

38/2007/020

SOUTHERN CROSS HEALTHCARE

**ERECTION OF 65 BEDROOM NURSING HOME AND 10 CLOSE CARE APARTMENTS AT FORMER EGG PACKING FACTORY, ROMAN ROAD, TAUNTON**

324124/125011

FULL

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**PROPOSAL**

The site is located at the junction of Roman Road and Creechbarrow Road, adjacent to the Lidl food store. The site area covers 0.33 ha upon which there are currently buildings with a floorspace of approximately 992 sq m.

Permission is sought for the demolition of the former egg packing factory buildings and the erection of a new nursing home, with 65 beds and 10 additional independent close care units. The proposed block would be over three floors, with the upper storey being accommodated partially within the roof on three sides, dropping down to a storey and a half to the rear elevation. The ridgeline would measure 12.0 m at its highest point. Proposed floor areas are indicated as 1458 sq m for the ground floor, 1287 sq m for first floor and 1014 sq m for the second floor. The building features a variety of roof design, with elements being hipped or full gables. The proposed fenestration is of vertical emphasis and features balconies and a mixture of materials to break up the bulk of the building. The building has been designed around an inner courtyard. The proposed development makes provision for 16 car parking spaces.

The agent has stated that the proposed care facility will meet an identified local need in the care of the elderly and special needs care requirements. The supporting statement also outlines that the proposed development will generate a broad range of employment opportunities (managerial, professional, domestic, etc.) totalling 68 jobs. This is further detailed within the Annex of the Design and Access Statement. A design and access statement and a Travel Plan accompany the application.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY observations awaited. WESSEX WATER have forwarded details to our engineers, and are awaiting their comments.

FORWARD PLAN the last use of this site was for Class B employment, as defined under the Use Classes Order. Consequently, the site is covered by policy EC9 of the adopted Local Plan. This policy seeks to resist the loss of Class B land unless there are overriding benefits. In the first instance, a nursing home (Class C2) does not fall within a defined employment use (Class B). The proposal is thus for a change of use of the land. It is important to establish sound grounds for granting the change of use in light of policy EC9. (i) What evidence is there that the site is no longer suited for employment use? Although the land has been vacant for some time is this because there has been no interest in continued employment use?

Although the application does not specify a site area, I consider it to be in excess of 0.3 hectare. This would be of sufficient size to accommodate a range of smaller incubation units for business start up or for a small/medium business unit. The local commercial agents are clearly telling this Council that there is a shortage of readily available employment land and, that which is available often has unsuitable tenure restrictions. The availability of this site would certainly assist this current shortfall, thus why has it not been 'taken up'? To answer this question consideration must be given as to whether and how the land been marketed for employment use and if a realistic price has been sought? The (then) ODPM Guidance on Employment Land Reviews (2004) states that "the market alone will not necessarily deliver that balance (between housing and employment uses), particularly where land values for housing are substantially higher than those achievable for employment uses" (para 2.2). In Taunton, there does appear to be a significant difference in values between residential and employment uses. A degree of residential 'hope value' may be a reason why this land has not been reused for employment purposes. (ii) Are there overriding benefits in the change of use? Evidence on the application file suggests that there are vacancies in bed availability in nursing homes within Taunton Deane. Additional provision should not therefore be considered an overriding benefit for granting a change of use, especially before the suitability (or otherwise) of continued employment use has been clearly established. (iii) Are there any other considerations? This part of Taunton is one of relatively high unemployment, lower skills and wages. The Council's Corporate Strategy contains an objective to reduce deprivation in the Halcon ward, to promote new business start ups and to improve skills levels of the local population. The Sustainable Community Strategy also reflects these aims. As already established, the proposed use does not fall within Class B (employment) use and in theory would not meet the criteria. Even if it were regarded as providing employment opportunities, how would this proposal raise skill and employment levels in the local area to an extent greater than that which could be provided by a Class B use? In conclusion, I have seen no justification advanced as to the suitability of relaxing policy EC9 to allow the change of use of this established employment site. The application should not therefore be approved. ECONOMIC DEVELOPMENT OFFICER object to this proposal and fully support the recommendation to refuse permission for the proposed development of a 65 bed Nursing Home etc. As with previous applications for housing on this site our objection is based on the loss of 'employment' land. As a department we are very aware of interest in these kind of sites for small business units or for one business to use the whole site. This site is in a ward which is amongst the top 15% in the country on the index of multiple deprivation. The creation of businesses on sites such as this represent a significant opportunity to address some of the causes of that deprivation. ENVIRONMENTAL HEALTH OFFICER raises no objection subject to the imposition of a condition and additional note in respect of contaminated land, food safety and noise implications.

WARD MEMBER fully supports the application for the following reasons:- removal of eye sore/blot on the area; opportunities for local employment; the proposal makes a positive impact for the whole area; Other matters for consideration; off road parking provision must be included; any Section 106 monies accruing due to the non-provision of Social Housing and employment facilities should be given to the Taunton East Development Trust to enable it to provide services elsewhere within Halcon.

TWO LETTERS OF OBJECTION has been received raising the following issues:- there is not a shortage of general nursing beds in this area; there is an existing 30 bed general nursing home within 100 yards with availability; there are vacancies across Taunton as shown on County Council website – [www.carehomesinsomerset.org](http://www.carehomesinsomerset.org); impact upon existing nursing home with potential job losses; the site could be used for Community facilities within the Halcon ward to help build community links.

EXMOOR PLASTICS LTD have made representations that they have currently outgrown their own factory units and have for some years been seeking a much larger factory. The application site could meet this need and they have twice, since September 2003, made offers to purchase the site in excess of its market value for employment land. As such there is a strong objection to the proposed loss of this site for employment use.

ONE SUPPORTING DOCUMENT ON BEHALF OF THE SITE OWNERS has been submitted:- The statement argues that the proposed development would accord with the provisions of Policy EC9 as the proposed application would provide a significant number of jobs. Subject to the viability of the site being tested for employment use the site is located in a suitable area for residential purposes. A report commissioned by the Council from Messrs Greenslade Taylor Hunt and published in March 2006 confirmed that they were of the opinion that the property has been marketed 'thoroughly and professionally...'. The property has been available for sale since July 2002. The proposed use is an appropriate use within a residential area. The proposal complies with Local Plan Policy in relation to the siting of housing and residential care facilities. The development accords with PPS3 which requires local planning authorities to examine 'vacant and derelict sites or industrial or commercial sites' for their potential to provide for residential development. The Design and Access statement demonstrates that the proposal would give rise to significant community benefits.

## **POLICY CONTEXT**

RPG10 - Regional Planning Guidance for the South West

PPS1 – Delivering Sustainable Development, PPS3 – Housing, PPG4 – Industrial, commercial, development and small firms, PPG13 – Transport.

Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 - Sustainable Development, STR4 - Development in Towns, Policy 18 - Location of Land for Industrial & Business Development, Policy 48 - Access and Parking.

Taunton Deane Local Plan Policies S1 - General Requirements, S2 - Design, H16 – Residential Care Homes, EC1 - Employment Development, M1 - Transport, Access and Circulation Requirements, M2- Transport, Access and Circulation Requirements, M3 - Transport, Access and Circulation Requirements.

## **ASSESSMENT**

It is considered that the pertinent issues in the determination of the application relate to the policy implications; and an assessment of the design and impact upon the amenity of local residents.

Outline permission for residential development was refused in June 2002 and August 2004. The applications were refused for the following reason:- The proposal results in the loss of an important employment site. In light of a shortage of other available sites it is concluded that this loss outweighs any benefits resulting from a residential use. The Local Planning Authority is not satisfied on the basis of the information submitted the site could not now be successfully marketed for employment use. The proposal is therefore contrary to Taunton Deane Local Plan Revised Deposit Policy EC6.

The site was last used for Industrial purposes under Class B of the Use Classes Order. Consequently, the site is covered by policy EC9 of the adopted Local Plan. This policy seeks to resist the loss of Class B land unless there are overriding benefits. In the first instance, a nursing home (Class C2) does not fall within a defined employment use (Class B). It is therefore imperative to establish sound planning reasons for the granting of any change of use in light of the aims of policy EC9.

This part of Taunton is one of relatively high employment, lower skills and wages. The Council's Corporate Strategy contains an objective to reduce deprivation in the Halcon Ward, to promote new business start ups and to improve skills levels of the local population. The Sustainable Community Strategy also reflects these aims. As already highlighted, the proposed use does not fall within Class B employment use and as such would not meet the criteria. The proposal is therefore contrary to Taunton Deane Local Plan Policy EC9.1

Although the land has been vacant for some time the applicant must be able to demonstrate that this is because there is no further interest in continued employment use for the site. The application site is in excess of 0.3 hectares. As such this site is considered to be of sufficient size to accommodate a range of smaller incubation units for business start up or for a small/medium business unit. It is generally accepted that there is a shortage of readily available employment land and, that where land is available it often has unsuitable tenure restrictions.

Whilst the site was previously marketed for employment use, it was withdrawn from the market at a time when the Council believes that a reasonable value officer had been made. This is further evidenced by the representations made by Exmoor Plastics. It is therefore concluded that the reason for refusal in respect of the earlier application has not been overcome.

There has been evidence submitted suggesting that there are currently vacancies in bed availability across the Taunton Deane Borough. Additional provision should not therefore be considered an overriding benefit for the granting of such a change of use, especially before the suitability (or otherwise) of continued employment use has been clearly established.

In addressing the design aspect of the proposed development, it is considered the massing and scale of the building is acceptable. The elevations are articulated by vertical fenestration and balconies. The line of the main facade wall is also varied in plane to provide additional modelling to the elevation and variety in the line and level of the roof. The colours and detailing (render and cedar timber boarding) would add further interest and modelling to the elevations. The site is set a slightly lower level to that of the surrounding residential development. There is considerable screening along the east boundary to Six Acres Close, and additional landscaping mitigation measures could be accommodated to help assimilate the development into the locality. It is considered there would be no unreasonable loss of amenity by reason of overlooking or dominating impact given the existing separation distances between the site and the nearest residential dwellings.

To conclude, it is considered that no overriding justification has been put forward since the previous refusal to justify relaxing policy EC9 to allow the change of use of this established employment site.

## **RECOMMENDATION**

Permission be REFUSED for the reason that the proposal results in the loss of an important employment site. In light of a shortage of other available employment sites it is concluded that this loss outweighs any benefits resulting from the provision of additional nursing beds and close care units. The Local Planning Authority is not satisfied on the basis of the information submitted that the site could not be successfully marketed for employment use. As such the proposal is therefore contrary to Taunton Deane Local Plan Policy EC9.

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

**CONTACT OFFICER: 356586 MR A PICK**

NOTES: