

COVENANT CARE

ERECTION OF A 14 NO. BEDROOM NURSING HOME FOR THE ELDERLY AT THE WHEELHOUSE, LINDEN HILL, WELLINGTON (AS AMENDED)

Grid Reference: 312494.120916

Outline Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

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 following approved plans:

(A1) DrNo 12.35.09 Plans
(A1) DrNo 12.35.10 Plans 1 of 2
(A1) DrNo 12.35.11 Plans 2 of 2
(A1) DrNo 12.35.12B Roof & Block Plan
(A1) DrNo 12.35.13A Site & Block Plan
(A1) DrNo 12.35.14 Site Plan
(A1) DrNo 12.35.15A Elevations
(A1) DrNo 12.35.16A Sections
(A1) DrNo 12.35.20A Floor Plans
(A1) DrNo 12.35.21 Floor Plans

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

3. Prior to implementation, samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be 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.

Reason: To ensure that the proposed development does not harm the character

and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

4. (i) Prior to implementation, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority.
- (ii) The approved scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.
- (iii) For a period of five years after the completion of each 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 the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

5. Before any part of the permitted development is commenced, the hedges and trees to be retained on the site shall be protected by a chestnut paling fence 1.5 m high, placed at a minimum distance of 2.0 m from the edge of the hedge and the fencing shall be removed only when the development has been completed. During the period of construction of the development the existing soils levels around the base of the hedges so retained shall not be altered.

Reason: To avoid potential harm to the root system of any hedge leading to possible consequential damage to its health which would be contrary to retained Policy EN6 of the Taunton Deane Local Plan and Core Strategy Policy CP8.

6. Prior to the building hereby permitted first being brought into use, a Travel Plan Statement shall be submitted to and approved in writing by the Local Planning Authority. Such Travel Plan Statement shall include soft and hard measures to promote sustainable travel as well as targets and safeguards by which to measure the success of the plan. There should be a timetable for implementation of the measures and for the monitoring of travel habits. The development shall not be occupied unless the agreed measures are being implemented in accordance with the agreed timetable. The measures should 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 will travel to and from work by means other than the private car in accordance with Taunton Deane Core Strategy Policies CP1 and CP6 and the relevant guidance in Section 4 of the National Planning Policy Framework.

7. There shall be no obstruction to visibility greater than 900mm above adjoining

road level in advance of lines drawn 2.4m back from the carriageway edge on the centre line of the access and extending to points to the centre of the carriageway 33m to the North of the access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained in perpetuity.

Reason: To preserve sight lines at a junction in the interests of highway safety in accordance with Taunton Deane Core Strategy Policies DM1 and CP6 together with guidance contained within the National Planning Policy Framework.

8. The areas allocated for parking on the submitted plan shall be properly consolidated, surfaced, drained and marked out before the building hereby permitted is first brought into use and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure that there is adequate space within the site for the parking of vehicles clear of the highway in accordance with Taunton Deane Core Strategy Policies DM1 and CP6 together with guidance contained within the Somerset Parking Strategy and National Planning Policy Framework.

9. No development shall commence unless a Construction Environmental Management Plan have 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.

Reason: To ensure the construction phase of the proposed development does not have an adverse impact upon the local highway network and amenity of residents within the area in accordance with Taunton Deane Core Strategy Policy DM1.

10. The building hereby permitted shall not be brought into use until details of bin storage facilities associated with development have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved bin storage shall be constructed and fully provided prior to building first being brought into use and shall thereafter be retained in perpetuity.

Reason: To ensure that adequate facilities exist for the needs of the site and that the proposed development does not harm the character and appearance of the area or highway safety in accordance with Policy DM1 of the Taunton Deane Core Strategy.

11. The development hereby permitted shall not be commenced until details of a strategy to protect bats and birds has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of Richard Green Ecology's submitted report, dated January 2013 and the Bat Emergence Survey required by Condition 12 of this permission, and include:
- Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
 - Details of the timing of works to avoid periods of work when the species could be harmed by disturbance;
 - Measures for the retention and replacement and enhancement of places of rest for the species.

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 bats shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bat boxes and related accesses have been fully implemented

Reason: To protect and accommodate bats and their habitats from damage bearing in mind these species are protected by law, in accordance with Policy CP8 of the Taunton Deane Core Strategy.

12. The development hereby permitted shall not commence (including demolition) until a bat emergence survey report has been submitted to and approved in writing by the Local Planning Authority. The survey(s) shall ascertain any use of the site by bats. They shall be undertaken by an appropriately qualified person at an appropriate time of year (May to July) and use techniques and equipment appropriate to the circumstances.

Reason: To obtain an accurate and up to date account of usage of the buildings/site in the interests of protected species within the area, in accordance with Policy CP8 of the Taunton Deane Core Strategy.

13. The building hereby permitted (and its associated land) shall be used solely as a Nursing 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 ensure the use of the site does not change to a business that would increase traffic movements within the area that, if not controlled, would have an adverse impact upon highway safety and amenity, in accordance with Taunton

Deane Core Strategy Policies DM1 and CP6 and guidance contained within the National Planning Policy Framework.

14. The development shall provide for covered and secure storage facilities for two bicycles, details of which shall be submitted to and approved in writing by the Local Planning Authority. Such facilities shall be provided prior to the building to which it relates first being brought into use and shall thereafter be retained at all times for those purposes.

Reason: To ensure that adequate facilities are included for the storage of cycles, in accordance with Policies DM1 and CP6 of the Taunton Deane Core Strategy.

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.
2. Conditions 11 and 12 of this permission require the submission of information to protect bats. The Local Planning Authority will expect to see a detailed method statement clearly stating how bats (if present) and birds will be protected through the development process and to be provided with a mitigation proposal that will maintain a favourable conservation status for any bats that are affected by the development proposal.
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.
4. Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and if discovered must not be disturbed.
5. Any soakaways should be constructed in accordance with Building Research Digest 365 (September 1991).
6. Your attention is drawn to the needs of the disabled in respect of new housing and the requirements under Part M of the Building Regulations.

PROPOSAL

The application proposes the erection of a 14 bedroom nursing home in association with Covenant Care, on land at The Wheelhouse, Linden Hill, Wellington.

The amended scheme provides for a one and half storey building with the vast majority of new floor space being provided at ground floor level. Here, eight en-suite bedrooms

will be provided together with an entrance lobby and reception, lounge, dining area, kitchen, service and storage areas. Within the roof space accommodation, six en-suite bedrooms will be provided. Access between ground and first floors will be via a stairwell and internal lift.

With regard to scale, the proposed building will have maximum dimensions of 24.5m x 24.5m across an L-shaped building plan. Building heights will be up to 2.6m to eaves and 7.0m to ridge.

It is proposed to finish the building externally in a range of materials that reflect those found within the local area. The walls will be of natural stone, render and timber boarding; windows and doors will be of timber and the roof finished with grey slates. Five dormer windows are proposed to the North elevation. Externally, landscaping will be undertaken around the site and any external lighting will be agreed prior to implementation, although plans indicate that any lighting will be low glare.

The development will be served by a reconfigured parking arrangement within the site. Four additional car parking spaces are proposed (one disabled), together with one motorcycle parking space and storage for two bicycles. Together with the existing care facility at the site, fourteen car parking spaces will be provided in total.

The application has been amended to remove the formation of a new access off Corams Lane. The site will instead utilise the existing site entrance where Corams Lane meets Linden Hill; this will form the sole vehicular entrance into the development site off Corams Lane.

The amended scheme being considered has been reduced in scale, design form and layout from the original submission, which proposed the erection of a twenty bedroom nursing home within a two storey building on the site.

SITE DESCRIPTION AND HISTORY

The site is located along Linden Hill, between the settlements of Wellington and Lower Westford. The site comprises a principle building that has been extended over time and is used for residential care of adults. The current use of the site and buildings is C2 (Residential Institution)

The building is set over split levels but is largely single storey in scale; it is of white rendered walls and concrete roof tiles to the roof. Gardens extend to the East and West, which are laid to lawn and contain a large number of mature trees, hedgerow and domestic planting. To the West of the principle building are a number of single storey outbuildings used in association with the principle use of the site. The application site is elevated, with land descending to the East in general; the roadside boundary to the West comprises dense hedgerow planting with trees; a former bank and hedgerow to the North has been removed whilst to the South the site comprises a number of mature trees including one Wellingtonia located within the roadside bank.

There are two residential properties within close proximity of the site, the nearest being immediately Southeast, known as The Old Stables. Also within close proximity is Linden Hill Nursing Home; a large well established nursing home that has some 34 beds with permission granted for a further 11 within a two storey extension.

The site has a varied planning history, but briefly comprises:

43/96/0001 - Use of park home for holiday let - permission granted;

43/04/0107 - Change of use of dwelling with B&B and holiday let to adult care Home, extensions and use of outbuildings as ancillary to care home - permission granted;

43/04/0156 - Removal of condition 02 of 43/04/0107 - removal of personal condition approved;

43/06/0100 - Erection of extension to care home - permission granted.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP -

OBJECTED to original proposal, commenting as follows:

The proposed development site is remote from any urban area and therefore distant from adequate services and facilities. As a consequence workers are likely to be dependant on private vehicles for most of their daily needs. Such fostering of growth in the need to travel would be contrary to government advice given in the National Planning Policy Framework (NPPF) and RPG10, and to the provisions of policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review (Adopted April 2000) and Policy SD1 of the Taunton Deane Borough Council Core Strategy 2011-2028.

Notwithstanding the aforementioned comments, it must be a matter for the Local Planning Authority to decide whether the proposed development or any other overriding planning need, outweighs the transport policies that seek to reduce reliance on the private car.

In terms of the detail the proposal will utilise the existing access onto Linden Hill. The applicant has indicated that this access would be able to provide visibility splays of 2.4m x 33m, which was permitted under planning permission 43/12/0098. It is my opinion that this level of visibility is considered to be acceptable as vehicle speeds pass the site are quite low. However from visiting the site it is apparent that this splay has not been implemented as the splay is below the required distance.

In terms of vehicle movements the proposal will see an increase in vehicle movements although it is unlikely that these will be significant enough to warrant an objection to this element of the proposal.

The main concern that the Highway Authority has relates to the parking element of the proposal. At present all the parking is located to the front of the site however this proposal would see this altered so 7 spaces are retained at the front and 8 spaces are provided to the rear. These will be accessed via Corams Lane which is as a private road and is narrow and sinuous in nature in addition it is also designated as a Right of Way. I would have concerns over the vehicles utilising this lane due to its narrow nature and the potential conflict between vehicles and pedestrians. It is therefore the opinion of the Highway Authority that Corams Lane is not of a suitable standard to

accommodate the additional vehicle movements that would be generated by this development.

Therefore taking into account the above information I raise objections to this proposal for the following reasons:

- Corams Lane by reason of its restricted width and poor alignment is not considered to be suitable to serve as a means of access to the proposed development. The proposal is therefore contrary to Policy 49 of the Somerset and Exmoor National Plan Review (Adopted 2000) and Policy CP6 of the Taunton Deane Borough Council Adopted Core Strategy 2011-2028.

NO OBJECTION to amended proposals, commenting as follows:

This proposal is an amended scheme which has seen the reduction in the scale of the building and amended the layout whilst also removing access from Corams Lane.

The previous scheme would have resulted in additional vehicle movements on Corams Lane, which is designated as a private road and a Right of Way. Due to Corams Lane being sinuous in nature the Highway Authority felt that it was not considered to be suitable to serve as a means of access and as such raised objections.

This amended scheme has looked to address the Highway Authority's concerns. From the submitted plans it is apparent that the scheme has now been amended so that all traffic will access the site via the existing access rather than Corams Lane. The Highway Authority is satisfied that the amendment has addressed the previous concerns.

In regards to the existing access the applicant has stated that the previously approved visibility splay will be reinstated. This is considered to be acceptable to the Highway Authority. Although if planning permission were to be granted the Highway Authority would recommend that a visibility condition is attached.

Turning to the internal layout the proposal has made provision for 14 parking spaces. Somerset County Council's Parking Strategy requires that the site makes provision for 1 space per 6 beds. As a consequence the new care home should provide two parking spaces, which equates to 13 spaces for the entire site. The Highway Authority would usually require the applicant to amend the scheme to reflect the Parking Strategy. However it is felt that due to the sites location the additional space would be acceptable as the majority of staff would need to utilise the private car.

Therefore to conclude the Highway Authority is satisfied that the amended plans have been able to address the Highway Authority's concerns as I consequence I raise no objection to this proposal and if planning permission were to be granted I would require the following conditions - Construction Environmental Management Plan; Parking and turning areas; Travel Plan; 2.4m x 33m visibility splays.

WELLINGTON TOWN COUNCIL -

OBJECTED to the original proposals for the following reasons:

- The proposal would result in an unacceptable increase in traffic using the site;
- The location was inappropriate and would have an adverse effect on the surrounding area;
- Vehicular access to and from the site would have a detrimental effect on the safety and convenience of other road users;
- Overdevelopment of the site;
- Inadequate provision had been made for parking;
- Permission would set an undesirable precedent for development in this area.

OBJECT to the amended proposals commenting as follows:

Members of the public spoke on the height and landscaping of the application within the 'Green Wedge'. Parking was seen to be lacking for the size of the proposal with other traffic concerns being highlighted. Access to and from the site and the size of the visibility splay were an issue alongside safety to pedestrians in the area.

Councillors could see little change in the issues from the previous application and so wished to make the same comments.

LANDSCAPE -

OBJECTED to original proposals, commenting as follows:

The proposed two storey building will be prominent in the local landscape with little landscape mitigation. Given the sensitivity of the site within the green wedge my assessment is that it would be contrary to policy.

NO OBJECTION to amended proposals, commenting as follows:

Subject to significant reinforcement of the Northern and Eastern boundary with tree and shrub planting it should be possible to reduce the impact of the proposed building.

Existing trees and hedgerows will need to be protected during the building process.

BIODIVERSITY -

NO OBJECTION to original submission, commenting as follows:

Evidence of bats found in learning skills building. Emergence survey required before demolition. Scheme is licensable and therefore application can be determined.

No sign of nesting birds in buildings although may nest in trees and shrubs within the site. Clearance should be outside the nesting season.

Two conditions recommended.

No comment made in relation to amended scheme.

Representations

24 Letters of OBJECTION to original proposals, raising the following planning related issues:

Transport

- Concerned about increase in vehicles using footpath/drive used by children, especially on blind corners at the top;
- Drive is used daily to walk to work, take family on walks and visit the nursing home and increase in vehicles will be dangerous, especially in the dark;
- There is not enough parking for the new nursing home beds; parking required for staff, visitors, doctors, district nurses and emergency vehicles;
- A lack of parking will mean people parking along Linden Drive where there is insufficient space to pass;
- Lorry's will find it difficult with deliveries due to sharp bends in the lane;
- The lane is used by walkers, families with small children, cyclists and dog walkers; the little bit of countryside on the edge of town will be destroyed by lorries, staff parking etc;
- The lane is used by train spotters and a twice annual triathlon; the bridge has a 12 tonne limit so not suitable for heavy vehicles;
- Can it be guaranteed that all additional traffic will not use the private road, as during the winter a land slide at Burchills Hill and all traffic used Linden Drive, which has turned the road into a pot riddled disaster which has made it unpleasant to walk;
- The lane is used by Linden House to take clients out for walks; the plan should consider all the users in the area;
- Linden Hill and Burchills Hill are single lane roads with only a couple of passing places for cars but not suitable for heavy vehicles;
- There is no suitable turning for large delivery vehicles;
- To leave the drive from Linden House you have to advance slowly because of obstruction to views;
- The private lane is not a suitable for large vehicles due to its shape, without getting stuck and causing damage;
- The lane is already well used by motor vehicles and any more would result in accidents;
- A car park off the drive could cause a major traffic hazard with cars turning in and out with limited visibility both from the railway bridge direction and from the sharp bend above the car park's proposed site.
- This is a ridiculous application. Burchills Hill simply cannot take the increased traffic. It is in a green field area - why on earth don't they use a brown field site somewhere;
- The area is used extensively by walkers and families with children. It is an accident waiting to happen and is complete and utter nonsense;
- The lane is used by Linden House to take clients out for walks; the plan should consider all the users in the area;
- The drive is particularly popular with dog walkers early in the morning and in the evening which would coincide with the heaviest use by employees at the proposed home, and by families at weekends when there would be the heaviest visitor traffic;
- Access involves either using a track/public footpath (used daily by walkers and children) or a very narrow road linking Westford to Burchills Hill which has no pavement. I believe that the increased traffic would be hazardous to pedestrians and detrimental to the footpath/track surface;
- Access involves either using a track/public footpath (used daily by walkers and

children) or a very narrow road linking Westford to Burchills Hill which has no pavement. I believe that the increased traffic would be hazardous to pedestrians and detrimental to the footpath/track surface;

- Corams Lane is already very busy, providing access to and from the Basins, Sports Centre, Linden House, Adults Learning Centre and residents. It is a narrow road that already struggles to cope with its regular flow of traffic;
- Ambulances would require clear access to the Nursing home of which neither the Corams Lane or Linden Hill tracks provides, there would also be an increase in Lorries needing to access the site for laundry and supplies;
- The current entrance to the site is unsuitable for the much more intensive use proposed. The access on to Linden Hill is blind and will significantly increase the chance of an accident if more vehicles use it;
- I also access Corams Lane from Linden Hill a few times every week, and exit the same way. I dispute the assertion that the current splay provides a good view of the road. I strongly believe that the current plan for a new car park a few hundred yards down Corams Lane is totally unsafe. Exiting Corams Lane, cars are in the centre of the single track road until the last short section. There are three driveways right at the top of the Lane and drivers pulling out have to use extreme caution to avoid the potential of a collision with a car turning in from Linden Hill;
- Due to difficulties for delivery vehicles access Linden House, a third access to the nursing home was created;
- For anyone approaching The Wheelhouse from Linden Hill in a car and finding themselves unable to park in front of the care home, it would be a very tight left turn into, and tight right turn out of, the new car park;
- Planning permission has already been granted to Linden House Nursing Home for an 11 bedroom extension and with this completed, traffic will inevitably increase. To allow a further increase in traffic could endanger the safety of the people using the Public Footpath to a critical level;
- The visibility splay onto Linden Hill is not generous. The view when pulling out is interrupted by a wall and a tree to the right and cars travel quite fast along Linden Hill. There have been many occasions when sudden stops are required to prevent an accident occurring. The concern with respect to this application is that if an increased number of vehicles are accessing The Wheelhouse entrance which itself is fairly narrow, the risk of collisions will increase;
- The fact that the applicant has raised the point that passing places might be required evidences that he is aware of the significant increase in traffic he envisages his development will create. The increase in traffic could see cars reversing for some distance along my private lane, creating a further public safety issue to those using the Public Footpath;
- The removal of the existing 8 spaces to the “staff car park” means that only 6 spaces are located near to the new care home. This is inadequate. Linden House regularly has 16 staff cars (more at shift change time) plus numerous visitors vehicles;
- I would challenge the argument put forward that there would not be a significant increase in vehicular movements because nursing homes “do not generally provide care for residents that have a requirement for mobility and access to services contained within towns”. The very fact that the residents are not mobile means that various people including visitors, health professionals, entertainers etc have to come to them and every one of these would drive;
- I am unable to comment on the Somerset Parking Strategy but it seems to me that 1 parking space for every 6 beds is a little optimistic. I am aware of how many staff and visitors cars we have at Linden House (16 staff cars alone on most days) and consider that as the profile of the care home will be somewhat similar I am in a

position to make a judgment on what would be required. 1 space for 6 beds would be completely insufficient at Linden House. I would have thought that in a rural area more parking spaces would be required as people rely on private cars to travel which is what is evidenced at Linden House;

- The parking outside the complex is limited by the size of the site and the walk from the car park to the Nursing Home would be up hill and a distance of approximately 100 metres. This would be problematic for elderly or infirm visitors, particularly during the winter;
- Poor access to the site for those who are unable to drive. This is a non sustainable location. Few amenities for residents who are mobile – no shops, post office etc.

Landscape

- The lane is quintessentially English; please do let it be destroyed;
I work at Linden House and use the basins lane to drive to work; the proposal would make the lane not so pleasant a place to walk due to more vehicles;
- The countryside surrounding Linden Hill is an important recreational and amenity area for the people of Wellington. The basins are an area of outstanding natural beauty which needs to be protected from surrounding developments and pollution;
- Such a building will be a 'blot on the landscape' of one of the untouched areas of Wellington. Any area of Green Wedge in our town should be protected by the planning authorities and not built upon;
- For the sake of future generations, do not allow developers to destroy our rural environment. In this planning case, the indirect impact on the local community should not be underestimated;
- This site is identified in the local plan as in an area of green space which is not suitable for a care home;
- The complex would establish the likelihood of increased development to this area which would be detrimental to the area which is mainly unspoilt and a haven for wildlife;
- The Wheelhouse site is situated near the brow of the hill and it would appear from the plans that the building would be very prominent and hence, visible. I also find it hard to believe that it will not overshadow The Old Stables as despite the landscaping proposed, the site itself is very small for such a large development and the whole balance of that part of the Linden estate will be upset;
- As the site is in a rural setting with no nearby street lights, the applicant would expect to install security lighting for staff security when arriving or leaving work in the dark. These security lights will undoubtedly cause light pollution and could be intrusive for The Old Stables as it is proposed that staff park in the newly created 8 bay car park. The lights would then be required not only at the front of the building but along the path that staff would walk to reach their cars - which happens to skirt the boundary of The Old Stables;
- Large prominent 2 storey building on the top of a hill – would be visible from most of Tonedale and the surrounding area would overlook Weavers Reach and Old Mill;
- Night: due to care home function lights left on will be very visible due to location and create light pollution;
- Because of the size of the building, the location, the limited size of the plot and the buildings situation on that plot this building would be detrimental to the character of the landscape;
- The car park would be built on a garden. This is contrary to the 'Green Wedge' principle.

Amenity

- I wish to maintain Linden Hill as an amenity and recreational area for residents and believe this development would completely spoil this;
- There is not a proper turning circle on the property. This means large vehicles will have to carry out repeated reversing movements which will present a danger to the facility's residents and cause noise which will reduce the amenity of adjacent residents;
- The proposed creation of parking for staff at the rear of the property with access from the lane would cause serious loss of amenity to the adjacent residential property (The Old Stables) as staff will be coming and going 24/7. Night movements will inevitably be made by car and the noise of entry, exit, parking, closing of car doors and voices will disturb the sleep of adjacent residents;
- The Reception Area, Seating Area and 2 bedrooms will overlook The Old Stables garden, parking area and front door. As the building is commercial than a residence then this would be a significant issue as it would enable a large and constantly changing group of people of whom we have no knowledge to view into our property; were the development to be a private residence or as single storey this would not be such an issue;
- Is there a potential for sun reflection from full length windows and metalled walls?

Design and Scale

- The proposed building is not in keeping with the Victorian buildings in the area and will be out of place;
- The design of the building is not in keeping with the other buildings within the Linden estate. The use of polished metal sheets and large glass windows is completely inappropriate as is the extensive use of wooden cladding. By its very nature, the design is modern and the other houses on the Linden estate are not;
- Modern construction style involving large glass windows, polished metal sheeting and wooden boarding unsympathetic with rest of buildings in local area.

General

- Linden House is registered for 34 residents and not 25 as suggested;
- Impact of additional traffic from the permitted extension to Linden House is yet to be felt as it is not yet built;
- Land including Corams Lane is within the same ownership as Linden House Nursing Home and a right of way is only provided across the lane and not adjoining land; creating passing places along Corams Lane has not been discussed;
- Plans do not provide for the collection of waste;
- 4 full time staff is a major under estimation of the number of staff accessing the home at any one time, especially for a 20 bed nursing home;
- This is not on-site expansion. According to the applicant in recent comments to me, the existing care home for people with Learning Disabilities will remain a separate entity. It has to remain so, as staff cannot easily be employed to work interchangeably in both homes as the client group have such hugely differing needs. This development is a "back yard" development of a completely new venture and

there is a danger that the Linden estate could become a care home village with a variety of different types of care home within it;

- This development would be on ground approximately 3 metres above that upon which The Old Stables is built. This would in effect be a 3 story building compared with The Old Stables which is classified as single storey with rooms in the roof space;
- This building is not a site expansion. This is a much larger, physically distinct building with a different function and should be considered as a separate development within this green wedge. It is not subservient to the existing property.

8 letters of OBJECTION from members of public received in relation to the amended proposals, raising the following planning related matters:

Transport

- The same issues apply to a 14-bed nursing home as they do for a 20-bed nursing home. There are still not adequate parking facilities, nor delivery facilities, no emergency services facilities. The overflow for which will result in people parking in Coram's Lane or Burchills, causing difficulties all round;
- Delivery lorries reversing out of the driveway onto Burchills is extremely dangerous (and as there is no turning circle it will be impossible to drive out), therefore lorries will be pulling out blindly into either oncoming traffic or walkers;
- Constant traffic using Coram's Lane will cause problems as this is a private lane and there are no overtaking/give way lanes and will eventually lead to someone getting hurt as the lane is in constant use from walkers with dogs and children;
- When traffic is increased along this lane it becomes impossible for both the motorist and pedestrians. There are areas on this lane where it is impossible for two cars to pass and encouraging lorries to use this route can only lead to further congestion both on the hill and on the bridge at Westford;
- Lower Westford will become a route for delivery lorries and other traffic visiting the site. Children walk to school along these routes often with no pavements or safe places to stand;
- I know for a fact that the proposed 6 new parking spaces is not going to be adequate enough to facilitate the extra staff needed to run a 14-bed nursing home;
- My concern is that The Wheelhouse staff and visitors will park at Linden House or in the driveway, or even on Burchills, causing dangerous obstructions and danger to pedestrians and other road users. This will also result in me not being able to park when I come to work;
- How is access to Corams Lane going to be denied and enforced? There is already traffic using the public footpath and private drive to Linden House (very few visiting patients at the nursing home) as a shortcut to Westford and Rockwell Green from Wellington and vice versa. Indeed Sat Navs send large commercial delivery vehicles this way along a totally unsuitable track surface; narrow path and weak bridge over a culvert;
- Under the new proposal all traffic will use the existing driveway and not Corams Lane. However, the existing driveway is within Corams Lane and therefore the objections raised previously have not been resolved by this statement. There is no direct access to the Wheelhouse from Linden Hill;
- Recently my car was blocked in at the top of Corams Lane by the waste disposal lorry while the refuse was collected from the Wheelhouse. The lorry could not enter their driveway and the bins had to be wheeled up to Corams Lane. The lorry then

had to reverse back out into Linden Hill to proceed with its journey. Additional services required by the proposed nursing home would only increase the traffic hazards in both Corams Lane and Linden Hill;

- The applicants state that they will reinstate the visibility splay to Linden Hill, but the visibility splay is an old traditional stone wall, which is a permanent structure. Whilst vigilant cutting back of shrubs and trees will improve visibility the fact remains that extreme caution is required by motorists at this junction. The roads in this area are simply not suitable for an increase in traffic, particularly when the flow will be turning in and out of a restricted single lane junction with limited visibility;
- I am not convinced that the proposed car parking in the revised application would be adequate and that access to the property would be compromised by on-site parking in non-designated areas, or worse still by off site parking;
- Linden Hill/Corams Lane is an area used extensively by pedestrians and cyclists and the risks entailed by the development of a nursing home with its associated car use by visitors, staff, local authority and health workers would be detrimental to the facility;
- There is no physical barrier, to prevent vehicular use of Corams Lane by visitors, staff or delivery vehicles or, indeed, to prevent further development of the site;
- Since Corams Lane has no designated passing spaces, no street lighting or pavements and a number of blind corners, the risk of increased traffic flow would make the Lane less convenient, and also unsafe, for continued use by the public;
- We are confused by the applicants statement that the visibility splay has grown over recently, since the visibility splay consists of a historic stone wall and an established fir tree. We do not believe that an adequate visibility splay has ever been implemented;
- We would like to reiterate that Linden Hill is a single lane country road with no pavements or street lights used by pedestrians, runners and dog walkers. The designated passing spaces are often barely suitable for 2 cars to pass and are certainly not appropriate for regular use by large vehicles such as mini buses and delivery lorries;
- The applicant has still failed to make sufficient provision for parking or deliveries. The Wheelhouse currently has 9 designated parking spaces to provide for the existing 10-bed care home. These parking spaces are already often insufficient. The proposal allows for 5 additional parking spaces to cater for the 14-bed nursing home. This number does not provide adequate parking for minimum staffing levels, particularly during hand over periods, as well as for visitors, doctors and other medical personnel. We are concerned that the applicant would attempt to make a future planning application to grant access to additional parking via the lower site entrance;
- We would like to reiterate that the narrowness of Corams Lane and Linden Hill mean that there is no possibility of on-street parking without blocking other residents of Linden Hill in their drives. Similarly, where as Linden House Nursing Home has a staff and deliveries entrance accessed directly off Linden Hill, the proposed development does not appear to have considered how delivery lorries would turn and the implications that turning or reversing lorries would have on the safety of public footpath users;
- The applicant has not approached me to give up this right of way so I cannot enforce his apparent, self-imposed suspension of the right of way;
- Corams Lane cannot be closed off with gates to restrict access for The Wheelhouse vehicles due to it being impractical;
- The lane is in regular use being a public footpath with no passing places; it is unrealistic for large vehicles to use it and such have become stuck recently and

historically;

- It is unrealistic to think that the applicant and his staff would no longer use the right of way which he has over Corams Lane / Linden Drive and therefore the Transport Development Groups opinion must be given full consideration; any use of the lane would not be enforceable;
- The visibility splay has not changed in the last 11 years; there is a large pine tree which might obstruct the splay; I doubt the splay was ever properly implemented;
- I do not agree that vehicle speeds along Linden Hill are low along the only straight section of this road;
- No evidence on plans about how visibility splays will be changed;
- Following a successful, previous application from the applicant for an extension in 2006 (43/2006/100), the Transport Development Group (Miss V Venner) identified on 14 September 2006 that "Taking the above points into consideration and that this is an existing use by the same owner / applicant it may be unreasonable to raise a highway objection, however I do not want to see any further extensions or intensification of the use of this site". I consider that this observation remains valid;
- Linden Hill/Burchills Hill is unsuitable to serve the development, especially larger service and emergency vehicles; the proposals do not provide proper turning space;
- There remains insufficient parking for two businesses amounting to 24 beds together;
- Still no mention of staffing levels. I would suggest that 8 during the day time for a 14 bed nursing home would be accurate;
- My concerns revolve around where the overflow cars would be parked. There is no room on The Wheelhouse site, so the only land available nearby is my land and driveways of the other residents within the Linden estate. Overflow parking on my land is unacceptable to me as it will constitute trespassing. It is likely to be dangerous, and therefore impractical, for cars to park on Linden Hill / Burchills Hill;

Landscape

- Whilst I appreciate that some attempt has been made to address the prominence of the proposed building and its appearance within the locality, I remain of the opinion that this is overdevelopment of a small site which is situated within the Designated Green Wedge. The large footprint of the proposed care home is out of proportion with the site;

PLANNING POLICIES

DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
DM2 - TD CORE STRATEGY - DEV,
CP1 - TD CORE STRAT. CLIMATE CHANGE,
SD1 - SD 1 TDBC Presumption in Favour of Sustain. Dev,
CP2 - TD CORE STRATEGY - ECONOMY,
CP6 - TD CORE STRATEGY - TRANSPORT AND ACCESSIBILITY,
CP8 - CP 8 ENVIRONMENT,
NPPF - National Planning Policy Framework,
M2 - TDBCLP - Non-residential Car Parking Outside Taun & Well,

DETERMINING ISSUES AND CONSIDERATIONS

The proposed development has been amended quite significantly from that originally submitted. The scheme has been reduced in scale from a 20 bedroom two storey nursing home to a 14 bed one and a half storey development with accommodation in the roof space; the reduction in bed space is in excess of a 25% reduction. The proposed parking and access arrangements have also been amended as have the generally design and finished appearance of the building. These amendments have been introduced by the applicant in an effort to overcome the objections first received in relation to the original submission.

The pertinent issues to consider are whether the proposed use is appropriate in land use and planning policy terms; the impact of the development upon landscape character, appearance and the Green Wedge; the impact upon residential amenity and also highway safety for all users of the local highway network.

Development Principles

The application site is located outside the defined settlement limits of Wellington and Lower Westford and as a result, is considered to be within open countryside in terms of planning policy. Policy DM2 of the Taunton Deane Core Strategy sets out a number of uses and developments that will be supported in locations such as this, subject to proposals satisfying a number of additional criteria. The application proposes a new building on the site to replace two existing structures; the new building would provide for a 14 bedroom nursing home for the elderly. This falls within Use Class C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended). Such a use is not specifically supported by Policy DM2 and therefore in the strictest of terms the proposed development does not comply with this policy.

Notwithstanding the above, consideration must be given to the wider principle of the proposed development, which will be located within a site that currently operates under a Class C2 (residential institution) use. The existing building known as The Wheelhouse and its ancillary buildings (to be demolished) were granted planning permission in 2004 for use relating to the residential care of adults. Whilst the actual undertaking of this care for adults with learning difficulties is acknowledged as being different to the type of care provided within a nursing home it nonetheless falls within the same use class. Further precedent for nursing home development within the area is demonstrated by Linden Hill Nursing Home, which as described above is a large 34 bedroom business with planning permission granted in 2010 to add a further 11 bed wing.

Policy CP2 (Economy) sets out the economic strategy and growth forecast for Taunton Deane over the plan period. The Policy sets out that around 121,500 sq metre of additional floorspace will be required for residential and non-residential institutional use through site expansions, allocations and Development Management policies. It has already been acknowledged that there is a difference between the operation of a nursing home and an adult care facility such as that already operating from The Wheelhouse. Notwithstanding this matter, the proposed development is considered to represent an expansion and diversification of the existing C2 use at the property.

Great emphasis is currently placed on the need to support economic development; Para 19 of the National Planning Policy Framework (NPPF) states that the Government is committed to supporting sustainable economic growth and emphasises the need for

planning to encourage and not impede sustainable growth. It states that significant weight should be placed on the need to support economic growth through the planning system. Para 21 of the NPPF states that local planning authorities should support existing business sectors, whilst providing flexibility within policies.

In location terms, the application site is approximately 250m away from the recognised limits of Lower Westford and 400m from Wellington. Lower Westford is not connected to the site by way of footpath but a commute via bicycle for any prospective employee of the nursing home is a reasonable expectation. Wellington is within walking and cycling distance, both of which can be safely undertaken along the footpath and track of Corams Drive, which given its pleasant setting is likely to encourage such modes of travel to and from the site for employees living within the town and also any visitors. In addition to transport sustainability, residents of nursing homes are largely less mobile and in this instance some will be entirely dependent upon carers for movement. Access to services such as retail, employment, health care and other town centre uses will be negligible. As such nursing homes within locations such as this will attract significantly fewer vehicular movements than care homes for the more mobile and less dependent.

Having regard to the above matters, whilst the site's location outside of any defined settlement limit is acknowledged as conflicting with Core Strategy Policy DM2, unless any significant adverse impact can be attributed to the proposed development from material considerations, the proposed use is considered to be acceptable in this location, where there is a strong precedent already set for Use Class C2 businesses and having regard to the emphasis and weight to be attributed to economic development in the current climate.

Landscape Character and the Green Wedge

The application site is located on an elevated section of land above existing buildings within the locality; The Wheelhouse is also located within the Green Wedge that currently provides separation between Wellington and Lower Westford. The landscape surrounding the site is characterised by agricultural land bound by hedgerows to the North and West, whilst to the South and East land is defined by lines of mature tree planting that provides for an attractive parkland like setting at an area known locally as The Basins.

There has been objection from members of the public who feel that the proposed development would harm the character of the landscape and Green Wedge due to the scale of development and its prominent position within the area. There is also a feeling that the development would impact adversely upon people's enjoyment of the Basins as well as wildlife. Such concerns are noted however the development is located West of The Basins area and will not be overly visible from the public footpath. The amended scheme has removed a proposed access and use of Corams Lane which will significantly reduce this perceived adverse impact. An increased use of the access off Linden Hill onto Corams Lane and into the site will be somewhat limited and is unlikely to result in an increased use of the private driveway. Such can, if so minded, be controlled/restricted by the owner of the lane, although the practicalities of having to do so are appreciated. Notwithstanding, this issue is not considered to be so demonstrably harmful to the area as a result of the amended scheme.

Objection was raised by the Council's Landscape Officer to the original two storey

development due to its prominence within the landscape with little landscaping; such was assessed as harming the character of the Green Wedge. The amended scheme comprises a single storey building that, whilst taller than those that are to be demolished, is significantly lower in profile than the original scheme.

Subject to agreeing landscape mitigation by condition, the Council's Landscape Officer no longer objects to the proposed development. It is acknowledged that at present, the proposed building would be visible from the North where there is a break within the boundary planting. This can easily be screened with new planting to screen any views of the building and to reduce any perceived prominence.

The remainder of the site is large hidden and despite the elevated nature of the application site, the scale of the proposed building is limited; it will be set down into the site with the finished floor level being 800mm (approx) below the current land level. This, together with the reduced scale of the building, the retention of existing boundary planting and provision of new landscaping is considered to minimise any perceived adverse impact upon the surrounding landscape.

Although the site is located within the Green Wedge, this itself does not out rule all forms of development. The Policy test in CP8 of the Core Strategy is for development to maintain the green wedge. The proposed development is not considered to result in the gap between the two aforementioned settlements being eroded and as noted above, will not significantly harm the character or appearance of the surrounding landscape. In this regard the proposed development is considered to be acceptable.

Residential amenity

It was considered that the original scheme would likely result in an adverse impact upon the amenity of The Old Stables, largely with regard to privacy and disturbance from noise and light from the new parking area and access. Objection has been received from the neighbouring resident and the public on amenity grounds.

The amended scheme removes windows from the principle elevation at first floor level; the dormer windows to the North will overlook farmland and there is no longer any vantage points within the building that would overlook the neighbouring property's private gardens.

The parking arrangements have been reviewed and the new parking area to the East of the existing building removed. Additional parking is provide around The Wheelhouse and the proposed building. This additional parking provision is not considered to significantly harm neighbouring amenity, being closely related to the existing parking areas. The application site and The Old Stables are separated by a high level coniferous hedgerow that will screen any additional light pollution and noise from the extra vehicle movements.

It is acknowledged that the upper section of the building will be visible from within the driveway and parking area of The Old Stables however this is not considered to result in any significant impact upon outlook given the separation between the proposed building and neighbouring property. Having a view of a building is not a reason itself to refuse planning permission.

On balance, the amended scheme is considered to overcome the previous issues in relation to residential amenity. Any impact upon amenity is likely to be minimal and not so significant as to warrant the refusal of planning permission.

Highway safety

There are three issues relating to the proposed development and highway safety, all of which have been raised by members of the public and Wellington Town Council. These issues are parking provision, visibility and an increased use of Corams Lane.

Parking provision and turning

The amended scheme proposes an additional four car parking spaces, one motorcycle space and two bicycle storage spaces. The Somerset Parking Strategy is not an adopted Taunton Deane policy but it is more up to date than the retained Local Plan Policy M2, which relies upon parking standards set out within the former PPG13 document. Nonetheless, the Strategy provides standards for parking provision in relation to various forms of development and is a material consideration.

Under the Strategy, optimum parking levels for a C2 Use Class development is one space for every six bedrooms provided. In this regard there is an over provision of parking for the new nursing home. From a practical sense there is objection to the development, arguing that the operation of a nursing home requires a greater degree of parking provision. I do not agree that further parking provision is required. The site is accessible to the Wellington area by foot and bicycle and the implementation of a Travel Plan can be used to encourage employees, visitors and the like to access the site by means other than the private motor vehicle.

It has been observed that the existing parking provision for the adult care centre is sufficient, with vacant spaces having been available on numerous occasions during site visits made to The Wheelhouse over the past six months. This suggests to me that there will be sufficient parking provided within the site to serve the proposed development and that undertaken already by Covenant Care. There is no proposal to subdivide parking, which will remain available to the nursing home and adult care centre.

Whilst there is limited space within the site for turning, no objection has been raised by the Highway Authority, which is satisfied with the turning and level of parking being provided. The increase in vehicle movements to and from The Wheelhouse is unlikely to be significant given the limited scale of the proposed nursing home.

On this basis, it would be unreasonable to refuse planning permission on the grounds set out above.

Access and visibility

The amended scheme has removed an access onto Corams Lane and the proposal to utilise this private track to serve the development site. This is considered to eradicate a large degree of concern raised from members of the public, concerned with increased movements along Corams Lane and conflict arising with pedestrians, cyclists and a negative impact upon the enjoyment of the area.

The primary route to the site will be via Linden Hill, which is a single lane carriageway with various passing places between Wellington and Lower Westford. Objectors have suggested that an increase in movements along this route would be prejudicial to highway safety; however my experience is that the road is lightly trafficked and provides for adequate passing places. Such a view is consistent with that of the Highway Authority. The number of daily movements will be low and as a result, the increase in vehicles movements along Linden Hill is not considered to significantly harm highway safety.

The proposal is not considered to result in significant risk to pedestrians along Corams Lane, given that the sole site access is adjacent to Linden Hill which provides for a more suitable route to the site than the unmade private lane. It is accepted that vehicle movements could be made along Corams Lane, however this is not the intention being put forward and such can be controlled, albeit problematically, by the land owner if required.

Visibility across the junction between Corams Lane and Linden Hill is limited to the South in the direction of Westford, whilst to the North towards Wellington visibility in excess of 2.4m x 33m to the centre of the single carriageway can be and has already been provided. As such the applicant is capable of achieving part of the visibility splay required by the Highway Authority. Such a visibility splay cannot, however, be achieved to the South as land is not within the applicants ownership.

It is acknowledged that increasing vehicle movements over a substandard access will pose a risk to highway safety. Such an issue has been raised in objections received. Notwithstanding, the increase in movement is considered to be very low and subject to peaks in the time of movements. When planning permission was originally granted for the Covenant Care site, it was accepted that a 2.4m x 33m visibility splay in one direct (to the North) was acceptable. When permission was granted for extension at the neighbouring Care home that can, if so required, use Corams Lane for access, no improvement to visibility splays were requested despite the potential intensification in movements. Such is considered to set a historical precedent of sorts.

Despite the visibility splay being substandard in one direction, the proposed development is not considered to result in a significant number of vehicle movements and therefore any adverse impact upon highway safety is considered to be negligible. The Highway Authority have advised verbally that such would not form a reason for refusal defensible at appeal alone.

Having regard to the above matters, it is accepted that the transport implications of the proposed development cause concern amongst the public, however, as it has been assessed, the proposed development will result in a limited intensification of vehicle movements, provide for sufficient parking and appropriate visibility. These matters are not considered to result in such harm to highway or public safety as to warrant the refusal of planning permission.

Other matters

The application has been supported by the submission of a wildlife survey for the site, which has found some evidence of bats. Bats are European Protected Species however the Councils Nature Conservation Officer considers the proposed mitigation

and condition for a further emergence survey to be acceptable. On the basis of the evidence and advice provided, it is concluded that bats will not be unduly affected by the proposed development.

Objection has been received in relation to wildlife within the area. Whilst The Basins is noted for its wildlife value, the proposed development will not result in any significant off site impact.

Conclusions

The proposed development will benefit the local economy in an area where there are two established residential care homes. The amended scheme will not significantly adversely affect the landscape character of the area and will maintain the Green Wedge. Neither residential amenity, highway/pedestrian safety will be adversely affected to a degree that warrants the refusal of planning permission and wildlife within the site can be appropriately safeguarded.

Planning conditions can be used to appropriately mitigate any adverse impact and to appropriately control development in the future. The proposed development is considered to comply with local and national planning policy and material considerations do not indicate that planning permission should be refused. It is therefore recommended that planning permission be granted subject to conditions.

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

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