



**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Planning Committee (South)

BY: Development Manager

DATE: 20 December 2016

DEVELOPMENT: Variation of condition 1 to previously approved application DC/15/1547 (Erection of new build 32 bed dementia care home on land to the rear of The Anchorage Residential Home); relating to amendments to the design and height of the roof of the building to facilitate the creation of additional first floor space to provide 3x 2-bedroom self-contained staff accommodation units, along with elevational alterations, changes to external finishing materials and amendment to landscaping scheme.

SITE: The Anchorage Coombelands Lane Pulborough West Sussex

WARD: Pulborough and Coldwaltham

APPLICATION: DC/16/1860

APPLICANT: Mr Nick Wyatt

REASON FOR INCLUSION ON THE AGENDA: The application if permitted would represent a departure from the Development Plan as set out in The Town and Country Planning (Development Management Procedure) (England) Order 2015

RECOMMENDATION: To approve the application, subject to conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application proposes a minor material amendment to planning permission DC/15/1547, which permitted the erection of a 32-bedroom dementia care home, with five ancillary staff bedrooms at first floor level, served by a new access from Coombelands Lane.

1.3 The main proposed change is to the roof form and height of the building. As permitted under DC/15/1547, the building would have flat crown roof to 5.6 metres. The proposal increases this by 0.3m to 5.9m, and adds a small higher section of roof approximately central on the building, at the entrance. This feature would have a height of 7.9m.

1.4 The proposed increase in roof height and addition of a central higher section of roof would facilitate the provision of three 2-bedroom staff flats, whereas the previous application included five single staff bedrooms with shared bathroom and living/dining area with

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kitchenette. The first floor still also provides ancillary facilities such as laundry, kitchen and staff rest area, which were also shown at first floor level on the approved drawings.

- 1.5 In addition to the proposed alterations to the roof of the building, the elevations now include areas of flint to break up the all-brick building previously approved.
- 1.6 Amendments to landscaping are also proposed, namely the removal of a tree to facilitate construction access. Proposed re-planting also forms part of this application.

DESCRIPTION OF THE SITE

- 1.7 The application site is as per the description in DC/15/1547. Construction had not commenced at the time of the Officer's site visit. The site is an un-developed parcel of land to the south west of the existing Anchorage care facility, which slopes down roughly from south to north. The site is to the north of Pulborough railway station, where there is a listed signal box. The existing care home lies within a Conservation Area.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 The National Planning Policy Framework (March 2012), sections 6, 7, 8, 11 and 12.

RELEVANT COUNCIL POLICY

- 2.3 The Development Plan consists of the Horsham District Planning Framework (November 2015) (HDPF).
- 2.4 The relevant Policies of the HDPF are Policy 1 – Sustainable Development, Policy 2 – Strategic Development, Policy 3 – Settlement Expansion, Policy 9 – Employment Development, Policy 10 - Rural Economic Development, Policy 18 – Retirement Housing and Specialist Care, Policy 24 – Environmental Protection, Policy 25 – District Character and the Natural Environment, Policy 26 – Countryside Protection, Policy 31 – Green Infrastructure and Biodiversity, Policy 32 – The Quality of New Development, Policy 33 – Development Principles, Policy 34 – Heritage Assets and Managing Change within the Historic Environment, Policy 35 – Climate Change, Policy 37 – Sustainable Design and Construction, Policy 40 – Sustainable Transport, Policy 41 – Parking

RELEVANT NEIGHBOURHOOD PLAN

- 2.5 Pulborough Parish has been designated as a Neighbourhood Plan Area, but there is no Made Neighbourhood Plan in place at this time.

PLANNING HISTORY

There are a number of planning applications relating to the existing care home, use of which was first permitted under PL/84/81. The following application is relevant to this site:

DC/15/1547	Erection of new build 32 bed dementia care home on land to the rear of The Anchorage Residential Home.	Permitted
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3. OUTCOME OF CONSULTATIONS

- 3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk.

INTERNAL CONSULTATIONS

- 3.2 HDC Drainage Engineer:
No further comments to make.
- 3.3 HDC Archaeology Consultant:
Do not consider the proposed development to have archaeological implications.
- 3.4 HDC Ecology Consultant:
No further comments to make
- 3.5 HDC Environmental Health Officer:
No adverse comments to make
- 3.6 HDC Landscape Architect:
Verbal comments only: Advised that concerns raised in respect of previous application DC/15/1547 still stand, but the proposed amendments to not add to or exacerbate that concern to any significant degree.
- 3.7 HDC Conservation Officer:
Verbal comments only: Advised that concerns raised in respect of previous application DC/15/1547 still stand, but the proposed amendments to not add to or exacerbate that concern to any significant degree.

OUTSIDE AGENCIES

- 3.8 WSCC Highways:
No objection.
- 3.9 Southern Water:
No further comments to make.

PUBLIC CONSULTATIONS

- 3.10 Pulborough Parish Council:
Objection on the basis of over-development and also Members' previously recorded serious concerns regarding access/utility service issues to the site.
- 3.11 Three letters of objection from two households have been received by the Council, which include the following points:
- If the approved scheme is not fit for purpose, the developer should start from scratch with a new design, not try to shoehorn changes in.
 - The proposed access encroaches on land outside of the applicant's ownership [*Officer note: no changes are proposed to the permitted access as part of this application*]
 - Access should be combined with the new development at the station. This would be less intrusive.
 - There are no gas and water mains on Coombelands Lane, contrary to the submitted plans.
 - It is not clear where construction traffic will be based.
 - The revised building is dramatically higher.

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- Vehicles associated with the care home drive over the pathway outside Church House.
- Architectural quality is poor.

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

- 4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

- 6.1 The application proposes an amendment to planning permission DC/15/1547. The application is made under section 73 of the Town and Country Planning Act 1990 (as amended), and proposes the variation of the 'approved plans' condition to substitute the proposed revised drawings. The granting of planning permission under s73 results in the issuing of a new planning permission, and the developer then has the option of implementing either the original planning permission or the amended scheme. If permission is granted under s73, it would be subject to the same time limit for implementation as the original permission. Under the requirements of s73, the Council is only allowed to consider the question of the conditions subject to which planning permission should be granted. The principle of development therefore cannot be re-visited and the main consideration for this application is therefore the acceptability of the proposed amendments.
- 6.2 The HDC Landscape Architect raised concern in respect of the previous application due to the landscape harm arising from the bulk and footprint of the building, lack of opportunities for substantial screening planting and the visual impact of the proposed access. However, it was considered that the landscape harm was limited and that the public benefits of the scheme outweighed the landscape harm. The current proposal has been discussed with the Landscape Architect, who advises that although the proposal still results in the same concerns being raised, the increased height does not materially add to that harm. Therefore, while the proposal results in landscape harm, this is not increased in comparison to the previous proposal. No objection is therefore raised in respect of landscape impacts.
- 6.3 Similarly, the HDC Conservation Officer has advised that there is harm to the setting of heritage assets including the adjacent Conservation Area, and grade I listed St Mary's Church arising from the development, and raised this concern in respect of the previous application. However, the Conservation Officer has advised that the level of harm arising from the amended roof form does not exacerbate the harm identified in connection with the previous application.
- 6.4 In light of the conclusions of the Landscape Architect and Conservation Officer, i.e. that the proposed amendments are not of a sufficient scale to increase the impacts identified on the previous application, it is considered that the proposed amendments to the proposal remain acceptable in terms of design, appearance and visual impact.
- 6.6 The proposed building now incorporates three 2-bedroom staff flats, rather than the previously permitted five single staff bedrooms and shared bathroom and living area. The

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Highway Authority have advised that this amendment does not materially alter the scheme from a highway safety point of view. No objections are therefore raised in respect of highways and parking.

- 6.7 No objection was previously raised in respect of other matters such as archaeology, ecology, drainage and sustainability. The proposed amendments do not materially alter the proposal in these respects.
- 6.8 The proposed development therefore remains acceptable, subject to the conditions set out in the decision notice of DC/15/1547.

7. RECOMMENDATIONS

7.1 To permit the application, subject to the following conditions:

1. A condition listing the approved plans.
2. The development hereby permitted shall be begun before the expiration of three years from 31.03.2016, being the date of planning permission DC/15/1547.

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

3. No construction works shall take place other than between the hours of 0800 - 1800 Monday to Friday, 0900 - 1300 on Saturdays and at no time on Sundays or Bank Holidays unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To ensure a satisfactory development and in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4. No burning shall take place at the site at any time.

Reason: In the interests of the amenities of the surrounding properties and to comply with Policy 33 of the Horsham District Planning Framework (2015).

5. No development shall be carried out, including any works of demolition, until a Construction Environmental Management Plan (the Plan) has been submitted to and approved, in writing, by the Local Planning Authority. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- the provision of measures to prevent drainage of water from the site onto the public highway,
- details of disposal of waste materials from the site,
- measures to control noise and dust during construction,
- proposed hours of operation,
- details of public engagement both prior to and during construction works

Thereafter the development shall be carried out in accordance with the approved Plan.

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Reason: In the interests of highway safety and the amenities of the area and to comply with the NPPF and Policies 33 and 40 of the Horsham District Planning Framework (2015).

- 6 No development shall be carried out until a desktop study and risk assessment to address any contamination have been submitted to and approved, in writing, by the Local Planning Authority. If this study deems necessary, then an intrusive investigation and further risk assessment will need to be submitted to and approved, in writing, by the Local Planning Authority. The scope of the investigation shall be agreed with the Council in advance of the works. The risk assessment will assess the degree and nature of any contamination on site and assess the risks posed by any contamination to human health, controlled waters and the wider environment. A detailed method statement for any required remediation works will need to be submitted to and approved, in writing, by the Local Planning Authority. No development shall be carried out until any required remediation works have been completed and a validation report to verify these works has been submitted to and approved, in writing, by the Local Planning Authority.

Reason: To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to comply with Policy 24 of the Horsham District Planning Framework (2015).

- 7 No development shall be carried out until a Landscape and Ecological Management Plan (the Plan) has been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved Plan and the measures contained within it in unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: In the interests of preserving the local bat population and to comply with the NPPF and with Policy 31 of the Horsham District Planning Framework (2015).

- 8 No development shall be commenced until precise details of the finished floor levels of the development in relation to a nearby datum point have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To ensure a satisfactory standard of development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 9 No development shall be carried out until details of a surface water drainage strategy, based on the principles of Sustainable Drainage Systems (SuDS), have been submitted to and approved, in writing, by the Local Planning Authority. The strategy shall be in accordance with the principles of the Technical Guidance to the NPPF (or any subsequent version). The surface water drainage strategy shall:
- a.) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - b.) include a timetable for its implementation; and
 - c.) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To ensure a satisfactory standard of development in accordance with Policy 38 of the Horsham District Planning Framework (2015).

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- 10 No development shall be carried out until details of the proposed means of foul and surface water sewerage disposal have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved foul and surface water sewerage disposal details unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To ensure a satisfactory standard of development in accordance with Policy 38 of the Horsham District Planning Framework (2015).

- 11 No development above slab level shall be carried out until details of external facing and roof materials have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To ensure a satisfactory standard of development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 12 No development above slab level shall be carried out until details of boundary treatments, including around the perimeter of the residents gardens, have been submitted to and approved, in writing, by the Local Planning Authority. The development shall not be brought into use until the boundary treatments, including the boundary around the perimeter of the residents garden, have been installed in accordance with the approved details unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To ensure a satisfactory development and in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 13 No development above slab level shall be carried out until a detailed external lighting strategy has been submitted to and approved, in writing, by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved strategy and no other external lighting shall be provided at the site unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: In the interests of preserving the local bat population, to preserve the visual amenities of the area and character of the countryside location and to comply with the NPPF and with Policies 25, 26, 31 and 33 of the Horsham District Planning Framework (2015).

- 14 No development shall be occupied until car parking has been provided in accordance with the details shown on the approved plans unless otherwise agreed, in writing, by the Local Planning Authority. The approved car parking shall be retained for the purpose of car parking at all times unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To ensure a satisfactory development and in the interests of amenity and highway and pedestrian safety in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 15 No development shall be occupied until the facilities for cycle and refuse storage have been provided in accordance with the approved plans unless otherwise agreed, in writing, by the Local Planning Authority. The approved facilities shall be retained for the purposes of cycle and refuse storage at all times unless otherwise agreed, in writing, by the Local Planning Authority.

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Reason: To ensure a satisfactory development and in the interests of amenity and highway and pedestrian safety in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

- 16 No development shall be occupied until the vehicular access shown on the approved drawings has been provided in accordance with the approved details unless otherwise agreed, in writing, by the Local Planning Authority. The approved access shall be retained at all times.

Reason: In the interests of highway safety and the amenities of the area and to comply with the NPPF and Policy 40 of the Horsham District Planning Framework (2015).

- 17 No development shall be occupied or brought into use until vehicular visibility splays of 2.4m by 43m have been provided to the east and west of the site access to Coombelands Lane, unless otherwise agreed, in writing, by the Local Planning Authority. The approved visibility splays shall be retained at all times thereafter unless otherwise agreed, in writing, by the Local Planning Authority. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6m above adjoining carriageway level unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: In the interests of highway safety and the amenities of the area and to comply with the NPPF and Policy 40 of the Horsham District Planning Framework (2015).

- 18 No development shall be brought into use until a Servicing Management Plan (the Plan) has been submitted to and approved, in writing, by the Local Planning Authority. The Plan shall set out the arrangements for loading and unloading of deliveries to the proposed development, the location and frequency of deliveries and the arrangements for the collection of refuse. The development shall be operated in accordance with the approved plan unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: In the interests of highway safety, to safeguard the operation of the public highway and in the amenities of the area and to comply with the NPPF and Policy 40 of the Horsham District Planning Framework (2015).

- 19 No development shall be brought into use until an employee training programme has been submitted to and approved, in writing, by the Local Planning Authority. The training programme shall include measures to support employee skills development, identify local training and development opportunities and include details of a mechanism for the success of the training programme to be reviewed in consultation with the Local Planning Authority. The training programme, and approved measures, shall be fully implemented at all times unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: In the interests of promoting and supporting the local rural economy and to comply with the aims and objectives of the NPPF and Policy 10 of the Horsham District Planning Framework (2015).

- 20 No development shall be carried out other than in accordance with the approved Landscape plan (ref: 902 B) unless otherwise agreed, in writing, by the Local Planning Authority. All such works as may be approved shall then be fully implemented in the first planting season, following commencement of the development hereby permitted and completed strictly in accordance with the approved details. Any plants or species which within a period of 5 years from the time of planting die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed, in writing, by the Local Planning Authority.

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Reason: To ensure a satisfactory development and in the interests of amenity in accordance with the NPPF and with Policies 25, 26, 31 and 33 of the Horsham District Planning Framework (2015).

- 21 The landscaping shall be maintained in accordance with the approved Landscape Management Specification unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To ensure a satisfactory development and in the interests of amenity in accordance with the NPPF and with Policies 25, 26, 31 and 33 of the Horsham District Planning Framework (2015).

- 22 The on-site ancillary staff accommodation shall be used for no purpose other than as ancillary staff accommodation unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To prevent the creation of independent units or residential accommodation outside of the Built Up Area Boundary and to comply with the NPPF and with Policies 1, 2, 10, 18, 26 and 32 of the Horsham District Planning Framework (2015).

Notes to Applicant

- a. The applicant is advised to enter into a Section 59 Agreement under the 1980 Highways Act, to cover the increase in extraordinary traffic that would result from construction vehicles and to enable the recovery of costs of any potential damage that may result to the public highway as a direct consequence of the construction traffic. The Applicant is advised to contact the Highway Officer (01243 642105) in order to commence this process.
- b. The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover any off-site highway works. The applicant is requested to contact the Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
- c. A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

Background Papers: DC/16/1860 and DC/15/1547