

## **PLANNING COMMITTEE – 10 SEPTEMBER 2019**

<b>Application No:</b>	<b>18/01639/FULM</b>		
<b>Proposal:</b>	<b>Extensions to South Collingham Nursing home to create 24no. extra care apartments (19no. two-bed., 5no. one-bed), conservatory and relevant ancillary spaces following the demolition of existing detached building to the east and demolition of existing single storey extension to the north and courtyard.</b>		
<b>Location:</b>	<b>South Collingham Nursing Home, Newark Road, Collingham, Nottinghamshire, NG23 7RD</b>		
<b>Applicant:</b>	<b>Mr Bill Nunn</b>		
<b>Registered:</b>	<b>17 September 2018</b>	<b>Target Date: 17 December 2018</b> <b>Extension of time agreed in principle</b>	

**The application is reported to Committee as the recommendation of the Parish Council is contrary to the Officer recommendation.**

### **The Site**

The site is situated at the southern end of the village of Collingham, just within the village envelope and Conservation Area for the village. The site comprises a large villa type building, built as part of the architectural phases that came after Arts and Craft in the 30s-50s where a Georgian Revival style became popular. The building is typified by hipped roofs, hipped dormers, overhanging eaves, large external chimney stacks and small paned vertical sliding sashes. There have been various low level, flat roofed additions constructed over time to the rear of the building.

The building is set within large grounds and can be accessed from Newark Road and Dykes End with open views south across the fields which lie beyond the site's southern boundary. Neighbouring properties lie approximately 40m to the north of the main building and 50m to the east which are screened by vegetation. The Lodge, a Grade II Listed Building situated on Dykes End, lies to the west.

The building is currently a privately owned care home facility, providing accommodation for elderly residents, many of whom have physical or mental disabilities. The home currently provides 35 rooms for residents.

### **Relevant Planning History**

01/01772/FUL - Erection of 2 detached dwellings (permitted 23.09.2002) within the grounds of the hall; this permission has not been implemented and has now time expired.

### **The Proposal**

Full planning permission is sought for the demolition of buildings to the rear of the principal unit and the erection of extensions to the principal building to create 24no. extra care apartments – 19no.2-bedroom and 5no.1-bedroom. The building would also provide facilities for residents, including:

- Hairdressers
- Dining area
- Shop
- Lounge
- Bar
- Sun lounge.

Additionally a kitchen/laundry and office/staff room would be provided.

The demolition proposed relates to modern flat roof additions to the rear that are of no architectural merit. A single storey flat roof addition to the northern elevation is also proposed to be demolished. The footprint of the building to be demolished equates to 190m<sup>2</sup>.

The extensions proposed equate to an increase in footprint of 610m<sup>2</sup> and proposed floorspace of 1523.4m<sup>2</sup>. The extensions are proposed mainly to the rear (east) of the existing building and would incorporate a glazed atrium in the centre of the addition. The extensions have been designed to retain the existing chimney stacks on the building.

Along the southern elevation the extension would step down from 2.5 storey to 1.5 storey, reflecting the design of the host building in terms of roof pitch and window design. The extension here would measure 25.6m in length and between 10.2m and 7.8m in ridge height. Here a single storey conservatory is proposed to be attached to the original building measuring 5.5m in depth, 15.7m in width and 4.6m in height to the apex of roof lantern. The conservation would have a flat roof with roof lantern.

To the eastern elevation it would be 1.5 storey in height with 7no. Conservation-type rooflights positioned in the roof. This extension would measure 26m in length and 7.8m in ridge height.

The proposed northern elevation would be stepped in from the side elevation of the original building and measure 25.6m in length and 7.8m in ridge height. 2no. Conservation-type rooflights would be located over the proposed library facing northwards with 3no. rooflights proposed on the western roofslope of the extension serving an apartment.

A 1.5 storey extension is also proposed to replace an existing flat roof extension along the principal elevation of the building. This extension would measure 11.4m in length, 7m on width and 7.7m in ridge height. The extension would include 2no. pitched roof dormers to the principal elevation, matching the roof and window design of the principal building.

Access to the site would remain as existing with 23no. parking spaces proposed to the front and side of the building. No parking is proposed along the entrance from Dykes End.

The application has been amended since submission to address concerns from the Officer, internal Conservation team and NCC Highways. The amended scheme is reflected in plans received on 21 February 2019 and 9<sup>th</sup> August 2019 (second floor plan only) and this report and recommendation to Members relates to these amendments.

### Submitted Documents

The following documents accompany the application:

- Site location plan - 18030-A-0001 Rev.P02
- Site Survey Plan - 18030-A-0002 Rev.P01
- Existing floor plans (ground and first floor) - 31287\_02\_P Rev.0
- Existing floor plans (second floor and roof plan - 31287\_03\_P Rev.0
- Existing Elevations - 31287\_04\_E Rev.0
- Existing Outbuilding Elevations - 31287\_05\_E Rev.0
- Proposed Site Plan – 18030-A-2001 Rev.P08
- Proposed Visuals – 18030(50)5001-8 Rev.P08
- Proposed ground floor plan - 18030-A-3001 Rev.P06
- Proposed first floor plan - 18030-A-3002 Rev.P07
- Proposed second floor plan - 18030-A-3003 Rev.P07
- Proposed roof plan - 18030-A-3004 Rev.P05
- Proposed elevations – 18030-A-4001 Rev.07
- Design and Access Statement (received 20<sup>th</sup> March 2019)
- Heritage Statement (dated September 2018)
- Transport Statement (dated 28.09.2018)
- Protected Species Survey (dated October 2018)
- Bat mitigation and compensation roost location and details 18030-A-2005-P02
- Bat activity surveys (dated 17.07.2019)

#### Departure/Public Advertisement Procedure

Occupiers of 19 properties have been consulted on the application. A site notice has also been posted close to the site and an advert placed in the local press.

#### Relevant Planning Policies

##### **The Development Plan**

##### *Amended Newark and Sherwood Core Strategy Adopted March 2019*

Spatial Policy: 1 Settlement Hierarchy  
 Spatial Policy: 2 Spatial Distribution of Growth  
 Spatial Policy: 6 Infrastructure for Growth  
 Spatial Policy: 7 Sustainable Transport  
 Core Policy 3: Housing Mix, Type and Density  
 Core Policy: 9 Sustainable Design  
 Core Policy: 10 Climate Change  
 Core Policy: 12 Biodiversity and Green Infrastructure  
 Core Policy: 13 Landscape Character  
 Core Policy: 14 Historic Environment

##### *Allocations and Development Management DPD Adopted July 2013*

Policy DM1: Development within Settlements Central to Delivering the Spatial Strategy  
 Policy DM3: Developer Contributions and Planning Obligations  
 Policy DM5: Design  
 Policy DM7: Biodiversity and Green Infrastructure  
 Policy DM9: Protecting and Enhancing the Historic Environment  
 Policy DM10: Pollution and Hazardous Materials  
 Policy DM12: Presumption in Favour of Sustainable Development

## Other Material Considerations

National Planning Policy Framework (NPPF) 2019

National Planning Practice Guidance (PPG) 2014

Collingham Conservation Area Appraisal 2006

Nottingham Outer Housing Market Area Strategic Housing Market Assessment (2015)

## Consultations

**Collingham Parish Council** – (Comments 2 November 2018) - Object to the proposal for the following reasons, having previously objected for similar reasons:

The Parish Council considered the application 18/01639/FULM to extend the existing South Collingham Nursing Home to erect three storey east extension, which is composed of 25 No. two bed and 6 No. one bed extra care apartments, conservatory and relevant ancillary spaces. The overall created floor space is approximately 2850m<sup>2</sup> over three floors and the building will be built in red brick and grey roof tiles to match existing. The proposal also includes demolition of existing detached building to the east; and demolition of existing single storey extension to the north and courtyard at the meeting of 25 October 2018

The Parish Council is aware of a residents concerns which have been conveyed to the District Councillor and the Planning Department.

The Parish Council resolved unanimously to Object to this Proposal on the following Material Planning grounds:

- Access & Traffic
  - The entrance onto Dykes End is very narrow and the visibility splays at the junction of Dykes End and High Street (along with every other junction onto the High Street) is insufficient for the volume of traffic along the High Street
  - The location of the entrance on Newark Road is adjacent to the bus stop with limited visibility to the bend, which is further restricted when a bus is stopped
  - The end of the village 30mph limit is very close to the Newark Road entrance and vehicles are speeding up as a result – additional vehicles at this entrance are therefore likely to encounter vehicles travelling at speeds in excess of the speed limit. This could be addressed with the extension of the 30mph limit in a southerly direction
- Design and visual impact – there is insufficient supporting information with the application about the internal design and facilities being provided
- privacy/daylight/sunlight – there is insufficient carparking on site for the size of the development, if the carparking is not provided on site, this is likely to move to the highway, which will increase parking close to/around substandard junctions and lead to an increase in accidents

In conclusion, the Parish Council feel that as the LDF is currently being reviewed and does not include this area of land for development, this application is not in line with that policy and therefore planning should not be granted for that reason.

**NSDC Conservation Officer** – Updated comments from 1 March 2019, having previously raised objections in October 2018.

*“Further to the submission of revised plans received 21 Feb 2019, these seem to be a final iteration of our extensive negotiations and so I now submit my formal Conservation comments.*

*While I accept the building has not been marked as such in the Conservation Area Appraisal, I would consider that this is an attractive and positive building within the Conservation Area of Collingham and that this is an omission that would be rectified at next review. It is not always possible to view all buildings from the public realm so inevitably some get missed but can be identified at pre-app or application stage.*

*The building is a large villa type building, built as part of the architectural phases that came after Arts and Craft in the 30s-50s where a Georgian Revival style became popular. The building is typified by hipped roofs, hipped dormers, overhanging eaves, large external chimney stacks and small paned vertical sliding sashes. There have been various low level, flat roofed additions which do not complement the building and are of no architectural or historic interest. The building is set within large grounds. The building is quite visible from the south looking back north and it is important to be sensitive to the impact of the proposal in this view.*

*The proposal is for a large extension to the existing care home, which I understand is in response to a growing demand for more units of independent type flats, within a larger complex. I am sympathetic to the desire to extend this facility and accept there is a public benefit to the use which could weigh in the balance of this application.*

*The size of the additions are undeniably large, and larger than would normally be considered were this a private house for example. However, we have worked on trying to gain a balance with providing a proven need for more care home accommodation and minimising impact to the host building and the conservation area.*

*The resulting form carefully reflects the best design qualities of the host building, while stepping down in size and volume to preserve the form and primacy of the main house and make the additions as subservient as possible. I also accept that modern unattractive elements will be lost and the resulting form has more cohesion than the site currently does.*

*While the additions are more extensive than is ideal and as such do rival the main house in footprint, the overall impact and harm in other respects has been minimised through careful design. I find this harm to be at the lower end of less than substantial harm to both the host building and the wider Conservation Area. In relation to Conservation Areas, the decision maker should be mindful of Section 72 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 which states that 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area'. Case law has shown that in this context 'preserve' means causing no harm and that the statutory duty here is a high test, and not simply a material planning consideration like any other. The decision maker should give special attention to this statutory test in consideration of the overall planning balance."*

**Cadent Gas** – Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

*If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.*

*If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.*

*All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.*

**NSDC Environmental Health (Contaminated Land)** – *No observations in relation to land contamination.*

**NSDC Environmental Health** – *No comments to make*

**LCC Archaeology** – *No archaeological input required.*

**NSDC Planning Policy** – after setting the policy context the following comments were made in respect of the original proposal; the thrust of which remains relevant for the revised scheme

*'...The proposed extension appears to be within the Village Envelope so would be acceptable in terms of location unless other material considerations indicate otherwise. The granting of permission for 31 new dwellings would make a beneficial contribution to the overall supply of housing. A development of this scale would have a significant impact upon the Conservation Area in which the property is set, and I defer to colleagues in Conservation for an assessment of this.*

*As my colleague pointed out in response to consultation on PREAPP/00105/18, which concerned a smaller addition to the same property, there is an identified need for the type of dwellings proposed here. The Nottingham Outer Housing Market Area Strategic Housing Market Assessment 2015 sets out details of projected future housing need. Table 75 on page 210 of this document indicates that by 2033 there are likely to be significant increases in the numbers of people in Newark & Sherwood District with dementia, and those with mobility problems. Table 93 on page 242 estimates that there is a need for 74 additional specialist units of housing for older people in the District per annum, including sheltered and extra care homes.*

*While the contribution to housing supply that this proposal represents is welcome, this must be balanced against other impacts, particularly on the Conservation Area.'*

**NCC Ecology** – No comments received

**NCC Highways** – Most recent comments received 19 March 2019

*Drawing 18030-A-2001-P08 is acceptable.*

*In line with previous comments the following condition is sought:*

*No part of the development hereby permitted shall be brought into use until the access off the A1133 has been designed and thereafter improved to a standard that provides a minimum width of 5 metres for the first 7 metres from the rear of the carriageway edge in accordance with details first submitted to and approved in writing by the Local Planning Authority.*

*Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway in the interests of highway safety.*

*Note to Applicant:*

*The development makes it necessary to improve a vehicular crossing over a footway/verge of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Agent, Via East Midlands tel. 0300 500 8080 to arrange for these works to be carried out.*

**Previously commented on 5 March 2019**

*Further to comments dated 7 November 2018, further submissions have been received and I refer to drawing 18030-A-23001-P07.*

*This new plan has significantly less car parking provision (12 spaces) than that previously seen on drawing revision P04 (23 spaces). Either this should be justified or provision restored to 23 spaces. It should also be noted that the car parking for staff and visitors previously appeared to be at the correct level of provision, but this assumed that residents of the extra care apartments will not own their own cars. If this is incorrect then perhaps further provision should be made.*

*If neither the newly submitted parking provision can be satisfactorily justified, nor extra provision made, then the application should be refused since it is likely to generate on-street parking to the detriment of the safety and amenity of other road users.*

*If the application is to be approved however I would refer you to the previously suggested condition*

**Comments 7 November 2018 -**

*Further to comments dated 2 October 2018, further submissions have been received to include the access to the A1133 and a Transport Statement.*

*Shift patterns are such that peak traffic hours should remain unaffected by the development.*

*Car parking for staff and visitors appears to be at the correct level of provision, but this assumes that residents of the extra care apartments do not own their own cars. If this is incorrect then perhaps further provision should be made.*

*Notwithstanding the above, additional use of the access off the A1133 will occur. On this basis, the access should be improved to ensure that one car can pass another in the mouth of the junction without impeding flows on the A1133. Currently the access narrows quickly down from about 5m at the main road carriageway edge to 3.25m at the gateway. Minor widening should be made to increase the length of driveway with a 5m width, towards the gates from the A1133.*

*No objections are raised subject to the following condition (previously suggested condition and notes as previously set out are then repeated)*

**Comments from 2 October 2018** requested for more information including details of access widths, details of traffic generation including existing traffic movements and staffing levels and proposed levels of parking provision.

**NCC Quality Market Management** – No comments received

**NCC Rights of Way** – No comments received

**NHS Greater Nottingham Clinical Care Commissioning Partnership** – No comments received

**Ramblers Association** – *Collingham Footpath 6B runs well to the south of the proposed development and we have no objection.*

**Environment Agency** - No comments received

**Trent Valley Internal Drainage Board** – No objection to the proposal

**Nottingham City Council Care and Support** - No comments received

**Clinical Care Commissioning Group** – No response received

**NSDC Access & Equalities Officer** – *It is recommended that the developer be advised to give consideration of inclusive access to and use of the proposals, with particular reference to access and facilities for disabled people. In addition to Approved Document M of the Building Regulations, BS8300:2018 - Design of an accessible and inclusive built environment. Buildings and external environment - Codes of practice contain useful guidance in this regard.*

*Access to, into and around the proposal should be carefully considered throughout as well as access from the edge of the site and car parking where appropriate provision for disabled motorists should be available, together with provision of suitable accessible facilities and features throughout. It is recommended that inclusive step free access be considered to garden areas, amenity spaces and external features.*

*It is further recommended that the developer make separate enquiry be made regarding Building Regulations matters and be mindful of the provisions of Equality Act.*

**NSDC Strategic Housing** – *‘I note they are extra care apartments. The Council’s Affordable Housing SPD (2013) policy states:-*

*3.18 As set out in Core Policy 1, the Council does not normally encourage off-site contributions. If such contributions are deemed appropriate, because of the characteristics of the scheme proposed, the Council will require a financial contribution of equivalent value to that which would have been secured by on-site contribution, taking into account the additional market housing that would be provided due to there being no on-site affordable units.*

*The circumstances that the Council will consider off-site provision of affordable housing may include:*

- instances involving the provision of sheltered or specialist housing – where assistive technology, warden or care services are required on site,*
- instances where provision of a particular dwelling type is envisaged, initially, but where housing need in the locality would be better met by alternative provision nearby, or*
- instances involving housing management considerations, including considerations of cost and practicality.*



*3.19 In the circumstances mentioned, the Council and a developer may agree to negotiate a commuted sum towards affordable housing provision off-site. This may include lower levels of affordable housing and a commuted sum payment. Alternatively, subject to the Council's agreement, a developer may propose an alternative site for the required housing.*

*Sheltered accommodation and extra care provision is considered as Use Class C3 and if this is delivered by a social housing provider then its classed as 100% affordable housing, where its market provision such as McCarthy and Stone then we would be seeking an off-site affordable housing contribution. If it is Use Class C2 i.e. Residential nursing care (including end of life/hospice care and dementia care home accommodation) then its Use Class C2 and in my view should be exempt.'*

#### Comments of the Business Manager

#### **Principle of Development**

The Council is satisfied it can demonstrate a 5 year housing land supply and that the development plan is up to date for decision making purposes.

The Allocations & Development Management DPD was adopted in July 2013 and, together with the Core Strategy DPD (Adopted 2019), forms the Local Development Framework Development Plan for Newark & Sherwood. Collingham is designated as a Principal Village within the Settlement Hierarchy set out under Spatial Policy 1 of the Core Strategy. Spatial Policy 2 of the Core Strategy sets out that 10% of housing growth within Principal Villages will be focused in Collingham. In addition to the above, whilst the proposal seeks extra care units, which fall within the C2 use class, in terms of planning policy, these are considered to be residential units and therefore must meet the aims of the policies outlined above.

Nottingham Outer Housing Market Area Strategic Housing Market Assessment (2015) suggests that there is projected to be a large rise in the number of people with dementia (up 86%) along with a 73% increase in the number with mobility problems and Newark & Sherwood looks likely to see the most significant increases. The Assessment includes extra care housing as a housing option to help react to these increases and suggests an identified need for 1,489 additional specialist units of housing for older people in the District between 2013-33, including sheltered and extra care homes.

The most-eastern part of the red line boundary lies outside the village envelope, however the extension proposed would lie within the envelope. The principle of new development on land considered to be within the main built up area of the settlement is therefore appropriate subject to any proposals according with wider local and national planning policy considerations which are discussed further below.

Furthermore, the site lies within the Conservation Area for Collingham. As such any proposed development must comply with the principles of Policy DM9 and Core Policy 14. Criteria within these policies require proposals to take into account the distinctive character and setting of the Conservation Area.

## Visual Impact

Policy DM5 of the DPD states that local distinctiveness should be reflected in the scale, form, mass, layout, design and materials in new development. Core Policy 9 of the Core Strategy seeks to ensure that new development is of an appropriate form and scale to its context and complements the existing built and landscape environments. The NPPF also seeks to promote local distinctiveness and ensure that the overall scale, density and massing (amongst others) relate to neighbouring building and the local area more generally.

South Collingham Nursing Home is an attractive building and whilst not identified as a local interest building, its features and overall design positively contribute to the setting of the conservation area and is clearly visible from nearby public footpaths which run to the south of the site; views from these footpaths are considered to be important within the Conservation Area Appraisal for Collingham and therefore any impact should be carefully considered.

The principle of an extension is considered to be acceptable owing to the location of the building within the village envelope and the identified need for extra care units across the district and the wider Nottinghamshire area. However, the site is sensitively located, with open views from a public footpath to the south and therefore the need for this type of development needs to be weighed up against the impact upon the character and appearance of the Conservation Area.

Discussions have been held between the applicant and LPA during both pre-application stage and this formal application to help achieve a balanced proposal that addresses all material planning considerations. The scheme proposed now is a significantly reduced scheme from that initially proposed and I am comfortable that the design now complements the design of the original building. Whilst I accept that the scale of the extensions is substantial and greater in footprint than the original building, the extensions have been designed to sit lower than the principal building and therefore in my view do not dominate the significance of the main building. The overall design and materials remain consistent with the Georgian Revival style and retain key features of the building, including the large chimney stacks. There is also an element of overall improvement to the appearance of the site through the removal of the modern additions to the rear of the building, which I consider appropriate to weigh in the balance.

The most prominent view of the site is from the public footpath to the south of the site. Whilst there is some distance between the site and the footpath, the building is still clearly visible and the proposed extensions would significantly alter the current view across to the site. However, Officers have worked with the applicant to reduce the dominance of built form from this view and sought to ensure that the appearance of the extension reflects the design of the host building.

Turning to the impact upon the historical setting, Members will note that the internal Conservation Officer has provided extensive comments on the proposal in terms of its impact upon the Conservation Area. It is considered that South Collingham Hall is an attractive building and whilst not identified as a local interest building, is a positive feature of the Conservation Area. The Conservation Officer has again highlighted the scale of the proposed addition but has also commended the scheme for its careful design to minimise the overall impact and harm of the additions. It is therefore considered that the proposal is at *'the lower end of less than substantial harm to both the host building and the wider Conservation Area. In relation to Conservation Areas, the decision maker should be mindful of Section 72 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 which states that 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area'. Case law has shown that in this*

*context 'preserve' means causing no harm and that the statutory duty here is a high test, and not simply a material planning consideration like any other. The decision maker should give special attention to this statutory test in consideration of the overall planning balance.'*

Paragraph 196 of the NPPF states that *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'* In this instance the proposed additions would help meet an identified need for extra-care units in the District, and in a sustainable location close to local services, which I would consider to be a public benefit that would outweigh the harm to the Conservation Area. In coming to this view I have also taken in to account the benefit to the appearance of the site in removing the modern rear additions.

### **Impact Upon Neighbour Amenity**

South Collingham Nursing Home is located on the edge of Collingham and as such much of the neighbouring development is located to the north of the site. Residential dwellings lie along the northern boundary of the site and are accessed via Dykes End. In terms of proximity to the red line boundary, nos.28-32 Dykes End are located closest to the site's boundary, although in terms of the proposed built form, nos.20-26 Dykes End would be closest to the development with their gardens adjoining the site; the closest dwelling is located here would be 20m from the shared boundary. There are also 3 properties to the west of the site which are located further from the main building.

As part of the discussions held with the applicant, amendments to the design took in to account the potential impact upon neighbouring properties through overlooking, overshadowing and overbearing impacts and as a result the revised scheme has proposed a 1.5 storey element along the northern elevation to protect both the neighbours' privacy and that of the occupiers' of South Collingham Hall.

Turning first to overlooking, the proposal has been designed to limit this from rooms on the northern elevation. Following revisions to the scheme, there are now no windows on the northern elevation that would serve apartments. There are 2 no. rooflights proposed to serve the library however these could be conditioned to be obscurely glazed and non-opening to protect privacy and I consider it appropriate to recommend this condition to Members. There is a dormer window on this northern elevation, however this is an existing window and therefore would not result in any further overlooking from that currently achievable.

Rooflights are also proposed on the eastern elevation looking towards 28 Dykes End. Here there is a separation distance of 20m between the built form of the Hall and the site boundary, increasing to 28m between the two properties, which I consider sufficient to limit any overlooking issues.

I am mindful of the comments received regarding the impact of neighbouring properties and accept that the outlook from these properties would change as a result of the extension, however the proposal would be set in from the boundary by 7m but 27m from the closest dwelling and along with the modest height of the proposal along the northern elevation, I do not consider the proposal likely to have such a detrimental impact upon neighbour amenity so as to warrant a reason for refusal. I would however recommend to Members that should they be minded to approve the application, a condition to request landscaping details post-decision to be submitted to ensure that there is sufficient screening for all residents.

Concerns have also been raised with regards to noise disturbance. The care home use has already been established and as the LPA cannot assess the acceptability of the use. I am mindful that an additional development could create more noise than a C3 use owing to coming and goings of vehicles and visitors, along with associated requirements to care for elderly residents, however given the use is to continue I would not expect the extension to significantly increase noise disturbance.

In terms of the amenities of the occupiers of the Hall, there would be several on-site facilities available to assist with day-to-day needs. Limited detail on the provision of facilities within the apartments has been provided at this stage but it is understood that they would be largely self-contained. I do however consider it reasonable to recommend a condition regarding the shop, hairdressers and bar to be for the use of residents only to ensure that the amenities of both the occupiers and neighbouring residents are protected, as well as limiting additional traffic to the site.

Given the above, I am of the view that the proposal complies with the aims of Policy DM5 of the DPD.

### **Impact on Highway Safety**

Spatial Policy 7 of the Core Strategy seeks to ensure that vehicular traffic generated does not create parking or traffic problems. Policy DM5 of the DPD requires the provision of safe access to new development and appropriate parking provision and Policy DM4 seeks to ensure no detrimental impact upon highway safety.

The proposal for 24 units has the potential to significantly impact upon the highway network. I am mindful of the existing use of the building and the argument that some residents may not have a private car, however the change to extra-care units suggests that residents would have a greater independence than the current residents living in the nursing home and thus it could be argued that it would be more likely for residents to own a car and therefore parking provision and safe ingress and egress from the site remains important.

There are currently two entrances to the site, one from the A1133 and the other from Dykes End, the latter being very narrow and not suitable for regular use from a Highways perspective. It is however noted that this access is currently used and as the number of spaces is not proposed to be significantly increased. I feel it would be difficult to insist on the redundancy of this access. As such, to encourage vehicles to use the entrance from the A1133, it has been recommended that most parking spaces are provided to the front and south of the main hall to deter vehicles entering from Dykes End. This is reflected in the plans submitted.

The building is set back from the A1133 and is served by a long driveway. The entrance is marked by two gate piers and an iron-bar gate. Subject to improvements to this entrance, by way of condition, the Highway Authority have raised no objection to the scheme. In order to ensure that the use of the Dykes End entrance is minimised, I would also recommend that Members consider an additional condition to ensure that the parking spaces shown on the proposed plans are provided prior to occupation of the extension and retained for the lifetime of the development.

## **Impact on Biodiversity**

Core Policy 12 of the Core Strategy seeks to secure development that maximises the opportunities to conserve, enhance and restore biodiversity. Policy DM7 of the DPD states that significantly harmful ecological impacts should be avoided through the design, layout and detailing of the development.

The development would involve the demolition of several buildings to the rear of the main home. These buildings could provide habitats for bats. The development also includes conversion of loft space in the main building which provides potential habitat space for nesting birds and bats. As such a protected species survey has been carried out prior to formal submission.

In terms of findings, evidence of bats was recorded within the loft space of the main nursing home and the survey suggests that there is a maternity roost present within the main nursing home building. Following this, Officers requested the applicant carry out an Emergence Survey to allow further information on bat movements to be collated. The survey found a significant number of bats within the vicinity of the site and indeed using the building (147 bats were counted on the second survey). Clearly, the proposal has the potential to have a significant detrimental impact upon the habitat currently provided by the building; the protection of bats is covered by separate legislation, however the LPA also have a duty to ensure that development does not result in harm to ecology in accordance with Paragraph 175 of the NPPF.

The proposed extension to the eastern elevation of the building will abut the location of two bat roosts present within the existing roof spaces. Therefore, it is recommended that the site provides bat boxes as well long term roosting opportunities within the building post-works. The boxes will provide short-term roosting opportunities on site during the works period until long term provision is provided. In terms of long term provision, the Emergence Survey has recommended that a roost is retained within the loft space that can be accessed through slots within the roof tiles and roofing felt (1F roofing felt would be used as it is considered to be 'bat-friendly'). Plans have been submitted showing the provision of this space which is considered to be appropriate and the applicant has provided confirmation from the Ecologist who undertook the survey that the proposed bat space is sufficient; it has resulted in the loss of 1no. apartment as shown in an amended second floor plan received on 9 August 2019.

In addition to the above, the applicant has provided a plan to show the proposed location of bat boxes within the site. Should Members be minded to approve the application, I would recommend that the locations are conditioned along with their installation prior to commencement of development to ensure there are appropriate spaces to relocate any bats found during construction. The development and mitigation measures would also be covered under the EPS Licence that would be required by law to cover the development.

In addition to bats, the surveys carried out have also found evidence of nesting birds in the boiler room building to the rear of the Hall, with other external building features and vegetation within the site also identified to offer potential for nesting birds. It is therefore recommended to Members that the provision of bird boxes within the site is conditioned to ensure that habitat is provided for them post-development.

On the basis that the development fully accords with the recommendations of the bat survey, and the details submitted as part of this planning application, I am of the view that the harm to ecology can be effectively mitigated to ensure that there is no detrimental impact to the bat population using the site.

### **Developer Contributions**

The proposed extension and increase in residential units technically triggers the need for contributions from the developer in accordance with Policy DM3 of the DPD and the Council's Developer Contributions Supplementary Planning Document.

#### *Affordable Housing*

In accordance with local planning policy, proposals for residential units of 11 or more units are expected to provide a minimum of 30% affordable housing within the site. However the NPPF makes clear (para. 64) that on major developments (which this is) at least 10% of the homes should be for affordable housing. Exceptions however include the provision of '*specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students)*'.

Given the scheme is for extra care units associated with the care home, I do not consider it appropriate to request that affordable housing is provided on the site taking into account the national planning policy context. This is because the scheme will contribute significantly in addressing both current and future growth in older people and frail older households in the district. It will also contribute to the wider strategic priorities of the Council and accords with the evidenced housing need for supported accommodation identified in the DCA Housing Needs Market and Affordability Assessment 2014 and the Strategic Housing Market Assessment from 2015.

I would therefore not expect the developer to make any off-site contributions for affordable housing in this instance given that the housing proposed would not be 'open market' housing. To ensure that the accommodation does not become a C3 use in the future without the appropriate consent from the LPA (whereby contributions can be reassessed), I would recommend a condition to restrict the use to persons over the age of 55 years old should Members be minded to approve the application.

#### *Other Contributions*

Due to the type of development proposed, it is also not considered reasonable to request contributions for primary education, given that residents would be over 55, nor open space given the provision of private amenity space provided for residents; it is not considered likely that residents are likely to require additional open space, nor likely to use additional provision unless it were to be walking distance from the site.

In addition to the above, the SPD usually requires development of this size to provide contributions towards health, community facilities and libraries. In the case of this proposal, by nature of it being a care home, these facilities will be provided for within the building and therefore external provision is unlikely to be required. With regards to healthcare contributions, I am mindful that the age of residents could put additional strain upon health services within Collingham. The local NHS clinical commissioning group (CCG) are aware of the application but have not provided any information on the current capacity of local health services, nor have they sought for any contribution towards future provision. I therefore do not consider it reasonable to seek such a contribution from the developer.

## **Planning Balance and Conclusion**

The proposal is for the demolition of 180m<sup>2</sup> of modern extensions to the care home followed by the erection of a large extension to provide 24 extra care units. The provision of extra care units is supported in principle by local and national planning policy, with the District needing an additional 1,489 additional specialist units of housing for older people between 2013-33.

The proposed addition to the existing care home would provide an additional 1523.4m<sup>2</sup> of floorspace which is considered to be substantial and would equate to a floorspace greater than the original building. However, the proposal has been designed to sit subservient to the host building so that the significance of the Hall is not lost or consumed by extensions. It is acknowledged that there would be some harm to the Collingham Conservation Area, and the important views into this designated area identified within the Conservation Area Appraisal, however in weighing up the harm it is clear that there is a public benefit to the scheme in that it would be providing extra care units, and within an existing C2 use class facility, and as such on balance it is concluded that the heritage harm is outweighed by this public benefit.

Turning to matters of amenity and highway safety, these were issues raised by both local residents and the Parish Council. The Hall is currently used as a nursing home and the proposed use would fall within the same use class and thus I would not expect the use to have any greater impact upon neighbour amenity. It is acknowledged that the outlook from the neighbouring properties along Dykes End would change significantly owing to the large extensions, however outlook cannot be protected and the separation distances between the Hall and the neighbouring properties is sufficient so as to limit the overshadowing and overbearing impacts; furthermore, it is recommended conditions are imposed to prevent additional overlooking.

In terms of highway safety, sufficient parking spaces are proposed to be provided that would be commensurate to the use. The concerns relating to the access from Dykes End have been assessed and given that this is an existing entrance and an end use with a similar vehicle movement pattern, it is considered unreasonable to request this entrance is closed off. However, in an attempt to address the issue, parking spaces have been relocated to the front of the building to encourage drivers to use the main entrance from the A1133. The Highway Authority are satisfied with this approach.

Throughout the application it came to light that bats were found to be roosting within the main building and as such the application process was delayed with the requirement for additional surveys. Recommendations of the survey seek the provision of appropriate roosting spaces which the applicant is agreeable to and is reflected in amended plans, with conditions also proposed for Members to consider.

Taking into account the provision is for extra care apartments associated with a care home, it is not considered that the scheme warrants developer contributions in the form of the usual suite of developer contributions. No request for funds, nor indeed an associated justification regarding health contributions that could arise from the development has been advanced by the Clinical Care Commissioning Group.

On the basis of all of the above, it is concluded that whilst the proposal is of a significant scale, it contributes to the District's need for extra care units without significant harm to the Collingham Conservation Area. Furthermore, the proposal is considered to be acceptable in terms of its impact upon amenity, highway safety and ecology in accordance with local and national planning policy. The proposal is therefore on balance recommended for approval, subject to the conditions detailed below.

## **RECOMMENDATION**

**That full planning permission is approved subject to the following conditions:**

### **Conditions**

01

The development hereby permitted shall not begin later than three years from the date of this permission.

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

02

The development hereby permitted shall not be carried out except in complete accordance with the following approved plan references,

- Site location plan - 18030-A-0001 Rev.P02
- Site Survey Plan - 18030-A-0002 Rev.P01
- Proposed Site Plan – 18030-A-2001 Rev.P08
- Proposed ground floor plan - 18030-A-3001 Rev.P06
- Proposed first floor plan - 18030-A-3002 Rev.P07
- Proposed second floor plan - 18030-A-3003 Rev.P07
- Proposed roof plan - 18030-A-3004 Rev.P05
- Proposed elevations – 18030-A-4001 Rev.07
- Bat mitigation and compensation roost location and details 18030-A-2005-P02

unless otherwise agreed in writing by the local planning authority through the approval of a non-material amendment to the permission.

Reason: So as to define this permission.

03

No development above damp proof course shall take place until manufacturers details (and samples upon request) of the external facing materials (including colour/finish) have been submitted to and approved in writing by the local planning authority. Development shall thereafter be carried out in accordance with the approved details.

Reason: In order to preserve or enhance the character and appearance of the conservation area.

04

Before any construction occurs above damp proof course (DPC), a brick work sample panel showing brick work, bond, mortar mix and pointing technique has been provided on site for inspection and approval has been received in writing by the local planning authority. Development shall thereafter be carried out in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the special architectural and historic interest of the building.



05

No development shall be commenced in respect of the features identified below, until details of the design, specification, fixing and finish in the form of drawings and sections at a scale of not less than 1:10 have been submitted to and approved in writing by the local planning authority. Development shall thereafter be undertaken in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

- External windows including roof windows, doors and their immediate surroundings, including details of glazing and glazing bars.
- Treatment of window and door heads and cills
- Verges and eaves
- Rainwater goods
- Coping
- Extractor vents
- Flues
- Meter boxes
- Airbricks
- Soil and vent pipes

Reason: In order to preserve or enhance the character and appearance of the conservation area.

06

The rooflight window opening on the northern elevation serving the library shall be obscured glazed to level 3 or higher on the Pilkington scale of privacy or equivalent and shall be non-opening up to a minimum height of 1.7m above the internal floor level of the room in which it is installed. This specification shall be complied with before the development is occupied and thereafter be retained for the lifetime of the development unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard against overlooking and loss of privacy in the interests of amenity of occupiers of neighbouring properties.

07

Prior to first occupation/use of the development hereby approved full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include:

- full details of every tree, shrub, hedge to be planted (including its proposed location, species, size and approximate date of planting) and details of tree planting pits including associated irrigation measures, tree staking and guards, and structural cells. The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species;
- existing trees and hedgerows, which are to be retained pending approval of a detailed scheme, together with measures for protection during construction;
- proposed finished ground levels or contours;
- means of enclosure;
- car parking layouts and materials;
- other vehicle and pedestrian access and circulation areas;
- hard surfacing materials;

- minor artefacts and structures for example, furniture, play equipment, refuse or other storage units, signs, lighting etc.
- proposed and existing functional services above and below ground (for example, drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.);
- retained historic landscape features and proposals for restoration, where relevant.

Reason: In the interests of visual amenity and biodiversity.

08

The approved soft landscaping shall be completed during the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the local planning authority. Any trees/shrubs which, within a period of five years of being planted 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. The approved hard landscaping shall be implemented on site prior to the development being brought into use unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the work is carried out within a reasonable period and thereafter properly maintained, in the interests of visual amenity and biodiversity.

09

No part of the development shall be brought into use until details of all the boundary treatments proposed for the site including types, height, design and materials, have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the occupation of the dwelling and shall then be retained in full for a minimum period of 5 years unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of residential and visual amenity.

010

The development shall be carried out in accordance with the recommendations and good practice procedures set out in the letter (regarding Bat Activity Surveys) from Jenny Hills (EMEC Ecology) date 17<sup>th</sup> July 2019 unless otherwise agreement in writing by the local planning authority.

Reason: In order to afford protection to protected species and to achieve ecological enhancements in line with the Core Strategy and the NPPF as submitted by the applicant.

011

In accordance with the recommendations set out in the letter from Jenny Hills (EMEC Ecology) date 17<sup>th</sup> July 2019, the bat roost boxes as shown on plan reference 18030-A2005 rev.P02 shall be erected on trees close to the west of the site prior to commencement of development and they shall remain in situ for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to afford temporary compensation/protection during construction works to protected species and to achieve ecological enhancements in the longer term in line with the Core Strategy and the NPPF as submitted by the applicant in their ecological submission.

012

In accordance with the recommendations set out in the letter from Jenny Hills (EMEC Ecology) date 17<sup>th</sup> July 2019, the permanent bat loft space as shown on plan reference 18030-A-3003 Rev.P07 shall be provided at the eastern end of the building prior to occupation of the building and shall be retained for the lifetime of the development. Construction shall be carried out in accordance with the EMEC Ecology letter.

Reason: In order to afford compensation to bats known to be present in the building in line with the Core Strategy and the NPPF as submitted by the applicant.

013

Prior to the demolition of the existing buildings to the rear of the property, details (including type, numbers and positioning) of bird boxes to be positioned within the site shall be submitted to and approved in writing by the local planning authority. The approved bird boxes shall be retained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to afford protection to protected species and to achieve ecological enhancements in line with the Core Strategy and the NPPF as submitted by the applicant.

014

The hairdressers, shop and bar to be provided within the development shall only be used by the occupiers of the building and their visitors and shall not be open at any time to members of the public unless a separate planning permission has been applied for and granted.

Reason: In the interest of neighbour amenity and highway safety.

015

No part of the development hereby permitted shall be brought into use until the access off the A1133 has been designed and thereafter improved to a standard that provides a minimum width of 5 metres for the first 7 metres from the rear of the carriageway edge in accordance with details first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway in the interests of highway safety.

016

The development hereby approved shall provide 24no. extra care/assisted living accommodation under the 'C2' use class (residential institutions) as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose unless a separate permission has first been granted.

Reason: For the avoidance of doubt and In line with the applicant's intentions and in acknowledgement of the contributions sought on this basis.

017

No part of the development shall be brought into use until the car parking spaces shown on drawing Proposed Site Plan – 18030-A-2001 Rev.P08 have been provided on site and are made available for use.

Reason: In order to ensure that adequate off-street parking is provided in the interests of highway safety.

018

At least one of the occupants of each of the residential units hereby approved shall be aged 55 years or over and none of the residential units shall be occupied by any person under the age of 16 years.

Reason: In line with the applicant's intentions and in acknowledgement of the contributions sought on this basis.

#### Notes to Applicant

01

The development makes it necessary to improve a vehicular crossing over a footway/verge of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Agent, Via East Midlands tel. 0300 500 8080 to arrange for these works to be carried out.

02

The applicant is advised that all planning permissions granted on or after the 1st December 2011 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at [www.newark-sherwooddc.gov.uk](http://www.newark-sherwooddc.gov.uk)

The proposed development has been assessed and it is the Council's view that CIL IS NOT PAYABLE on the development hereby approved as the C2 use class is not a chargeable use in accordance with the CIL Charging Schedule. Further details about CIL are available on the Council's website: [www.newark-sherwooddc.gov.uk/cil/](http://www.newark-sherwooddc.gov.uk/cil/) or from the Planning Portal:

[www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

03

This application has been the subject of pre-application discussions and has been approved in accordance with that advice. The District Planning Authority has accordingly worked positively and pro-actively, seeking solutions to problems arising in coming to its decision. This is fully in accordance with Town and Country Planning (Development Management Procedure) Order 2010 (as amended).

#### Background Papers

Application case file.

For further information, please contact Nicolla Ellis on Ext 5833.

All submission documents relating to this planning application can be found on the following website [www.newark-sherwooddc.gov.uk](http://www.newark-sherwooddc.gov.uk).

Lisa Hughes  
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