

<b>MEETING:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>21 JULY 2010</b>
<b>TITLE OF REPORT:</b>	<p><b>DMSE/100420/O - ERECTION OF A 60 BED (MAXIMUM) CARE HOME FOR THE ELDERLY AT LAND ADJACENT TO ALTON BUSINESS PARK, ALTON ROAD, ROSS ON WYE, HEREFORDSHIRE, HR9 5ND.</b></p> <p><b>For: Mr Egan per Mr John Sneddon, Eclipse Office Park High Street, Staple Hill, Bristol, BS16 5EL.</b></p>

**Date Received: 26 February 2010    Ward: Ross-on-Wye East    Grid Ref: 360606,223781**

**Expiry Date: 3 June 2010**

Local Members: Councillors AE Gray and PGH Cutter

### **Introduction**

This application was considered at the last meeting of the Planning Committee when Members resolved the application should be deferred pending the receipt of comments of the Director of Adult and Social Care, now received and reported at paragraph 4.5.

### **1. Site Description and Proposal**

- 1.1 The site lies within the settlement boundary of Ross-on-Wye and Wye Valley Area of Outstanding Natural Beauty and is allocated as safeguarded employment land in the Herefordshire Unitary Development Plan. It is located on the south-eastern side of Alton Road approximately 0.8 km to the west of the town centre. The site is bordered to the north and south by commercial development, to the east by agricultural land and to the west by Alton Road (C1279) and residential properties.
- 1.2 This is an outline application to establish the principle of a care home for the elderly, a C2 use. The application reserves all matters; layout, scale, appearance, access and landscape for future consideration. However, a suggested site layout plan has been submitted that shows the position of the care home building positioned towards the rear of the site, and a car parking area that will be to the rear of the building. The remaining area of land is shown as open space/amenity area/garden. Vehicular access is shown off the adjoining industrial estate road that exits onto Alton Road.

### **2. Policies**

#### **2.1 Planning Policy Statements**

PPS1    -    Delivering Sustainable Development

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Further information on the subject of this report is available from Mr D Thomas on 01432 261974

- PPS4 Planning for Sustainable Economic Growth
- PPG13 - Transport
- PPG24 - Planning and Noise

## 2.2 Herefordshire Unitary Development Plan

- S1 - Sustainable Development
- S2 - Development Requirements
- S4 - Employment
- S6 - Transport
- S11 - Community Facilities and Services
- DR1 - Design
- DR2 - Land use and activity
- DR3 - Movement
- DR5 - Planning Obligations
- DR13 - Noise
- DR14 - Lighting
- E5 - Safeguarding Employment Land and Buildings
- E7 - Other Employment Proposals Within and Around Hereford and the Market Towns
- E8 - Design Standards for Employment Sites
- CF5 - New Community Facilities
- CF7 - Residential Nursing and Care Homes
- T11 - Parking Provision

## 3. Planning History

- 3.1 DCSE2008/0775/O Outline planning permission for the redevelopment of existing site for a mixed use development including business/general industrial (B1, b, c, B2) and bulky goods retail (A1) uses. - Approved 20.3.2009
- DCSE0009/1186/O 60 bed care home. - Withdrawn

## 4. Consultation Summary

### Statutory Consultations

- 4.1 Welsh Water has no objection subject to conditions.

### Internal Council Advice

- 4.2 Traffic Manager recommends refusal: inadequate parking shown and cycle and footway links to the Town and Country Trail to Alton Road need to be implemented.
- 4.3 Environmental Protection Manager recommends conditions to protect the amenity of residents of the care home.
- 4.4 Economic Regeneration Manager: "It is considered that the issue is one of a residential use on an employment site that would be surrounded on three sides by B class use development, and the potential adverse impact that this residential care home (Use Class C2) could have on the full utilization and operation of the surrounding employment sites over time. In particular, complaints of disturbance from care home residents needing peace and quiet. Nearby residential development is currently separated by a distributor road and merely faces the employment site.

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The accompanying Environmental Noise Assessment indicates that the noise measurements were taken in the area of the proposed car park at the front of the site. The report states that based on noise measurements, the site falls into Category B (as set out in PPG 24), where noise should be taken into account when determining planning applications and where appropriate, conditions imposed to ensure an adequate level of protection against noise. In the report, it is recommended that attenuated glazing be applied to all facades of the building along with a 2 metre high acoustic fence to the side and rear of the building. This is not the right place for the proposed residential use.

Great play is made of an earlier retail planning permission on the site, but it is believed that a retail use would more acceptable in land use terms with the surrounding B class use development.

Accordingly, from an economic development aspect, we still object to the above proposal for the reasons set out above.”

- 4.5 Director of Adult Social Care – “The applicant has not approached the Health and/or Social Care Commissioners with regard to their application, and it is not clear whether the care would fit with Commissioning Plans. Despite a growth in the number of older people predicted to be requiring care in the future, service users views and local and national policy emphasises care in the persons owns home. Herefordshire is not anticipating a significant increase in demand for residential care, other than short term reablement, a maximum of weeks care in a combination of any setting, for which Ross-on-Wye is already well served.”

## **5. Representations**

- 5.1 A Design and Access Statement has been submitted with the application. In summary it is said:

- This application proposes a care home for the elderly. All residents would be above the age of 60 although in reality the average age will be well into the 70`s.
- The proposal will have a maximum floor area of 1450 square metres.
- The accommodation will consist of individual bedrooms and communal areas; lounges and activities, interviews and treatment rooms, staff rooms and nurses rooms and medical rooms and kitchen. It will be a modern efficient care home.
- The position of the building will be determined by the street and character of the area. The building will be of traditional design.
- It is relevant that the application site has planning permission for a non-pure employment use; retail use.
- The site sits within the development limits of one of the highest ranking settlements in the Council area. Care home uses are acceptable in this settlement. There is no reason to believe it will impact on adjoining properties.
- The site is marked in the UDP as being protected from non-employment uses but permission has been granted for use which is not a classic employment use.
- The site is vacant and there is no need to look at alternative locations.
- The property will be manned 24 hours a day.
- The care will provide 40 full time jobs translating to 50 with part time employment.
- The site is close to services.
- Mitigation is proposed to ensure the residents will not be affected by noise from nearby industrial units.
- The proposal will have far less impact in traffic terms than the retail planning permission.

- 5.2 The applicant has said:

This is an application for change of use of a site which currently has consent for bulky goods retail. There is currently no demand for this use and we wish to secure planning consent for a care home.

The application site is located on previously developed land within the development limits of Ross-on-Wye. Care home proposals like this should be built in sustainable larger towns where the highest number of people can access them for employment and visiting with the option of journeys by walking, cycling, public transport and by car where there is the greatest opportunity to combine journeys to the site with other activities like shopping and so on.

The site is a small part of a larger allocation of employment land, protected by policy E5 which states proposals which result in a loss of the site to "non-employment uses" will only be permitted in certain circumstances. This application is employment generating and therefore there are additional jobs being created and this is not considered contrary to policy E5. This care home will create around 50 much needed local jobs (part time and full time) as opposed to the current consent for retail on the site which provides only 4-5 jobs.

This new job creation is much needed in the area to replace the redundant manufacturing jobs that have been lost.

You will all be aware of the recently allocated Model Farm site which will provide 10 hectares. A plan has been submitted to the planning authority which demonstrates how the home is intended to be laid out.

The site has excellent road frontage which is required by an operator.

The activity generated by the road and the adjoining office block will provide interest for the residents to look out of the window.

The views to the rear of the site to Chase Woods, provides an excellent backdrop to the scheme and this was a unique selling point to the operator.

In identifying this site we have carried out a detailed analysis of available sites for a home of this size, these include Model Farm, Ashburton Industrial Estate, land at Hildersley, Homs Road, Church Street, Brookend Street, Greytrees and Brampton Road. They have been considered too small to accommodate the proposal. There are no suitable available sites in Ross-on-Wye. A site could be created by demolishing existing houses but this would cause local objection.

If Ross-on-Wye is to be adequately provided for in its care needs, then this application should be approved. If this is not then people needing care facilities from Ross-on-Wye will need to re-locate to other towns; Hereford or Gloucester.

Our proposal remains part of a comprehensive redevelopment of the site. My clients have built Phase 1 and Phase 2 which has provided modern office and work space in the town. They fully intend to move onto the rear of the site with proposals for appropriate commercial development.

To demonstrate that sites similar to these are being developed across the country we have recently secured a planning consent for a new care home on the front of a business park in Newent, Gloucestershire. This has residential on the one side of the home and offices on the other a very similar situation to Ross-on-Wye.

This application has received significant local support.

The demand for these homes is going to improve dramatically in the future. We have included some background information for you to understand where this pressure is coming from to provide for this space due to our ageing population.

'Age Concern' figures

## Population of England 2008

- 61 million total
- 20.5 million over 50
- 9.7 million over 65
- 2.7 million over 80

By 2032 1 in 4 people will be over 65 compared to currently there are only 1 in 6.

Between 2008 and 2028 will be the fastest period of growth of older people in the population.

- 16% increase in people of all ages
- 33% increase in people over 50
- 53% increase in people over 65 and over
- 85% increase in people over 80 and over

5.3 Ross Town Council has no objection.

5.4 Objections have been received from Mrs M Jenkins, 14 Alton Road, Ross-on-Wye and Mrs JA Hayes, White Keys, Walford Road, Ross-on-Wye. In summary it is said:

- Increase traffic along Alton Road danger in entering and exiting driveways opposite site and increase in traffic along Alton Road.
- Elderly residents overlooked from offices to the left not suitable for elderly people.
- 22 car parking spaces not enough for staff and residents should be sited at back of complex, cars already parking from the junction of Penyard Lane to Chase Side Road causing difficulty for drivers, if not enough car parking will result in more cars being parked along a very busy Alton Road, also used for Police cars and Ambulances answering 999
- calls routes exiting and entering police station and hospital, large tractors also using this road to get to Walford Road. After A40 through Ross was reduced to make friendly for shoppers, moved traffic into residential area. Should really have a traffic survey carried out on Alton Road and Alton Street to access usage and best way to move forward with increase of traffic.
- Extra sewerage when Ross Sewerage has not been upgraded how can this be passed?
- Extra drainage to be installed because of run off of rain water from Penyard Woods.
- Green transport bus does not run for visiting times causing extra traffic
- No A & E at hospital so residents to be transported to Hereford hospital more need on Ross resources.
- Roof height on main entrance higher than rest of building what is maximum height - is it same height as building demolished?
- Site is industrial not residential.
- I can think of no more inappropriate place for a Care Home for the elderly. Resting between the Alton Industrial Estate and Alton Business Park and, to the rear, the Army Rifle Range - where is the peace and quiet and the dignity for those in care?
- The access appears to be through the Business Park. So private cars, ambulances, doctors and nurses, trades vans, heavy goods vehicles, 40 full time staff and 15 part time staff, and visitors to the Home will all be using the same entrance?
- There has been so little thought given to this application. Please ask the developer to think again and find a better place to build this Care Home.

5.5 Letter from Bauer Kompressoren UK Ltd, Unit 6A Alton Road Business Park, Alton Road, Ross-on-Wye. In summary it is said:

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Further information on the subject of this report is available from Mr D Thomas on 01432 261974

- We are in close proximity to the proposed building of a care home
- We have viewed the noise report and feel it necessary to inform you that as part of our daily activities we operate compressors immediately in front of the main entrance to Unit 6A
- The effect of these operations are that noise is generated that exceeds the figures specified in the Noise Report
- Our activities are in accordance with the requirements of our tenancy agreement.

5.6 18 letters in support of this application have been received. In summary it is said:

- It will provide a much needed local service.
- The approval will provide immediate employment for the employees of MF Freeman and sub contractors.
- The development when complete will provide 48 jobs + for the local community.
- The carehome provides a valuable facility needed by the local community as the population is living longer.

5.7 A petition with 53 signatures in support of the proposal has also been received.

The full text of these letters can be inspected at Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Committee meeting.

## **6. Officer's Appraisal**

- 6.1 The application site is located within safeguarded employment land, as defined in policy E5 of the Unitary Development Plan.
- 6.2 Policy E5 says proposals will only be permitted where there would be substantial benefits to residential or other amenity in allowing alternative forms of development, and the site or premises concerned can be shown to be unsuitable for other employment uses, including consideration of mitigation measures.
- 6.3 Policy CF7 which deals specifically with residential care homes comments they should be located within areas that are suitable for other forms of residential accommodation and ideally be situated close to local services and public transport routes. It is important to ensure that a satisfactory standard of accommodation is provided for residents, with appropriate levels of external amenity space. In addition, and recognising that such facilities are likely to be established within existing residential areas, it is important that the levels of noise and activity arising, for instance through social functions or traffic, does not significantly impact upon the amenity of local residents.
- 6.4 This is an application for a care home, a use that falls within Use C2; a place for people in need of care. Material to the determination of this application is the affect adjoining businesses and processes could have on the ability of operating the care and effect upon the residents of the care home. Also, consideration needs to be given to the effect a care here would have on adjoining businesses. Although an outline application the applicant has submitted a plan that positions the care home building and associated parking to the rear of the site. The plan also shows sitting out areas to be screened by acoustic fences. The Environmental Protection Manager advises that the acoustic fencing together with sound attenuation measures to be incorporated into the design of the building should protect the occupants of the building from potential noise nuisance from adjoining industrial processes that may arise from to time.
- 6.5 The site forms part of a much larger area of land which is subject of a comprehensive redevelopment scheme; DCSE2008/0775/O refers. Phase 1 included the refurbishment of

units for industrial use and permission has recently been approved for the redevelopment of the office block to the front of the site. The remainder of the site (Phase 2 & 3) has been derelict for some time and does not form an attractive frontage to Alton Road. Consequently, the proposal would improve the appearance of the site and would benefit the residential amenity of properties facing the site on the opposite side of Alton Road.

- 6.6 Notwithstanding the employment allocation, other material planning considerations must be considered; outline planning permission has been granted for the redevelopment of the site which included a retail warehouse, DCSE2008/0775/O refers, a fall back position that remains available to the applicant. The site for the care home is that part of the site which was proposed for the retail warehouse. This outline planning permission is considered a material consideration in the determination of this current proposal. Notwithstanding the loss of employment land to the retail warehouse, this was based on a clearly identified need. The applicant was able to demonstrate there was no suitable sites available within the town centre for the sale of bulky goods and that the retail element of that proposal; would not undermine the vitality and viability of Ross town centre. Given the outline planning permission has established the principle of this part of the site as “non-manufacturing use”. The proposal will include employment use of the site in that it will provide employment opportunities through 24 hour shift work whereas as the retail warehouse will only provide employment during retail hours.
- 6.7 Material to the determination of this application is the outline planning permission at Model Farm which established the use of 15ha of land for B1, B2 and B8 Uses. DCSE2007/3140/O refers. The application site for the care home is some 0.40ha. This is considered a small area of land. The loss of this site is more than adequately compensated by the plans for industrial uses at Model Farm.
- 6.8 At the time of determination of the previous application on this site, DCSE2008/0775/O, the applicant argued the proposal would lead to a small loss of employment land having demonstrated that a surplus of 68ha of employment land was available, along with the recently approved 15ha employment site at Model Farm the loss would not be detrimental to the overall supply of employment land. This figure focused on the UDP provision for 100ha of land within the county, but the Herefordshire Monitoring Report (2006) identified about 168ha of available land. It was also said over the past 21 years average annual take up of available land has been 6ha. On this basis there is sufficient land to meet the needs of businesses for the next 28 years.
- 6.9 In addition, the small loss of employment land should be weighed against the number of jobs created. The applicant has said between 40 and 50 jobs will be created should this development proceed. It is considered this will represent a boost to Ross-on-Wye and the local jobs market.
- 6.10 Although the Traffic Manager has recommended refusal of the application in that the suggested layout plan does not provide adequate parking, 22 spaces are shown, and footway and cycle links from the Town and Country Trail to Alton Road will need to be implemented prior to the occupation of the care home. In the matter of parking this is an outline application which reserves all matters for future consideration which will include parking on the site. Insofar as the footway and cycle link is concerned this formed part of planning permission DCSE2008/0775/O. However, the applicant has agreed a financial contribution towards the construction of a pedestrian crossing point in Alton Road. Given the proposal is likely to generate a significant level of pedestrian traffic the provision of crossing point within the vicinity of the application site is seen a positive contribution to pedestrian safety in the locality. A Draft Heads of Terms is attached to this report.

- 6.11 As mentioned, the applicant has investigated alternative sites in Ross-on-Wye for the care home but it is said there are no sites available to accommodate the scale and form of the proposal.
- 6.12 The site is located within the Wye Valley Area of Outstanding Natural Beauty. Policy LA1 states 'priority will be given to the protection and enhancement of the natural beauty and amenity of the area in the national interest'. This is an outline application which reserves all matters for future consideration. However, a suggested layout plan has been provided that indicates a building that will be similar in size and scale to the adjoining industrial units.
- 6.13 There is scope for further planting on the site. A landscaping and management scheme could be imposed by condition. In these circumstances, although the development would have a limited adverse impact on the Wye Valley Area of Outstanding Natural Beauty it is not sufficient to justify refusal of planning permission, given its context in relation to existing and approved commercial development. The proposal is considered acceptable to the requirements of policy LA1.
- 6.14 Having regard to the planning history of the site, job creation, appropriate acoustic mitigation and the availability of employment land elsewhere in Ross-on-Wye the proposal is considered acceptable to policies E5 and CF7.

## **RECOMMENDATION**

**That outline planning permission be granted subject to the following conditions:**

- 1 A02 Time limit for submission of reserved matters (outline permission)**
- 2 A03 Time limit for commencement (outline permission)**
- 3 A04 Approval of reserved matters**
- 4 A05 Plans and particulars of reserved matters**
- 5 B07 Section 106 Agreement**
- 6 C01 Samples of external materials**
- 7 F06 Restriction on Use**
- 8 H13 Access, turning area and parking**
- 9 H30 Travel plans**
- 10 I55 Site Waste Management**
- 11 L01 Foul/surface water drainage**
- 12 L02 No surface water to connect to public system**
- 13 L03 No drainage run-off to public system**
- 14 I44 No burning of materials/substances during construction phase**
- 15 I33 External lighting**
- 16 I39 Scheme of odour and fume control**

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Further information on the subject of this report is available from Mr D Thomas on 01432 261974



- 17 I16 Restriction of hours during construction
- 18 I40 Details of flues or extractors
- 19 G10 Landscaping scheme
- 20 G11 Landscaping scheme - implementation
- 21 No development shall take place until details for the provision of acoustic fencing to be erected along the boundaries of the application site have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with those details, prior to the first occupation of the development.

**Reason.** In order to protect the amenity of the occupants of the care home from the potential of nuisance from adjoining businesses so as to comply with policies DR1, DR3 and CF7 of the Herefordshire Unitary Development Plan.

**INFORMATIVES:**

- 1 N15 Reason(s) for the Grant of PP/LBC/CAC
- 2 HN01 Mud on highway
- 3 HN05 Works within the highway
- 4 HN25 Travel Plans
- 5 W01 Welsh Water Connection to PSS
- 6 W02 Welsh Water rights of access

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.

**Proposed Planning Obligation Agreement**  
**Section 106 Town and Country Planning Act 1990**

Planning Application – DMSE/100420/O

Erection of 60 bed care home for the elderly  
Land adjacent to Alton Business Park, Alton Road, Ross-on-Wye

1. The developer covenants with Herefordshire Council, to pay Herefordshire Council the sum of £5,447.08 for off site highway works and improved public and sustainable transport infrastructure to serve the development (other than Section 278 works essential to facilitate the development). The monies shall be used by Herefordshire Council at its option for any or all of the following purpose:
  - a) Improved pedestrian and cyclist crossing facilities
2. In the event that Herefordshire Council does not for any reason use the said contributions [in paragraphs referenced above] for the purposes specified in the agreement within 10 years of the date of each payment, the Council shall repay to the developer the said sum or such part thereof, which has not been used by Herefordshire Council.
3. All of the financial contributions shall be Index linked and paid on or before commencement of the development.
4. The developer shall pay to the Council on or before the completion of the Agreement, the reasonable legal costs incurred by Herefordshire Council in connection with the preparation and completion of the Agreement and the 2% monitoring charge as required by the Supplementary Planning Document, “Planning Obligations”, adopted by Herefordshire Council in April 2008.



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**APPLICATION NO:** DMSE/100420/O

**SITE ADDRESS :** LAND ADJACENT TO, ALTON BUSINESS PARK, ALTON ROAD, ROSS ON WYE, HEREFORDSHIRE

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