

SUMMERFIELD DEVELOPMENTS AND MONTPELIER ESTATES

ERECTION OF LOW/MEDIUM SECURE RESIDENTIAL AND TREATMENT/CARE FACILITY (USE CLASS C2A - SECURE RESIDENTIAL INSTITUTIONS) WITH ASSOCIATED CAR PARKING AND LANDSCAPING AT LAND AT WESTPARK 26 BUSINESS PARK, CHELSTON, WELLINGTON

Grid Reference: 315396.120611

Full Planning Permission

RECOMMENDATION AND REASON(S)

Subject to

- the applicant entering into a S106 agreement (or other suitable mechanism) to secure sustainable travel modes to reduce reliance upon single occupancy car travel - in the form of a Green Travel Plan, and
- confirmation from the Police that they are satisfied with the wording of a Unilateral Obligation to provide for any additional required police resource.

Recommended Decision: Conditional Approval

The development will provide a regional hospital facility for those in need of care and treatment by reason of disability or mental health needs. The facility would generate a significant number of jobs and inward investment to the Borough and local economy. The design of the facility and the proposed palette of materials are considered acceptable and would have no significant adverse impact on the Business Park or surrounding area. The development by reason of its scale and siting would have no unreasonable impact on the amenity of adjacent local residents. The benefits of the scheme have been balanced against the perceived fear of crime and disorder from local residents. In this respect, it is considered that the planning benefits of the development, together with the security and operational requirements of the facility, administered by the regulatory body – Care Quality Commission, outweigh the perceived fear of crime and disorder. The proposal is therefore in general conformity with Taunton Deane Local Plan Policies S1 - General Requirements; S2 – Design; EN12 – Landscape Character Areas; EN28 – Flooding; M1 – Transport; M2 – Parking; M3 – Parking; M5 – Cycling and W4 – Chelston House Farm and government guidance contained within PPS1 and PPS4 and Circular 02/2006.

RECOMMENDED CONDITION(S) (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 approved plans listed in schedule 0911 dated 25 May 2011 and email dated 1 June in respect of materials.

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

3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted, and details of the design, materials and colour of the fencing, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the existing building in accordance with Policy S2 of the Taunton Deane Local Plan.

5. The building hereby permitted shall be used for the purposes of a low/medium secure hospital and for no other purpose (including any other purpose in Class C2A 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 – In order for the Local Planning Authority to assess the impact of an alternative use on the level of parking required and amenity of local residents.

6. The building shall not be occupied until details for a covered and secure cycle storage for 24 bicycles has been submitted to and approved in writing by the Local Planning Authority.

The building shall not be occupied until the car and bicycle parking, turning areas and means of access shown on the approved plans have been constructed and made available for use and these shall therefore be retained in the form approved and for no other purpose.

Reason – To ensure that the access and parking requirements are constructed prior to the occupation of the development in accordance with Somerset & Exmoor National Park Joint Structure Plan Policy 49. & Local Plan Policy M5.

7. The development hereby permitted shall not be occupied until a scheme of external lighting for the site has been submitted to and approved in writing by the LPA. Lighting shall only be provided in accordance with the approved details and shall thereafter be retained in the approved form.

Reason – In the interests of visual and residential amenity and impact on wildlife in accordance with Taunton Deane Local Plan Policy S1 and EN12.

8. (i) The landscaping/planting scheme shown on the submitted plan shall be completely carried out within the first available planting season from the date of commencement of the development.

(ii) For a period of five years after the completion of the landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow, shall be replaced by trees or shrubs of similar size and species or other appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policy S2.

9. All existing trees on site shall be protected in accordance with BS5837:2005 Trees in relation to construction.

Reason: In the interests of the visual amenity of the area in accordance with Taunton Deane Local Plan Policy EN8.

10. All the recommendations made in Ambios Ecology LLP'S mitigation strategy report, dated March 2011, shall be undertaken by the applicant:

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.

The development shall not be occupied until the scheme for the maintenance and provision of the new bat roosts with related accesses has been fully implemented.

Thereafter the resting places and agreed accesses shall be permanently maintained

Reason – To protect and enhance the site for wildlife in accordance with guidance contained within PPS9.

11. In the event that development has not commenced within a period of 1 year from the date of Ambios Ecology report, dated March 2011, a further ecological survey shall be undertaken to ascertain any changes in protected species presence of activities prior to the commencement of any works.

Such surveys shall be submitted to the Local Planning Authority and agreed in writing prior to the commencement of any works, along with any further mitigation proposals that may be necessary as a result of any significant changes in protected species presence or activity. Any amended mitigation

measures shall thereafter be implemented as agreed.

Reason – For the conservation and protection of legally protected species in accordance with guidance contained within PPS9

12. No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to use of the building being brought into use.

Reason – To prevent increased risk of flooding and improve and protect water quality in accordance with Taunton Deane Local Plan Policy EN26 and guidance contained within PPS25.

Notes for compliance

1. The Environment Agency has identified some discrepancies between the Micro-drainage and the current network plan detailed in the Flood Risk Assessment. Details submitted to discharge this condition should clarify this and ensure the details are consistent. Given the proposal relies on an offsite attenuation pond it should be clear in any details submitted how the drainage for the site relates to the wider West Park Business Park drainage system.
2. Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use machinery, oils/chemicals and materials, the routing of heavy vehicles, the location of work and storage areas, and the control and removal of spoil and wastes. The applicant is recommended to refer to the Environment Agency's Pollution Guidelines, which can be found at:

<http://environment-agency.gov.uk/business/topics/pollution/topics/pollution/39083.aspx>
3. 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.

PROPOSAL

Planning permission is sought for the provision of a 75 bed medium and low secure residential hospital facility. The development would fall within Class C2A of the Use Class Order – 'Secure residential institutions'. Patients housed at the facility would be in need of care, treatment and rehabilitation by reason of learning disability and/or mental health needs. The specialist needs of this patient group require the scheme to incorporate secure by design elements, including sections of 5.2m and 4.0m

green meshed fencing. The facility has been designed to accord with the Care Standard Act 2000 and would need to be registered with the Care Quality Commission (CQC) prior to its operation.

The proposed layout shows the facility would be divided into four blocks, with parking sited to the front of the main entrance. The facility would incorporate communal areas, treatment rooms, recreational areas, catering, IT, art and horticulture areas, together with external amenity space for each of the buildings. The plans indicate that the buildings (whilst designed to be flexible to changing demands) are envisaged to be used as follows:

- Block A comprises the main reception of the facility along with visitor areas and occupational therapy treatment rooms on the ground floor. The first floor comprises a series of offices for administration.
- Block B comprises medium secure female accommodation and occupational therapy rooms on the ground floor. The first floor is proposed for low secure female accommodation.
- Block C comprises medium secure male accommodation and staff area on the ground floor with low secure male accommodation on the first floor.
- Building D is a single storey building which comprises low secure accommodation for those patients with learning difficulties.

The development takes the form of a contemporary design. Blocks A, B and C would be two storey and incorporate a hipped roof; Block D is single storey and features a flat roof. The proposed external elevation treatment comprises a palette of: - white render; colour render; tinted glazing; under a slate grey concrete tiled roof. The plans also indicate areas of brick detailing. However, the developer has agreed to substitute the brick for timber cladding to provide a more contemporary design and softer appearance to the building.

The proposed facility would be sited in the southern sector of West Park 26, set back from the A38. Reserved Matters approval has been granted for two storey office development between the proposed siting of the facility and the A38 – see planning history. The scheme would retain, and supplement, the existing hedgerow and trees along the site boundaries.

Access would be derived from the existing estate road that serves the business park. Parking provision is for 74 spaces, of which 6 are reserved for disabled users. The submitted Green Travel Plan outlines the measures to be undertaken in order to reduce the reliance on the private car and is to be considered as part of the overall parking strategy.

The application is accompanied by a Design & Access Statement; Statement of Design Rationale – Secure by Design; Travel Plan/Transport Impact Statement; Wildlife Report; Overview of Need; Impact on Local Economy; Flood Risk Assessment; and, Economic Strategy. The developer has also submitted a Question & Answer document in response to a number of concerns from local residents.

Summerfield Developments have written to confirm that it is in their best interests and in the interests of good estate management to encourage prospective higher

value uses and occupiers to locate on these sites. Summerfield therefore will locate any B2 uses to the rear of the business park.

SITE DESCRIPTION AND HISTORY

Outline planning consent, reference 43/06/0016, was granted in October 2007 for the construction of a business park, known as West Park 26, including the formation of a new roundabout, pumping station and lagoon. The overall site extends to 20 hectares and is located to the east of Wellington with good access links to the M5 motorway. The site has permission for B1, B2 and B8 use. In addition there are ancillary and sui generis uses, including a public house, hotel, car showrooms and vets.

In 2008, reference 43/08/0142, permission was granted for amendments to the amount of office floor space provided. This constitutes the extant permission for the site. The site has not been fully developed to date. There has been reserved matters approval for Blocks 2, 3 and 4, at the northern section of the site and these units have been constructed. The public house has also been constructed and is open for trading.

Reserved matters approval was granted, reference 43/10/0145, in February 2011 for the erection of three office buildings and associated car parking. The office development will be sited between the proposed care facility and the A38 and enables re-development of this part of the site to be viewed comprehensively. The outline consent also includes further development within the Business Park to the west of the site - between the proposed hospital facility and Wellington.

The site is generally level. There is an existing landscape belt on the southern and western boundary. The southern belt provides part of the structural planting and landscape mitigation measures for the business park. There is a hedgerow along part of the northern boundary and mature hedgerow/trees bound the A38 boundary. Where there are gaps there are additional saplings planted to reinforce the existing.

The site is located in close proximity and adjacent to Little Jurston Farm, to the south of the site. The surrounding area contains a mixture of uses including open countryside, local services, Chelston Business Park to the north, and residential estates located further to the west, including the planned extension to Cades Farm at Wellington – which is approximately 0.5km from the site.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

WELLINGTON TOWN COUNCIL – Objects to the granting of permission for the following reasons: -

- Location – the site is inappropriately located at the entrance to Wellington, close to current and planned residential development, children's nursery, public house and restaurant.
- Security – In view of the concern expressed by the police, regarding the lack

of information they had, it was felt that insufficient information had been provided which showed that the security arrangements were adequate for a facility of this nature.

- Need – Insufficient evidence had been provided that there was an unmet need for this proposal. Any need that had been established for Somerset and the South West could already be met by a similar facility being provided in Bridgwater.
- Use – The use of a Business Park for development of this nature was inappropriate and would adversely affect the promotion of the economic development of the area.
- Visual amenities – the proposed security fencing would have an adverse affect on the visual amenities of the area.

In the event of planning permission being granted for this proposal the Council would like to see the imposition of a condition which restricted the use of the buildings to low/medium secure residential units. Any proposal to raise the level of security should be subject to the prior approval of the Local Planning Authority.

WEST BUCKLAND PARISH COUNCIL – Objects to the granting of permission for the following reasons: -

- Unsuitable position of the site. The site is surrounded by a residential area, workplaces, children's nursery and family/friendly pub/restaurant. Maximum surveillance will not be possible – needs to be in open countryside where unrestricted views do not hamper security. A more suitable site could be found at the former Culm Head Composite Signals Organisation Station where suitably zoned and reasonably accessible land is available that is not surrounded by housing and workplaces.
- Light Pollution – presumably there will be 24 hour high security lighting and this will be very intrusive.
- The high fencing will be unsightly on the outskirts of Wellington and spoil the entrance to the town. The proximity of one side of the fencing to Little Jurston Farm is not acceptable.
- The Council are concerned that the security might not be adequate.
- The Council are concerned about the possibility of windows overlooking neighbouring properties.

HIGHWAY AUTHORITY – The proposed development is located on a new business park which was approved under an outline planning application, reference 43/06/0016, for B1, B2, and B8 uses, a hotel, vets, public house and car showrooms. A new roundabout has also been constructed as part of this development together with cycle and bus link improvements. This latest application is for a C2 Use.

The Somerset Parking Strategy sets out the following provision for a use such as

this:

C2 Residential Institutions

Nursing homes, hostels, retirement homes	2 per 4 beds
Respite care homes	+1 per 2 staff
Parking for people with disabilities	
Development with 24 or less car parking spaces	a minimum of 2 spaces
Development with 25 or more spaces	5% of total capacity plus 2

Cycle storage 2 spaces per development + 1 for every 8 members of staff.

It is proposed to have 68 car parking spaces, 6 disabled spaces and 6 cycles spaces which is considerably below the above detailed standards, which sets out 131 car parking spaces and 30 cycle spaces. If sufficient parking is not provided within the site, it could lead to the adjoining access roads being parked on causing a hazard and inconvenience to other road users.

I would seek that these deficiencies are addressed at the applicant's earliest convenience. Further improvements to the travel plan are required before it can be considered to be of an acceptable standard.

Revised comments (06/06/11) - Whilst the Applicant has undertaken substantial discussions with my colleagues regarding the Travel Plan, no attention appears to have been given to the deficiency in parking provision.

I have set out below the latest update from the Travel Plan Team:

- Shuttle Bus: no indication on what level of demand would be necessary to continue the service.
- Travel Plan Coordinator: no clear job description of the role or time allocated for duties; deemed insufficient.
- Cycle to work scheme: not implemented until 200 people are employed.
- Car Parking: very unclear as to the number of people on site at any one time. If 7 of the parking spaces were marked for car-sharers, this would leave just 67 SOV car parking spaces.
- Cycle Parking: Notwithstanding that this is an outline application with indicative plans, it has not been demonstrated that fully enclosed cycle parking can be accommodated within the restricted footprint of the development.
- Smarter Travel Information Leaflet: It has not been demonstrated that it will be effective at changing travel behaviour.
- Targets: There is no commitment to targets at this stage. TP is suggesting the baseline should be changed following first survey.

Unfortunately my colleagues (in the Travel Plan Team) are unable to provide any further information prior to Committee, as you will appreciate a great deal of time has already been provided on this proposal which does not yet have consent. Therefore my colleagues have to prioritise their workloads and commit their time to developments that have consent and are waiting to proceed.

I still have concerns regarding the level of parking in connection with this development. The purpose of a travel plan is to seek that provisions are put into place to encourage other modes of transport it does not override the need to provide appropriate levels of car parking at the required standard.

In addition whilst other modes of transports could be encouraged and be available, it cannot be enforced that the users will necessarily use these other modes, it is a personal choice, and perhaps the LPA can offer further clarification with regard to the enforcement of such things.

There appears to be ample space within the red line of the application site to provide parking, but there appears to be a great deal of space given over to outdoor garden areas and a courtyard.

A total of 80 car parking spaces are proposed including disabled spaces which is considerably below the Highway Authority's required standard, of 131. However I would be willing to accept a 20% reduction to this given the location of the site and using the accessibility scoring system set out in the LTP 2, and would accept a total of 105 spaces.

If sufficient parking is not provided, it will lead to vehicles parking on the adjoining highway network causing a hazard and obstruction to road users, to the detriment of highway safety.

Taking this into consideration, it would appear that the applicant is unwilling to address the parking issues and I therefore have no alternative but to recommend refusal of the application for the following reason:

- The proposal does not make adequate provision for parking in line with the proposed use which is likely to encourage parking on the highway with consequent risk of additional hazards to all road users of the highway. The proposal is therefore contrary to Policy 48 of the Somerset and Exmoor National Park Joint Structure Plan Review (Adopted April 2000) and S1 of the Taunton Deane Local Plan.

If the LPA/Committee are minded to grant consent I would seek that the Highway Authority are consulted regarding appropriate highway conditions with any Travel Plan being tied into a Legal Agreement.

FIRE SERVICE – Means of escape in case of fire should comply with Approved Document B, of the Building Regulations 2007. Detailed recommendations concerning other fire safety matters will be made at Building Regulations stage.

Access for fire appliances should comply with Approved Document B5, of the Building Regulations 2007.

ENVIRONMENTAL HEALTH - I note that the application is for a residential use in a commercial/industrial area. A plan of the development shows that proposed adjacent business units could have a variety of uses including industrial and transport depots. There is the potential for noise from the businesses disturbing residents in the residential unit.

I have seen some information submitted with the application which shows that the proposed glazing is of a high acoustic standard. However, it does not include information on the acoustic properties of the ventilation system, nor does it confirm that these systems will be used.

The applicant should take the potential for noise intrusion into account in the design of the residential units. I would also recommend that the units on the business park closest to the residential development are not used for any industrial activities, or uses that would result in noise at night.

ECONOMIC DEVELOPMENT – Sectoral forecasting by Geoeconomics (2010) found that Health and Care will be one of Taunton Deane's strongest industries of the future, driven by an increasing ageing population and outsourcing trends. This has the potential to create a significant number of new jobs, and therefore I support this application.

LANDSCAPE OFFICER – There should be no building works within 2m of the northern boundary hedgerow and there is a need for more tree planting on the western boundary of the site within the proposed grassed areas. The proposed landscaping, subject to the above amendments, is fine.

Revised Comments (07/06/11) - Subject to implementation of the proposed landscaping and protection of existing trees and hedgerows to BS5837 the proposals are acceptable.

NATURE CONSERVATION & RESERVES OFFICER – The site comprises a field of improved grassland currently used for hay production that is surrounded by species rich hedgerows with some prominent trees to the north and west. Towards the south west corner of the site is a bund of new trees and shrubs, planted as the result of mitigation for dormice. Ambios Ecology carried out an extended phase 1 habitat survey of the field in August 2010. The site will be accessed through an existing gap in the northern boundary hedge.

Dormice – No up to date surveys were carried out but the surveyor concluded that the hedgerows surrounding the site are of high value to dormice. It is best practice to carry out up to date surveys but as the hedgerows are to be retained in this development I consider that protection of hedges is of great importance.

Bats – The presence of species rich hedgerows and mature trees provide opportunities for bats to use these features as commuting or feeding routes. Lighting should be sensitively designed to minimise disturbance.

Reptiles - The presence of species rich hedgerows and mature trees provide opportunities for reptiles to be present on site. The surveyor concluded that improved grassland with lack of cover and foraging opportunities is not a good habitat for reptiles. It is recommended that the grass be kept short.

Great crested newts – The presence of ponds surrounding the application site to the north indicates that GCN may be present in the area. Surveys considered the

surrounding ponds to be sub optimal (two were dried up and one pond contained no vegetation) and no newts were recorded.

Birds – The hedgerows with mature trees surrounding the site offer potential for nesting birds. The grass on site is not considered suitable habitat due to the low sward height.

Badgers – No signs of badgers were found.

As the most important habitat on site is the surrounding hedgerows and trees, they should be retained and protected throughout the development.

Conditions recommended re: further protected species survey if development not commenced within one year and, submission of a wildlife strategy.

Revised comments (14.03.11) - I confirm that the amended wildlife strategy submitted by Ambios Ecology is satisfactory.

NATURAL ENGLAND – Natural England fully support the comments made by TDBC's Nature Conservation & Reserves Officer, in particular with reference to the need for a dormouse mitigation plan to be submitted prior to the planning application being approved. Protection of hedgerows will be vital for the dormice and bat population but issues to do with lighting the site should also be paramount. We also strongly support the proposal to include great crested newts in the wildlife strategy for the site as surveys for GCN should ideally be update every twelve months.

Revised Comments - Natural England find the amended wildlife survey information received from Ambios Ecology on 10 March satisfactory.

ENVIRONMENT AGENCY – No objection, subject to the imposition of a surface water drainage condition.

DRAINAGE OFFICER – The attenuation pond referred to in the FRA enclosed was designed for the whole development and as such the agreed discharge rate to the adjacent watercourse was designed accordingly.

At present the development as a whole is proceeding piecemeal and only flows from estate roads connect to the pond at present. Flows should therefore be limited either here or at the overflow control from the pond to existing Greenfield run off rates.

I note that surface water flow from the proposed car park area to discharge to a petrol interceptor before connecting to the surface water drainage system serving the whole estate. First flush flows from the petrol interceptor should connect to the foul sewerage system and be agreed by the sewerage authority.

SOMERSET & AVON POLICE –

The Design & Access Statement submitted with the application contains fairly short sections on 'Safety by Design' and 'Ensuring Safety'. Whilst these sections very

briefly address some proposed physical security and other interpersonal security measures, in my view, they do not fully address the wider potential crime and disorder issues which could affect this development and the neighbouring area.

In this regard, PPS1 states that a key objective for new developments is that they create safe and accessible environments where crime and fear of crime does not undermine quality of life or community cohesion. The DAS should, therefore, demonstrate how crime prevention measures have been considered in the design of this proposal and how it is intended to mitigate any identified potential crime and disorder issues that may arise. In its present form, I do not believe it does so. However, I understand that additional information regarding these matters will be forwarded to the police in the near future.

1. With regard to 'Designing Out Crime' issues only, I have reviewed the plans submitted with the application and would make the following initial observations: -

Site Layout

I am generally content with the site layout. The four separate buildings appear to be well segregated and each overlooks the others to some degree internally. There are no obvious recessed, concealed areas which could hinder surveillance of the internal area. I have some concerns regarding the Terrace Garden in Building C, which adjoins the perimeter and could possibly be used to circumvent the adjoining perimeter fence. I will seek clarification on this point.

The car park is of a regular shape at the front of the building with no hidden areas and good surveillance from Building A. It should be monitored by cctv and lit after dark. An area of the car park should be allocated to staff in view of the occupied offices in Building A.

Apart from spaces for 6 cycles in the service yard, presumably intended for employees, there does appear to be any provision for secure parking of staff/visitors motor cycles/cycles. Such provision should be made and located near reception in an area with good supervision from offices.

Perimeter / Gates

The height and type of perimeter fencing proposed i.e. 5.2m weldmesh for medium secure and 4m for low secure is acceptable, as it complies with Department of Health guidelines.

Where buildings form part of the perimeter and fencing meets the building line, as is the case in several places in this development there must be no gaps or climbing aids.

Gates (including the service yard) must be of the same construction and height as the fencing/wall with no climbing aids. The main entrance has an 'airlock' type arrangement with an inner gate, which should be monitored by cctv and controlled by reception. Appropriate locking mechanisms must be used on all gates. Staff have a separate entrance incorporated into the main public entrance, leading to a secure staff lobby upstairs, which is acceptable. There does not appear to be a separate entrance for patients.

Lighting

Internally, bollard lighting supported by floodlights is proposed, which should be acceptable albeit bollard lighting is only really suitable for 'way finding'.

Externally, lighting should conform to police approved 'Secured by Design' standard i.e. BS 5489.

It is essential that all lighting, internally and externally, is compatible with any cctv system installed.

Signage

The reception entrance should be clearly signposted and privacy signage used in appropriate external and internal areas to deter trespassers.

CCTV

CCTV should be used to monitor external areas including the perimeter fence and buildings, car park, service yard and main entrance. It should also be used to monitor internal areas including courtyard and garden areas, visiting rooms, secure lobbies and communal ward/off ward areas. Any cctv system installed must be 'fit for purpose'.

Landscaping / Planting

The use of landscaping and planting is encouraged to soften boundary treatments etc, however, care must be taken to ensure that opportunities for surveillance of the site are not restricted nor potential hiding places created. With this in mind, plant/tree growth above 1m and below 2m should be avoided thus creating a clear field of vision and not obstructing any cctv. Defensive planting (thorny shrubs) can be effective in deterring unauthorised access in appropriate locations once established.

All landscaping and external furniture such as benches, planters, litter bins etc, should be of robust construction, vandal resistant and securely fixed. Such features should not be installed where can be used as climbing aids.

Access Control

Department of Health guidelines require an 'airlock' type entry system at reception, which is proposed, plus an effective 'key' management system. I note that keys are proposed, alternatively electronic cards or proximity fobs could be used. Whatever type of system is implemented, an effective system of 'key' control is essential.

Bin Store

Bins appear to be located in the service yard and should be suitably secured to prevent misuse as climbing aids or for arson.

Doors / Windows

All doors and windows should be of an appropriate security standard – LPS 1175 SR 3 or above.

Alarms

The DAS gives no indication of any premises alarm or personal alarms for use by staff and visitors being proposed. I appreciate that the premises will be staffed 24/7, however, I feel that at the very least panic alarms for use by staff should be considered.

Communication

I understand that radios will be issued to staff. Potential issues with police radio communication inside the development may need to be addressed in due course. Similarly, issues regarding the possible use of mobile phones by patients will also need to be addressed.

Best Evidence Suite

The interview room proposed appears suitable for this purpose and should be equipped with audio/visual interview facilities.

Internal

Each of the building wings appears to be straight with good sight lines allowing supervision by staff/cctv.

The staff office on each wing appears to be well located to monitor wings and communal areas.

Patient receiving room and visitor secure lobby appear to be well located near reception and control base.

2. Whilst there is no 'Secured by Design' standard in respect of adult Low/Medium Secure services, compliance with the 'Secured by Design' award scheme criteria in respect of general hospitals, as far as possible, would be a major indication that this proposal has adequately addressed crime and disorder issues.

3. Avon & Somerset Police will be responding separately, through RPS Planning & Development Ltd, in connection with the potential impact of the facility on police resources.

Further Comments (25/05/11) - With regard to the secured by design elements of this proposed scheme, I have now had the opportunity to review the Department of Health 'Environmental Design Guide - Adult Medium Secure Services', which was published on 06 April 2011 and discussed the contents with the developer.

The principles contained within this document were addressed in the original 'Statement of design rationale as set against published guidance and regulation for Secured by Design and others' submitted by Montpelier Estates with the original application - paragraph 6.0 refers. At that time the design guide was a consultation document only.

In my opinion, the published design guide does not appear to contain anything which requires a design change in respect of this proposal. At Annexe B, it incorporates a 'Testing Levels' regime for the testing of materials used in the construction of doors, windows and other internal fittings, which should ensure that components do not fail as a result of a sustained attack and improve internal security.

At Annexe C, the guide expands upon the principles for implementing the use of cctv, both internally and externally. It states that such a system can enhance observation and provide patients with greater freedom within the secure perimeter, can also have a role in enhancing safety by deterring or detecting untoward incidents and data from cctv can also be used as part of the investigative process following disruptive or criminal acts.

With regard to this, the developer has indicated to me that cctv coverage of the garden areas will now be included. Also, that the benefits of expanding the internal cctv beyond that already proposed to include Recreation and Ward areas will be considered by a multi-disciplinary team at the detailed design stage. The guide does include such areas and only specifically excludes patient's bedrooms and bathrooms and toilets other than the entrance/exit to these areas for privacy reasons.

Should planning permission be granted, the multi-disciplinary team referred to above should prepare an Operational Requirement (O.R) for the use of cctv and I can provide advice and would hope to be involved in any such discussions.

I have no further comments to make from the physical security of the premises angle.

RPS PLANNING CONSULTANTS ON BEHALF OF SOMERSET & AVON POLICE –

Planning consultants RPS have made comments on behalf of the police in respect of the impact on police resources. Initial comments stated that the Police had concerns that the proposed development may generate the need for additional police resources particularly to respond to incidents at the unit.

Further Comments (15/06/11) - I confirm that the principles set out in the letter as comprising the Unilateral Undertaking are acceptable

The police agree that effective management of the facility is vital, but we have made it clear that registration of the facility under Care Quality Commission requirements will not of itself necessarily guarantee effective management; recent events involving a registered care home in Bristol make the point. As discussed with Mr Frampton and representatives from Montpelier Estates in Taunton last Friday, my clients would also expect the Unilateral Undertaking to cover setting up a liaison protocol between the police and the hospital management to ensure that appropriate contact between the parties is maintained.

Representations

WARD MEMBER - Cllr Ross Henley objects to the application for the following

reasons:

- Concern that the site is very close to several residential properties – in fact it is very close to Jurston Farm.
- Concern at this type of development on a business park so close to a family pub restaurant and a children's nursery.
- The various security measures outlined also raise concerns with me and other local residents who have contacted me regarding this matter.
- The appearance of the buildings and walls and fences could be very imposing on the local skyline and look out of place in this location.

WARD MEMBER - Cllr Critchard objects to the application for the following reasons:

- Development of this kind is too close to neighbouring properties, a children nursery and family public house.
- Concerns about the size of the development and it is not in keeping with what type of business is normally sited on a business park – this could have an adverse affect on future applicants.

25 letters of OBJECTION have been received, including an objection from Persimmon Homes in respect of the proximity of the facility to the Cades Farm development. Summary of objections:

Fear of Crime and Disorder

- Paragraph 36 of PPS1 states that development must create safe and accessible environments where crime and disorder, or fear of crime does not undermine quality of life or community cohesion – it is clear from the consultation responses that bringing forward a development of this nature would lead to a fear of crime;
- Local residents and families express an anxiety/fear of the facility due to the proximity of the facility to residential development / nursery / primary school route / family pub;
- Can you assure the safety of our children?
- Negative impact on the community;
- Concern patients will abscond / escape and use nearby footpaths / A38;
- No details given of types of patients or offenders to be housed in the facility;
- Will patients be supervised or unsupervised?
- There have been numerous 'misjudgements' made by medics deeming patients to be a lower risk than they are, resulting in the public being harmed. Recent case of violent criminal escaping in Bristol and the rape of a 14 year old girl. One tragedy is too many;
- Facility will house child abusers, murderers, arsonists, drug abusers and people with severe problems. The unit needing high perimeter fencing and CCTV says it all. It should be located in the country away from the general public and families;
- The name 'Chelston Hospital' appears an attempt to distance and detach it from the town – but it is in close proximity;
- The developers Q & A does not address concerns regarding security as there appears to be an assumption that escapes by patients are inevitable;
- Experience from the Wellsprings facility shows that green areas are used as a place for alcohol and drug consumption;

- BBC investigation in 2007 identified that there were 94 escapes from 5000 (NHS and private) medium secure mental health beds;
- Noise – (shouting and swearing) in particular from patients in the garden areas;
- Police do not support the scheme;
- At odds with the development on this side of Wellington – this is predominately residential – better suited to Norton Fitzwarren Commando Base;
- Concern that proposal will lead to further expansion;
- Potential danger from fire or other damage to properties in the area;
- Why does the facility need such high fences? – having worked in such facilities there is no requirement for such stringent security;
- Why no security guards?
- NHS identified, in June 2010, that only 6 to 8 patients per year in Somerset require mental health care. Given the Bridgwater approval it is inevitable that high risk patients outside of Somerset will be accommodated to make up the numbers;
- What is the ratio of fully qualified staff per patient at day/night shifts/fire evacuations and visits to outpatient department at hospital?
- Incompatible with neighbouring uses;

Economy

- Impact on nearby existing businesses;
- West Park is supposed to be 'high quality' and the proposal is not appropriate;
- Proposed use would deter further expansion of the business park – thereby limiting the longer term potential economic growth in the area.
- The additional employment generated will have little impact on local people as a trained and skilled workforce is needed;
- There is no identified demand for such a facility - permission granted for similar scheme at Bridgwater (which is in a far more appropriate location).
- How will this affect the national image of Wellington? – It will be linked to a secure mental institution for violent criminals. This will have a detrimental impact on visitors to the town;
- Who will pay for the additional police resources?
- Persimmon Homes consider that the S106 package for the Cades Farm development would need to be re-negotiated, as the contributions were agreed on the basis that adjacent land was employment use not a secure residential institution.

Highways

- Increase in noise and traffic;
- Visitors unlikely to use public transport;
- Car parking / cycle parking provision is insufficient – as set out by the HA.

Character and appearance

- The facility will adversely affect the character and appearance of the area;
- Design is at odds with the employment site and public house;
- Will external lighting be required?
- Poor architectural quality – featuring blank elevations and buildings which are inappropriate in terms of scale and massing in their context;

- Palette of materials is of inadequate quality and out of keeping with the setting of the site;
- The proposed landscape mitigation measures are considered insufficient to screen the enclosures and as such will be detrimental to visual amenity, particularly to those residents with views towards the site;
- Detrimental to landscape character area by virtue of the boundary fencing/walls.

Other matters

- Public consultation has not taken place;
- Notification of the proposal not carried out over a wider catchment area;
- Devalue property prices;
- Contrary to Local Plan – Policy W4 and the Outline Consent for B1, B2 and B8 use.

One letter of SUPPORT has been received: -

The job creation would be of major benefit to Wellington/Taunton but furthermore investment by a respected and high profile national company such as The Priory Group, can only help to lift the profile of our area and ultimately encourage more investment and business development possibilities.

PLANNING POLICIES

PPS1 - Delivering Sustainable Development,
 PPS4 - Planning for Sustainable Economic Growth,
 S&ENPP1 - S&ENP - Nature Conservation,
 STR1 - Sustainable Development,
 S&ENPP5 - S&ENP - Landscape Character,
 S&ENPP19 - S&ENP - Employment and Community Provision in Rural Areas,
 S&ENPP39 - S&ENP - Transport and Development,
 S&ENPP42 - S&ENP - Walking,
 S&ENPP49 - S&ENP - Transport Requirements of New Development,
 S&ENPP48 - S&ENP - Access and Parking,
 S1 - TDBCLP - General Requirements,
 S2 - TDBCLP - Design,
 S7 - TDBCLP - Outside Settlement,
 EN12 - TDBCLP - Landscape Character Areas,
 EN28 - TDBCLP - Development and Flood Risk,
 M1 - TDBCLP - Non-residential Developments,
 M2 - TDBCLP - Non-residential Car Parking Outside Taun & Well,
 M3 - TDBCLP - Non-residential Development & Transport Provision,
 M5 - TDBCLP - Cycling,
 W4 - TDBCLP - Chelston House Farm Employment Allocation,
 EC9 - TDBCLP - Loss of Employment Land,
 CIRC 02/06 - Crown Application,
 PPS7 - Sustainable Development in Rural Areas,
 S7 - TDBCLP - Outside Settlement,

DETERMINING ISSUES AND CONSIDERATIONS

The main issues for consideration are: -

- Policy;
- Need for the proposed facility and the economic benefits;
- Design of the development and its impact on the character and appearance of the area;
- The effect of perception of fear of crime and disorder on the living conditions of local residents;
- Amenity;
- Highways;
- Other matters.

Policy

There is no specific Local Plan Policy for assessing secure residential facilities, although the Plan's more generic policies are applicable, in covering issues such as design, employment, amenity, landscaping and highway matters. The supporting information indicates that the location of the facility was selected due to a combination of factors, in particular (as a regional facility) the close proximity to the strategic road network (M5), together with a skilled workforce.

During the publicity period there has been concern that the proposed use would prejudice the ability to attract other employers, to the Business Park and Wellington. Summerfield Developments (who are the owner of the site and joint applicant) have confirmed that they are satisfied from research they have commissioned, in respect of similar schemes across the country, that there will be no adverse impact in take up on the business park. It is clearly not in their interest to have a use that would prejudice the ability to develop the site comprehensively. The Council's Economic Development Specialist supports the proposal.

The proposed siting of the hospital facility is located within the designated employment land allocation at Chelston House Farm (Policy W4). Outline planning permission has been granted across the site for B1, B2 and B8 use together with ancillary uses. PPS4 (2009): Planning for Sustainable Economic Growth (PPS4) is a material consideration and sets out the national broad policies for economic development. The guidance provides a wider definition of economic development, not just traditional 'B' use classes but also development that provides employment opportunities. The guidance states that Local Planning Authorities should adopt a positive and constructive approach towards planning applications for economic development (Policy EC10).

Circular 02/2006 provides guidance on, inter alia, amendments to the Use Class Order, which came into force in June 2006, including the definition of a new use class C2A – Secure residential institutions.

The guidance states, para 84, that (in respect of secure residential accommodation):

These types of development require a large area of ground. Such uses need good road links for staff, visitors and deliveries and space for car-parking as well as good public transport links. They also provide a significant number of long-term jobs for local people. For these reasons such institutions may not easily be accommodated within existing residential land allocations. The Secretary of State considers that the physical requirements and employment-generating aspects of these schemes are an important consideration and that despite their residential classification, location on

land allocated for employment uses is appropriate.

It is considered that the principle of a secure care facility, by reason of the factors referred to above, would not conflict with the objectives of Local Plan Policy in respect of employment land.

Need for the proposed facility and the economic benefits

The question of 'need' has been raised during the consultation process. In order to inform the decision-making process, the applicant has submitted information to provide an evidence base for the considered need.

The report states that, currently, there is no medium secure independent sector provision in the South West. Permission has been granted this year for a 62 bed hospital in Bridgwater (of which 32 would be for medium risk and 30 for low risk patients) – this facility has not been built. There are two NHS facilities located in Bristol and Dawlish. The developers supporting information concludes that notwithstanding the Devon Partnership Trusts proposals, current NHS providers supply only 110 medium secure beds which are insufficient to meet the demands of the South West. The South West therefore 'exports' patients out of the area because demand considerably outstrips supply locally. The applicant calculates that approximately 50 to 60 patients are being treated in medium secure units in other regions of England.

The supporting documents set out the growing recognition of mental illness in the UK and the role that the government policy places on encouraging a plurality of NHS care. National Government Policies increasingly seek services to be provided in better accommodation addressing the advancements in clinical treatments in more appropriate local surroundings. In order to provide secure facilities there has been a move towards the independent sector to provide purpose built modern facilities – fit for purpose - to comply with the registration and design guidance and the increase bed capacity that has been seen in the secure sector. The proposed facility seeks to provide a regional facility for the South West (made up of 14 Primary Care Trusts) due to its strategic position.

In terms of authenticating the need for the facility it must be recognised that the facility would be located on an employment site, where for the reasons previously discussed the principle is considered acceptable. Therefore the weight given to demonstrating need is considered to be less than if the facility were to be located in open countryside. The proposed development would require a significant capital investment and the need in the sector would be a commercial decision.

Whilst there maybe some dispute in terms of the actual figures it is recognised that the proposed facility will serve the South West region and not just local needs. There is recognition that mental health related illness is increasing and that the South West is below the national average in terms of the facilities that can be offered. The Council's Economic Development Specialist acknowledges that 'health and care' is expected to be one of the growing sectors of the Borough's economy and can generate significant employment.

The development would bring significant inward investment to the region. The planning statement refers to £17 million inward investment and £4 million to the local economy. The proposed development is expected to provide in the region of 225

jobs, due to the specific needs of the facility. The proposed facility will be staffed 24 hours a day, split into two shift patterns (day and night shifts) and will accord with the staffing provisions of the Care Standards Act. The types of roles envisaged are: -

- Medical staff (8)
- Qualified nurses/healthcare assistants (120)
- Therapy staff (20)
- Administrative staff (20)
- Catering staff (6)
- Housekeeping staff (8)
- Support services staff (8)
- Support services staff (10)
- Senior management staff (5)
- Miscellaneous staff (30).

The developer has undertaken a marketing exercise in terms of both interest in jobs and services associated with the facility. There has been 188 pre-registration enquires for potential jobs and 70 businesses have made in contact to register interest in supplying goods and services.

The effect of perception of fear of crime and disorder on the living conditions of local residents

The perception of fear of disorder and anti-social behaviour and the effect that may have on residents' living conditions is a material planning consideration. In the context of the general acceptance of need for mental health facilities, a key consideration is to locate such facilities appropriately having regard not only to the accessibility to centres of population but also with regard to the clinical needs of patients. There has been a shift away from locating facilities in isolation from people, services and activity. Part of a patient's ongoing treatment is for controlled re-integration with society. The arrangements for the provision of health care must be weighed against the perception of fear of crime and disorder on local residents having regard to all factors.

The proposed hospital facility is classed as medium and low secure. The supplementary information states that patients may have a history of offending and may have been transferred from prison or courts to receive inpatient treatment. Where it is determined that a prisoner requires inpatient treatment in a secure psychiatric hospital this will need to be approved by the Mental Health Unit at the Ministry of Justice. The developer states this is only approved when it is satisfied that the hospital has the appropriate physical and procedural security arrangements and teams managing all aspects of the patients care in place.

The strength of feeling amongst those local residents that have written in objecting to the scheme and those of the Town/Parish Council and local Councillors is acknowledged. It is human nature to seek to protect family and friends from members of society, whether mentally ill or not, from any perceived harm. It is therefore not irrational for local residents to express concern of their fear. PPS1 cites a key objective is the creation of 'safe and accessible environments where crime and disorder or fear of crime does not undermine quality of life or community cohesion'. However, a further key objective includes 'addressing the needs of all in society'; this includes those unfortunate to experience mental illness and those close to them.

It is not possible to eliminate risk altogether. However, the level of security appropriate to the requirements of the facility would be provided through both physical means and the regime of professional treatment and management. This includes: (a) procedural security – the application of operational procedures, including, risk assessment; treatment; screening; (b) relational security – relationship between patient and staff in offering support and ongoing treatment; (c) physical security – secure by design; equipment and technology by trained staff. The facility has been designed to accord with NHS guidelines in respect of perimeter fencing, air lock entrances and CCTV monitoring. The developer has been in contact with the Police to provide further information in respect of the physical layout, design and security measures to be incorporated. These measures would assist in ameliorating concerns over crime.

The independent regulatory body for all health and adult social care in England is administered by the Care Quality Commission (CQC). The developer would require a license from CQC before the building could be brought into operation for its intended use. There are security standard guidelines to facilitate service registration by the Care Quality Commission (CQC). It is the CQC who have the powers and duty to assess the facilities provided, competency of staff, and level of care provided. The CQC also have a wide ranging and stringent enforcement policy, including the ability to withdraw a license or initiate prosecutions against organisations or individual members of staff.

In summary, it is the Care Quality Commission who has the duty for regulating the management and operation of low/medium secure facilities. There is no evidence to suggest all the required safeguards would not be in place. It is considered reasonable to rely on the proper management and operation of those responsible for the facility, as held accountable by the relevant authorities. On balance, having regard to the security measures proposed (and the requirements of CQC as the regulatory body for providing secure health care) it is considered that it would be difficult to substantiate a refusal on perception of fear and disorder.

The impact of the facility on police resources was identified as an issue that needed addressing. Concern was raised that if police resource was required to deal with incidents that occurred within the secure unit, then this could result in a lesser ability to deal with other crime or incidents that occurred in the local area (that was not related to the unit).

As a response to this concern, the applicants have agreed an arrangement with the Police whereby the costs of policing incidents at the institution will be met by the operator (over and above 4 call outs in any one calendar year). The principle of this arrangement will be secured by a Unilateral Obligation and, in effect, the arrangement is a contingency provision in the event that unexpected demands are made upon the Police resources. Subject to the Police confirming that they are satisfied with the wording of the Unilateral Obligation, the previously stated concern regarding police resourcing has now been overcome.

Amenity

In terms of the impact of the built form, it is considered that the proposed development, by reason of its siting and layout, together with landscape screening on the boundary of the site, would not give rise to any unreasonable loss of amenity to adjacent residents in terms of overlooking or loss of privacy. The nearest block is

single storey. The two storey element is located in close proximity to the boundary of the business park, but further back than the farm house. In terms of any noise disturbance resulting from the facility this would be managed by the operator. In the event of a public nuisance arising Environmental Health would have powers to ensure best practice is being exercised. It should also be noted that there is an existing consent for this site for an employment use. It is not considered that the proposed scheme would give rise to any significant disturbance over and above other uses that could be located here.

In response to the Environmental Health Officer's comments, Summerfield state that there will be no B2 uses to the south of the site, adjacent to the proposed facility.

Design and Character & Appearance of the Area

The proposed design of the development takes the form of single and two storey buildings set around an inner courtyard. The facility has been designed to incorporate the parts of the physical building as the secure perimeter boundary. The remainder of the physical security measures include rendered walling and green meshed fencing. There is a general perception that the fencing would appear totally alien and intrusive. However, the fencing used on similar developments does not incorporate any spikes or barbed wire for instance that would appear intrusive. The fencing will serve a required purpose without detracting from the character or appearance of the business park or the surrounding area.

There has been concern that the facility will be the first thing visitors to Wellington see. However, reserved matters approval has been granted for office development to the front of the site, between the A38 and the facility. To the rear of the site outline consent has been granted for B1/B2 units. It is considered that any views of the facility and fencing would be localised. The landscape officer raises no objection. The existing screening will be retained and supplemented. The main entrance to the site uses the building itself as the physical barrier and the design of the building is considered to be acceptable. The proposed materials comprise a mixture of white and colour render with timber cladding to provide a contemporary and modern development.

Transport

The Highway Authority raised an objection on the number of parking spaces to be provided. However, the parking standards used by the Highway Authority are set against a C2 use (residential accommodation and care to people in need; hospital or nursing home; residential school, college or training centre). There is a clear distinction between the uses. In this instance patients would not be driving to the facility or have use of a car. There is therefore a marked difference from the C2 parking standards required by the Highway Authority.

The applicant's travel plan identifies that the 74 parking spaces will equate to a mode share of 42% (applied to staff) for those on site during the day. The report states the calculations have been assessed against the theoretical maximum number of staff on site at any one time – 40 admin staff and 138 care staff. In addition the scheme would incorporate 24 cycle parking spaces.

The applicant will be required to enter a S106 agreement (or other appropriate mechanism) to reduce car dependency for staff and visitors. The Travel Plan

indicates a range of measures, subject to trigger points, including: -

- Safe and secure cycle parking for up to 24 bicycles;
- Showers, lockers and changing facilities;
- Cycle to work scheme
- Car share scheme;
- Appropriate level of car parking, consistent with the mode share target;
- Travel Plan Co-ordinator appointed.
- Staff shuttle bus.

It is considered that the proposed level of parking is acceptable when taking account of the specific nature of the facility and when viewed in combination with the green travel plan measures.

Other matters

There is no substantive evidence submitted by Persimmon in terms of the necessity to review existing S106 contributions for the Cades Farm development.

Conclusion

The proposed facility will provide a regional facility with significant employment generation and inward investment to the local economy. It is considered that the design and scale of the facility is acceptable and would not detract from the appearance of the business park or wider landscape setting. The economic benefits need to be weighed against the perceived and expressed fears of local residents. Whilst those concerns expressed are understood it is considered that having regard to need for the facility, the security and licensing requirements to operate the facility and the duty of the regulatory body (CQC), together with the economic benefits, there is no justifiable reason not to grant planning permission.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1988.

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