

**PLANNING
COMMITTEE**

17th August 2010

PLANNING APPLICATION 2010/137/FUL

DEMOLITION OF EXISTING DOROTHY TERRY HOUSE TOGETHER WITH ANCILLARY BUILDINGS AND 203 EVESHAM ROAD. CONSTRUCTION OF NEW HIGH DEPENDENCY DEMENTIA HOUSING WITH CARE SCHEME, CONSISTING OF 42 FLATS AND SUPPORT ACCOMMODATION.

DOROTHY TERRY HOUSE AND 203 EVESHAM ROAD, HEADLESS CROSS, REDDITCH.

APPLICANT: EVESHAM AND PERSHORE HOUSING ASSOCIATION

EXPIRY DATE: 10TH SEPTEMBER 2010

WARD: HEADLESS CROSS AND OAKENSHAW

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(See additional papers for Site Plan)

Site Description

The site comprises of an Edwardian building and associated outbuildings that are set back from Evesham Road. The buildings are screened with established tree planting. A small cottage (No. 203 Evesham Road) forms part of the development site and directly fronts Evesham Road. Vehicular access to both buildings is via Evesham Road.

To the north of the site, existing development comprises of a number of flats (Guinness Close), some of which are close to the northern boundary of the application site. The number of storeys to these properties range from two to three.

To the south of the site are some established cottages that front Evesham Road, and a recent development of detached properties (The Folly) front onto the southern boundary of this application site.

To the east of the site is another flat development ranging from two to three storeys (Four Oaks Close). The flats adjacent to the site are at a lower level to the development. However, the application site is well screened along the eastern boundary.

Generally the site is relatively level. However, at the rear of the Dorothy Terry building is a large patio and a large sunken lawn area.

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The site is within the urban area and as such is unzoned in the Borough of Redditch Local Plan No.3. However, Evesham Road is designated as a Local Distributor Road in Local Plan No.3.

Proposal Description

The proposal would be new purpose built housing with care comprising 42 apartments with adjoining 'Well Being Centre'. The scheme would enable older people living with dementia to lead independent lives in their home with care and support provided on site. It is envisaged that the current occupiers of Dorothy Terry House would be accommodated in the new development.

The accommodation would be in the form of one to four storey buildings and the style of the buildings would be modern with mono pitched roofs with materials such as brick / render / timber cladding. A total of 14 car spaces would be provided (11 accessed off Evesham Road, and 3 from Guinness Close to the rear).

A Well Being Centre that would be positioned at the front of the site would include ancillary facilities such as a hairdressers and café to be used by the occupiers and their visitors. A communal room /garden room would be provided within the complex of the apartments themselves along with a communal garden with familiar features such as an old fashioned telephone box and fruit tree planting etc. would be provided to stimulate memory for the occupiers.

The application is supported by a Design and Access Statement, an Outline Specification (Mechanical and Electrical) for an Extra Care Development, Need Care Statement for High Dependency Dementia, West Midlands Climate Change Checklist, extract stating key objectives of the National Dementia Strategy, Tree Survey Report, Flood Risk Summary, Bat and Bird Scoping Survey Report and a Common Pipistrelle Bat Mitigation Method Statement Report.

Relevant Key Policies:

All planning applications must be considered in terms of the planning policy framework and all other relevant material considerations (as set out in the legislative framework). The planning policies noted below can be found on the following websites:

www.communities.gov.uk

www.wmra.gov.uk

www.worcestershire.gov.uk

www.redditchbc.gov.uk

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National Planning Policy

PPS1 (& accompanying documents) Delivering sustainable development

PPS3 Housing

Regional Spatial Strategy

Following the recent government statement, it is recommended that these policies be given only limited weight. However, as the legislation that includes the RSS within the Development Plan has not been formally revoked yet, these policies are still referred to and can be taken into consideration in the determination of this application.

- CC.1 Climate change
- UR.4 Social Infrastructure
- CF.4 The reuse of land and buildings for housing
- QE.1 Conserving and enhancing the environment
- QE.3 Creating a high quality built environment for all
- T.2 Reducing the need to travel
- T.3 Walking and cycling
- T.7 Car parking standards and management

Worcestershire County Structure Plan

- SD.1 Prudent use of natural resources
- SD.3 Use of previously developed land
- SD.4 Minimising the need to travel
- SD.5 Achieving balanced communities
- CTC.1 Landscape character
- CTC.5 Trees, Woodlands and Hedgerows
- D.5 The contribution of previously developed land to meeting the housing provision
- T.1 Location of development
- T.2 Resources
- T.3 Managing car use
- T.4 Car parking
- T.10 Cycling and walking

Borough of Redditch Local Plan No.3

- CS.1 Prudent use of natural resources
- CS.5 Achieving balanced communities
- CS.7 The sustainable location of development
- H.2 Homes for the elderly
- S.1 Designing out crime
- B(HSG).6 Development within or adjacent to the curtilage of an existing dwelling
- B(BE).13 Qualities of good design
- B(BE).19 Green architecture
- B(BE).29 Construction waste

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B(NE).1a Trees, woodland and hedgerows
C(T).2 Road hierarchy
C(T).12 Parking standards

Other Relevant Corporate Plans and Strategies

Worcestershire Community Strategy (WCS)
Worcestershire Local Area Agreement (WLAA)
Worcestershire Local Transport Plan (WLTP)
Redditch Sustainable Community Strategy (SCS)
RBC Corporate and performance plan

Relevant Site Planning History

Whilst there are a number of old planning applications that relate to the site, there is no application that is particularly relevant to the current proposal apart from the original application submitted in 1959 to convert the existing building into an old peoples home.

Public Consultation Responses

Responses in favour

One comment raised the following points:

Acknowledge that accompanying reports express that contractors be made aware of the need for care and protection of the environmental layout of the site, and as such can support the replacement and provision of the care home which is much needed.

Responses against

7 comments received raising the following points:

- Concern that development too large for the site. If building was two storeys would have fewer reservations.
- Building not in keeping with original Dorothy Terry House.
- Scale and significance of development will overdevelop the footprint in an area with limited open space.
- Current building provides significant open space between properties.
- Concern about a potential wall on the northern boundary.
- Residents at Guinness Close would be overlooked by a building very close by.
- Loss of sunlight due to the potential height of the buildings.
- Would impact on outlook and natural light with some windows impinging privacy.
- Potential damage to protected trees during construction, height and position of building.
- Proposed fencing between site and The Folly entrance could affect visibility of traffic and pedestrians when using Folly entrance.
- Vehicular access at rear looks steep with a sharp angle - is it safe?
- Will there be access from Evesham Road to Guinness Close?

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- Concern regarding inadequate parking provision for number of residents, visitors, staff resulting in increased parking on Evesham Road.
- General potential noise from emergency access area at the rear.
- Rubbish bin area seems close to properties of Guinness Close - potential noisy collections at 5.30 in the morning.
- Problems with existing trees at present.
- Concern that kitchen facilities for proposed potential occupiers could be hazardous.

The last two points raised are not material planning considerations and so should not be taken into consideration when determining the application - they are reported for information and completeness only.

Consultee Responses

Severn Trent Water Limited

No objection but recommends a condition requiring drainage details to be submitted.

Crime Risk Manager

No objection.

County Highway Network Control

Confirm that a Section 106 contribution is required for sustainable schemes to improve bus shelters adjacent to the development site. The justification for this funding being the reduction in parking provision from parking standards.

Environmental Health

No objection subject to conditions and informatives relating to:-

- No burning of materials on site during construction
- Construction times restricted
- Measures to prevent migration of dust and particulates beyond the site boundary.

Waste Collection Services

Queried service and provision of waste collection and recycling facilities, still awaiting further comments.

County Archaeological Service

Comments awaited

Arboricultural Officer

Buildings will be very close to some trees and could dominate the building leading to future requests for the trees to be pruned/removed.

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Development indicates that the building will be very close to existing tree canopies and future growth of trees may cause issues in the future with leaf fall, shading and safety concerns.

Biodiversity Officer

Comments awaited

Worcestershire Wildlife Trust

Comments awaited

Worcestershire NHS Primary Trust

Comments awaited

Care Quality Commission

Comments awaited

Assessment of Proposal

The key issues for consideration in this case are:-

Principle

A care home facility has been established in the existing building for a considerable time. It has been demonstrated from the documents submitted that the existing building no longer complies with current regulatory requirements and is currently occupied by 13 elderly residents.

The existing building is not a viable business in terms of the outdated accommodation and limited number of bed spaces available. The second floor of the existing building is unsuitable for residents due to poor access and is used for offices and staff facilities.

Therefore, the site is currently underused for its potential, and it is considered that a complete new build of the site would enable a better facility for the local community.

The proposal would provide a new purpose built housing care scheme. The existing care facility has operated in this location for a considerable time without causing any complaint/problems and is compatible with the surrounding residential development. Therefore, the principle of the proposal in this area is acceptable and would comply with Policy H.2 of the Borough of Redditch Local Plan.No.3.

Design and Layout

The design and layout of the proposal comprises of a series of buildings of varying storeys from single to four storey of a contemporary design that includes monopitched roofing to most of the buildings. The materials for the walls would be brickwork, timber cladding and render whilst roof tiles would be

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provided for the roof, although a single storey building that encloses the courtyard would have a grass roof.

The building that would front Evesham Road would provide a café, laundry and hair-dressing salon on the ground floor to be used by the potential occupiers and visitors whilst on the first floor would be staff office facilities. The main building for the apartments would be located from the middle to the rear of the site. The flats are situated in such a way to create a courtyard enclosure and accommodate the main communal room/garden room. The layout of the development has been dictated as a result of a number of protected trees on the site in order that they are retained and accommodated as apart of the scheme.

The spacing between some of the flat blocks to the north of the site and neighbouring flats at Guinness Close varies between 6.3 to 11.5 metres. The spacing between flat blocks to the south of the site and neighbouring dwellings at The Folly varies between 9 and 12.5 metres.

Concerns have been raised by neighbouring occupants regarding the close proximity of the proposed blocks in relation to existing properties, particularly flats at Guinness Close and dwellings at The Folly.

The application has been considered at pre-application stage, and concerns were raised with the developers regarding the close proximity of the buildings in relation to neighbouring flats and dwellings. The applicant has since made revisions to the scheme, including increasing the spacing between the blocks and neighbouring properties and rearranged window positions to prevent direct overlooking. However, comments from residents, particularly those at Guinness Close are concerned about shadowing from the proposed blocks reducing light into their small windows. Officers are proposing to discuss this matter further with the applicant to see if there is scope to further improve this matter. Similar issues have been raised by occupants of The Folly but it is considered that the potential impact of the proposal on these properties is less detrimental in comparison to those at Guinness Close.

Guidance in the Council's SPG on Encouraging Good Design states that 22 metres should be retained between rear dwelling windows that directly face each other. However, this guidance relates to houses where the rear gardens backing onto each other would create this spacing. The relationship that would be created here would be flats facing flats. No spacing distance is specified in the SPG for this situation, and as such would be based on each individual case. However, there is some concern from residents of Guinness Close regarding the mass of the development at close quarters to their flats that would reduce light into the rooms concerned. Officers are discussing this matter further with the agent.

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Landscaping and trees

As stated above there are Tree Preservation Orders that protect trees on the site. Information has been submitted in respect to the trees and comments have been made by the Council's Arboricultural Officer in respect to the potential impact the proposal could have on the trees and that further information is required to address these concerns.

Highways and Access

Access is proposed via Evesham Road providing nine car park spaces via this access point whilst three car parking spaces would be provided at the rear of the site with access off Guinness Close, and they would only be used as overflow staff car parking facilities. The maximum standard for this development would be 14 car parking spaces for the residents and 18 spaces for staff. The proposal does not provide the full requirement of car parking provision (14 shown). However, information in the Travel Plan (included in the Design and Access Statement) demonstrates that a lot of the staff use public transport or cycle to work. For this reason a relaxation in the proposed number of car parking spaces is considered acceptable on the basis that improvements are made to the nearby bus shelters. This would be in the form of a financial contribution and would need to be included within a Section 106 Agreement.

Comments have been raised by neighbours in respect of the three car parking spaces at the rear of the site. Further comments are sought from County Highways Network Control regarding the location of car spaces and access arrangements.

Sustainability

From a sustainable point of view, the proposal has been designed in order to comply with level 4 of the Code for Sustainable Homes. The existing thermal performance of Dorothy Terry House is well below modern standards and the heating system is inefficient. The existing cottage at the front of the site and existing outbuildings are dilapidated and unsuitable for habitable use. The location of the proposal is sustainable with good links to public transport and the local cycle network. The orientation of the buildings and windows is designed to maximise natural light although this has been dictated as a result of the positioning of existing trees. Solar panels are proposed to some of the roofs whilst a meadow grass roof is proposed on a single storey element to ensure a high level of insulation, although other approaches will be applied to other buildings to improve insulation for the flats. Materials are intended to be sustainably sourced. Double glazing will be provided and multiple gas fired condensing boilers would be used for the scheme. All these elements are to be welcomed, in line with sustainability objectives of the planning framework.

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Other Issues

Generally, the nature of the development (self contained flats) would require contributions towards facilities that the development would have an impact on such as education, open space, playing fields and play facilities. However, whilst the flats are a combination of 1 and 2 bedroom flats, the intention is that the accommodation would not be general housing, but housing for people with dementia and are likely to be occupiers that are older and less mobile. Therefore, existing surrounding facilities such as schools and playing fields etc. would not be affected due to how the scheme would be occupied. For this reason, a detailed Unilateral Undertaking or S106 Agreement would be required to restrict the occupation of the premises.

In addition, the facilities at the front of the site that include a hairdressing salon and café are located outside the neighbouring District Centre and wouldn't necessarily be considered favourably in their own right outside a District Centre. These facilities are mainly intended to be used by the occupiers of the scheme, and possibly visitors of the occupiers. However, this matter also needs to be controlled in a Unilateral Undertaking or S106 Agreement.

As mentioned in an earlier section a financial contribution will be required to cover the improvements to the bus shelters due to the under provision of car parking facilities and the arguments put forward by the applicant that employees generally travel to work via public transport or cycle. Again, this will need to be detailed in the Unilateral Undertaking or S106 Agreement.

Conclusion

The proposal is for a modern design of housing scheme that will provide self contained accommodation for occupiers with dementia. Additional care will be provided for the occupiers as well as on site ancillary facilities. There are still some outstanding concerns regarding the development in terms of its impact on surrounding housing as well as trees within the site etc. Further negotiations are intended to take place between officers and the agent regarding these matters. However, the development would provide an important facility in the Town for a condition which is growing not just in this area but nationwide. A legal agreement will be required to cover particular matters, such as defining the use of the proposal and ancillary facilities, and to cover financial contributions for improvements to the bus shelters nearby. Subject to these restrictions, the proposal is considered to be compliant with policy and unlikely to cause harm to amenity or safety.

Recommendations

- 1. That subject to satisfactory information being received regarding separation distances, tree impacts, and access arrangements, having regard to the development plan and to all other material**

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considerations, authority be delegated to the Head of Planning & Regeneration to GRANT planning permission subject to:

- a) a Planning Obligation ensuring that the 42 units are for the provision of housing in perpetuity for people with dementia; that the use of the ancillary facilities remain as ancillary facilities for the scheme and are not operated separately in any way for the use of the general public; and should the housing be used as general housing, that applicable financial contributions towards education, open space etc, social housing would need to be provided; and
 - b) the conditions and informatives as summarised below:
 - 1. Development to commence within 3 years
 - 2. Materials to be submitted
 - 3. Landscaping scheme to be submitted
 - 4. Approved landscaping scheme to be implemented
 - 5. Limited working hours during construction
 - 6. Approved plans specified
 - 7. Protection of trees during construction; and
2. In the event that the planning obligation cannot be completed by 10 September 2010,
- a) Members are asked to delegate authority to the Head of Planning & Regeneration to refuse the application on the basis that without the planning obligation the proposed development would be contrary to policy and therefore unacceptable due to the resultant detrimental impacts it could cause to community infrastructure by a lack of provision for their improvements, and that none of the dwellings could be restricted to use for affordable housing in line with current policy requirements; and
 - b) In the event of a refusal on this ground and the applicant resubmitting the same or a very similar planning application with a completed legal agreement attached, authority be delegated to the Head of Planning and Regeneration to GRANT planning permission subject to the conditions summarised above as amended in any relevant subsequent update paper or by Members at this meeting.