

Parish: Hadleigh**Location: Land East of Grays Close****Proposal: Erection of nursing home and 8 assisted living apartments, associated facilities, parking and access.****Applicant: Runwood Homes PLC****Case Officer: Gareth Durrant****Date for Determination: 07/05/09**

THE SITE

1. The application site is situated off Grays Close to the north of Hadleigh. Grays Close is a short un-adopted private access road which currently serves 3 dwellings to its north-west. It is not a through route and ends close to the north corner of the application site. The site is approximately 0.7 hectares in size, has a frontage of 70 metres onto Grays Close and a maximum depth (north-west to south-east) of 103 metres. Grays Close is a private road accessed off Ramsey Road and on to Lady Lane, via Brett Avenue. The site is flat with some planting to boundaries. It is currently vacant and fenced in ('Heras' style fencing).
2. The site is outside the Hadleigh built up area boundary as defined in the Babergh Local Plan (Alteration No.2 – 2006), but it forms part of a larger land allocation for new residential development (Local Plan Policy HS15) and employment development (Local Plan Policy EM03).

THE PROPOSAL

3. The application proposes the erection of a single building to provide a care home with 70 bedrooms, 8 'assisted living' apartments and associated facilities. The building is proposed in an 'H' shape with two-storey accommodation provided. The heights of the different elements of the building vary, but the main elements (being also the tallest elements) have ridge heights (excluding the roof features) of 9 metres above finished ground levels.
4. A mix of materials are proposed to the walls of the building, including brick, render and boarding. The roof is to be clad with concrete pantiles. The doors and windows (frames) are to be constructed of powder coated aluminium.
5. The application was accompanied by:
 - Design and Access Statement,
 - Contamination report,
 - Habitat Survey and Assessment,
 - Information on Air Source Heat pumps,
 - Parking/Amenity Assessment,
 - Surface Water Disposal Assessment,

- Planning/Sustainable Statement, and
- Need justification for the Grays Close Development.

The following information has been provided to accompany the application since its submission;

- A flood risk assessment (to replace the Surface Water Disposal Assessment), and
- Foul Sewage Assessment.

These documents can be viewed in full in advance of the meeting by prior arrangement with the case officer.

RELEVANT HISTORY

6. 2008 - Planning permission granted for the erection of 8 (no.) 2-storey dwellings with associated garages and construction of new vehicular access (Development Committee decision). Application number B/06/02146/FUL.
7. 1979 – Outline planning permission refused for the erection of a bungalow and garage. The site area incorporated part of the site proposed in this application, being the land immediately behind 'Hillcrest'. Planning permission was refused because the backland development proposed would be harmful to the existing layout and character (delegated decision). Application number B/79/00892/OUT.
8. 1978 – Outline planning permission refused for the erection of one dwelling and construction of vehicular access (onto Lady Lane). The site area included the entire site proposed in this application (with the exception of a sliver of land behind 'Hillcrest') and the land (then vacant) now occupied by 1-3 Lady Lane. Planning permission was refused for two reasons; i) inadequate visibility for the new access proposed onto Lady Lane, and ii) would prejudice a more comprehensive development of the site (delegated decision). Application number B/78/01026/OUT.
9. 1972 – Outline planning permission refused for the erection of 2 dwellings and access. The site area included the entire site proposed in this application (with the exception of a sliver of land behind 'Hillcrest') and the land (then vacant) now occupied by 1-3 Lady Lane. Planning permission was refused for three reasons; i) development was located outside the settlement limits, ii) there was adequate land elsewhere in the town, with planning permission, to provide the dwellings, and iii) it would set a precedent for further, undesirable ribbon development (delegated decision). Application number B/72/379/H.

NATIONAL GUIDANCE

10. **PPS1** (Delivering Sustainable Development)
11. **PPS3** (Housing)
12. **PPS9** (Biodiversity and Geological Conservation)
13. **PPG13** (Transport)
14. **PPG16** (Archaeology and Planning)
15. **PPS23** (Planning and pollution control)

16. **PPS25** (Development and Flood Risk)

PLANNING POLICIES

17. The Development Plan comprises the East of England Plan, adopted 2008, saved policies in the Suffolk Structure Plan, adopted 2001, and the Babergh Local Plan (Alteration No. 2) adopted 2006. The following policies are relevant to this proposal:

East of England Plan - 2008

- **SS1** - Achieving Sustainable Development.
- **SS4** – Towns other than Key Centres and Rural Areas.
- **SS8** – The Urban Fringe
- **ENV3** – Biodiversity and Earth Heritage
- **ENV7** – Quality in the Built Environment.
- **ENG1** – Carbon Dioxide Emissions and Energy Performance

Babergh Local Plan (Alteration No.2) 2006

- **LP01** – Planning Obligations for Services, Facilities and Improvements
- **EN03** – Protected Species
- **EN04** – Retention of Semi-Natural Features
- **EN15** – Surface Water Run-Off
- **EN18** – Sewerage and Sewage Disposal
- **EN19** – Contaminated Land
- **HS01** – Housing Development in Towns
- **HS04** – New Housing in the Countryside
- **HS08** – Affordable Housing (Local Plan allocated sites and/or large developments)
- **HS10** – Housing Allocations
- **HS15** – Grays Close, Hadleigh (Housing Allocation)
- **HS30** – Design of New Housing
- **HS39** – New nursing, residential care, rest homes and sheltered housing.
- **EM03** – Key Employment Sites (land to the south-east of Lady Lane and off Grays Close)
- **CR01** – Landscape Quality
- **CR07** – Landscaping of Development
- **CN01** – Maintaining Local Distinctiveness
- **CN17** - Archaeology
- **TP15** – Vehicles Parking Standards

The relevant documents can be viewed via the internet. Please see Page 4 for details.

CONSULTATIONS

18. **PC** - recommend refusal and provide the following comments;

The reason for the recommendation of refusal was based around access and traffic. The Town Council expressed concerns that over a 24-hour period there will be 3 significant movements of traffic at shift changeover times plus services attending during the day and visitors to the home. It is felt that both Ramsay Road and Grays Close were not built to stand this amount of traffic as they are small residential roads, at the top of a hill which when the weather is bad is not even gritted by Suffolk County Council. The Council asked Mr Sinden whether it is possible to turn the plans around so that the access to the home would be from the currently undeveloped land –that way when people move into the new housing estate they would do so in the knowledge that they would also be on the access route to the home. It appears that this is not a viable option

as there is a gas main on the land. Given this, the Council reluctantly recommended refusal but felt if the access arrangements could be changed then their view could well be different.

19. **LHA –**

i) initial comments

The proposed footpath appears to be within the private road and should be relocated within the frontage of the site.

In addition, the car parking and cycle allocation should be in accordance with the Suffolk Advisory Parking Standards (sufficient spaces are provided for visitors, but spaces should also be made available for staff – cycle parking has not been provided).

With the above amendments made, conditions are recommended regarding precise details of the access, visibility splays and the provision of the parking spaces.

ii) additional comments

Following receipt of a satisfactorily amended plan which addresses their previous comments, the Authority confirmed that the conditions previously recommended should be imposed upon any planning permission granted.

20. **EA –**

i) initial comments

Although they do not formally object to the application, they raise some technical issues regarding the submitted flood risk assessment (surface water drainage).

ii) comments from EA following receipt of the Surface water drainage flood risk assessment

The Agency confirms that the matter of flood risk from a development of this size is a matter for the Local Planning Authority to consider and they have no objections to the proposal. However, the Agency have provided some comments upon the revised Flood Risk Assessment and advise that, subject to appropriate percolation tests, the surface water could be managed more appropriately than is currently proposed (i.e. managed within the site boundaries).

21. **AWS –** Provide the following comments in summary:

- There is sufficient water resource capacity to supply this development. However, measures should be taken to ensure that buildings are constructed to high water efficiency standards to minimise the growth in water demand.
- The foul sewerage system cannot accommodate flows from this proposed development. Please be advised capacity will become available in the next AMP period (2010-2016), but this is unlikely to be within the standard timescales of a planning permission. If development proceeds before further capacity is provided, it is possible that this will result in environmental and amenity problems downstream. The Hadleigh Sewage Treatment Works at present has adequate capacity for foul water flows generated by this development.

22. **SWT -** We have read the letter dated 29th January 2009 fro DF Clark Bionomique Ltd regarding the wildlife interest of this site and we are satisfied with the findings. We have checked our records and can confirm based on the available information, this proposals

does not appear to have any impact upon protected species or designated habitat or priority Suffolk Diversity Action Plan habitats or species.

23. **SCC (Archaeology)** – This application is in an area of high archaeological importance, situated to the west of an area known to have produced archaeological finds from several periods in a recent evaluation. This application, therefore, has the potential to likewise disturb buried archaeological deposits.

There are no grounds to consider refusal of planning permission in order to achieve preservation *in situ* of any important archaeological deposits and a standard condition requiring a programme of archaeological work in accordance with a written scheme of investigation to ensure that an adequate record is made of any archaeological features or finds which would otherwise be destroyed by development.

24. **SCC (Fire and Rescue Service)** – request the imposition of a condition to provide a fire hydrant to serve the proposed development and provides other advice and guidance for the benefit of the applicant/developer.
25. **PCT (Suffolk)** – Demonstrate a requirement for health capacity increases to accommodate the increased demand [for health services] from the proposed development and request a developer contribution to be used towards mitigating the impacts identified.
26. **Contaminated Land Officer** – is content that the information submitted with the application regarding contaminated land satisfies his criteria and does not request any further information from the applicant.

REPRESENTATIONS

27. Councillor Riley (Hadleigh North) comments as follows;
- “The development seems to be ill considered when related to the proposed site”.
28. Fifteen letters have been received from local residents objecting to the application. The issues and objections raised are summarised as follows;
- Inadequate roads between the site and Lady Lane; local roads are icy and not gritted in the winter.
 - Inadequate foul drainage
 - No nearby facilities for the residents
 - Overdevelopment (80% of the site would be developed)
 - Sequential test should be applied to various sites to assess their suitability for such a use.
 - The building would read as commercial rather than domestic architecture.
 - Developer should discuss their proposals with the Suffolk PCT
 - Greater risk of road traffic accidents
 - Increase in traffic
 - Vehicles would have to access Brett Avenue (from Lady Lane) at the brow of a hill.

- Decrease in property values
- Traffic noise and pollution
- Does not meet housing need
- Insufficient car parking
- Should be located closer to the town centre
- There must be more suitable locations for the facility
- Development should be scaled down to provide a generous amount of amenity space.
- Contrary to policy HS15 (5 dwellings)
- Increase in noise/disturbance to neighbouring properties.
- Location is unsuitable for arrival on foot (street topography and inadequate lighting)
- Traffic movements have been underestimated by the applicants
- The building would be visually unacceptable.
- The location of the air source heat pumps is too close to dwellings
- Surface water drainage is not properly addressed.
- Retention/provision of landscaping should be made a condition
- Proposal will ruin the quality of life for existing residents.
- The application should be determined in conjunction with the other current planning applications for care facilities in Hadleigh.
- The home would not be a community facility, as stated by the applicant.
- Scale and massing of the building would be out-of-keeping with its surroundings
- Most staff will arrive by car and not by foot/cycle/bus.
- It is a large single building of minimal architectural merit which would dominate the site and be visually intrusive from Tower Mill Lane and Frog Hall Lane, which are public footpath and bridle paths.

PLANNING CONSIDERATIONS

29. The application site is situated outside the settlement boundary for Hadleigh as defined in the Local Plan. However it is formally allocated for a mixed use (residential/employment development by Policy HS22 and EM03). Accordingly, the principle of the development of the site for residential purposes is established and cannot be re-visited at this time. The remainder of this report will consider the criteria listed in policy HS15 (the housing allocation) and HS39 (new care homes) and explore other relevant issues, including those raised locally.

Policy HS15 (policy text included in bold type, discussion in normal type)

Approximately 16.73 hectares of land at Grays Close, Hadleigh, are allocated for a mixed-use development comprising housing, employment and open space. Approximately 4.73 hectares (excluding green/ amenity/wildlife corridors) are allocated for 145 houses. Proposals for development will incorporate:

- **retention and enhancement of the existing trees and hedgerows on the southern boundary of the site;**
30. This aspect of the policy is not directly relevant to the application site which does not straddle the southern boundary of the larger land allocation. Some planting has previously been removed from the application site. The remaining planting (remaining on the application site boundaries) will be retained and additional planting provided. A condition could be imposed upon any planning permission granted to secure retention of existing and provision of new planting.
- **an area of 3.5 hectares of open space to be located at the south western end of the site including a sustainable drainage system for the development;**
31. Again, this aspect of the land allocation is not directly relevant to the application site and proposals (i.e. public open space). The application proposals a sustainable drainage system, although work is continuing on its finer details. It is anticipated that an entirely acceptable system will be secured in advance of the meeting and the implementation of the system could be secured via an appropriately worded planning condition.
- **provision for substantial landscaping measures to create a new eastern boundary to the site, and green/amenity and wildlife corridors within the development, particularly along the route of footpath 24;**
32. The application site, although part of the Local Plan allocation, is not affected by this provision.
- **a linked network of pedestrian and cycle ways through the site linking to Grays Close, Lady Lane and Tower Mill Lane;**
33. A pedestrian/cycle link from Ramsey Road to the larger part of the housing allocation, via Grays Close was secured as part of the last planning permission for 8 dwellings (paragraph 6 above) and should also be provided as part of the current scheme. The matter has been raised with the applicant and amended plans to illustrate a link at the northern corner of the site and via Grays Close are anticipated in advance of the meeting.
- providing that:**
- **no more than 5 dwellings are to be served off Grays Close. The remainder of the site is to be served off a new access road from Lady Lane and a new roundabout off the Lady Lane/ Hadleigh by-pass junction ; and**
34. This part of the policy is relevant to the application which proposes vehicular access via Grays Close. The application site would be the only part of the land allocation which would gain vehicular access from Grays Close (the remainder would utilise a new access directly from Lady Lane or the new roundabout junction). The figure used in the policy is indicative and the actual amount of development suitable to the site can only be assessed as part of any planning application submitted. Indeed, the indicative figure has already been surpassed by the 8 dwellings approved at this site in 2008.

35. The impact of the development upon the local road network (Ramsey Road and Brett Avenue in particular) would be comparable between the application proposals and the 8 dwellings already permitted at the site. Similarly, the increased use of the junction from Lady Lane into Brett Avenue is acceptable. The amount of traffic accessing care home facilities is often over-estimated. This point is illustrated by the adopted Advisory Car Parking Standards. For care homes (and similar facilities) the Standards require **maximum** parking provision of 1 car space per 3 residents and 1 car space per staff member (day shift). At Grays Close, this equates to a requirement to provide a maximum of 34 car parking spaces; the application proposes 34 spaces. By way of comparison, the approved scheme of 9 dwellings at this site would provide 26 garage/open car parking spaces. Whilst there is potential for an increase in traffic accessing the site and a change in the nature of the travel patterns, in comparison to the consented scheme, any difference would not be so significant such that highway safety would be compromised.
36. The traffic impact of the proposed development is acceptable and no objections or adverse comments have been received from the Local Highway Authority on highway safety or traffic congestion grounds.
- **no more than 20 dwellings shall be completed and occupied in advance of the new roundabout access off the Hadleigh by-pass being built.**
37. This policy requirement does not apply to the application proposals which would be accessed via a self contained vehicular access off Grays Close.

Policy HS39 (policy text included in bold type, discussion in normal type)

Planning applications for nursing, residential care, rest homes and sheltered housing and extensions to such homes will be permitted provided:

- **they are in the built-up area of a Town or sustainable Village (with a range of services and facilities available);**
38. The application site is located outside (abutting) the defined built up area boundary of the town, but is part of a large mix used allocation and would be constructed on part a site allocated for new housing. Accordingly, the application complies with this part of Policy HS39.
- **in the case of sheltered housing, the proposal does not conflict with the housing policies of the Plan, including the overall level of housing growth in the policy area against which they will count;**
39. No sheltered housing is proposed.
- **the development provides an adequate amount of accommodation for warden/staff;**
40. No overnight accommodation is required for a warden/staff. Staff would work shift patterns over a 24-hour period.
- **the development incorporates usable, attractive areas of communal garden;**
41. The amount and locations of the communal garden areas are adequate and appropriate. Some local residents have suggested that 80% of the application site would be developed by the proposals. However, the submitted drawings do not support that contention and illustrate approximately 40% of the site would be developed with the building and formal areas of hardstanding (for parking and access) with approximately 60% provided for communal gardens and landscaping. Furthermore there is a

conservatory building which will provide an all-year round amenity space for residents. The amount of communal garden space provided for residents is adequate and there is no conflict with this aspect of the policy.

- **the development is well located in relation to local facilities;**
42. The facility is approximately 1 mile away from the Town Centre where there are a range of shops and facilities available. It is unlikely that the residents of the facility would need to or be able to personally access these facilities.
- **adequate car parking is provided in accordance with the District Council's adopted advisory standards, without intruding on communal garden areas;**
43. As previously stated, car parking is provided in accordance with the adopted Standards and, in this case, the maximum number of car spaces is required. Car parking provision is discussed at paragraph 35 above.
- **the internal and external layout and design meets the needs of people with mobility problems;**
44. There are no concerns in this area.
- **where permission is granted for an institutional use (Class C2 of the Town and Country Planning (Use Classes) Order 1987 as amended) the permission will be restricted to the use permitted only; and**
45. A condition could be attached to ensure the facility is used as a care home and 8 (no.) assisted living dwellings only and for no other Class C2 uses (i.e. School, college or hospital).
- **there is no detriment to road safety, residential amenity or drainage infrastructure.**
46. Surface water drainage and road safety matters are discussed elsewhere in this report (paragraphs 31 and 34-36 in particular). There are two aspects of the development proposals which give rise to concerns regarding impact upon residential amenity. The owners of the adjacent site (allocated in the Local Plan for housing development, but currently not developed) have expressed concerns about (inter alia) the proximity of the windows serving stairwells to the north-eastern (side) boundary of the site and, in particular, that it could lead to overlooking of or prejudice the future layout of the development of that land. This is a fair point and the applicants have been advised to reconsider the window treatment to these particular elevations. It is likely the windows will be proposed with obscure glass and fixed closed. Discussions have indicated that revised plans illustrating such amendments will be received in advance of the meeting. The second concern relates to the proposed location of the ground source heat pump equipment enclosure, being close to the south-western boundary. The Council's Environmental Health Officers have been asked to comment upon this particular aspect of the development proposals, and Members will be advised of their comments at the meeting. Whilst noise levels omitted from the equipment is relatively low, it is likely that the compound will need to be located elsewhere within the site, further away from existing dwellings.
47. Anglian Water Services has confirmed that the existing sewage system would not be able to accommodate normal sewage discharge from the proposed development (paragraph 21 above). In response, the applicants are devising a foul sewage system to discharge foul water at a controlled rate, that rate being equivalent to the discharge that would be experienced from the 8 permitted dwellings at the site and discussions between the applicant and Anglian Water is ongoing in this respect. If agreement

cannot be reached, a system to treat the sewage on site, rather than a disposal to the foul sewer system would be required. Members will be updated of the latest situation at the meeting and a condition is recommended to ensure foul water drainage is satisfactorily resolved.

Where planning permission is granted for sheltered housing, it will normally be subject to a Planning Obligation under Section 106 of the Town and Country Planning Act 1990, restricting occupation to persons over 60 years of age.

48. No sheltered housing is proposed.

Other issues

Design

49. Some concerns have been expressed locally about the size and design of the building and, in particular that it is too large, bulky and commercial rather than domestic in appearance.
50. New care home facilities are normally provided in a single building in order to meet the needs of the users (level thresholds with accessible facilities) and legislative requirements (room sizes etc). In this case, the building is proposed in an 'H' shape in an attempt to reduce or hide the impact of its large footprint. The building will not form part of any existing built streetscene and will form its own vista from Ramsey Road. The bungalows in Ramsay Road back on to the south-eastern (side) boundary of the site and the 2-storey dwellings on the opposite side of Grays Close (facing towards the frontage of the application site) are well set back (20-30 metres). Accordingly, the erection of a large single building on the site, with open spaces around it, would not be harmful to the character of the area. The height of the building (9 metres to ridge) is not excessive and being 2-storeys is of domestic scale. The design, form, scale and size of the building are acceptable and relate to the site and the wider context.

Housing Need

51. Whilst the erection of the care home facility would mean that 8 dwellings (forming part of a site allocated for housing in the Local Plan) would not be provided. However, studies have demonstrated that Babergh will have an adequate supply of new housing over a 5-year period (through land allocations and planning permissions) and the loss of the application site to a C2 use would not prejudice the Council's housing targets.

Wildlife

52. The applicants have adequately demonstrated that wildlife interests would not be harmed by development of the site.

Energy efficiency

53. The application includes provisions to reduce the amount of energy consumed by the development and complies with the policy ENG1 of the East of England Plan 2008 in this respect.

Planning Obligations

54. If the site were to be developed for conventional housing (as per the Local Plan allocation), the developer would be expected to provide an element of affordable housing as part of their proposals. Affordable housing is not normally required of care home/assisted living developments. In this case however the applicants have confirmed they will, in principle, provide a commuted payment to enable the affordable housing

that would otherwise have been secured from the site (if developed in accordance with the Local Plan allocation) to be provided elsewhere.

55. The Suffolk PCT has requested a developer contribution to be used to mitigate the increase in demand for health services generated by the development proposals. The applicant has agreed, in principal, to provide a contribution.

REASONS FOR APPROVAL

56. These are subject to the satisfactory resolution of the outstanding issues discussed in the report and to the completion of a legal agreement
57. The proposals for the erection of a care home and 8 (no.) assisted living units complies with the provisions of policies ENV7 and ENG1 of the East of England Plan, 2008 and policies LP01, EN04, EN15, EN18, HS08, HS15, HS30, HS39 and CN01 of the Babergh Local Plan, 2006. These policies allocate the application site for mixed use development, including housing and set out criteria to minimise potential adverse environmental effects. In particular, the policies seek to secure (inter alia) high quality designs and layouts which maintain local distinctiveness, protect amenity, secure appropriate car parking, drainage and landscaping and maximise opportunities for pedestrians. Furthermore, these policies seek to secure adequate mitigation measures, including affordable housing and health service provision. The proposed development complies with the objectives and criteria of the aforementioned policies and the Local Planning Authority is satisfied that the development can proceed in an acceptable manner without significant adverse impacts upon the scale and character of the town or the wider countryside. Furthermore, the layout, scale and design of the scheme is acceptable and the proposal would not be harmful to highway safety or traffic convenience. Furthermore, appropriate mitigation has been secured for the provision of affordable housing and health service provision.

RECOMMENDATION

- (1) That following the satisfactory resolution of the following matters;
 - i) the receipt of plans to illustrate provision for pedestrian cycle access along Grays Close and a link being provided in the north corner of the site to the adjacent future housing development.
 - ii) a suitable strategy for the disposal of foul water (to the satisfaction of Anglian Water Services).
 - iii) suitable proposals for surface water disposal (in accordance with advice provided by the Environment Agency).
 - iii) the receipt of amended plans to resolve issues of overlooking from first-floor stairwell windows within the east elevation, and
 - iv) no objections or adverse comments being received from the Environmental Health Officer (location of the Ground Source Heat Pump equipment compound)
- (2) That subject to no additional material issues being raised during the consultation period and the satisfactory resolution of the above matters the Solicitor to the Council be authorised to secure a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 to provide:
 - affordable housing (financial contribution to be used to deliver affordable housing elsewhere in the town).

- health contribution.
- (3) That, subject to the completion of the Planning Obligation referred to in Resolution (1) above to the satisfaction of the Solicitor to the Council, the Chief Planning Control Officer be authorised to grant planning permission subject to the conditions, including:
- Samples of materials
 - Landscaping including retention and protection of boundary trees and hedgerows
 - Construction management plan
 - As recommended by LHA
 - Fire Hydrants
 - Means of enclosure
 - Archaeology
 - As may be recommended by Environmental Health
 - Surface water drainage
 - Foul water drainage
 - Windows (obscure glass and fixed closed to first floor stairwell windows as discussed within the report)
 - Provision of the pedestrian/cycle link
- (4) That in the event of the Planning Obligation referred to in Resolution (1) above not being secured and/or the outstanding matters listed in Resolution (1) above not being satisfactorily resolved, the Chief Planning Control Officer be authorised to refuse planning permission for the following reasons (as appropriate):
- Inadequate provision for affordable housing
 - Inadequate mitigation for increased demands upon local health services
 - Inadequate pedestrian/cycle links (development not permeable)
 - Inadequate drainage (foul and/or surface water)
 - Adverse impact upon residential amenity (overlooking from windows/noise/disturbance from the Ground Source Heat Pump equipment enclosure, as appropriate)