

MEETING:	PLANNING COMMITTEE
DATE:	16 MAY 2012
TITLE OF REPORT:	S113577/F - ERECTION OF 90 BED CARE HOME FOR THE ELDERLY AT ALTON ROAD, ROSS ON WYE, HEREFORDSHIRE, HR9 5ND For: M F Freeman Limited per Tetlow King Planning, Unit 2 Eclipse Office Park, High Street, Staple Hill, Bristol, BS16 5EL
WEBSITE LINK:	http://www.herefordshire.gov.uk/housing/planning/58286.aspx?ID=113577&NoSearch=True

Date Received: 21 December 2011 Ward: Ross-on-Wye East Grid Ref: 360649,223752

Expiry Date: 6 April 2012

Local Members: Councillors AM Atkinson and PGH Cutter

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 a full application for a 90 bed care home for the elderly, a C2 use, that will provide 30 bedrooms for the frail elderly, 48 bedrooms for dementia care, 12 bedrooms for "end of life" dementia care, day rooms/dining rooms, office, shop, café and a cinema room. The building will be single storey and 2-storey under a flat roof. Courtyard/sitting areas are also proposed with an allotment at the rear of the building. Vehicular access is shown off the adjoining industrial estate road that exits onto Alton Road. Parking for 24 vehicles is proposed with 3 disabled parking spaces close to the entrance door to the care home. A 2 metre high close boarded fence is proposed along the northern, eastern and southern boundaries of the site with a native species hedge planted along the inside of the boundary fence. Hedgerow planting is proposed to the Alton Road frontage. A 3 metre wide unsegregated cycle/footway is proposed along the northern boundary of the site.

2. Policies

National Planning Policy Framework (NPPF)

Paragraphs 18-22 of the NPPF support the delivery of economic growth and caution against the long term protection of site allocation for employment use.

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
LA1	-	Areas of Outstanding Natural Beauty
LA6	-	Landscaping Schemes

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 20.3.2008.
- 3.2 DCSE0009/1186/O 60 bed care home. Withdrawn.
- 3.3 DMSE/100420/O 60 bed care home for the elderly. Refused 21.7.2010. Appeal allowed 29.11.2010.

4. Consultation Summary

Statutory Consultees

- 4.1 Welsh Water has no objection subject to conditions.

Internal Council Advice

- 4.2 Traffic Manager requires further information; proposed parking needs to be justified, cycle/footway route must be provided; the route needs to be amended to give a crossover not a junction.
- 4.3 Conservation Manager/Landscape Officer objects to the application in that it does not achieve a high standard of design; the proposal does not respect the context of the site, the layout does not take into account townscape and landscape character and topography, vistas, views or ridgelines.
- 4.4 Conservation Manager/Historic Buildings Officer (Design comments) the design facilities for vulnerable occupants requires particular skill and sensitivity. It is questionable whether an industrial estate is a suitable "therapeutic environment" in the first place.

4.5 Environmental Health Officer comments the site is clearly affected by noise from mixed sources. A detailed noise report has been provided that indicates that the site falls into an area 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. There is no objection to the development proceeding, provided that the mitigation measures proposed in the consultant's report are carried out in full.

5. Representations

5.1 In support of the application it is said:

- Application proposes a residential care home for the elderly comprising 60 specialised beds devoted to the care dementia sufferers and 30 bedrooms for the care of frail elderly residents.
- Facilities will include single bedrooms with en-suite facilities, communal facilities, ancillary spaces and staff and servicing facilities.
- The proposal will create the equivalent of 94 fulltime jobs.
- The site once housed a works canteen now demolished and a car park. The site is flat.
- There is housing on the opposite side of Alton Road with refurbished building to the north comprising offices and industrial units and there is a factory to the south.
- The site is adjacent to a residential area. No immediate neighbours overlook the site, on a relatively quiet road.
- This proposal will have far less impact in terms of traffic than the retail development and commercial scheme already approved. It will not generate large number of HGV movements.
- This is a suitable site for a 90 bed care home.
- There is no dominant, established vernacular use of a particular material in the locale of this proposal. Therefore, white render is proposed for the walls.
- Landscaping is proposed incorporating seating areas.
- This proposal provides a modern and efficient care home in a town and district with high levels of older people. It is located in the correct place; a settlement that is at the top ends of the settlement hierarchy.
- The issues of loss of employment are not applicable. It is a question of whether Policy E5 even applies. In any event the proposal will provide a range of jobs from the unskilled and highly skilled.

5.2 Ross Town Council has no objection. The application is supported on the basis of provision of local need and employment. There will also be lower traffic and amenity impact on than other potential uses of this site.

5.3 Ross Rural Parish Council has no objection.

5.4 Five objections have been received. In summary it is said:

- Having received the pre-application notification from the planning agent I was able to raise concerns over the impacts of traffic along Alton Road and the need for appropriate landscaping along the Alton Road boundary.
- I acknowledge that a commercial use of the site could generate similar vehicle movements, which could consist of more HGV movements, my initial comments to the applicant's agent over traffic calming along Alton Road remains unchanged.
- Any development on the proposed site would add to vehicle movements on a road that already suffers from traffic travelling at high speeds. This has caused concerns to both local residents and the police in the past and poses a real safety issue for the residents and their families.
- In considering this application (or any other application(s) of this size on this site) would it therefore not be appropriate to seek a contribution from the developer towards improving

the local environment for the residents of Alton Road by providing measures for traffic calming and sufficient landscaping to protect their amenity.

- I do not understand why you believe the elderly would pay to spend the last years of their life on an industrial estate. There must be more appropriate sites in Ross.
- High fence is not shown. Impact on residents is not shown.
- Dining room and roof garden will look into neighbours' windows.
- Is there enough parking?
- A care home should not be permitted next to (in) an industrial estate.
- We are trying to purchase a site in the Ross area so that we can expand our business.

5.5 AJ Porter, Bauer Kompression, Unit 6A Alton Road Business Park, Alton Road, Ross-on-Wye, comments:

“Whilst, we have no issue with the proposal we feel it necessary for the Planning Committee to be aware of the situation regarding noise to prevent complaints arising in the future.”

5.6 Ian White, Force Crime Risk Officer, West Mercia Police, Victoria Road, Malvern.

- Recommend the applicant gives consideration to the Secured by Design award for this development. The principles and standards of the award have been proven to achieve a reduction in crime by 60%.
- Existing landscaping is included in the design and access statement but long term management is not included. Unmanaged landscaping can be notoriously challenging to maintain to desired standards.
- Recessed entrances can provide areas where people congregate and remain longer than they would do otherwise. This creates a crime feature that can directly influence crime and anti-social behaviour and increase the fear of crime, particularly during the hours of darkness. Recessed areas afford limited natural surveillance opportunity providing criminal offenders with the vital anonymity they desire.
- I have concerns with regard to the service block/smoking shelter area and any access points that they may be afforded from the cycle/footway. How will this area be managed?

5.7 The consultation responses can be viewed on the Council's website by using the following link:-

www.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx

Internet access is available at the Council's Customer Service Centres:-

www.herefordshire.gov.uk/community_and_living/consumer_advice/41840.asp

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 states that 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 that such development 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 There is outline planning permission on part of the application site for a 60 bed care home that was allowed on appeal, DMSE/100420/O refers. This application proposes the development of the whole site for a 90 bed care home, associated parking, landscaping and amenity areas. Consequently it is considered that the main issue in this application is whether this larger site represents an appropriate one for a residential care. In this case the Planning Policy Manager comments that the site forms part of an area which is safeguarded for employment uses under Saved Policy E5 of the Herefordshire Unitary Development Plan (UDP). The proposal is fundamentally residential in character and is therefore contrary to this policy. However, notwithstanding the conflict with Policy E5, the loss of employment land should also be weighed against the number of jobs created. The applicant has said the equivalent of 94 jobs will be created should this development proceed.
- 6.5 Having established conflict with the UDP, it is worth considering whether any amelioration, sufficient to outweigh this conflict, can be achieved. The application site currently lies vacant and contributes nothing to the local economy as far as jobs are concerned. In sharp contrast, the applicant states that the proposal would create the equivalent of 94 full time jobs made up of 43 full time and 70 part time employees. These would include nurses, therapists, care assistants, cleaners, kitchen staff, building/ground maintenance, administration and management. The proposal would provide a modern care home in a town that has high levels of older people. These merits need to be balanced against the following potential counter argument, namely whether the social and economic benefits, which include job creation and helping to provide for the needs of an ageing population, outweigh the harm to the supply of employment land and buildings in Ross-on-Wye.
- 6.6 Saved Policies CF7 (Residential nursing and care homes) and LA1 (AONB) are also relevant, but the emerging Core Strategy has not yet reached the stage where it can be considered as a material planning consideration. With regard to job creation is concerned, the National Planning Policy Framework promotes policies that support economic growth by taking a positive approach in the development of community facilities. However, in this instance the evidence base underlying the Local Development Framework is clear in that the site should be protected from non-employment uses during the next plan period. This has particular relevance in this application in that adjacent employment buildings are occupied and in use which would suggest there is a reasonable prospect of the site being used for employment uses in the future.
- 6.7 The degree to which the UDP is up-to-date and relevant needs to be considered. As part of the evidence base for the emerging Core Strategy a study of employment land requirements has been undertaken, updated in 2010 and published on the Council's website. In that study the site falls within Alton Court Industrial Estate. That area is noted in table 5.3 and at paragraph 5.90 of the study as having a "Market Attractiveness" of 3 (potential top mark = 4) and a "Strategic Planning and Sustainability" mark of 2 (out of a possible top mark of 3). It is classified as "Good". The evidence base therefore supports this site as being in the highest category, "Good", of sites to be protected from non-employment uses.
- 6.8 On that basis, the application site remains an important part of the County's employment land supply. The fact that the majority of premises on the Alton Court Industrial Estate are occupied suggests that the site is viable for employment uses and so its continued protection, through the application of planning policies, from non-employment use would be worthwhile. There is a careful judgment call to be made here, effectively weighing two completely different interests against each other but in this case, based upon the comments of the Policy Planning Manager and the Economic Development Manager, I consider the balance to be in favour of

the protection of the allocation from further non B1, B2 or B8 uses in accordance with Policy E5.

- 6.9 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 home in this location would have on adjoining businesses. An acoustic report has been submitted with the application which includes mitigation measures to protect the residents of potential noise nuisance from adjoining businesses and uses. The report concludes the most significant source of nuisance affecting the site are road traffic along Alton Road and plant noise from industrial premises to the south operated by MX Group. Elevations facing the source of noise are to be constructed to incorporate sound insulation which the Environmental Protection Manager should protect the occupants of the building from potential noise nuisance that may arise from time to time.
- 6.10 Insofar as the impact of the proposal on the local environment and the Wye Valley Area of Outstanding Natural Beauty (AONB) is concerned, the Conservation Manager acknowledges the site is suitable for development, being in an urban area and well contained in the industrial estate. The proposed white and grey external finishes further add to the industrial character. However, it is said the site layout does not make a positive contribution to the public realm along Alton Road; a car park is located at the front of the site. Notwithstanding this comment, the proposal needs to be seen in context with the recent redeveloped industrial units to the north and the MX factory building to the south. These buildings are large in scale and influence the size and form of development on this site. They are also set back from Alton Road with parking areas to the front of the buildings. When seen in this context, the proposed building with its industrial aesthetic, scale and siting behind a parking area will allow the proposal to blend into and be seen as an integral part of local environment so as not to harm the intrinsic beauty of this part of the AONB which is a mix of housing development and industrial development on the edge of Ross-on-Wye.
- 6.11 With regard to highway safety, the Traffic Manager considers the parking provision is low and the cycle/footway must be provided. The application proposes a total of 27 spaces which based on the number of bed spaces proposed in relation to the Council's parking standards, 1 space per 4 bedrooms, is an over provision. However up to 15 spaces would be required for staff parking to accord fully with the standards. As mentioned earlier in this report staffing is to be made up of full time and part time jobs. The under provision of parking was considered as part of the previous appeal application for a care home, albeit a smaller proposal when the Inspector expressed concerns in respect of traffic and parking although the Council have not raised these matters as a reason to dismiss this appeal. In this sustainable location, I do not consider the under-provision of staff car parking to be a ground for the refusal, bearing in mind the site's designation for employment use and existing permission for retail I consider the proposed use would not cause material traffic problems. Also, the site is on a regular bus route. With regard to the scale of the proposal, the applicant has agreed in principle to enter into an Agreement to contribute a total of £8, 6167.07 to provide for sustainable transport infrastructure to serve the development with the provision of improved pedestrian/cycle crossing facilities to the town centre.
- 6.12 In reply to consultation responses from the Economic Development Officer and the Planning Policy Manager the applicant has submitted a report that concludes the proposal complies with Policy CF7 and the requirements in Policy S2 (2) which promote mixed use development where amenity considerations are satisfactory and respect the development potential of adjoining land and that the proposal should be considered as an exception to the current Development Plan policies. It is also said the proposal is supported by the National Planning Policy Framework. The report has been forwarded to the Planning Policy Manager and the Economic Development Officer for comment. An update will be given at the Planning Committee meeting.

6.13 In conclusion, whilst the principle of residential development has been established on part of the application site, the proposal would result in the loss of "Good" quality employment land on a site safeguarded for Class B employment uses in the current development plan. The evidence base underlying the emerging Local Development Framework reinforces the quality of the site and provides a sound basis for emerging policy to maintain its protected status. The proposal is considered to conflict with policy E5.

RECOMMENDATION

That planning permission be refused for the following reason:

- 1. The provision of a care home on this site which is safeguarded for employment purposes in the Herefordshire Unitary Development Plan is considered an inappropriate development that would lead to the loss of good employment land which needs to be protected from non-employment uses. Consequently, it is considered the proposal conflicts with Policy E5 of the Herefordshire Unitary Development Plan.**

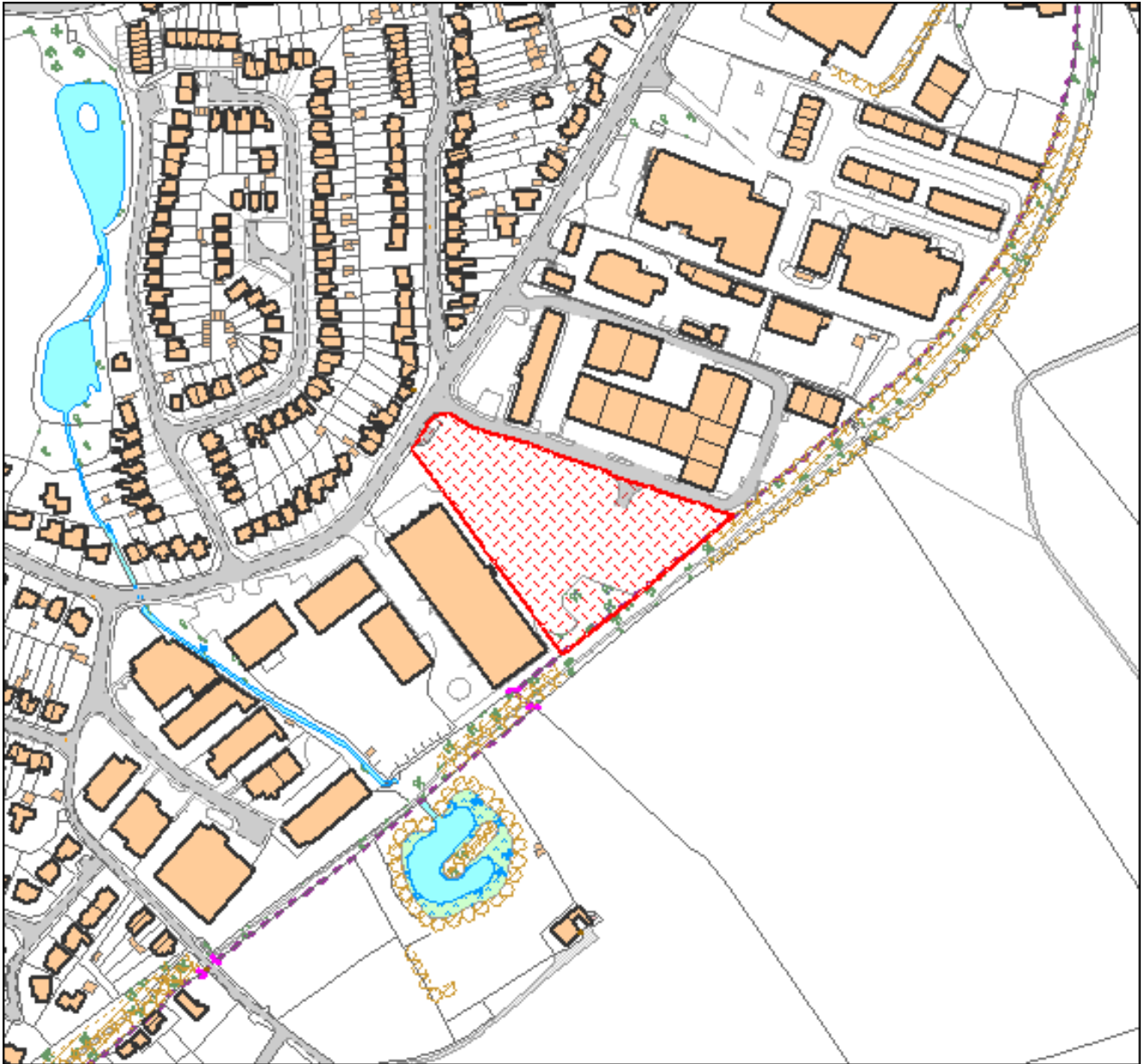
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: S/113577/F

SITE ADDRESS : ALTON ROAD, ROSS ON WYE, HEREFORDSHIRE, HR9 5ND

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