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| Application No: | 3/21/18/094 |
| Parish | Minehead |
| Application Type | Full Planning Permission |
| Case Officer: | Anna-Mari Galliot |
| Grid Ref | Easting: 297921 Northing: 145008 |
| Applicant | Mr J Sykes Brown |
| Proposal | Erection of a single storey dementia care nursing home (amended scheme to 3/21/18/026) |
| Location | Dene House, Bircham Road, Alcombe, Minehead, TA24 6BY |
| Reason for referral to Committee | |

Recommendation

Recommended decision: Grant

Recommended Conditions

- 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:

(A3) DRNO 218-2B BLOCK PLAN

(A3) DRNO 218-3A PROPOSED GROUND FLOOR PLAN

(A3) DRNO 218-1 SITE PLAN

(A3) DRNO 218-4 ELEVATIONS

(A4) WESSEX WATER PLAN

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

- 3 (i) A full landscaping scheme including the proposed new tree planting for the northern boundary shall be submitted to and approved in writing by the Local Planning Authority prior to 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.

- 4
- 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 at least two working days' notice shall be given to the Local Planning Authority that it has been erected.
 - 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.
 - iv) Prior to commencement an arboricultural method statement including a tree protection plan shall be submitted to the Local Planning Authority detailing proposed pruning works for any protected trees.

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

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- Prior to any work commencing on site access to the site from Dunster Close shall be stopped up by fencing as shown on the submitted Block Plan dwg. no. 218 -2B, and retained in this manner at all times thereafter.

Reason: To safeguard residential amenity in the area, during the construction period and after the development is completed.

- 6
- Refuse generated from Dene House shall be taken to the allocated area behind Dene Lodge Nursing Home and collected accordingly, and there shall be no waste collection from Dunster Close.

Reason: To safeguard residential amenity in the area, during the construction period and after the development is completed.

Informative notes to applicant

1 STATEMENT OF POSITIVE WORKING

In determining this application the Local Planning Authority considers it has complied with the requirements of paragraph 38 of the National Planning Policy Framework. Although the applicant did not seek to enter into pre-application discussions/correspondence with the Local Planning Authority in advance of submitting the application, for the reasons given above and expanded upon in the planning officer's report, the application was considered acceptable and planning permission was granted.

Proposal

This proposal is for erection of single storey dementia care nursing home (amended scheme to 3/21/18/026) Dene House, Bircham Road, Alcombe, Minehead.

In 2017,19 Dunster Close was granted permission for the demolition of the existing 3- bed bungalow to slab level, and erection of 6-bed bungalow as assisted living unit annexe to Dene Lodge Nursing Home with associated car parking. A pedestrian access onto Bircham Road was also proposed with no proposed access from Dunster Close.

The term Assisted Living (also termed Sheltered Housing) relates to persons living independently under the same roof and who share the main facilities in the unit. They have the use of a piperline system to call for care if and when required and/or can purchase additional care from the adjoining home. However, because the proposal was for a maximum of six people sharing all essential facilities, no change of use occurred and the property is currently in residential (C3) use.

Since the previous approval the site was cleared and fenced off from Dunster Close and a new access from the Dene Lodge Nursing Home was formed. The site address and building is now known as Dene House, Bircham Road, Minehead. The construction ceased in December due to the decision by Dene Lodge Nursing to use the new building for long term care of people suffering from dementia, referred from Musgrove Park Hospital. The amended proposal is to erect a larger 'hospital' bedrooms and en-suite wet rooms, easier access corridors for the use of body hoist equipment etc which proved impossible to incorporate into the shape of the approved building. The number of bedrooms (people in care) will remain the same. Also, since the previous approval the existing soil drainage pipe has been deemed susceptible to failure and consequently Wessex Water has introduced a non-building zone over this type of pipe to alleviate any additional pressure on the drain which affected the proposed siting of the building.

The original approved application was for assisted living whereas this amended

application is for dementia care which by definition requires full time care, and would require a change of use from C3 to C2. The size, height and shape of the proposed building has also changed since the previous approval of application (ref:3/21/18/026).

Materials used are similar in texture and colour to those on the adjoining estate building. Solar panels have been shown on the rear side of the roof and are subject to further approval. The dimensions of the proposed boiler room (3m x 1.2m with a height of 2.3m) have been included on the amended plans.

Site Description

19 Dunster Close, is located in a residential area on the outskirts of the centre of Alcombe and is accessed from Combeland Road from either Bircham Road and Church Street or Brook Street or via the 'back road' from Ellicombe Lane off the Ellicombe roundabout. The site is one of 17 single storey bungalows, both detached and semi-detached, some with adjoining garages and some with detached single garages arranged in a linear arrangement and with no. 19 and 14 (adjacent) at the end of the cul-de-sac and turning head.

The dwellings are a mixture of two and three bedrooms constructed in a mix of brick and painted render with tiled roofs and have a mix of wooden and upvc windows and doors. All of the dwellings have open front gardens facing the access road. Numbers 14 and 19 are corner plots which also share the main Bircham Road boundary. Number 19 itself is tucked into the north western corner and directly adjoins the Dene Lodge Nursing home which is to the west of the site.

The site is well screened by trees that are protected by a Tree Preservation Order and tall hedging including hedging along the boundary with Dene Lodge (to the west) and is not visible from Bircham Road. There is wire fencing along the western boundary, with wooden panel fencing along part of the northern, eastern and southern boundaries. Stone walling is also on part of the northern boundary and concrete walling on the southern side of the main building. The site also contains a single garage workshop in the south western corner and two timber sheds in the north west corner. A current hardstanding/drive is located on the southern boundary with paving linking the bungalow with the garage and workshop and sheds.

On the opposite side of Bircham Road, to the north of the site is West Somerset College and further residential development. The site is currently vacant and it is close to local facilities and public bus stops can be found on Bircham Road opposite the site and to the east towards the local Rugby Club.

Relevant Planning History

3/21/17/025 Extension and conversion of 3 No. bed bungalows into a 6 No. bed bungalows as an assisted living unit annexe to Dene Lodge Nursing Home approved in 2017.

3/21/18/026 Demolition of bungalow and erection of 6 -bed bungalow as assisted

living unit annexe to Dene Lodge Nursing Home with associated car parking (amended scheme to 3/21/17/025) approved in 2018.

Consultation Responses

Highways Development Control - The current applicant is for the erection of a single-story dementia care nursing home and is an amended scheme of consented application 3/21/18/026. In relation to associated vehicles movements the proposed development is likely to generate on a daily basis, there is no objection from the Highway Authority. It is noted the current application proposes that associated emergency vehicles will access the site via an existing access off Bircham Road that currently serves a residential home. However, no suitable swept path analysis of the largest emergency service vehicle likely to utilise the site has been demonstrated. Submitted drawing number 218-2 has highlighted an emergency service parking/turning area, however it is unclear whether all associated emergency service vehicles can safely access, manoeuvre within and egress from the site onto the classified public highway in a forward gear.

With the above in mind, a suitable swept path analysis demonstrating that the largest associated emergency service vehicle can safely achieve the above is recommended (1:200 scale advised). The Highway Authority would require all associated vehicles to the proposed development to have the capacity to safely enter the site, maneuver within and egress onto the local highway network in a forward gear.

The Highway Authority would also like confirmation on how refuse vehicles will serve the site. Drg No: 218-2 would indicate that this will be off the unclassified Duster Close, however for the avoidance of doubt clarity on this proposed arrangement is advised. Whilst there is no objection to the principle of the development proposed, it is recommended that the applicant demonstrate/clarify the above, to the satisfaction of the Highway Authority before conditions are recommended.

Wessex Water Authority - Wessex Water has no objections to this application and can advise the following information for the applicant:

The Planning Application

The applicant has indicated that foul sewerage will be disposed of via the main sewer.

Rainwater running off new driveways and roofs will require consideration so as not to increase the risk of flooding. The applicant has indicated in the current application that rainwater (also referred to as "surface water") will be disposed of via soakaway.

Applying for new drainage and water supply connections

If your proposals require new connections to the public foul sewer and public water mains, notes and application forms can be found here.

Are existing public sewers or water mains affected by the proposals?

Wessex Water will not permit the build over of public shared sewers by new properties.

Your contractor must undertake private survey to determine the precise location of the existing 150mm public foul sewer which crosses the site. Easements are

usually 3 metres either side of public sewer, subject to application sewers can sometimes be diverted, at the applicants cost, to achieve suitable easements. Further details can be found here

Wessex Water are satisfied with the easements in place to protect the public foul sewer shown on drawing number 218 -2.

Is the surface water strategy acceptable to Wessex Water?

One of our main priorities in considering a surface water strategy is to ensure that surface water flows, generated by new impermeable areas, are not connected to the foul water network which will increase the risk of sewer flooding and pollution.

You have indicated that surface water will be disposed of via soakaway.

The strategy is currently acceptable to Wessex Water, subject to agreement to detail with the local planning authority. The planning authority will need to be satisfied that soakaways will work. Soakaways will be subject to Building Regulations. The use of soakaways currently attracts a discount in the sewerage infrastructure charge, proof of arrangements will be required when applying for foul sewerage connection. There must be no surface water connections to the foul sewer network.

Biodiversity and Landscaping Officer - No comments received

Tree Officer's- most recent comments on the proposal; I met David Hancock on site last week and can now confirm that I have no objection to the proposed building. We measured the notional Root Protection Area of the nearest sycamore in relation to the proposed building location, and although there will be some incursion into the RPA, I think that the tree will be able to withstand this level of root cutting. It is a sycamore, a hardy tree and it is only the corner of the building and therefore a relatively small percentage of the whole RPA that will be affected. David has agreed to move the building slightly to the south if possible – any shift in that direction would be welcome. Some pruning of the lateral branches will be required, and this should be detailed in an arboricultural method statement that would also include the tree protection plan. Although the tree will be close to the building, it will be on the north side, so potential for shading the building will be low. A good boundary of new tree planting is proposed for the northern boundary, and this should be detailed in their landscape scheme as a condition.

Minehead Town Council -

The planning committee have strong objections to the revised plans as submitted for the following reasons:

- a) This represents a substantial enlargement of the existing domestic bungalow and is not in keeping with the surrounding bungalows in Dunster Close
- b) We are also concerned that this will allow a back entrance into the retirement home from Dunster Close; it is purported to be already used as such, allowing easy access for visitors and staff, thus causing parking problems in the immediate area
- c) There is insufficient parking within the home for staff and visitors as it is, besides the additional staff and visitors that this extension would require
- d) The original application was for assisted living whereas this one is for Dementia Care which by definition requires full time care thus is a complete change of use which again is inconsistent with the existing use of a domestic dwelling and out of character with the area
- e) The application also indicates a change of use of the semi-detached garage from domestic use to Refuse/store and since it has a party wall is considered

inappropriate and indications are that the owner of the other part would object strongly

f) The height of the proposed building is also an issue as at some 5m in height is far higher than any in the vicinity and is incongruous with the surrounding buildings

g) There is also mention of a boiler-house but no specifics are mentioned. This again is an additional building on the site

h) Finally, there have been many local objections to this development and resentment of the existing disregard of their opinions and blockages caused to the turning circle in Dunster Close by staff and visitors' cars.

South West Heritage Trust - As far as we are aware there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.

Representations Received

4 objections have been received from local residents which are summarised below;

- The proposal is larger and in a different position and no longer on the footprint of the original bungalow.
- The proposal represents over development of a plot that was originally intended only for a family home
- Business property in a residential setting is not in keeping with the other bungalows on Dene Estate
- The new plans have a footpath which leads down onto Bircham Road and comes out opposite the West Somerset College encouraging staff, visitors and tradesmen to park in Bircham Road causing traffic congestion right in front of the college entrance.
- There is a refuse store shown on the plans but there appears to be no access road for the refuse men to approach the store to collect the refuse.
- There is also the addition of a Boiler House but there are no details of its size or height.
- The current position of no access of any kind from Dunster Close should be maintained
- Objection to the placement of refuse store in the garage due to smell in the summer months ; a semi-detached building adjoins to our garage
- Concerns raised regarding lack of detail regarding the dimensions of the proposed boiler room and whether it will be placed at the end of Dunster Close requiring access through the current fence for maintenance, which would allow a way into the site from Dunster Close.
- Concerns about increase in parking and traffic at the rear end of Dene Road
- Concerns about staff parking in the turning bay immediately outside the rear entrance, the current parking facilities for staff are inadequate resulting in Dene Gardens being used daily as a Dene Lodge car park.
- Sufficient parking for staff and visitors should be provided so that the surrounding public roads are not used as a car park.
- The current plan shows an access footpath from Bircham Road. If the parking requirements are not satisfactorily addressed this could result in car parking along this road opposite the College which would not be safe.

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 the West Somerset planning area comprises the West Somerset Local Plan to 2032, retained saved policies of the West Somerset District Local Plan (2006) Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

West Somerset Local Plan to 2032

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| SD1 | Presumption in favour of sustainable development |
| MD1 | Minehead Development |
| EC1 | Widening and strengthening the local economy |
| E/6 | Expansion of Existing Business |
| NH6 | Nature conservation & biodiversity protection & enhancement |
| NH13 | Securing high standards of design |

Retained saved policies of the West Somerset Local Plan (2006)

n/a

Determining issues and considerations

1. Principle of development

The site is located in a residential area on the outskirts of the centre of Alcombe, Minehead. Policies SC1 and MD1 define Minehead/ Alcombe as sustainable service and employment centre where majority of new development will be supported in order to protect it's role in the local economy and also in the provision of community services for the wider area. The original approved application was for assisted living whereas this amended application is for dementia care which by definition requires full time care, and would require a change of use from C3 to C2. Although the proposal is located in a residential area considering the proximity and history of the site in connection with Deane Lodge Nursing Home the change of use is considered acceptable.

2. Impacts on the Character and Appearance of the Area

The size, location and shape of the building have been amended from the consented scheme. The proposal is also 0.8m higher than the approved building.

The proposed building has been designed to mirror existing houses to the east of the site backing onto Bircham Road. The 25 degree pitched roof and clay interlocking tiles reflect the adjoining estate bungalows. The gutter line is 400mm beyond the brick face creating a generous overhang. Bricks that will be used are similar in texture and colour to those used on the adjoining estate building. The amended scheme is considered acceptable in terms of scale and appearance, and the proposal is not considered to cause any significant adverse impact on the character and appearance of the area in general. It is therefore considered that the proposal is in accordance with policy NH13 of the adopted West Somerset Local Plan to 2030.

3. Landscape impact

Tree and screen planting will be along the Bircham Road frontage and to the end of Dunster Close. Boundary fences closing off Dunster Close and to the side of no. 17 have already been erected under the current approval. The amended scheme show the building located within the root protection area of the TPO trees on the north elevation. The Council's tree officer has confirmed that although there will be some incursion into the root protection area the sycamore tree affected is likely to be able to withstand this level of root cutting and as only a small percentage of the whole root protection area will be affected. Although the tree will be close to the building, it will be on the north side, so potential for shading the building will be low. Some pruning of the lateral branches will be required. It is recommended that the application is conditioned to include a full tree protection and landscape scheme which will also include the proposed new tree planting for the northern boundary.

4. Highways impact

The proposed vehicular access and car parking arrangements have been approved in association with the consented scheme. The Highway Authority have no objection in relation to the associated vehicles movements that the amended scheme is likely to generate on a daily basis. Access for emergency vehicles to Dene House will be across the lawned garden over recyclable cellular paving blocks with grass inserts. Access from Bircham Road for visitors and emergency services will be from controlled gates in the existing stone wall and via a shallow ramp to the main entrance. Revised Plans have been received which indicate the manoeuvrability of fire tenders attending the site in accordance with B5 of the Regulations (section 11). Incidentally fire vehicles could also attend the site for small incidents from Bircham Road.

As agreed as part of the consented scheme parking for the unit is kept to the front of Dene Lodge with access from Bircham Road. The site is fenced off to block access to the site from Dunster Close as shown on Block Plan drawing no. 128 -2B. This will help to limit the number of staff who park in Dunster Close and there will be parking spaces on site for the residents of and visitors to the building, this will also help reduce the need for on street parking.

A number of representations from local residents as well as Somerset County Council's highways department have requested clarification on whether Dunster Close will be used as a route to collect waste from the site. The agent has confirmed that refuse generated from Dene House will be taken to the allocated area behind

Dene Lodge Nursing Home and collected accordingly. The application has been conditioned to ensure there will be no waste collection from Dunster Close.

5. Widening and strengthening the local economy

The original approved application was for assisted living whereas this amended application is for dementia care which by definition requires full time care. However as the proposed dementia care nursing home will be operated in connection with the Dene Lodge Nursing Home together they will provide housing for current and future needs for older and disabled members of the local community. As such this new use on the site will accord with policy EC1 (widening and strengthening the local economy) by redeveloping the current site and which will generate some employment for the proposed care providers.

Retained policy E/6 (Expansion of Existing Business), is also applicable and this revised scheme is also considered compatible with the role and size of the development and accords with the advice of this policy.

6. Residential amenity

The positioning of windows has changed from the consented scheme. The proposed windows on south west elevation will now face bungalow no. 17, and windows on south east elevation will face bungalow 14. However, the proposal is not considered to give rise to significant overlooking given that the proposed building is single storey structure, and the site is enclosed by 1.8 timber fencing. The proposal is generally well screened by existing and proposed landscaping.

7. Ecology

The Ecological Statement was prepared and formed part of the previous approved planning application. There are no additional ecological issues that affect the amended scheme.

Conclusion

The proposed change of use is considered acceptable due to the proximity and history of the site in connection with Deane Lodge Nursing Home. The proposal is considered to comply with adopted West Somerset Local Plan to 2030 policies SD1, MD1, EC1, E/6, NH6 and NH13, and is recommended for approval subject to the proposed conditions.

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