

Committee: **Regulatory
Planning Committee**

Date: **16 September 2015**

Report by: **Director of Communities, Economy and Transport**

Proposal: **Proposed new reception to building, cover courtyard,
internal and external refurbishment and additional
parking to rear.**

Site Address: **Sandbanks, 1 Cacklebury Close, Hailsham.**

Applicant: **Director of Adult Social Care**

Application No. **WD/3291/CC**

Key Issues: **1. Implications for care accommodation
2. Design and impact on neighbouring amenities
3. Traffic Impact
4. Impact on preserved trees**

Contact Officer: **David Vickers – 01273 481629**

Local Member: **Councillors Bill Bentley and Laurence Keeley**

SUMMARY OF RECOMMENDATIONS

1. To grant planning permission subject to conditions as indicated in paragraph 8.1 of this report.

CONSIDERATION BY DIRECTOR OF COMMUNITIES, ECONOMY AND TRANSPORT.

1. The Site and Surroundings

1.1 Sandbanks is a one and two storey, double fronted, residential care home erected in 1972 on the north side of Cacklebury Close near to the junction with South Road, Hailsham. It has an access and driveway adjacent to its western boundary which leads to a rear service area. A detached single storey respite care facility, known as 'The Martins' was opened approximately 7 years ago adjacent to the eastern boundary and there are landscaped areas and lawns to the rear of both buildings.

1.2 Cacklebury Close forms part of a predominantly residential area off South Road to the south-west of Hailsham town centre which, together with

Ingrams Way, comprises a network of cul-de-sac development erected during the 1970s.

2. The Proposal

2.1 The proposal is to remodel and refurbish Sandbanks and to provide additional parking within the site. It is part of a wider strategy in this part of the County which is assessing how care is provided and where it is most needed. At Sandbanks the nature of care is to change from long term residential care to short term respite and emergency care.

2.2 Internally the building is to be remodelled in order to improve circulation and facilities, particularly with regard to accommodation. En suite bathroom facilities are to be provided replacing those currently shared resulting in a reduction in numbers of guest rooms from 19 to 11.

2.3 Externally, a courtyard is to be infilled to form a new dining room and some single storey elements of the premises in a recess at the front of the building are to be demolished and replaced with a new extension, still recessed, which will provide a new entrance area.

2.4 In addition, a new driveway and minibus drop-off area is proposed across the front of Sandbanks. 3 new parking spaces are proposed off a service road along the north-west side of the main building and the rear service yard, to which it leads, is proposed to be enlarged by approximately 80 m² at the expense of garden in order to provide 7 car parking spaces and a motor/cycle parking area. The forecourt of the adjoining respite care building 'The Martins' is also to be re-organised to create 6 parking spaces (3 existing).

2.5 Overall the proposal is for 13 car parking spaces including 1 disabled space compared to the 7 existing spaces. A dedicated turning / parking space for a minibus is proposed.

3. Main Planning History

3.1 1973 – K/1972/160K/F- Granted. Home for elderly and site for primary school.

3.2 2006 -WD/2521/CC - Granted. New single storey building within grounds of existing residential/respite care home to provide respite accommodation with community support.

4. Consultations and Representations

4.1 Wealden District Council; The District Council **objects** to the proposal. It has no, in principle, objection but raises concerns in respect of;

1. The significant reduction in guest rooms and how this may impact upon service provision across the District,

2. Enlargement of parking areas around the building, given loss of amenity space and possible impact (of additional parking) on neighbouring residential properties
3. Apparent lack of detail to demonstrate that 3 additional parking spaces can be installed beneath the crown spread of adjacent preserved trees (TPO Hailsham No.12, 1997) without damaging their health or long term future.

4.2 Hailsham Town Council; The Town Council **objects** to the loss of parking spaces proposed, due to the impact this would have on local residents. The Town Council also objects to the loss of residential space within the unit as well. It also requests that the building is screened for privacy if the trees are to be removed. In addition the Town Council notes there is no Arboricultural report for the application and would wish to see evidence to support the applicant's comments regarding these trees. As TPOs cease to exist on grant of planning permission the Town Council would wish to see a condition attached to any permission to preserve the trees. It is however immaterial which surface is placed in the root protection area – new parking bays should not be under the tree canopy

4.3 Highway Authority; Initial concerns regarding access and circulation have been overcome with amended plans. Any permission shall include conditions to ensure the development is constructed as proposed with parking and turning facilities retained.

4.4 Local Representations; None received

5. The key Development Plan and other policies of relevance to this decision are:

5.1 The Wealden District Council (incorporating part of the South Downs National Park) Core Strategy Local Plan (adopted 19th February 2013); Policy WCS14 (presumption in favour of sustainable development).

The Wealden District (incorporating part of the South Downs National Park) Core Strategy Local Plan was adopted on 19th February 2013. The Core Strategy Local Plan is the key policy document setting out a strategic vision, objectives and spatial strategy for the area up to 2027 but only replaces parts of the Wealden Local Plan 1998 with some policies still “saved” where they remain of relevance and until superseded by further development plan documents. A Draft Strategic Sites Development Plan Document (DPD) and Delivery and Site Allocations DPD has been produced (collectively known as Site Allocation DPDs) to accompany the Core Strategy and has recently been submitted to Government for Examination in Public (EiP) although a date has not yet been set.

5.2 Wealden Local Plan 1998 Saved Policies EN12 (trees) EN27 (layout and design of development), TR3 (traffic impact), TR16 (parking standards).

Saved development management policies contained in the Wealden Local Plan remain part of the Development Plan for the area. Wealden District Council has not formally determined whether its Saved Policies in the Wealden Local Plan are in general conformity with the NPPF. However the County Planning Authority has assessed the Saved Policies as being in general conformity with the overarching principles of the NPPF.

5.3 The National Planning Policy Framework, 2012 (NPPF): The NPPF does not change the status of the development plan as the starting point for decision making. It constitutes guidance as a material consideration in determining planning applications. It advises due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. At the heart of the NPPF is a presumption in favour of sustainable development.

6. Considerations

Implications for care accommodation

6.1 According to the applicant, the bedrooms in the accommodation wing of the home have been deemed no longer 'fit for purpose' and require upgrading to provide modern, flexible space that is both welcoming and inviting. Their re-modelling to provide en-suite facilities together with new dining and entrance facility will improve the standard of accommodation to levels that reflect modern standards and meet current expectations of service users. On balance the qualitative improvement in accommodation, in particular the provision of en-suite facilities, is considered to outweigh the quantitative loss of bed spaces in this case.

Design and impact on neighbouring amenities

6.2 Saved Policy EN27 in the Wealden Local Plan sets out a range of layout and design criteria which development proposals should meet.

6.3 The main built elements of the proposals comprise the two single storey extensions to form the new entrance and the new dining space. These are discreetly sited between the main wings of Sandbanks and will not have any physical impact on neighbouring properties. Other alterations are relatively minor comprising changes to window openings linked to internal alterations such as the formation of en-suite facilities.

6.4 The new entrance porch replaces the existing entrance which is sited on the east side of Sandbanks. The glazed design of the new porch will complement the existing building and, together with the alterations to the site layout, will create a more welcoming and direct approach to the premises for pedestrians and those arriving by minibus which will be able to drop off adjacent to the revised entrance to the building.

6.5 The District Council's concerns about loss of amenity space is noted although there does not appear to be any standards for such provision (also

notwithstanding there is a reduction in the number of residents). The applicant considers there will be sufficient outdoor amenity space for a remodelled Sandbanks and also points out that the changing nature of care, from residential to short term (as little as 1 night) means that there will likely be lower demands on such space.

Traffic Impact

6.6 Saved Policy TR3 in the Wealden Local Plan requires that new development does not create or perpetuate unacceptable traffic conditions and provides satisfactory means of access. Saved Policy TR16 in the Wealden Local Plan requires on site provision of vehicle parking and servicing in accordance with local standards.

6.7 The proposed layout increases the quantum of car parking spaces but remains within standards acceptable to the Highway Authority. Cycle and motorcycle parking space is also proposed together with a dedicated space for drivers with disabilities. The (conflicting) comments of the District and Town Councils with regard to car parking are noted however one of the main reasons for increasing the amount of on-site parking is in response to complaints from Sandbanks' neighbours about its staff parking on-street in Cacklebury Close. Ease of movement along the Close and the level of on-street parking were matters that were raised during the consideration of a new Primary School at Ingrams Way which has been considered by Planning Committee on 11 March 2015. Planning permission was subsequently issued for the new Primary School on 2 April 2015. Given that the Highway Authority is content with the layout and amount of parking proposed, it is considered the proposal satisfies the aims of Saved Policies TR3 and TR16 in the Wealden Local Plan.

Impact on preserved trees

6.8 Saved Policy EN12 in the Wealden Local Plan seeks to retain and enhance the contribution of trees and woodland including the amenity value of trees in built-up areas.

6.9 There is a group of mature oak trees along the north-western boundary of the site which are protected by a Tree Preservation Order. The proposal to form 3 car parking spaces beneath their canopies has caused some concerns with both District and Town Councils. There is no reason to believe that parking spaces cannot be formed in such a way that does not prejudice the health of the trees. It is however recommended that a condition is attached to any permission to agree a method of construction to achieve this aim.

6.10 There are some other, much smaller, trees that will be removed to allow for development. These are mainly in front of Sandbanks and their loss should be compensated for with replacement planting. Again details of this should be the subject of a proposed condition. Subject to these conditions being imposed, the proposal will satisfy the aims of Saved Policy EN12 in the Wealden Local Plan.

7. Conclusion and reasons for approval

7.1 In accordance with Section 38 of the Planning and Compulsory Purchase Act 2004 the decision on this application should be taken in accordance with the development plan unless material considerations indicate otherwise.

7.2 The proposal is considered acceptable in its layout and impact on neighbouring residential amenities as well as its impact on the local highway network. With appropriate conditions, preserved trees will be protected and natural amenity enhanced. Overall it is considered to be sustainable development which complies with Saved Policies EN12, EN27, TR3 and TR16 in the Wealden Local Plan 1998 and with Policy WCS14 in the Wealden District Council Core Strategy Local Plan.

7.3 In determining this planning application, the County Council has worked with the applicant and agent in a positive and proactive manner. The Council has also sought views from consultees and neighbours and has considered this consultation in preparing the recommendation. This approach has been taken positively and proactively in accordance with the requirement in the NPPF, and as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

7.4 There are no other material considerations and the decision should be taken in accordance with the development plan.

8. Recommendation

8.1 To grant planning permission subject to the following conditions:-

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the plans listed in the Schedule of Approved Plans.

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

3. No demolition or construction works shall take place in connection with the development hereby approved at any time other than between 0800 and 1800 on Mondays to Fridays and between 0800 and 1400 on Saturdays and not at any time on Sundays, Bank and Public Holidays unless the prior written agreement of the Director of Communities, Economy and Transport has been given.

Reason: In the interests of the amenities of the locality in general and adjoining residential properties in particular and to accord with Saved Policy EN27 of the Wealden Local Plan 1998.

4. Prior to commencement of development details of the protection of trees the subject of Tree Preservation Orders on and adjacent to the site and of any construction that could affect such trees shall be submitted to and approved in writing by the Director of Communities Economy and Transport. Affected trees shall be protected throughout construction and development in the vicinity of such trees shall be carried out in accordance with the approved details.

Reason: To accord with Saved Policy EN12 in the Wealden Local Plan 1998.

5. Prior to development above ground level samples of the materials to be used in the construction of the external surfaces of the building hereby permitted shall be submitted to and approved in writing by the Director of Communities Economy and Transport. Development shall be carried out in accordance with the approved details.

Reason: To ensure the appropriate appearance of the development in the area in accordance with Saved Policy EN27 of the Wealden Local Plan 1998.

6. Prior to occupation of the approved development details of proposed planting, hard surfacing and fencing shall be submitted to and approved in writing by the Director of Communities Economy and Transport. Details shall include plant species, location and density together with a programme for planting and maintenance. All works shall be carried out in accordance with the approved details.

Reason; To accord with Saved Policy EN12 in the Wealden Local Plan 1998.

7. Before occupation of the approved development the amended accesses shall be in the position[s] shown on the submitted plan [No. 14146 001 Rev A2] and laid out and constructed in accordance with the attached HT407 form/diagram and all works undertaken shall be completed to the written satisfaction of the Director of Communities Economy and Transport

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Saved Policy TR3 in the Wealden Local Plan 1998

8. The approved development shall not be brought into use until a turning space for vehicles has been provided in accordance with the approved plan no. 14146 001 Rev A2. The turning space shall thereafter be

retained for that use and shall not be used for any other purpose thereafter.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Saved Policy TR3 in the Wealden Local Plan 1998

9. The approved development shall not be brought into use until a cycle, motor cycle and vehicle parking has been provided in accordance with the approved plan no. 14146 001 Rev A2. The parking facilities shall thereafter be retained for that use and shall not be used for any other purpose.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Saved Policy TR16 in the Wealden Local Plan 1998

Schedule of Approved Plans

14146-003 - Location Plan, 14146-101A - Existing Ground Floor Plan, 14146-102A - Existing First Floor Plan, 14146-111C - Proposed First Floor Plan, 14146-110C - Proposed Ground Floor Plan, 14146-201 - Existing Elevations, 14146-210B - Proposed Elevations, 14146-211B - Proposed Elevations and Sections, 14146-200A - Existing Elevations, 14146-001-B - Proposed Site Plan, e15041-010-B - Proposed road & Drainage Layout, 14146-002A - Existing Site Plan

RUPERT CLUBB

Director of Communities, Economy and Transport

3 September 2015

BACKGROUND DOCUMENTS

Planning Application File

Development Plan

NPPF