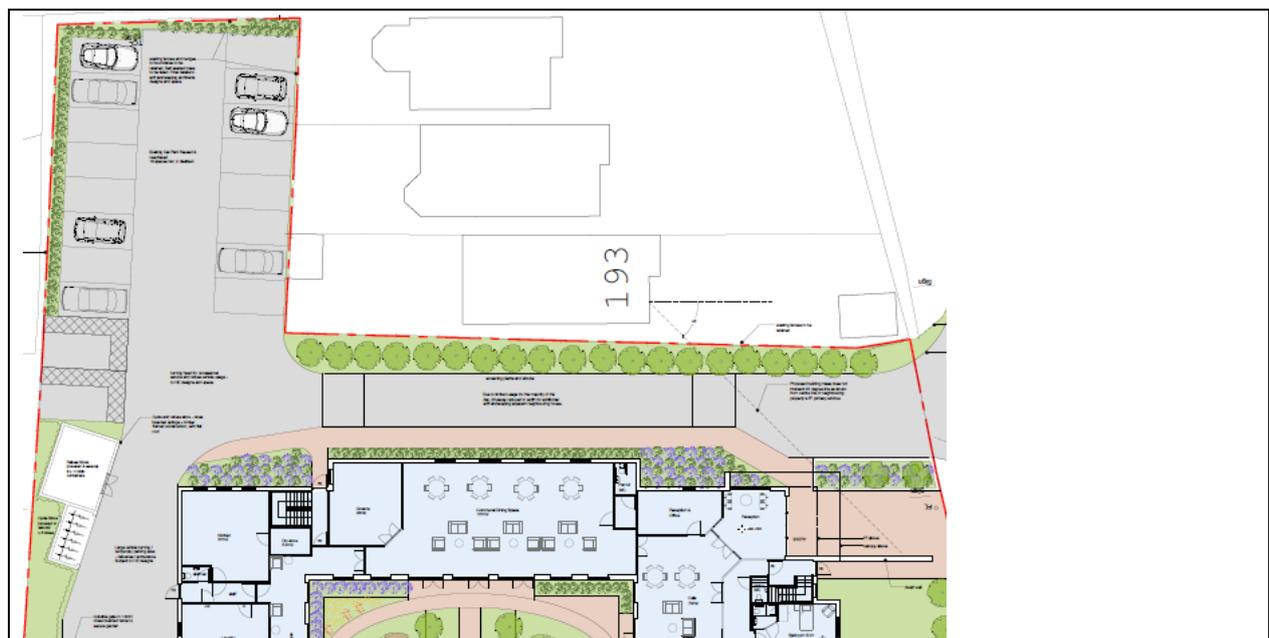


Rear boundary (east) to common boundary with dwellings on Brunswick Drive

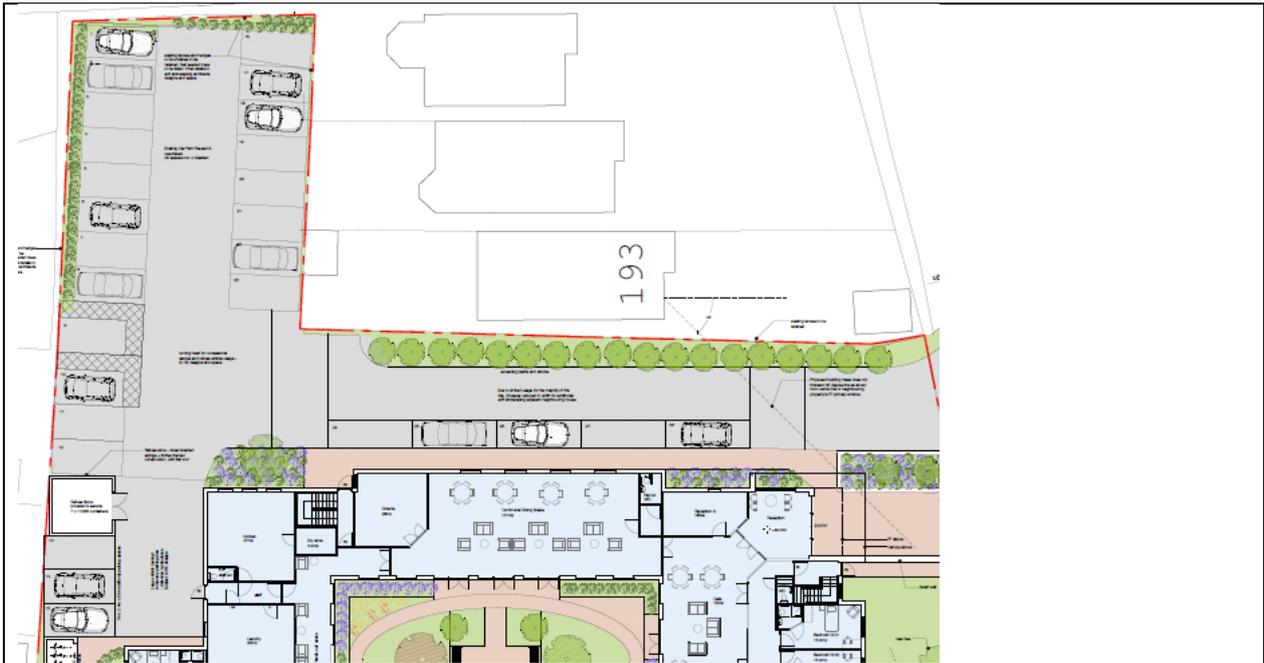


Piece of land between 193 – 197 Toton Lane and 7 and 9 Brunswick Drive, which will be allocated for parking

**Revised layout (not to scale)**



Previous parking layout, as presented in November



Amended parking layout. Additional parking along the access, and to the side of the bin store