

38/18/0108

MR JULIAN SHAFFER

Re-development of the Lyngford House site into 45 (C2 use class) assisted living dwellings consisting of 6 apartments, 33 new build houses, conversion and refurbishment of Lyngford House into 3 apartments and communal facilities, conversion and refurbishment of associated listed cottages (Coach House and Stables) into 3 houses. All with associated landscaping. Demolition of the conference centre and apartment block, closure of the Lyngford Lane site entrance, changes for pedestrians and cyclists and relocation of the Selworthy Road entrance to allow for a new key view and approach to Lyngford House as amended by plans 918/109B, 113A, 105A, 115 and 918/410 Rev B, 402C, 405 and 412B

Location: LYNGFORD HOUSE, LYNGFORD LANE, TAUNTON, TA2 7LJ

Grid Reference: 323529.126886

Full Planning Permission

Recommendation

Recommended decision: Conditional Approval subject to a S106 agreement to secure the C2 use and the Travel Plan

Recommended Conditions (if applicable)

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

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

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

(A1) DrNo 918-413 House Type F Plans, Elevations & Section Plots: 29 - 36

(A1) DrNo 918-409A House Type E Plans, Elevations & Section Plots: 17 - 19

(A1) DrNo 918-406 House Type B Plans, Elevations & Section Plots: 11&12, 15&16

(A1) DrNo 918-405 House Type C1 Units 9&10

(A1) DrNo 918-404 House Type A Plans, Elevations & Section, Plots: 7&8, 13&14

(A1) DrNo 918-402C House Type C Plans, Elevations & Section Plots: 3&4, 5&6

(A1) DrNo 918-401A Type D1 Plans, Elevations & Section Plot: 2

(A1) DrNo 918-400 House Type D Plans, Elevations & Section Plot: 1

(A1) DrNo 918-303 Proposed Elevations & Section Coach House & Stable

(A1) DrNo 918-302 Proposed Plans Coach House & Stable
(A1) DrNo 918-213 Proposed Sections (2/2) Lyngford House C-C, D-D, E-E
(A1) DrNo 918-212 Proposed Sections (1/2) Lyngford House A-A, B-B
(A1) DrNo 918-211 Proposed Elevations (2/2) - Lyngford House East & South
(A1) DrNo 918-210 Proposed Elevations (1/2) - Lyngford House West & North
(A1) DrNo 918-209 Proposed Plans (3/3) - Lyngford House Roof Plan
(A1) DrNo 918-208 Proposed Plans (2/3) Lyngford House First Floor &
Second Floor
(A1) DrNo 918-207 Proposed Plans (1/3) - Lyngford House Basement &
Ground Floor

(A1) DrNo 918-114 Proposed Plots 12 & 13 / 22 Feversham Way Overlooking
& Overshadowing

(A1) DrNo 918-113A Proposed Plots 9 & 10 / 20 Feversham Way /
Overlooking & Overshadowing

(A1) DrNo 918-112 Proposed Plots 7 & 8 / 16 & 18 Feversham Way
Overlooking & Overshadowing

(A1) DrNo 918-109 Proposed Site Sections

(A1) DrNo 918-105A Proposed Site Plan - Roof Plan

(A1) DrNo 918-104 Demolition Plan

(A1) DrNo 918-100 Location Plan

(A1) DrNo 918-115 overlooking plots 27/28 Fletcher Close

(A1) DrNo 918-109 Rev B Proposed Site Sections A-A, B-B, C-C

(A1) DrNo 918-410 Rev B House Type G Plans, Elevations & Sections
Plots:23-26

(A1) DrNo 918-412 Rev A House Type G1 Plans, Elevations & Section Plots
27 & 28

(A1) DrNo 918-105 Rev B Proposed Site Plan - Roof Plan

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

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

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

4. (i) A landscaping scheme shall be submitted to and approved in writing by the local Planning Authority prior such a scheme being implemented. The scheme shall include details of the species, siting and numbers to be planted.

(ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development.

(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.

Reason: To ensure that the proposed development does not harm the character and appearance of the area.

5. Prior to the wall construction of any buildings, a hard landscape scheme shall be submitted to and approved in writing by the Local Planning Authority showing details of existing and proposed walls, fences, ground levels, other boundary treatment and hard surface treatment of the open parts of the site, and a programme of implementation.

Reason: In the interests of the appearance of the development and the surrounding area.

6. Any entrance gates erected shall be hung to open inwards, shall be set back a minimum distance of 6 metres from the carriageway edge and shall thereafter be maintained in that condition at all times.

Reason: In the interests of highway safety.

7. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before the new access is brought into use and shall thereafter be maintained at all times.

Reason: In the interests of Highway Safety.

8. The area allocated for parking and turning on the submitted plan, drawing number 1408_GP_100 shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: To ensure that there is adequate space within the site for the parking and turning of vehicles clear of the highway, in the interests of highway safety.

9. Prior to first occupation of the development hereby permitted, access to covered cycle, motor cycle and electric vehicle charging points shall be in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the sustainability of the site.

10. Prior to first occupation of the development hereby permitted, pedestrian and

cycle visibility splays onto Lyngford Lane shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

11. No residential occupation of the site shall take place until a Traffic Regulation Order (TRO) on the southern side of Selworthy Road opposite the access to the site restricting parking has been implemented.

Reason: In the interests of highway safety.

12. The development hereby permitted shall not be commenced until details of a strategy to protect wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of Wildwood Ecology's Ecological Impact assessments report (Bats) dated August 2017 and the Badger Mitigation Strategy and include:
 1. Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
 2. Details of the timing of works to avoid periods of work when the species could be harmed by disturbance
 3. Measures for the retention and replacement and enhancement of places of rest for the badgers, bats and birds
 4. Details of external lighting

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 badgers, bats and nesting birds shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new badger sett and bird and bat boxes and related accesses have been fully implemented

Reason: To protect bats, birds and badgers and their habitats from damage bearing in mind these species are protected by law.

Reason for pre-commencement: To ensure no harm to protected species during construction.

13. The development hereby permitted shall not be commenced until details of a scheme for the provision of a replacement badger sett has been agreed and provided and no development shall occur until the method statement for the protection of badgers during construction has been submitted to and approved in writing by the Local Planning Authority. The development shall be thereafter carried out in accordance with the approved scheme.

Reason: To protect the badgers and limit harm or disturbance during development operations.

Reason for pre-commencement: To ensure no harm to protected species.

14. No development shall be commenced until details of the surface water drainage scheme in accordance with the principles outlined in the Flood Risk Assessment, report ref. 3373/CIV/1803/02 and Drainage Strategy Statement, together with a programme of implementation and maintenance for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than Greenfield runoff rates and volumes. Such works shall be carried out in accordance with the approved details.

Reason: To ensure no risk of flooding elsewhere.

15. i) Before development commences (including site clearance and any other preparatory works) a scheme for the protection of trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with BS 5837:2012.
- ii) Such fencing shall be erected prior to commencement of any other site operations and following a site meeting with the Council to agree its installation.
- iii) It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase.

Reason for pre-commencement: To ensure no harm to protected trees during construction.

16. Detail of the public art element to be designed into the public realm of the site shall be submitted to and agreed in writing by the Local Planning Authority and thereafter be provided on site prior to occupation of any dwelling.

Reason: To ensure public art is designed into the scheme in accordance with policy D13.

17. The first floor windows in the east elevations of plots 29-36 shall be obscured glazed and limited opening. The type of obscure glazing and limit of opening shall be submitted to and agreed in writing by the Local Planning Authority prior to its installation and shall thereafter be so retained.

Reason: To protect the amenities of adjoining residents.

18. The first floor windows in the south west or west (rear) elevations of plots 4-8, 11 & 12 shall be obscured glazed and limited opening. The type of obscure glazing and limit of opening shall be submitted to and agreed in writing by the Local Planning Authority prior to its installation and shall thereafter be so retained.

Reason To protect the amenities of adjoining residents.

19. Details of the obscure glazing to the second floor privacy screen and first floor windows to the north and side elevations of plots 27 & 28 shall be submitted to and agreed in writing by the Local Planning Authority and installed prior to occupation and thereafter so retained.

Reason: In the interests of the amenity of adjoining residents.

20. The arboricultural method statement submitted with the scheme shall be strictly adhered to.

Reason: In the interests of protecting the trees to be retained on the site in accordance with policy ENV1.

Notes to Applicant

1. In accordance with paragraph 38 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. The condition relating to wildlife requires the submission of information to protect badgers, bats and birds. The Local planning Authority will expect to see a detailed method statement clearly stating how badgers bats and birds will be protected through the development process and be provided with a mitigation proposal that will maintain favourable status for the badgers, bats and birds that are affected by the development.

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

It should be noted that the protection afforded to badgers under the Protection of Badgers Act 1992 is irrespective of the planning system and the applicant should ensure that any activity they undertake on site must comply with the legislation. A strategy to protect badgers through the development phase and provide a new sett will require that work is done under license.

All site operatives must be advised that badgers are active on site and if encountered must be left undisturbed.

Nesting birds are present on site and all operatives on site must be

appropriately briefed on their potential presence. Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and if discovered must not be disturbed.

Proposal

The proposal is a redevelopment of the Lyngford House site to retain the main building and listed outbuildings and to demolish the modern conference and accommodation building while then replacing them with 33 new build extra care homes (Class C2). Six apartments are provided within the existing buildings and six in the extension to the main house resulting in a total of 45 units. Parking and landscaping are proposed as part of the development as well as a new access to the highway and closure of the one off Lyngford Lane.

The submission is accompanied by a number of supporting documents including a Design & Access Statement, a Planning Statement, a Use Class statement, an Ecological Assessment, an Arboricultural Assessment, a Heritage Impact Assessment, a Transport Statement, Travel Plan and FRA.

Site Description

The site consists of the former NHS conference centre based around the listed house with a modern two storey accommodation block to the rear and a single storey conference building at the front. The site is well landscaped with a significant number of trees around the site. Access is currently achieved off Lyngford Lane to the north as well as the main access to Selworthy Road to the south.

Relevant Planning History

No relevant recent history.

Consultation Responses

HERITAGE - Due to the layout of the main listed building Lyngford House it does not easily lend itself to residential conversion. To facilitate this an additional two stories are proposed to be built above the service accommodation in the north wing. The existing garden wall is retained to preserve the setting. This will result in a detrimental impact on both the surviving historic structure and the setting of the main listed house. I consider that the harm will be less than substantial as described in paragraph 196 of the National Planning Policy Framework. I would place this in the medium area of the spectrum of less than substantial harm.

The service buildings to the rear of the site are well intact, but have had some alteration. The proposed conversion is well considered. Accordingly I consider that the development will again cause low level less than substantial harm as defined

in paragraph 196 of the National Planning Policy Framework.

The main impact that this development and particularly the new housing will have will be on the setting of Lyngford House and its associated buildings. The removal of the two modern buildings modern buildings can be considered to be a public benefit. Also the reinstatement of the green bowl in front of the house can be considered as positive. The introduction of 33 new build houses does cause greater concern. These buildings although dramatically reduced from the original scheme, will in my view, cause high level 'less than substantial harm' as prescribed in paragraph 196 of the new National Planning Policy Framework.

Paragraph 196 states:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

I am content that the current proposals do represent the optimum viable use for the site. There is clear public benefit to the setting in removing the two 20th century buildings. In terms of wider public benefit, this will be covered in the main planning report.

SCC - TRANSPORT DEVELOPMENT GROUP - The proposal is to redevelop the existing Lyngford House site into assisted living dwellings, comprising of a total of 45 units.

It is important to note that it's unclear whether the applicants red line plan reaches the public highway boundary from the proposed access points, which the applicant need to clarify. The following information is on the basis that this is the case. If this is not clarified/demonstrated by the applicant, the Highway Authority will have no alternative but to recommend refusal due to insufficient information.

The applicant will also need to clarify if the stretch of verge along the site frontage onto Selworthy Road is within their ownership/part of this application. The proposal site is situated in the northern area of Taunton. The primary access to the site is served off the unclassified Selworthy Road. The posted speed limit is 30mph. Observed vehicle speeds appeared to be at or around this. No recorded accidents have occurred in relation to the proposed access off Selworthy Road over the past 5 years.

Access

Vehicular visibility spays of 2.4m x 43m based on standards set out in Manual For Streets (MFS) from the proposed access junction would be required in this instance.

Whilst the applicant has not submitted any proposed visibility splays it would appear that the required splays from the primary access are achievable in both directions to the nearside carriageway edge onto Selworthy Road. No obstruction to visibility within the splays shall exceed a height greater than 300mm above the adjoining carriageway level.

The Highway Authority would recommend that improvements are made to the existing access to ensure safe operation for two way traffic (e.g. a minimum width of 5m for at least the first 6m from the carriageway, with radii of 6m minimum provided and the existing tactile paving amended to suit if required). This would ensure traffic entering the site can safely manoeuvre from the main road even if

traffic is waiting to leave the site.

The applicant should also ensure safe pedestrian movement to and from the site onto Selworthy Road, with any potential conflict with vehicle movements being eliminated. The footway to the east of the primary access appears to be in the region of 1.6m across the site frontage. Once the red plan query above is clarified there appears potential to improve and widen the footway to a minimum of 1.8m to allow a safer passing width for all footway users. This will require a suitable legal agreement.

The Highway Authority view it necessary for a section of Selworthy road opposite the primary access to have a parking restriction area to ensure all associated vehicles can pass one another on Selworthy Road and enter/exit the access site without vehicle confliction.

There is a secondary access off the unclassified Lyngford Lane, although the Highway Authority understands that this is to be stopped up for vehicle access and used for pedestrian and cycle access only. However, no suitable pedestrian or cycle visibility splays has been submitted from the access onto Selworthy Road or Lyngford Lane which is required by the Highway Authority.

Estate Roads

It is to our understanding that the internal layout of the site is to remain private.

The applicant should be aware that it is likely that then internal layout of the site will result in the laying out of a private street and as such under Sections 219 to 225 of the Highways Act 1980, will be subject to the Advance Payments Code. For our purpose of records, full contact details of the Management Company who will be responsible for the future maintenance of the site are required.

Allowances shall be made to resurface the full width of the carriageway where disturbed by the extended construction and to overlap each construction layer of the carriageway by a minimum of 300mm. Cores may need to be taken within the existing carriageway in order to ascertain the depths of the existing bituminous macadam layers.

The applicant/developer will be held responsible for any damage caused to the public highway by construction traffic proceeding to/from the site. Construction traffic will be classed as 'extra-ordinary traffic' on public highways. Photographs shall be taken by the applicant/developer representative in the presence of the Somerset County Council (SCC) Highway Supervisor showing the condition of the existing public highway adjacent to the site and a schedule of defects agreed prior to works commencing on site.

The applicant/developer must keep highways, including drains and ditches, in the vicinity of the works free from mud, debris and dust arising from the works at all times and ensure that vehicles leaving the site do not carry out and deposit mud or debris onto the highway and shall provide such materials, labour and equipment as necessary to ensure compliance with this requirement.

Any existing services located within the carriageway/footway fronting this development that may need to be diverted, lowered or protected will have to meet the requirements of both the relevant Statutory Undertaker and the Highway Authority. It should be noted that all services shall be lowered to a depth to allow full road construction, inclusive of capping, to be constructed over. The design must comply with the requirements of 'Code of Practice' measures necessary where apparatus is affected by major works (diversionary works) under Section 84 NRASWA 1991.

Existing road gullies/drains shall be completely cleared of all detritus and foreign matter both at the beginning and end of the site works. If any extraneous matter from the development site enters an existing road drain or public sewer, the

applicant/developer will be responsible for its removal.

The existing public highway must not be used as site roads for stockpiling and storing plant, materials or equipment. The applicant/developer shall be liable for the cost of reinstatement if any damage has been caused to the highway.

A Section 50 licence will be required for sewer connections within or adjacent to the public highway. Licences are obtainable from

BSupport-NRSWA@somerset.gov.uk.

At least four weeks' notice will be required.

Only contractors with the Streetworks Accreditation registered with SCC will be permitted to carry out works on the highway.

If highway lighting is to be provided within the site, the applicant should be aware that due to the site remaining within private ownership, a separate power source to the one being used by SCC will have to be sought to energise any lighting units.

The applicant has not appeared to have demonstrated that the largest associated vehicle with the proposed development (e.g. an 11.4m refuse vehicle) can safely manoeuvre into and from the site, whilst entering the highway in a forward gear. A swept path analysis needs to be submitted by the applicant. The Highway

Authority would recommend that the applicant contact the local waste management company to discuss the viability of bin collection arrangements within the private site.

Drainage

With reference to the Flood Risk Assessment (ref. 3373/CIV/1803/02 issue 2) and the Drainage Strategy Statement (ref. 3373/CIV/1802/01 issue 2), both dated 29 March 2018 the following comments relate to the Highway Authority's interests in both the existing public highway network and the internal access road serving the development.

There are road gullies within the existing driveway access off Selworthy Road which prevent the discharge of surface water run-off from the driveway out onto the public highway. As the internal driveways serving this development will remain private, interceptor drainage will need to be retained at this location for the same purpose.

If it is considered that the Advance Payments Code applies to this development then the Highway Authority will need to approve the means by which the surface water run-off from the internal access roads/driveways is managed in addition to approving the design of the roads/driveways themselves.

Transport Statement

A trip generation assessment was undertaken in support of the proposal with reference to the TRICS trip rate database.

The Transport Statement (TS) has stated that the extant land use of the site (a conference centre) can accommodate up to 130 visitors, and assuming half of all visitors travel to and from the site by car, this would result in 130 daily vehicle movements. The trip generation assessment has demonstrated that the proposed development is predicted to generate slightly less daily traffic.

It is the view of the Highway Authority that the assessment is robust enough to consider the proposal is unlikely to have a severe impact on the local highway network. However it is important to note that this is with reference to the current proposed development for assisted living. Should the nature of the use of the site change that would be likely to generate a material increase in vehicular movements further transport details and assessments may be required by the Highway Authority.

The TS has stated that the proposed development of 45 extra care independent living units (that will consist of 100 bedrooms) will be allocated a total of 48 car

parking spaces (including 5 disabled spaces). This proposal of 48 car parking spaces is suitable based on the standards set out in the Somerset County Council Transport Strategy 'Parking Strategy' 2013.

The TS has stated that the provision of cycle parking will be in-line with the SCC standards of 1 space per 7 bedrooms. Based on these standards, the applicant is expected to provide 15 cycle spaces to accommodate the proposal that should be covered, safe and secure. Whilst no covered motorcycle or electric car charging points have been proposed, the Highway Authority would welcome such proposal in association with our recognised parking strategy.

The TS has provided limited information regarding the provision of pedestrian access to the site. The applicant needs to clarify the pedestrian infrastructure that will be provided, e.g. the width of the footways, dropped kerbs / tactile paving, and street lighting.

The TS has also not demonstrated the pedestrian visibility at either of the proposed access junction.

Travel Plan

A Travel Plan (TP) was submitted to support the application which has been assessed under audit. The audit identified a number of significant issues that will require addressing to achieve an acceptable TP. Nomis data can be made available to the applicant to assist preparing a suitable document.

A Framework Travel Plan was submitted on behalf of the applicant and has since been reviewed by the Highway Authority. The standard has been met, albeit conditioned by the comments set out in the rest of this Travel Plan Audit report. The Travel Plan (TP) needs to demonstrate that the additional trips generated by the development as set out in the TA will be offset by a reduction in Singular Occupancy Vehicle use and an increase in sustainable modes. The measures proposed in the TP must be robust enough to achieve this. Showing targets in absolute numbers as well as modal split will aid demonstration of this. Census Data 2011 at ward level generates a baseline figure for people travelling to work. The Local Planning Authority need to consider how realistic the proposed targets are.

The TP will only be approved when further to the TP being agreed, it has been registered on the system, uploaded on the system, and the relevant approval data relating to site synopsis, action plan and targets uploaded onto the system.

There was no mention of TP Fee in the framework travel plan. The fee should be stated in the travel plan. Subject to agreement, this is required to be paid in full to SCC prior to commencement of the development. Clarity is sought for additional land uses on top of dwellings, i.e. staff offices or accommodation.

With regards to the Conference Centre the applicant states "The extant planning permission would allow these activities to resume at Lyngford House at any time". However the on-line application states the demolition of the Conference Centre –the status needs to be confirmed by the applicant.

Lyngford Lane will still be open to pedestrians and cyclists. The applicant may need to consider the presence of footways, adequate lighting and CCTV.

Use of mobility scooters would require continuous footways to nearby facilities to include dropped kerbs, tactile paving and formalised crossings. The Highway Authority would recommend that the The applicant will need to provide a list of key facilities and their distance from site.

The applicant will need to identify first and last bus services times and whether the stops have adequate facilities, such as timetable information, shelters, etc.

Conclusion

With the above in mind there is no objection from the Highway Authority, subject to a suitable Travel Plan being agreed to and secured under a S106 agreement. If the Local Planning Authority were to approve the application, the following conditions are recommended:

1. No work shall commence on the development hereby permitted until details of amendments to the existing access including visibility splays onto Selworthy Road road have been submitted to and approved in writing by the Local Planning Authority. Such works to the access shall then be fully constructed in accordance with the approved plan(s), to an agreed specification, before the development is brought into use.
2. The applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in advance in writing by the Local Planning Authority and fully implemented prior to commencement, and thereafter maintained until the use of the site discontinues.
3. A Condition Survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.
4. No development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:
 - Construction vehicle movements;
 - Construction operation hours;
 - Construction vehicular routes to and from site;
 - Construction delivery hours;
 - Expected number of construction vehicles per day;
 - Car parking for contractors;
 - Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
 - A scheme to encourage the use of Public Transport amongst contractors; and
 - Measures to avoid traffic congestion impacting upon the Strategic Road Network.
5. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before commencement and thereafter maintained at all times.
6. The area allocated for parking and turning on the submitted plan, drawing number 1408_GP_100 shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.
7. Prior to first occupation of the development hereby permitted, access to covered cycle, motor cycle and electric vehicle charging points shall be in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority.
8. Prior to first occupation of the development hereby permitted, pedestrian and cycle visibility splays onto Lyngford Lane shall be submitted to and approved in

writing by the Local Planning Authority.

9. Prior to commencement the developer has applied for a suitable Traffic Regulation Order (TRO) on the southern side of Selworthy Road opposite the access site, for a distance to be agreed in writing in conjunction with the Local Planning Authority. The TRO if successful shall be implemented at the developer's expense to the satisfaction of the Local Planning Authority prior to occupation.

10. Any entrance gates erected shall be hung to open inwards, shall be set back a minimum distance of 6 metres from the carriageway edge and shall thereafter be maintained in that condition at all times.

11. Prior to occupation the footway across the site frontage east of the access on Selworthy Road will be widened to an overall width to be agreed in writing in conjunction with the Local Planning Authority. The works shall be implemented at the developer's expense to the satisfaction of the Local Planning Authority prior to first occupation.

Note

The applicant will be required to secure an appropriate legal agreement for any works within or adjacent to the public highway required as part of this development, and they are advised to contact Somerset County Council to make the necessary arrangements well in advance of such works starting.

LANDSCAPE - The scheme is an improvement on the scheme initially submitted. The arrangement of the new buildings, with the exception of the plots backing on to Fletcher Close, generally respect the listed buildings.

I am happy with the palette of hard materials and planting but will require full details.

TREE OFFICER - On the whole, I would agree with the tree survey assessment of the trees that remain on the site. Early in 2017, some trees were felled, and most of the rest were severely ring-barked, with the aim of preventing them from being ultimately removed. Some of the ones that were felled were good, mature or early-mature oaks. Apart from the five mature trees that were protected by TPO in 1985, and the belt of mature trees on the western boundary, most of the remaining trees are not of particularly high quality, being relatively young groups of pine, birch, cherry, hawthorn and plum, although these trees do currently provide some screening for the surrounding residents, and provide wildlife habitat. Given that most of them have been severely ring-barked, it is almost certain that they will not survive for long. I would therefore have no objection to the tree removals that are now proposed for this development.

I do have some concerns about the proximity of certain buildings to the largest trees, particularly the 'F'-style house in the south east corner. This house is well within the theoretical 'Root Protection Zone'. I suspect that, in practice, building this house without causing significant damage to the roots of T11 Wellingtonia would be difficult. The 'G'-style house in the north east corner is also quite close to T18 oak, whose RPA seems to be surprisingly modest given the size of the tree.

As well as potential root damage, trees that are as large as oaks and Wellingtonias often cause concern to nearby residents if they are too close, which

results in applications to prune or fell once the houses are occupied. Residents and their properties might be affected by shading, falling leaves and other minor debris, sap and bird droppings. They may also be intimidated by the proximity of such large trees, due to their potential to drop branches or fail entirely in extreme weather.

Although I have concerns about the laying of driveways and parking within the RPAs, it is technically possible to do it in a way that causes minimal damage and disturbance to roots, using a 'cellular confinement' system, so long as the guidance in the Arboricultural Method Statement and the manufacturers recommendations are strictly adhered to. I do foresee issues with the car parking underneath the oak (T18), due to the issues mentioned above – falling leaves, sap etc.

I fear that a number of the large trees along the western side, which are shown to be retained, will not survive much longer, due to the ring-barking. The large cedar has already succumbed. If/when these trees fail, we will have powers under the 2017 TPO to ensure that they are replaced by new trees.

On the subject of replacement trees, I would like to see a more interesting scheme (than is shown on the arboricultural survey plan TC2) that attempts to replace some of larger trees that have either already been removed, or are likely to require removal and replacement soon. Species such as Quercus, Fagus or Tilia would be good. These would be more in keeping with the character of the listed building, rather than street trees such as Chanticleer pears, or hedgerow trees such as field maple. The Tulip Tree and the Indian Bean Tree are good – more trees like these would be better, which could give the site an 'arboritum' feel. From a landscape point of view, the lack of any space for planting along the eastern boundary might be an issue for residents on both sides of the boundary.

I understand that some more trees at the northern end may need to be removed to enable the badger setts to be moved. A scheme for the replacement of these trees will be required.

To conclude, if the scheme is to be granted permission, it is essential that all the points in the Arboricultural Method Statement are strictly adhered to, and that a project arborist is employed by Quantum to oversee the various operations that would be necessary in close proximity to the important trees. These must be preceded by a site meeting with this council to agree the installation of the tree-protection fencing etc.

ENGLISH HERITAGE NOW HISTORIC ENGLAND (ALL CONSULTATIONS) -

Thank you for your letter of 24/04/2018 regarding the above application. On the basis of the information available to date, in our view you do not need to notify us of this application under the relevant statutory provisions, details of which are below.

SOMERSET BADGER GROUP - We believe that with the closure of a 'main sett', without definite evidence that a suitable natural alternative is readily available, requires the provision of a suitable artificial alternative. The "infrequent use" of one

entrance does not in our opinion constitute a suitable natural alternative. In the latest report the consultant uses phrases like 'it is hoped' the badgers may use the suggested 'annex sett'. An artificial sett could be constructed with due regard for the existing badger activity and the work could be licensed if required. It would be our view that at the artificial sett should be provided and proved to have been explored by the badgers (using food placements and monitoring) prior to the exclusion and destruction of the main sett within the site.

The badgers have been proved to be using much of the site to forage and that is expected to include adjacent gardens. The proposal will exclude them from these established foraging areas. The suggestion that the arable fields to the north will be adequate foraging is speculation and again avoids having to provide badger corridors around the site. It would be simple to incorporate wildlife corridors at least along the northern boundary to join with the open area, and along part of the western boundary. With the development of land off Nerrols Drive and Maidenbrook Lane in the east it is highly likely that before long the arable fields will be developed.

HOUSING ENABLING - Section 1.14 of the adopted Affordable Housing SPD (second para) states "Care homes, residential and nursing homes (class C2) that do not provide individual units of self-contained accommodation are not required to provide affordable housing."

Having considered the 'C2 Use-Class Statement', it is proposed to provide self-contained units but alongside a level of community facilities.

In terms of whether this constitutes a C2 use or a C3 use, I would raise the following points. It is noted that the properties would only be occupied by a person that is a minimum of 55 years old, whereas on other care schemes of this nature, this has been a minimum of 70 years old. Whilst it is acknowledged that a large amount of communal facilities, 24 hour care and daily cooked meals are made available, there is nothing to say that residents would take advantage of any of these if they were not yet at that stage in life.

On the basis that these services would only be used by those who wish to use them/need them, the remainder of residents would be occupying the self-contained accommodation independently as would be the case for a C3 dwelling.

If you, as case officer, are satisfied that this is classed as a C2 use, there would be no affordable housing requirement. However, if you consider the proposal (or an element of the proposal) to be a C3 use, the policy requirement of 25% affordable housing would apply to this C3 use.

LEAD LOCAL FLOOD AUTHORITY –

The LLFA have no objections to the proposed application in principle, but recommend that should the planning authority be minded to approve the application, the following planning condition is attached.

Condition:

No development shall be commenced until details of the surface water drainage

scheme in accordance with the principles outlined in the Flood Risk Assessment, report ref. 3373/CIV/1803/02 and Drainage Strategy Statement, report ref. 3373/CIV/1802/01, together with a programme of implementation and maintenance for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than Greenfield runoff rates and volumes. Such works shall be carried out in accordance with the approved details.

These details shall include:

- Detailed drainage layout, including the proposed attenuation and SUDS features;
- Drawings showing details of the proposed attenuation storages and other SUDS features;
- Written confirmation from Wessex Water that the proposed discharged rate to the public sewer was agreed with them;
- Revised drainage calculations based on FEH 2013 rainfall data. Calculations should demonstrate that the proposed surface water drainage system has been designed to show no flooding from the system for up to and including the 1 in 30 year event, and how water that may potentially occur above ground for events greater than 30 year and up to and including the 1 in 100 year with climate change, will be managed within the site boundary;
- Detailed drawing demonstrating the management of surface water runoff during events that may temporarily exceed the capacity of the drainage system for up to and including the 1 in 100 year event with climate change;
- Attenuation storage calculations. The calculations should be based on FEH 2013 rainfall data;
- The results of the survey of the existing drainage system, including information on invert levels of the public sewer where surface water runoff from the site is proposed to be discharged. If the results of the survey show that gravity drainage is not feasible on site, the Applicant shall submit a revised site layout which accommodates a package pumping station.
- Details regarding the management of surface water runoff during the construction phase to ensure no increase in flood risk to the development or elsewhere.
-

COMMUNITY LEISURE - I have no comments to make on this assisted living application, however Open Spaces should be asked to comment on the landscaping proposals.

WESSEX WATER - No comment.

BIODIVERSITY - Wildwood ecology carried out an ecological Impact assessment report of the site in August 2017 and a European badger Mitigation Strategy in September 2017.

Findings were as follows

Bats

A daytime inspection of Lyngford House was undertaken as part of the assessment of the nearby Hestercombe SAC in 2008. A possible lesser horseshoe bat night roost was identified under an arched entrance passage at the west side of the building. Another potential LHB night roosting site was found under the archway of the door to the cellars on the eastern aspect of Lyngford House.

Apart from the preliminary roost assessment, two emergence surveys were also undertaken in 2017. Activity surveys identified common and soprano pipistrelle, brown long eared, noctule, and serotine bats in the area.

As well as the two potential on site lesser horseshoe night roosts, a historic brown long eared bat feeding perch roost was identified in the southernmost turret room of Lyngford House by the presence of bat droppings and feeding signs.

No other bat roosts were identified on site although remaining trees on site may offer potential for roosting bats

I agree that there should be no illumination of bat flight lines and dark corridors must be maintained to the potential LHB night roost locations

Nesting Birds

The on site buildings trees, scrub all offer potential to nesting birds. Removal of vegetation should take place outside of the bird nesting season

I support the erection of bird boxes on site.

Badgers

Badger setts are present on site.

In order to develop the site the developer will need to close the setts under licence and create an artificial sett off site. The report recommended that the new sett is constructed by October 2017 but this has not happened to date. The new sett should be monitored for two years post exclusion.

Badgers are thought to be foraging both on and of site. Access to major foraging areas must be maintained.

Japanese knotweed

I agree that a specialist contractor will be required to provide advice and recommendations on the eradication and management of the on site Japanese knotweed

Suggested Condition for protected species:

The development hereby permitted shall not be commenced until details of a strategy to protect wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of Wildwood Ecology's Ecological Impact assessments report (Bats) dated August 2017 and the Badger Mitigation Strategy, dated September 2017 and include:

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

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 badgers, bats and nesting birds shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new badger sett and bird and bat boxes and related accesses have been fully implemented

Reason: To protect bats, birds and badgers and their habitats from damage bearing in mind these species are protected by law.

Informative Note

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

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

It should be noted that the protection afforded to badgers under the Protection of Badgers Act 1992 is irrespective of the planning system and the applicant should ensure that any activity they undertake on site must comply with the legislation. A strategy to protect badgers through the development phase and provide a new sett will require that work is done under license.

All site operatives must be advised that badgers are active on site and if encountered must be left undisturbed.

Nesting birds are present on site and all operatives on site must be appropriately briefed on their potential presence. Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and if discovered must not be disturbed.

NATURAL ENGLAND - Natural England has **no comments** to make on this application. The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

SCC - NOW HISTORIC ENV SERVICE(AS NOT PART OF SCC 2015) - No comment.

Representations Received

12 letters of objection received raising the following concerns:

- Design of proposed buildings with roof terraces out of keeping with area.
- Limited parking spaces proposed for proposed units, staff and visitors. Query whether there is space for additional parking spaces.
- Will exacerbate on road parking problem.
- Relocation of entrance onto Selworthy Road may compromise safety due to existing on road parking and nearby junctions.
- An access from Lyngford Lane, which is already dangerous and narrow could cause safety concerns for pedestrians and cyclists.
- Inadequate cycle parking provision for residents, visitors and staff.
- An area of Japanese Knotweed is present within the site and will be a threat to neighbouring property. Request details of proposed treatment.
- Drainage strategy provides incorrect information regarding number of properties the public foul sewer serves. There have been drainage problems to neighbouring property following root ingress from trees.
- Overbearing impact of new build dwellings on neighbouring property due to scale, mass, raised platform and proximity.
- Loss of outlook from neighbouring property due to close proximity.
- Mutual overlooking of windows and amenity space (of both neighbouring dwellings and proposed properties). Obscure glazing proposed is not sufficient to resolve this. Concerns that illustrations provided are inaccurate.
- Loss of privacy to neighbouring properties from roof terraces, much worse than from the first floor windows. Proposed privacy screens may be acceptable if they prevented downward viewing when standing, are of sufficient obscurity and they (or a suitable alternative) always remain in situ.
- Noise, disturbance and unwelcome surveillance would be exacerbated by cumulative effect of numerous properties adjacent to neighbouring property where separation distances are significantly less than a recent appeal case.
- Increased surface water run-off to neighbouring properties which are on a lower level.
- Proposed access road close to boundary with neighbouring property could weaken foundations of fence; deeper excavations for drainage gulleys and removal of tree roots extending into neighbouring properties could cause subsidence to garden, shed and summerhouse.
- Query whether proposal is C2 (care home) or C3 (dwellings) due to minimal care package requirements and parking level being higher than that recommended for C2 use, indicating greater level of independent living. Proposal for two storey dwellings, some with a third bedroom in loft space indicates occupiers would be capable of running and living in these types of dwellings.
- Harm to the setting of the listed building and parkland by the proposed modern dwellings. Query whether single storey housing could be included that would be less damaging.
- Public consultation to include neighbours took place in January 2018, information submitted states pre-application consultation in July 2017.

Following receipt of amended plans:

- Amended design of plots 9 and 10 improves perception of surveillance and

proximity of first floor. However these still create a loss of outlook, are overbearing due to scale, mass, raised platforms and proximity; and still result in a loss of privacy and claustrophobic environment.

- Amended design of plots 27 and 28 includes privacy screening but no level of obscurity provided and only 1.7 metres high. The opaque and fixed glazing only applies to bathroom windows and not bedroom windows, compromising privacy due to close proximity to boundary.

4 letters of support on the grounds of:

- Good quality development.
- Asset to Taunton, need for more supported living, will enable people to live at home longer reducing the burden on care homes and hospitals.
- Creation of new jobs.
- Adequate links to pedestrian cycle network.
- Support provision of the car club and car sharing.

Quantum Group also submitted the results of their Public Consultation, which included 83 letters of support, 3 letters of objection and 6 letters making comments. It should be noted that some households had also submitted representations directly to the Council and these are therefore already summarised above.

Whilst there were a significant amount of letters broadly in support, the following comments and concerns were also included within these support letters:

Insufficient parking; too many properties resulting in an overcrowded development; lack of eco-friendly products including solar PV and grey water systems; increase in traffic on Selworthy Road; properties too close to the boundaries with neighbouring dwellings; site being open to the public will promote crime and should be a gated community; the provision of rented accommodation was hoped for; pedestrian and cycle access concerns from Lyngford Lane; query whether provision is made for the storing and recharging of electric buggies; the badger sett should be protected; there are no bungalows for the elderly; damage/subsidence to neighbouring properties; there should be provision of a sculpture by a local artist, water feature and raised beds for those in wheelchairs; request a more aesthetic design; an area of lawn should be sacrificed for more parking; trees have already been lost, trees should be retained; Selworthy Road should have double yellow lines to prevent on road parking.

Planning Policy Context

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

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

Relevant policies of the development plan are listed below.

CP1 - Climate change,
CP4 - Housing,
CP5 - Inclusive communities,
CP6 - Transport and accessibility,
CP8 - Environment,
DM1 - General requirements,
DM4 - Design,
SD1 - Presumption in favour of sustainable development,
SP1 - Sustainable development locations,
A1 - Parking Requirements,
A2 - Travel Planning,
D7 - Design quality,
ENV1 - Protection of trees, woodland, orchards and hedgerows,
ENV2 - Tree planting within new developments,
D12 - Amenity space,
D13 - Public Art,

This takes into account the recent adoption of the SADMP.

Local finance considerations

Community Infrastructure Levy

N/a

New Homes Bonus

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

Determining issues and considerations

The main issues for consideration are the principle of the development, impact on the setting of the listed building, design, impacts on residential amenity, wildlife, landscaping, drainage, traffic and parking.

Principle

The site lies within the settlement limits of Taunton and therefore the principle of a residential care scheme for the elderly is considered appropriate. The applicant has submitted information supporting the need for such a development and given the location close to existing shops and doctor's surgery the location is considered to be a sustainable one. The use would be limited to occupants of 55 or over who would have access to on site communal facilities and a personal care package. As such the use is considered to fall within a C2 use class and a legal agreement is proposed to secure this. On this basis the use in this location is considered to be

acceptable subject to no significant adverse material impacts.

Listed Building Setting and Design

The development involves the development of Lyngford House, a Grade II listed building and its surroundings. The scheme has been considered on a number of occasions by the Design Review Panel and the current layout determined as a result. This retains important areas of green open space to the south and east of the main building while allowing for development of detached properties round the periphery of the site.

The extension to the main building is located on the northern side where it is considered that it would be the least harmful impact and results in the removal of the later additions to the main building. The extension is modern in design and three storeys set behind the historic wall to the frontage. This provides for 6 new units in a form that is still considered subservient to the main building. The Stable building to the rear is converted to a single unit in its current form while the Coach House is subdivided into two with a traditional lean-to extension on the rear.

The new housing to the periphery is largely two storey with traditional materials and pitched roofs while the 3 modern dwellings to the north of the site are 3 storey with bedrooms opening onto roof terraces. Clearly the provision of this scale of elderly care housing has an adverse impact on the setting of the listed building. Section 66 of the Planning (Listed building and Conservation Areas) Act requires that special regard is paid to the desirability of preserving the listed building, its setting and any feature of historic or architectural interest when deciding whether to grant planning permission. The Conservation Officer considers that this development is at the upper high end of less than substantial harm to the heritage asset. As such in line with the NPPF the harm to the setting and the building has to be weighed against the public benefits of the proposal. On balance the benefits of securing a long term use for the listed building and the provision of care for the elderly in a sustainable location is considered to outweigh the harm of the new development on the setting of the building. The revised access will also give a better public view of the building.

Residential Amenity

A number of concerns have been raised by local residents in terms of the impact on the amenity of their properties as a result of the new development. The areas of concern lie to the north east and east of the site given that the new build element of the scheme are located on the periphery of the site. The northernmost new build element is a modern 3 storey block (plots 27/28). This block is 7m off the northern boundary which has established planting. Concern over loss of privacy and overlooking has been raised, particularly as these units have a roof terrace. The design has therefore been revised to provide a privacy screen to 1.7m which would be obscure glazed and prevent views down to neighbouring gardens. The details of this are covered by condition.

The new properties along the eastern boundary are between 19 to 25m away window to window, although as the land on the site is higher there would be a greater degree of potential garden overlooking as a result. Consequently a condition

to address this concern in terms of first floor windows in the eastern elevation is proposed. In terms of the western side of the site, here there has been a concern over levels and the proximity of some of the new plots to the boundary. Window to window distances vary between 13-18m and in the worst case this has been addressed by the change in the house type so that the height of the building is moved further away from the boundary and there are no rear looking windows to cause overlooking only high level rooflights. In other instances along this boundary obscure glazing of the first floor windows on the rear is proposed and this is covered by condition.

Wildlife

An ecological survey was submitted with the application and the standard condition to secure protection during construction and enhancements are proposed as part of the scheme. The main wildlife concern has related to the impact on badgers and appropriate mitigation. It has been agreed that a new artificial sett will need to be constructed on site. This will enable the closure of the existing one and the ability to treat the Japanese knotweed that has been discovered. A separate condition with regard to the timing of the works related to the badgers is proposed.

Landscaping

An indicative landscaping scheme has been submitted with the proposal which the Landscape Officer considers is suitable in principle subject to precise details which can be the subject of a condition. The Tree Officer has also commented in relation to the works and the need for root protection and a more interesting replacement tree scheme. Both of these elements are considered to be reasonable and are proposed as conditions.

Drainage

The proposal was accompanied by a Flood Risk Assessment and drainage strategy. The site does not lie within a flood risk zone and surface water is proposed to be attenuated on site before being discharged to the public surface water system. Foul drainage will be to Wessex Water sewer. Details of connection will need to be agreed and a condition to secure a suitable surface water scheme is proposed as suggested by the Local Lead Flood Authority.

Access and Parking

The access to the site is currently off both Lyngford Lane and Selworthy Road and the proposal is to close off the vehicular access to the lane and provide a new access onto Selworthy Road. The parking provision is for 48 spaces which is more than 1 per unit and given the nature of the occupiers of the site not all residents will be able to drive and there is considered sufficient parking in compliance with policy A1. The Highway Authority raise no objection in principle and suggest a legal agreement to secure the travel plan and the provision of a number of conditions. The splays onto Selworthy Road are shown on the plan and do not need to be

conditioned. The pedestrian splay onto Lyngford Lane needs to be controlled as does surface water discharge. The control of contractors and vehicle movements are not something that can be suitably enforced as a condition. Parking and turning on site and cycle parking are reasonable conditions to attach as is the provision of entrance gates. A grampian condition in terms of the restriction of parking opposite the entrance through a TRO is considered appropriate. It is unclear that the widening of the footway can be achieved as it lies outside of the red line site. The traffic associated with development is of a scale that would not give rise to congestion and issues on the local road network and consequently there is no reason to object on highway and access grounds.

Conclusion

In summary the proposal will provide a scheme of assisted care for the elderly in a sustainable location and meeting an identified need. It will safeguard the future use of the listed building and provide local employment. These identified benefits are considered to outweigh the harm to the setting of the listed building created by the new build elements of the scheme. The impact on the amenity of the adjacent residents can be suitably addressed through conditions as can the wildlife impacts of the development. Consequently the development is considered to be a sustainable one in line with the NPPF and the scheme is recommended for approval subject to the necessary legal agreement and conditions.

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

Contact Officer: Mr G Clifford