

ORCHARD COURT HOLDINGS LTD

Demolition and erection of replacement two storey 78 No. bedroom care home at Orchard Court Nursing Home, Harp Chase, Taunton as amended

Location: ORCHARD COURT NURSING HOME, HARP CHASE, TAUNTON,
TA1 3RY

Grid Reference: 323966.123247

Full Planning Permission

Recommendation

Recommended decision: Conditional Approval

Subject to no further comments raising new issues by 22 June the application be delegated to the Assistant Director Planning & Environment to determine

Recommended Conditions (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A4) DrNo 1992 LOC1 Rev 01 Site Location Plan

(A1) DrNo 1992 2100 Rev 04 Proposed Block Plan

(A1) DrNo 1992 2101 Rev 04 Proposed Site Layout

(A1) DrNo 1992 2110 Rev 04 Proposed Ground Floor Plan

(A1) DrNo 1992 2111 Rev 04 Proposed First Floor Plan

(A1) DrNo 1992 2112 Rev 04 Proposed Second Floor Plan

(A1) DrNo 1992 2113 Rev 04 Proposed Roof Plan

(A3) DrNo 1992 2120 Rev 01 Typical Bedroom Plan

(A1) DrNo 1992 2200 Rev 03 Proposed North & East Elevations

(A1) DrNo 1992 2201 Rev 02 Proposed South & West Elevations

(A3) DrNo 1992 2201 Rev 02 Proposed Courtyard Elevations

(A3) DrNo 1992 2210 Rev 02 Proposed Photomontage

(A3) DrNo 1992 2220 Rev 02 Proposed Elevation Detail

(A1) DrNo 1992 2300 Rev 03 Proposed Site Section

(A1) DrNo 1992 2301 Rev 03 Proposed Site Sections

(A1) DrNo 897-01 Landscape Proposals

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to the wall construction of the building samples of the materials to be used in the construction of the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter maintained as such.

Reason: To safeguard the character and appearance of the building/area.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification) the first floor windows to be installed in the south, east and north facing elevations of the building and the first floor west stair and corridor windows shall be obscured glazed and non-opening. The type of obscure glazing shall be submitted to and agreed in writing by the Local Planning Authority prior to its installation and shall thereafter be so retained.

Reason To protect the amenities of adjoining residents.

5. The new development shall not be commenced until an appropriate, detailed Travel Plan has been submitted to and approved in writing by the Local Planning Authority. No part of the new development shall be occupied prior to implementation of those parts identified in the Approved Travel Plan as capable of being implemented prior to occupation. Those parts of the Approved Travel Plan that are identified therein as capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: To ensure a transport choice is provided and to ensure that staff and other users will travel to and from the premises by means other than the private car.

6. Prior to first occupation of the development hereby permitted, access to a covered electric vehicle charging point shall be made available to vehicles associated with the proposal. The point shall be in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a transport choice is provided and to ensure that staff and other users can travel to and from the premises by means of an electric vehicle.

7. The premises shall be used for dementia care home only and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting

that Order with or without modification).

Reason: To prevent changes to unacceptable use that would generate more traffic.

8. The development hereby permitted shall not be commenced until details of a strategy to protect wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of Abricon's Phase one habitat survey dated January 2018 and Western ecology's bat emergence survey dated May 2018 and include:
 1. Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
 2. Details of the timing of works to avoid periods of work when the species could be harmed by disturbance
 3. Measures for the retention and replacement and enhancement of places of rest for the nesting birds

Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority and thereafter the resting places and agreed accesses for nesting birds shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bird boxes and related accesses have been fully implemented.

Reason: To protect wildlife and their habitats from damage bearing in mind these species are protected by law.

Reason for pre-commencement: To ensure wildlife is addressed and adequately protected during the construction process.

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.

Proposal

The demolition of the existing single storey, 43 bedroom care home and erection of a replacement 78 bedroom facility over largely 2 floors, with additional space in the roof above the entrance. The site will provide 18 parking spaces together with communal space and gardens. The new building would be designed to meet modern care needs which the current building fails to.

Site Description

The site is currently occupied by a largely single storey care home that is vacant and was unrestricted in terms of its use. It was closed in 2016 and currently does not meet the CQC requirements for modern care needs. It is surrounded by two storey residential development on all sides including the access route off Harp Chase.

Relevant Planning History

38/95/0160 - Erection of nursing home and construction of access road and associated parking on land off Shoreditch Road, Taunton – Approved - 24/7/1995

38/05/0184 - Retention of 1.8m high fence at Orchard Court, Harp Chase, Taunton – Approved - 7/7/2005

Consultation Responses

SCC - TRANSPORT DEVELOPMENT GROUP - The proposal is for the demolition of the existing care home and the erection of a two storey 78 bed specialist dementia care home with associated parking.

The proposal site sits off the unclassified no through Harp Chase road, which subsequently ties into the classified Shoreditch Road in the southern region of Taunton.

It is to our understanding the proposal site had a former occupancy as a care home, consisting of 43 bedrooms and 18 parking spaces. The current proposal would see the creation of 78 bedrooms, the 18 parking spaces retained (albeit repositioned) with an additional disabled parking space and 11 cycle spaces. The body of the proposal states that residents of the home would not drive or cycle to and from the site, which is believed to have occurred previously. Associated vehicle movements will largely be related to employees and visitors to the care home. When consulting the Somerset Parking Strategy, the proposed number of vehicle and cycle spaces is considered acceptable however the Highway Authority would like to see a designated sheltered parking area for cycle spaces. Whilst the proposal falls below the threshold for the requirements for electric car charging points, the Highway Authority would welcome a designated area to accommodate this.

The applicant should note that for any parking bay that abuts a structure, a parking dimension of 2.4m x 5.5m is required to ensure there is no overhanging onto the public highway in the interests of highway safety.

Any existing gullies that coincide with drop kerbs would need to be pedestrian friendly and appropriate gully frames installed. The applicant should also note that street lights may need relocating and contact should be made with the Highway Authority Street Lighting team prior to any works commencing.

Whilst the applicant states that none of the associated residents of the proposal will have independent vehicular access, consideration has to be taken into account the

existing classification of the site. Whilst this proposal may be acceptable in terms of anticipated trip generation and traffic impact, potentially the site could be subject to higher volumes of vehicle movement should the nature of the residents at the proposed care home change in the future and vehicle movements associated with the site increase. The Highway Authority may require further transport details if this was to occur and the Local Planning Authority should take this into consideration.

A Measures only Transport Statement was submitted as part of the application and this has been audited by colleagues in the Travel Planning Team. The audit identified a number of issues, some major that will require addressing. Concerns include that this should be a Travel Plan Statement (TPS) in this instance which needs to consist of a robust table of measures. It is important to note however, that a Full Travel Plan would likely be required if the care home wasn't resident specific.

To achieve an acceptable Travel Plan Statement a detailed audit report can be made available to the applicant to assist preparing a suitable document.

There appears to be no mention of a Travel Plan fee in the document but I can confirm a fee of £700 plus VAT is required to be paid in full to the Highway Authority prior to commencement of the development.

It is also recommended that the provision of the Travel Plan be secured by an agreement under Section 106 of the Town and Country Planning Act 1990, which should include the relevant Travel Plan fee.

It is in the opinion of the Highway Authority that this proposal is likely to generate a material increase in vehicle movements to the site in comparison to the sites former use given the increase in proposed bedrooms, associated work force and the anticipated level of visitors the site is likely to receive on a regular basis. However the Highway Authority does not consider the current application would have a severe impact on the local highway network.

With the above in mind the Highway Authority raises no objection in to this proposal. If the Local Planning Authority is minded to grant planning permission the Highway Authority recommends the following conditions be attached.

1. The applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in advance in writing by the Local Planning Authority and fully implemented prior to commencement of development and thereafter maintained until the use of the site discontinues.

2. No development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:

- Construction vehicle movements;
- Construction operation hours;
- Construction vehicular routes to and from site;
- Construction delivery hours;

- Expected number of construction vehicles per day;
- Car parking for contractors;
- Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
- A scheme to encourage the use of Public Transport amongst contractors; and
- Measures to avoid traffic congestion impacting upon the Strategic Road Network.

3. The area allocated for parking and turning on the submitted plan, drawing number 2101 01, shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

4. Prior to first occupation of the development hereby permitted, access to covered electric vehicle charging points will need to be available to vehicles associated with the proposal. They shall be in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority.

5. No work shall commence on the development site until an appropriate right of discharge for surface water has been obtained before being submitted to and approved in writing by the Local Planning Authority. A drainage scheme for the site showing details of gullies, connections, soakaways and means of attenuation on site shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

6. The new development shall not be commenced until an appropriate, detailed Travel Plan has been submitted to and approved in writing by the Local Planning Authority. No part of the new development shall be occupied prior to implementation of those parts identified in the Approved Travel Plan as capable of being implemented prior to occupation. Those parts of the Approved Travel Plan that are identified therein as capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

BIODIVERSITY - Abricon carried out a Phase one habitat survey of the site in January 2018.

A bat emergence survey was carried out by western ecology in May 2018
Findings were as follows

Bats.

The outbuildings were not deemed suitable for bats.

Trees on site did not have potential to support bats.

However features were present on the exterior and interior of the main building that were considered to be suitable for bats so an emergence survey was carried out in May 2018. No bats were seen to emerge from the building therefore it is reasonable to conclude that bats are not roosting within this structure.

I agree that works can proceed with negligible risk to bats, and do not require a method statement for bats or a European Protected Species licence.

Birds

Vegetation on site has potential to support birds. Removal of vegetation should take place outside of the bird nesting season. Provision should be made in the new build for nesting birds.

Badgers

The site provided limited habitat for badgers.

Reptiles

The site provides reptile and hedgehog habitat including potential hibernacula in the form of log and brash piles. Due to the site only recently being left unmanaged since 2017, no survey is required as long as site maintenance is continued in 2018

Subsequently clearance of vegetation should take place in a precautionary manner.

Suggested Condition for protected species:

The development hereby permitted shall not be commenced until details of a strategy to protect wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of Abricon's Phase one habitat survey dated January 2018 and Western ecology's bat emergence survey dated May 2018 and include:

1. Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
2. Details of the timing of works to avoid periods of work when the species could be harmed by disturbance
3. Measures for the retention and replacement and enhancement of places of rest for the nesting birds

Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority and thereafter the resting places and agreed accesses for nesting birds shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bird boxes and related accesses have been fully implemented

Reason: To protect wildlife and their habitats from damage bearing in mind these species are protected by law.

Informative Note

It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.

The condition relating to wildlife requires the submission of information to protect wildlife. The Local Planning Authority will expect to see a detailed method statement clearly stating how wildlife will be protected through the development process and to be provided with a mitigation proposal that will maintain favourable status for nesting birds that may be affected by this development proposal.

WESSEX WATER - No comment

LANDSCAPE - The replacement building , being two rather than one storey will have a greater impact on the amenity of the adjoining properties.
The proposed landscaping is satisfactory.

CHIEF FIRE OFFICER - DEVON & SOMERSET FIRE RESCUE - No comment received.

POLICE ARCHITECTURAL LIAISON OFFICER - No objection subject to comments:

1. Crime Statistics – reported crime for the area of this proposed development (within 200 metre radius of the grid reference) during the period 01/02/2017 - 31/01/2018 is as follows:-

Criminal Damage - 2 Offences (both criminal damage to vehicles)
Theft & Handling Stolen Goods - 3 Offences (all theft from motor vehicles)
Violence Against the Person - 5 Offences (incl. 2 common assault & battery & 2 causing intentional harassment, alarm distress)
Total - 10 Offences

This averages less than 1 offence per month, which is a very low reported crime level.

2. Defensible Space – it is important that boundaries between public and private space are clearly defined and the Site Layout plan shows surface changes by colour and texture only to the front of the building incorporating parking spaces, with no apparent boundary treatment. Police advice is that building frontages should be kept open to view to assist natural surveillance, however, an appropriate form of boundary treatment should be provided, even if only in the form of low wall, fence, hedge or similar (maximum height 1 metre) to deter unauthorised access to windows and doors at the front of the building. I note that windows in the ground floor rooms on the western side of the building are protected by a landscape buffer but not the remaining ground floor rooms. It is also unclear from the plan whether unlawful access can be gained from the front via the sides of the building and, if so, this should be prevented by using walls, fences or similar boundary treatment, minimum height 1.8 metres. The sides and rear of the building appear to back onto existing dwellings, which should prove sufficient to deter crime.

3. Natural Surveillance – optimum natural surveillance should be incorporated whereby residents can see and be seen, this should include unobstructed views from the development of all external spaces, including footpaths, roadways, the internal communal area and landscaping. Any recesses, blind corners or potential hiding places should be eliminated. Generally speaking, this appears to be the case.

4. Public Access – the security of the development is enhanced by discouraging casual intrusion by non-residents, so public access should be restricted. In this

regard, the main entrance appears to be well supervised from the staff and manager's offices and incorporates an 'airlock' type arrangement between the outer and inner access doors. Good signage should be displayed to deter unauthorised access and assist emergency services.

5. External Lighting – appropriate 'dusk to dawn', low energy security lighting should be designed to cover potential high risk areas including main site access points, footpaths associated to main building, cycle store, bin store and any other secluded areas around the site. Also main entrance doors, secondary access doors and fire exit doors. All lighting should be vandal resistant and automatically controlled by photo-electric cell or time switch with manual override. There is existing street lighting in Harp Chase at the front of the building.

6. Landscaping/Planting – externally there appears to be limited scope for landscaping and planting around the development and any such planting should not impede opportunities for natural surveillance. As a general rule, where good visibility is needed shrubs should be selected which have a maximum growth height of no more than 1 metre and trees should be devoid of foliage below 2 metres, so allowing a 1 metre clear field of vision.

7. Car Parking – appears to be limited to car parking spaces for staff/visitors at the front of the building only.

8. Cycle and Bin Stores – the Site Layout plan indicates an internal Cycle Store at the front of the building which should be lockable to deter cycle theft. The visitor's cycle rack adjacent to the front entrance should also be secure. The separate Bin Store at the rear of the building appears to be of substantial construction and should also be lockable to prevent the use of wheelie bins as climbing aids or for arson.

9. Doorsets & Windows – in order to comply with Approved Document Q: Security Dwellings of Building Regulations, all easily accessible external doorsets and ground floor or easily accessible windows (including rooflights) must be tested to PAS 24:2016 security standard or equivalent.

10. Access Control – an appropriate form of electronic access control e.g. swipe card, proximity fob or similar system should be installed to ensure that doors leading to potentially vulnerable areas or offices are secure, including the communal stair door off Reception and the two communal entrance doors at the rear of the building.

11. CCTV – the installation of a monitored cctcv system can help deter crime, assist in the identification of offenders when a crime has been committed and assist in the management of premises. I recommend that such a system be considered to monitor internal communal areas and potentially vulnerable external areas. Any such system installed must be compatible with the lighting system.

12. Intruder Alarm – consideration should also be given to the installation of a monitored intruder alarm to cover potentially vulnerable offices/rooms. Such a system could also incorporate a personal attack facility for use by staff.

13. Other Internal Security Issues – 24 hour lighting should be provided to

communal parts of the building including the communal entrance hall, lobbies, landings, corridors, stairwells and all entrance/exit points. The design does appear to provide good sight lines from the nurse's offices along the wings of the building.

14. Secured by Design(SBD) – if planning permission is granted, the applicant is advised to refer to the additional comprehensive information available in the 'SBD Homes 2016' design guide available on the on the police approved SBD website – www.securedbydesign.com.

SOUTH WESTERN AMBULANCE SERVICE - No comment received

RSPB - I request to condition internal swift boxes at the above.

We have found that nursing home providers favourably consider this type of biodiversity enhancement as nest boxes and birds feeders are a source of interest to the residents, current research suggests that their health and wellbeing benefit as a consequence.

We recommend internal swift boxes more or less exclusively as they recreate the cavities generally found in older buildings and are used by most species that nest/roost in them.

Internal boxes are far more satisfactory than the retro-fitted variety as they are permanent, inconspicuous and need little or no maintenance. We hope that you agree and make their inclusion a condition if planning permission is granted as a guide we would suggest approx. twenty four boxes in small clusters and would be happy to advise on locations.

ENVIRONMENTAL HEALTH - FOOD SAFETY - No comment

SOMERSET COUNTY COUNCIL COMMISSIONING - ADULT SOCIAL CARE –

We are aware that we have a surplus of care homes beds in Somerset currently, however we have some key gaps in provision, in particular around specialist nursing care and less traditional care home models.

- We would support a facility that enable local residents living with dementia to remain local and maintain links to the community as opposed to being forced to live further away.
- Provide residents with purpose built accommodation to modern standards – most importantly with their own ensuite facilities.
- Support those living with dementia with an environment specially designed to enhance their life experience and care.
- It will be Evolve who will be tasked with providing a service that the LA and others want to use.

We cannot give any guarantees though we will always work with progressive providers who meet peoples' needs in a quality care environment.

Representations Received

WARD CLLR HERBERT - I strongly object to this application on many grounds. The proposal is for a three storey building which would be totally out of context and suitability for this location. As a residential area it is essential that a maximum of two standard stories is maintained or the building will be overly imposing in its setting. Overlooking of any kind must be avoided, a large concern is the idea of putting the kitchen and laundry facilities at the top of the building, noise would cascade out and down onto the surrounding area causing disturbance and nuisance to neighbours. The lack of parking is an obvious concern especially as there are no bus services past 18.00 on week days and no services at all on Sunday. I presume there will be staff after 18.00 and on a Sunday. The limited area for waste disposal is very worrying, the site already had issues in the past with disturbance from waste collections, having such a small space in an awkward position will undoubtedly cause problems with storage and access by contractors. Noise from deliveries has also been a problem and it would be essential for conditions to be added to restrict timings of waste collections and deliveries to prevent noise nuisance traffic neighbouring properties. Please refuse this application as it is overdevelopment and unsuitable in its design and scale for this location.

COMMENT ON AMENDMENTS

I can see no improvement in these small revisions, indeed some aspects are worse. The scheme needs entirely rethinking to be anywhere near suitable for this site. It is too big, too imposing and will cause unacceptable daily disturbance to this quiet residential area in its current format. Not acceptable at all.

I have looked carefully at the revised plans but can not see they have been improved sufficiently to make them anywhere near acceptable. To propose frosted glass to windows where residents are already easily confused and vulnerable is pretty inhumane in my opinion. The existing building was only given permission because it was single storey as it is so close to the boundaries of the site. If the developer wants to have anything over a single storey then the building will have to be moved away from the boundaries. The waste storage remains poorly sited and will cause disturbance whilst being used and when being emptied. The kitchen and laundry in the roof is still a great problem and will cause noise and disturbance to all neighbours. The level of parking is a concern in an area where public transport is not 24/7, this will cause significant issues for Harp Chase and there was previous issues with access for ambulances to the previous home due to parking in the street. This proposal remains ill thought out and is out of scale for the size of site and location. It will be detrimental to the amenity of Harp Chase, Tamar Avenue and Stoke Road.

37 letters of objection on grounds of

- Loss of daylight to garden,
- overlooking
- Loss of privacy and amenity
- Building size, design and materials out of keeping
- 3 storey out of keeping
- will dominate and overshadow local homes
- Looks like business park

- Overdevelopment
- Unattractive with dark materials
- Building closer to boundaries
- Will add to congestion
- Increase in noise
- Increase in light pollution
- Increased servicing
- lack of care for patients with limited glazing
- concern over dementia occupants
- Pressure on services insufficient refuse storage and increase in waste
- Insufficient parking
- Lack of cycle and motorbike parking
- Increase parking on street will lead to congestion and highway danger
- insufficient servicing space & bin collection times should be conditioned
- No room to double the parking spaces
- Need for obscure glazing
- Impact of dust on medical condition
- No justification to demolish and overdevelop the site.
- Fire risk
- No emergency exit from kitchen
- Loss of trees
- Wildlife impacts
- D&A refers to incorrect garden lengths
- Prefer refurbishment
- Prefer residential properties
- Objection to where support letters originate and not being local.
- Loss of value.

13 letters of support on the basis it will support a local need and local jobs.

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

CP1 - Climate change,
 CP2 - Economy,
 CP5 - Inclusive communities,
 CP6 - Transport and accessibility,
 CP8 - Environment,
 DM1 - General requirements,
 SD1 - Presumption in favour of sustainable development,
 A2 - Travel Planning,

A1 - Parking Requirements,
C4 - Protection of community facilities,
D7 - Design quality,
ENV1 - Protection of trees, woodland, orchards and hedgerows,

This takes into account the recent adoption of the SADMP.

Local finance considerations

Community Infrastructure Levy

The Care Home (C2 Use Class) would not be eligible for CIL.

New Homes Bonus

The development of this site would not result in payment to the Council of the New Homes Bonus.

Determining issues and considerations

The main considerations are compliance with policy in terms of the use, parking, amenity and wildlife.

POLICY

The site is currently used as a care home and consequently the re-use of the site for that purpose is acceptable in terms of the use in this location. Policy C4 of the Site Allocations and Development Management Plan (SADMP) seeks to retain such community uses and only allows their loss in certain circumstances as follows:

- A. Evidence is submitted to demonstrate that there is no longer a community need for the facility; and
- B. The facility is no longer financially viable; and
- C. It could not be put to another similar, community use; or
- D. Replacement facilities are provided on site, or within the vicinity to meet the needs of the local population.

It is considered that there is a community need for such a facility and while it is accepted that the current building is sub-standard and could not be made so in viable way, the replacement of the building is a suitable alternative that provides an appropriate care home facility on site and this view is supported by the County Council. If it were to be accepted that the redevelopment of the site for a care home was not suitable then this would open up an alternative use of the site may not be classed as a community facility.

PARKING

The parking policy is set out in the SADMP as policy A1. The allows for 1 parking space per 8 bed spaces and this would equate to 10 spaces and 20 spaces are being provided on site as well as cycle parking and an electric vehicle charging point. The proposed use is intended as a dementia care facility whereby residents would not drive and this would differ from the previous care home on the site. A travel plan is also proposed and it is considered that this can be conditioned to be agreed prior to occupation as well as the provision of the electric vehicle charging point. The parking and turning will be controlled by the plan details submitted and the control of construction detail and access are not something that can be enforced by the Planning Authority and are not therefore considered appropriate conditions.

AMENITY

The application site is surrounded on all sides by residential properties and while there are existing first floor windows in the current building these are obscure glazed to avoid overlooking issues and loss of privacy. In re-designing the replacement building to make the use viable on site the applicant has designed a largely two storey building. This has meant increasing the height of the building by 3m. While this roofscape will be visible from the Tamar Avenue properties these dwellings lie to the south and so would not be impacted in terms of overshadowing and loss of light. The properties to the north in Stoke Road would be impacted more, however given the back gardens of these properties are around 45m long the impact is not considered one that is so severe on amenity to warrant a refusal. Similarly the dwellings to the west are over 30m away and the early morning impact is considered an acceptable one. The development proposes landscaping to the site which is considered acceptable by the Landscape Officer and while the building will be more visible at the end of surrounding gardens this is not considered a reason warranting refusal of the development.

The new building is two storey and has windows on all four sides. Revisions to the design have been made which provide bay window designs with clear glazed sides looking parallel to the building and obscure glazed sections facing the residential boundaries. The window to window distances are 45-50m to the north and 28-33 to the south which are acceptable and there is not considered to be any significant loss of privacy from the revised scheme to warrant an objection on this ground.

WILDLIFE

The applicant has submitted a wildlife survey and further survey work has been carried out as the intention is to demolish the existing building. No bats were identified as roosting in the building and an appropriate condition can therefore be imposed requiring a strategy to protect wildlife on the site and incorporate any mitigation into the scheme.

OTHER MATTERS

Bin storage is provided for on site and its management and collection is not

something that can be adequately be controlled by condition as this is the responsibility of a third party. The proposal is a similar footprint to the existing building and the site foul drainage will be to existing sewers and the building will not generate significant increased surface water run-off. Emergency exits and fire risk are matters to be controlled under the Building Regulations and cannot be conditioned under the planning legislation.

CONCLUSION

The existing building on the site is not considered suitable or viable for the continued nursing home use. The development increases the number of bedrooms on the site and the height and impact of the proposed building to ensure its future viability. The use is one that is identified as being in need and is in a sustainable location. The impact of the proposed building alterations on the surrounding area to secure a viable community use of the site are considered acceptable subject to conditions.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998.

Contact Officer: Mr G Clifford