

Reference: 10/00193/FUL
Date Submitted: 26.03.10
Applicant: Claregrange Limited
Location: Waltham Hall Home, 87 Melton Road, Waltham On The Wolds, LE14 4AJ
Proposal: New Extension to the existing Hall comprising: 13 Self Contained Flats, 16 additional bedrooms, private Crèche facility for staff's children, including driveway to new car park and cycle

Introduction:-

The application seeks full planning permission for the extension of an existing residential care home facility situated outside of the village envelope for Waltham. The Care home is situated along the A606 and borders the built form of the village, in close proximity to residential properties. The hall has been subject to extension in the past and sits within large grounds where the trees are subject to a County group Tree Preservation Order.

The application is presented to Committee as it represents a departure to the development plan due to the proposal not representing small scale expansion.

Relevant History:-

01/00784/FUL – Planning permission was refused for the erection of a terraced court of 10 no. bungalows with two storey warden's unit on grounds of impact upon the countryside and that the location was unsuitable for residential living accommodation. The refusal was upheld at appeal on grounds that the site was not suitable for separate residential living accommodation with no means of controlling the occupancy. Matters relating to impact upon the open countryside were considered to be acceptable and was omitted from the dismissing of the appeal.

92/0399/FUL – Planning permission granted additional first floor extension

88/0693/FUL – Planning permission refused for erection of 6 sheltered bungalows

88/00641/FUL – Planning permission granted for formation of staff accommodation over garages

87/00505/FUL – Planning permission granted for two storey extension to provide a further 24 bedrooms

76/00385/FUL – Planning permission granted for extension to private nursing home

74/00071/FUL – Planning permission granted for the erection of 12 bedroom extension.

Melton Local Plan (saved policies):

PPS 1 'Delivering Sustainable Development' - The guidance says that planning should promote sustainable and inclusive patterns of development. A key principle involves the need to reduce the need to travel by car and to identify land for development in locations where there is, or the potential for, a realistic choice of access by means other than the private car. The Government is committed to promoting a strong, stable, and productive economy that aims to bring jobs and prosperity for all. Planning authorities should ensure that suitable locations are available for industrial, commercial, retail, public sector (e.g. health and education) tourism and leisure developments, so that the economy can prosper.

PPS4 ‘Planning for Sustainable Economic Growth’ – The guidance states that local planning authorities should adopt a positive and constructive approach towards planning applications for economic development including rural areas. Planning applications that secure sustainable economic growth should be treated favourably. Policy EC6.1 seeks to protect the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and to ensure it may be enjoyed by all. EC6.2 advises that in rural areas, local planning authorities should: a) strictly control economic development in open countryside away from existing settlements, or outside areas allocated for development in development plans b) identify local service centres (which might be a country town, a single large village or a group of villages) and locate most new development in or on the edge of existing settlements where employment, housing (including affordable housing), services and other facilities can be provided close together.

PPS7 ‘Sustainable Development in Rural Areas’: The principles for permitting rural economic development is now contained within the PPS4 however PPS7 is still relevant and contains advice on determining applications in rural areas and sets out national planning policy in relation to development in rural areas. PPS 7 says that development in the rural areas should be allowed, as long as it is carefully sited within or close to existing towns and named service centres. All development in rural areas should be well designed and inclusive, in keeping and scale with its location, and sensitive to the character of the countryside and local distinctiveness.

PPG 13 ‘Transport’ - A main objective seeks to reduce the need to travel, especially by car. With regard to rural areas, the guidance makes clear that jobs, shopping, leisure facilities and services are primarily sited at the most accessible locations in the local area. In determining the appropriate strategy for employment in rural areas, the guidance says that it is important to consider the scale, impact and likely catchment area of development, and that the larger the number of staff employed on site, the greater the need to ensure the development is accessible by public transport, walking and cycling.

Regional Spatial Strategy

Policy 1 of the Regional Plan seeks to ensure that development within the East Midlands is sustainable. It sets out Regional Core Objectives which should be met through Local Development Frameworks and planning applications.

Policy 2 – Promoting Better Design – states that the layout, design and construction of new development should be continuously improved.

Policy 3 – relates to the distribution of new development and states that development in rural areas should;

- maintain the distinctive character and vitality of rural communities;
- shortening journeys and facilitating access to jobs and services;
- strengthening rural enterprise and linkages between settlements and their hinterlands; and
- respecting the quality of the tranquillity, where that is recognised in planning documents

In assessing the suitability of sites for development priority is given to making best use of previously developed and vacant land or under-used buildings in urban or other sustainable locations, contributing to the achievement of a regional target of 60% of additional dwellings on previously developed land or through conversions.

Policy 48 – Regional Car Parking Standards – states that Local Planning Authorities should apply the maximum amounts of vehicle parking for new development as set out in PPG13.

Melton Local Plan (Saved Policies)

Policy OS2 - carries a general presumption against development outside town and village envelopes except in certain instances such as development essential for agriculture and forestry, small scale employment, tourism and recreation development, development for

statutory undertakers and telecommunications operators, changes of use of existing buildings and affordable housing.

Policy BE1 - allows for new buildings subject to criteria including buildings designed to harmonise with surroundings, no adverse impact on amenities of neighbouring properties, adequate space around and between buildings, adequate open space provided and satisfactory access and parking provision.

Policy C16 The policy seeks to preserve small woodlands and individual trees which form an integral part of the rural landscape of the area. The policy states that planning permission will not be granted if the development would result in the loss or damage of trees or woodlands covered by a Tree Preservation Order unless there is no other site suitable for the development and any trees felled are replaced at an alternative site of equal value.

Melton LDF Core Strategy: seeks to support development which enables those who earn a living from, and help to manage the countryside, to continue to do so, while also protecting the countryside for its own sake. Development in the countryside will therefore be limited. Agricultural uses are acceptable.

Consultations:-

| Consultation reply | Assessment of Head of Regulatory Services |
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| <p>Highway Authority – No objections subject to an overflow car park being provided.</p> <p>The proposed use is unlikely to result in a material increase in use of the access and therefore subject to adequate parking/turning being available within the site the proposal is acceptable.</p> | <p>Amended plans have been consulted on which show an increase in parking provision by 32 spaces which will be located to the east of site (side of building). The parking provisions are considered acceptable.</p> |
| <p>Waltham Parish Council – No objections to the design and amended plans showing additional parking facilities.</p> <p>Would like assurance that the:-</p> <ul style="list-style-type: none"> • Tree Preservation Orders imposed by Leicestershire County Council are observed • That a ‘Green Travel Plan’ is prepared. • That the effective disposal of the additional ‘top water’ generated by the buildings and the car park can be demonstrated. <p>That adequate disposal facilities of kitchen waste are provided.</p> | <p>See section below regarding trees.</p> <p>At present the care home operates a car share scheme and is intending to install lockable cycle bays for use by staff and visitors. The proposed parking areas are to be constructed from porous materials to mitigate surface water run off and investigations into Sustainable Urban Drainage facilities are underway but no details have been submitted at the time of writing this report. Given the location of the site it is considered that flooding will not become an issue but any contribution to sustainable development objectives should be welcomed.</p> <p>The collection of waste will be dealt with by commercial waste contractor.</p> |
| <p>LCC Developer Contributions: No contributions are necessary given that the proposal is for an extension to a care facility.</p> | <p>Noted.</p> |
| <p>Leicestershire County Council Arboriculture Officer: No objections subject to conditioning replacement trees.</p> | <p>Noted. The trees are subject to a County Tree Preservation Order and the Officer has inspected the trees with the applicant’s arboriculture consultant. Conditions will be required to ensure</p> |

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| <p>Large beech T1 will have to be felled and the line of holly trees G2 will also have to be removed.</p> <p>Though the trees T2 –T5 are in close proximity to the development the percentage of their root systems that will be affected by the construction are within acceptable limits. As stated in the report the trees must be protected with fencing as detailed in fig. 2 during construction operations.</p> <p>The root protection area of the walnut tree T6 will be affected by the proposed ramp and car park. As above the revised details of the ramp construction should be submitted as a condition of the planning application.</p> <p>The mature tree belt G3 on the east boundary of the site contains mature trees some of which are in poor condition: beech T8 infected with fungal decay <i>Kretzschmaria deusta</i> is dying and dangerous and can be felled; a sycamore A & cherry B have significant decay and are dying and dangerous and can be felled; a sycamore C with two co dominant stems also has stem decay with a large hung up branch overhanging the access track this tree is dangerous and the branch should be removed and the tree reduced to 5.0m in height</p> <p>The damson T7 decay in main limb to be reduced by 3.0m.</p> <p>The damson T9 decayed stem dying back to be felled.</p> <p>The group of over mature plum, apple and wild cherry G4 have significant decay and are dying can be felled.</p> <p>The group of lime, sycamore and beech G5 standing dead beech A remove and fire damaged beech infected with honey fungus to be monitored.</p> <p>As the above 8 trees are dying and dangerous and are to be removed in the interests of safety this will create an opportunity to redesign the car park outside of the root protection area of the walnut T6 as shown on Survey plan</p> | <p>that replacement trees are planted within the site.</p> |
| <p>Leicestershire County Council Archaeology: No objections to the development.</p> | <p>Noted.</p> |
| <p>Melton Borough Environment Health Officer: No objections to the proposal.</p> | <p>Questions were previously raised regarding the kitchen facilities to the crèche, entrance to the crèche and how segregation of the age groups will be controlled given that there will only be one large room. Satisfactory answers have been provided which detail that the kitchen will only be for the crèche facility as the main kitchen in the care home prepares the meals for the residents. The crèche is situated on the ground floor with separate entrance for the children. It is proposed</p> |

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| | to separate the room depending on the no. of children present. The crèche facility will be controlled by other government bodies and will only be for staff use . |
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Representations:

A site notice was posted at the site entrance along with a notice published in the local press. The nearby neighbouring properties were consulted and as a result 4 letters of representation was received from separate households:

| Representations | Assessment of Head of Regulatory Services |
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| <p>Character and appearance of area:</p> <ul style="list-style-type: none"> • Site has extended over the years and the proposed extension is too much | <p>Policy OS2 allows for small scale extension to existing facilities sited in the open countryside providing that there would not be a detrimental impact upon the character of the open countryside. The hall has been extended in the past and this proposal is not considered to be small scale and therefore is not supported in terms of the policy context. The existing care home consists of approx. 2414 square metres and the proposed extension would increase the facility by a further 1540 square metres. The proposed extension will add 16 additional bedrooms to the care facility and provide 13 self contained flats to aid supported living. The flats will provide full accommodation for independent residents over the age of 65 that are not ready for full care but wish to be housed in a facility that is a step up for living alone with support available.</p> <p>The owner of the facility has provided justification for the need to extend and explains that due to an aging population the increase in demand for the facility is outgrowing its current capacity. It also claimed that a majority of the elderly want to stay living independent but may need to have a level of supervision in order to do this safely which would reduce the burden on the NHS and social care.</p> |
| <p>Impact upon Highway Safety:</p> <ul style="list-style-type: none"> • Parking is an issue at the home • People park in the driveway which is dangerous • Insufficient parking facilities • Increase in traffic visiting the site | <p>The current parking provisions do not meet the demand due to having open visiting hours. Sometimes during the day the parking provisions would be adequate however weekends will see an increase in visitors to the area. The Highways Officer has not objected to the proposal subject to an overflow parking facility being provided within the site to prevent parking along the access drive or out onto the highway. Through the negotiations for the proposal an additional car park scheme has been devised to the east of the site leading from the existing car park. The surfacing of the car park has been suggested to be of porous materials and this should be conditioned in order to mitigate surface water run. The car parking provisions will be increased by 128% which is in excess of government guidance for parking facilities.</p> |
| <p>Impact upon Residential Amenity:</p> <ul style="list-style-type: none"> • Noise from visitor and staff movements | <p>There will inevitably be an increase in visitors to the site should the proposal be approved. However in assessing this impact regards to the existing activity should be considered and what the impact of the extra use will have on the neighbours. It is considered that given that the</p> |

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| <ul style="list-style-type: none"> • Smells from cooking • Smells from waste <ul style="list-style-type: none"> • Past extensions have spoilt views the extension will be intrusive <ul style="list-style-type: none"> • Devalue the property | <p>traffic movements are spread out over the day for the whole of the week the increase will not result in an unacceptable activity.</p> <p>The cooking smells generated from the site will be no greater than existing, nor is it envisaged that the waste will present any further issues relating to smells. The management of the waste is one for the care home and they may need to increase the collections however this is not something that can be controlled through the planning process.</p> <p>The two storey proposal will project to the south of the building which is considered to be the rear elevation. It will project into the site by 40 metres and the site is considered to be well screened by trees and mature hedging which will limit views into the site and beyond the development. The nearest neighbouring property is to the west at a distance of over 100 metres away, to the southwest the property is 134 metres away from the proposed extension. It is considered that given the separation distances and the screening of the site the proposal will not be intrusive. Further more it is proposed to remove some of the trees to enable the extension to proceed and some that are dead, dying or dangerous. Leicestershire County Council are requesting that replacement trees are planted within the site at a location to be agreed. If considered necessary these replacement trees could be required to be planted to add to the screening of the site.</p> <p>Matters relating to devaluation of properties are not planning matters.</p> |
| <p>Wider Impact:</p> <ul style="list-style-type: none"> • Alzheimer’s facility would not be of any benefit to the local community as the catchment area would be much wider | <p>The description of the proposal was amended and a justification statement was submitted to support the application. It is not the intention of the owner of the care home to offer facilities solely for Alzheimer suffers and this was an error. The proposal will provide additional facilities to people that are no longer able to live by themselves and need 24 hr care and provide facilities for those that want supported living accommodation. The majority of the existing residents are stated to be local and have local ties with the area, which would suggest that there is a local need for the facility. The amended information was subject to further consultations and no additional objections or comments relating to the information were received.</p> |
| <p>Safety of Patients</p> <ul style="list-style-type: none"> • Alzheimer sufferers need more care as they could wonder out on to the highway | <p>Matters relating to the management of the care home are not planning considerations.</p> |

Other Material Considerations:

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| <p>Application of the Development Plan and Planning Policy Statements:</p> | <p>The proposal is not considered to be small scale and represents a departure to the development plan. Such an exception can be justified only if</p> |
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| <p>Policy OS2 carries a general presumption against development outside town and village envelopes except in certain instances such as development essential for agriculture and forestry, small scale employment, tourism and recreation development.</p> <p>PPS4 seeks to support rural economic development in locations which are in or close to existing service centres. Development which offers employment needs to ensure that there are other modes of transport available to assist with sustainable development objectives contained in PPS1.</p> <p>PPS7 seeks to protect the open countryside from in appropriate development.</p> | <p>there are material considerations present to outweigh the development plan. It is considered that the facilities the proposal will provide will be of great benefit to the wider population of Melton borough. The care home often has a waiting list for people wanting to use the facility. The demographic profiling for the UK is changing and people are living for longer. The aging population is growing and the demand for Care Home facility is likely to outstrip the supply of care home facilities available. The supported living accommodation would enable some elderly or non able bodied persons to carry on looking after themselves in a safe environment. This type of facility would go some way to removing pressure from government services such as home help and meals on wheels.</p> <p>The extra facilities would create an additional 10 jobs at the home. This would provide job opportunities for local residents. The home is on the edge of Waltham-on-the-Wolds which is considered as a service centre through the formulation of the Preferred Options Core Strategy. The owner is promoting a car share scheme as due to the shift patterns it is not always possible for employees to arrive on public transport. Cycle bays will be provided and employees will be encouraged to cycle and walk to work.</p> <p>The proposed extension will not be visible from outside of the confines of the site. It is considered that although not small scale the development would not have an adverse impact upon the character of the open countryside due to the screening of the site and design. More trees are to be planted as a condition to compensate for the loss of some of the trees.</p> |
| <p>Design:</p> | <p>The extension has been designed to run off an existing wing and reflects the existing design of the host building. The new wing will be two storey running perpendicular to the main hall. A double gable on the south elevation is proposed. The overall design is considered to be acceptable and in character with the existing building.</p> |
| <p>Sustainable Development:</p> <p>Sustainable development is central to planning policies PPS1 and PPS7. The village of Waltham has been designated as a service centre through the formulation of the LDF where the presumption for development is acceptable subject to satisfy other policies contained within the development plan relating to design, scale, massing and impact upon residential amenities and the character of the area. PPS 1 and PPS 7 seek to reduce the impact proposals may have on the environment by locating development in or close to existing town centres and named service</p> | <p>The application site is located on the edge of the village of Waltham which has been named as a service centre for the borough and sits on the A607 Melton to Grantham route. The location is considered to be sustainable and accessible by public transport.</p> <p>The measures proposed relating to travel plans and SUD's by the applicant show that they are recognising the importance of sustainable development and the small changes help to achieve the objectives of PPS1 and PPS7 by</p> |

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| centres where there is a choice of modes of transport to reduce the need to travel by car. | fostering sustainable and environmentally friendly practices. |
| <p>Other Material Considerations:</p> <p>The report from Leicestershire County Council: Strategy for Ageing Well in Leicestershire 2008 emphasises how much elderly people benefit from being in a community, however this same community can be a closed door for the pensioners who are housebound. The effect on older people when they can not get about outside their home is classified as negative. In rural areas, living alone can be a burden- 76% of rural homes are up to 800m from a bus stop, the impact of which is that less than 9% of the elderly use a bus on a daily basis, the uptake is less in rural areas. Despite this, 83% think their rural neighbourhood is a 'good' or 'very good' place to live, continuation of this can be provided at this Village location.</p> <p>The crèche facility will be run as a not for profit organisation and will be provided solely for the use of the Staff of Waltham Hall. The intention is for this to be available between the early morning shift and the evening shift ending, mainly for after school, nursery care and school holidays.</p> | <p>Planning permission was refused at the site in 2001 for separate residential bungalows because the site was not considered to be appropriate for residential development. The appeal was dismissed as it was considered that the occupation of the bungalows could not be controlled. This issue has been addressed with this proposal due to the flats being part of the main care facility. It is intended that the flats would meet the needs of elderly of 65 years and over and this could be conditioned. However it would be more appropriate to condition the use to that of the nursing home and not by age as the facility would be suitable for a person suffering from a long term illness or for a non able bodied person who would benefit from this type of accommodation.</p> <p>The crèche facility is intended as an employee benefit. The care home is open 24 7 for 365 days per year and the staff work in shifts. Due to early starts and late finishing there are no other child care facilities which can meet the demand of staff with children that have no family help available. It is not known how many children would use the facility but at present the number is said to be possibly 10 children. No overnight sleeping arrangements will be provided it is envisaged that it will be most used before and after school hours and over school holidays. The crèche facility will help with staffing during school holidays thus helping staff with work/life balance. A condition restricting the use should be imposed</p> |

Conclusion

The proposal seeks planning permission to extend existing facilities to meet the demand for residential care, whilst recognising that there is potential to meet a wider demand by offering supported independent living accommodation. The design of the proposal is considered to be acceptable and parking facilities are to be increased in excess of the Highways requirements in order to alleviate current parking issues on the site. The principles for extending existing facilities outside of any settlement boundary are considered to be acceptable but on a small scale only. The proposal is not considered to be small scale and therefore represents a departure to the development plan. However it is considered that there are other material considerations present such as providing alternative accommodation for the elderly and that the development will not have a detrimental impact upon the character of the countryside which indicates that the application should be permitted. Accordingly application is recommended for approval subject to conditions.

RECOMMENDATION: Permit subject to the following conditions :-

1. The development shall be begun before the expiration of three years from the date of this permission.
2. All external materials used in the development hereby permitted shall be of the same type, texture and colour as those used in the existing building.
3. All tree works shall be carried out to BS3998, 1989.
4. This consent is granted subject to the planting of a replacement trees, the species, size and location of which shall be agreed in writing by the Local Planning Authority.
5. The additional parking facilities as shown on plan. 374-08 rev A shall be provided and marked out to the requirements of Leicestershire County Council Highway standards.
6. The car parking surfacing shall be of a porous material unless otherwise agreed by the Local Planning Authority.

7. The crèche facilities hereby approved shall be for the sole use of the employees of the Nursing home.

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Reasons:

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. To ensure a satisfactory standard of external appearance.
3. To ensure that the works are carried out to a satisfactory standard to safeguard the trees.
4. To preserve the visual amenities of the locality.
5. In the interest of Highway Safety.
6. To mitigate surface water run off.

7. To remain ancillary to the nursing home.

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Officer to contact: **Mrs Denise Knipe**

19th June 2010