

<b>APPLICATION NUMBER:</b>	LW/17/0042	<b>ITEM NUMBER:</b>	<b>6</b>
<b>APPLICANTS NAME(S):</b>	Dr T Osman	<b>PARISH / WARD:</b>	Seaford / Seaford Central
<b>PROPOSAL:</b>	Planning Application for 20 room extension to the existing nursing home		
<b>SITE ADDRESS:</b>	Freshford Cottage Dane Road Seaford East Sussex BN25 1DU		
<b>GRID REF:</b>	TV 47 99		



## 1. SITE DESCRIPTION / PROPOSAL

### Site Description

1.1 The application site is occupied by a nursing home which currently has 18 beds. The building is 2 stories in height with pitched roofs and measures 22.75m x 24m - having a shallow, L-shape footprint in the north-west corner of the site. There is car parking in front and a 42m long driveway down the side of a building of flats called Dane Mere, opening out onto Dane Road. The building is directly behind the back gardens to Stonestrow, 62 and 64 Dane Rod and distant views of the rear elevation are gained from across the Seaford Rugby Club pitches and the beach.

1.2 The existing buildings are not Listed and the site is not in a Conservation Area. The property is within the Planning Boundary for Seaford, and is not in the South Downs National Park.

1.3 The proposed development is located within Flood Zone 1, and as such has a less than 0.1% annual probability of flooding from rivers or the sea.

### Proposal

1.4 The application seeks planning permission for the construction of a two storey extension which will provide 20 additional bedrooms along with a laundry room, three day rooms, an administrator's office and a staff room.

1.5 The extension will have a deeper and more rectilinear footprint compared to the existing building, and will measure nearly 37m across and 12m wide. The extension will be two storeys in scale, with a tall pitched roof and a lowered eaves height such that the first floor windows are in fact half-dormers with flat roofs, because they will cut through the eaves line. There will be two projections on the eastern elevation.

1.6 The extension will be positioned 3.8m from the westerly boundary with the Seaford Rugby Club pitches, 4.6m from the rear boundaries of Dane Lea and Dane Mere and 6.2m from the rear elevation of the Rugby Club clubhouse.

1.7 The development will be finished using facing brick and render walls with a tiled roof, uPVC windows and timber doors.

1.8 The number of employees will increase from 18 to 22 full time staff, and from 12 to 16 part time staff.

1.9 The layout plan submitted shows that there will be a total of 9 car parking spaces, 2 of which will be disabled car parking spaces.

## 2. RELEVANT POLICIES

**LDLP: – CT01 – Planning Boundary and Countryside Policy**

**LDLP: – ST03 – Design, Form and Setting of Development**

**LDLP: – RES13 – All extensions**

**LDLP: – CP2 – Housing Type, Mix and Density**

**LDLP: – CP11 – Built and Historic Environment & Design**

**LDLP: – CP13 – Sustainable Travel**

### **3. PLANNING HISTORY**

**LW/75/0368** - Planning and Building Regulations application for garage with studio over. Building Regs Approved. - **Approved**

**LW/75/0370** - Outline application for annexe to the Viking Hotel consisting of twenty bedrooms. - **Refused**

**LW/80/1383** - Continued use of detached garage with studio over for the manufacture of gas-fire grates with store over. - **Refused**

**LW/84/0059** - Alterations and additions to form Rest Home. - **Approved**

**LW/85/0729** - Outline application for alterations and extensions to existing houses and outbuildings to form a rest home plus erection of a block of eighteen retirement flats on three floors. - **Refused**

**LW/87/1273** - Planning and Building Regulations Application for alterations and additions to form rest home. Building Regs Approved. Completed. - **Refused**

**LW/87/1654** - Alterations and additions to form nursing home. - **Approved**

**LW/89/0481** - Outline application for two storey extension to Nursing Home. - **Approved**

**LW/91/0684** - Proposed two storey extension (plus basement) - **Refused**

**LW/94/0010** - Two storey extension (plus basement). - **Refused**

**LW/98/0622** - Two storey extension (with basement) to accommodate 15 single bedrooms & associated facilities & lounge/dining hall - **Refused**

**APPEAL/98/0622** - Development Appeal - **Dismissed**

**LW/99/1549** - Two storey side extension (with basement) - **Approved**

**LW/03/2141** - Erection of a detached nursing home (19 beds) to be used as an extension to existing – **Withdrawn**

**LW/04/1065** - Three storey extension - **Approved**

**LW/07/0598** - Erection of a three storey extension (revised scheme to planning approval LW/04/1065) - **Approved**

**LW/09/0077/CD** - Discharge of condition 1 relating to planning approval LW/08/1283 - **Approved**

## **4. REPRESENTATIONS FROM STANDARD CONSULTEES**

### **Seaford Town Council**

4.1 The Planning and Highways Committee RESOLVED to SUPPORT the application 'in principle' as it was aware of the local need for the services in dementia care provided by the Nursing Home and of the fact that currently the nearest provider of specialist respite care services was in Hailsham.

4.2 Members would however expect the issues as raised in the Highway Authority's objection to be dealt with prior to the granting of consent even if this were to require amending the proposed scheme to allow more space on the site for the provision of adequate parking for visitors and staff.

### **ESCC Adult Social Care**

4.3 Support; East Sussex has an aging population and the need for quality nursing care provision is anticipated to continue to rise. The provision of nursing care across the county is inconsistent and there are fewer nursing homes in the west of the county. The current provision is used for Adult Social Care & Health referrals and also for clients funding their own care. Additional capacity is welcomed as securing placements can be challenging due to the low capacity available in this area.

### **British Telecom**

4.4 No objection

### **Environmental Health**

4.5 No objection subject to a condition relating to unsuspected contamination.

### **ESCC Highways**

4.6 Objection; There is insufficient information to determine if there is sufficient parking provided for the 20 room extension. It is understood that planning permission was previously granted for a similar proposal in 2007, however, this permission has lapsed and the layout as shown does not meet current requirements in terms of parking dimensions or number of spaces.

#### **4.6.1. Parking Provision/ Cycle Parking**

- a) The main highway issue related to this proposal is parking. It is not indicated what parking provision is provided for the existing use. In accordance with the East Sussex County Council's adopted parking guidelines a nursing home should be provided with 1 space per 2-3 rooms plus 1 space for staff and visitors plus 1 spaces per proprietor, plus an ambulance bay. Taking these standards into account the existing 18 bed nursing home requirement for parking is between 7 and 10 spaces. The addition of 20 rooms would therefore require an extra 7-10 spaces totalling a minimum of 14 spaces overall. The 9 spaces plus 1 ambulance space provided falls short of what is recommended, additionally spaces 5 to 9 are not provided with adequate room to the rear to manoeuvre making the number of usable spaces 4 which falls significantly short of the 14 space requirement. It is considered there maybe potential to revise the layout and incorporate echelon parking; this would be down to the applicant to demonstrate. No details have been provided on cycle parking. In accordance with the East Sussex County Council's

adopted parking standards a nursing home should be provided with 1 s/t space per 20 beds with 1 l/t space per 10 staff on duty. No details on staffing levels have been provided but 3 spaces are likely to be required. Cycle storage facilities should be covered and secure and located within the site in a convenient location for users.

#### 4.6.2. Vehicle Movements

- a) No details have been provided on the number of trips associated with the existing nursing home or with the proposed extension. Having looked at the TRICS database to consider the number of trips associated with the proposed increase in beds it is evident that the proposal will result in an increase in approximately 35 trips per day. I am satisfied that the additional trips will not have a significant impact on the surrounding network, however it is recommended the nursing home submit a Travel Plan Statement for staff to increase awareness of sustainable travel options.

#### 4.6.3. Access

- a) The site is situated within a 30mph speed limit and utilises the existing access off Dane Road (UC5476), the existing access is of suitable width to accommodate two way flows. It is not shown how the site will be serviced, the refuse collection point is not within 25m of the access, and as such refuse vehicles are likely to require access. Additional details should be provided to ensure that the servicing needs can be met.

#### 4.6.4. Accessibility

- a) There are a variety of travel choices available in Seaford. The site is located within walking distance of the nearest bus stops and the Railway Station is within approximately 350m providing the option for onward journeys. Therefore the site is sustainable in transport terms. Further information is required, the layout of the parking spaces should be revised. Following a satisfactory outcome conditions may be issued.

### **Sussex Police**

4.7 No objection; the proposed extension will adjoin the existing facility and is wholly within the footprint of this site which is approached by a private driveway from Dane Road and benefits from a defined perimeter. The extended building will enjoy similar physical security measures to the original, with doors, windows, lighting and access control meeting the requirements to create a safe and secure environment for the residents, staff and visitors. Furthermore the 24/7 presence and activity of staff provides reassurance as a crime prevention measure.

### **Southern Water Plc**

4.8 No objection; Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent:

- a) *"A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk) The application details for this development indicate that the proposed means of surface water drainage for the*

site is via a watercourse. The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse. Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

- b) We request that should this application receive planning approval, the following condition is attached to the consent: "Construction of the development shall not commence until details of the proposed means of foul sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water."

### **Southern Gas Networks**

4.9 No objection

### **ESCC SUDS**

4.10 Objection; The proposals submitted for the management of surface water from the proposed development are not sufficient to support a full planning application.

## **5. REPRESENTATIONS FROM LOCAL RESIDENTS**

### **Seaford Rugby Football Club**

5.1 Objection; The submitted Design and Access statement would suggest that the proposed two storey extension is merely overlooking football pitches when the majority of the extension, located against the northern boundary of the application site, is up against our existing clubhouse and changing facilities.

5.2 The Rugby Club has enjoyed for many years a lively and robust social atmosphere in this location and it is felt that the provision of 20 elderly residential bedrooms constructed over two stories on our boundary represents an un-neighbourly form of development. The proposed development by reason of its size, depth, width, height and massing would have an unacceptably adverse impact on our property and amenities immediately adjacent to the site by reason of overlooking, loss of privacy and visually overbearing impact.

5.3 Whilst we have no objection to the principle of additional elderly care facilities within the town this proposal does appear to be an over development of an existing site which has the potential to negatively impact other valuable community and social provisions within the town.

## Representations

5.4 Representations have been received from Stonestrow, Dane Road; Flat 2 - Danemere, Dane Road; Flats 1, 3, 4, 5 - 64 Dane Road; Flats 3, 9, 15 - Dannfields House, Richmond Road; objecting to the application for the reasons below:-

- Over development
- Overly dominant
- Oppressive
- Over dominating
- Densely populated area
- Larger building than that previously approved
- Out of character
- Disproportionate in size
- 200% increase in size
- Small site
- Loss of open space
- Contextual significance
- Overbearing building/structure
- Increased sense of enclosure
- Overlooking, loss of privacy
- Overshadowing
- Loss of light
- Noise pollution
- Noise and disturbance
- Potential conflict between future residents and the neighbouring rugby club use
- May compromise the continued activities of the neighbouring rugby club
- Delivery lorries
- Increased collection of hazardous waste
- Loss of sleep
- Inadequate access
- The access road is not two-way
- Limited access for emergency vehicles
- Highway hazards
- Insufficient provision for staff and visitors
- Parking issues
- Increased parking requirements
- Poorly maintained boundary wall
- Poorly maintained building
- Insufficient information
- Lack of infrastructure
- Concentration of nursing homes and residential homes in Seaford
- Nursing homes should be more evenly spread across the county
- Not sustainable
- Care home is rated "needs improvement" by the Care Quality Commission
- Loss of sea view\* [Loss of a private view is not a material planning consideration.]

## **6. PLANNING CONSIDERATIONS**

6.1 The main considerations in the determination of the planning application include the principle of development; the design and appearance; impact on neighbour amenity; accessibility and sustainable transport; and flood risk.

### **Principle**

6.2 The site lies within the Planning Boundary of Seaford and the scheme represents infill of an unidentified site for additional housing in the form of an enlarged nursing home. Core Policy 2 of the Joint Core Strategy states that with an ageing population it is particularly important to accommodate the needs of the elderly with suitably designed accommodation within an environment that provides an appropriate level of care. The Adult Social Care consultation is supportive of the scheme in principle because there is a recognised need and a known shortage of nursing home facilities in the eastern part of the county.

6.3 The provision of appropriate accommodation for the ageing population is therefore supported in principle. At present there are no site allocations for nursing or retirement homes as these will be coming forward in the emerging Local Plan Part Two.

6.4 Account should also be given to the existing character and housing mix of the vicinity and it is noted that the 2007 permission to extend the nursing home would have provided 29 additional bedrooms, whereas the current scheme seeks permission for only 20 extra bedrooms.

6.5 In principle the proposed extension to the nursing home, to provide extra beds at the current standards, is acceptable.

6.6 The proposed development is located within Flood Zone 1, and as such has a less than 0.1% annual probability of flooding from rivers or the sea. In terms of the NPPF Technical Guidance on Flood Risk, the site is therefore considered appropriate for the proposed use. The potential for other forms of flooding at the site is considered to be low.

### **Design and Appearance**

6.7 In terms of site coverage, footprint, form and design detailing, the proposed extension will be similar to that which was previously granted planning permission in 2007. The rear elevation of the extension will be prominent from across the adjoining rugby pitches. The acceptability of the design and scale of the extension has therefore been previously established and notwithstanding the objections received from residents, a refusal based on design grounds would be difficult to defend in light of this previous planning approval.

### **Neighbour Amenity**

6.8 A number of objections have been raised by local people and neighbouring residents, citing loss of privacy, noise, deliveries, parking and a potentially prejudicial impact on existing neighbouring uses.

6.9 The sole access point into the site is the driveway between residential properties fronting Dane Road. The application site is effectively a 'backland' site. It stands to reason that more than doubling the number of bedrooms within the nursing home will involve more deliveries of supplies, collection of waste and comings and goings of visitors and staff to the nursing home. The consequence of this will be more frequent usage of the access



point and this intensification of the land use will have an adverse impact on neighbour amenity in this location.

6.10 The proposed extension will also be close to the neighbouring Rugby Club building, which is a place of social gathering as well as an important community and sports use, the playing pitches adjoining the application site albeit at lower ground level. The proposed extension to the nursing home is noise-sensitive residential development. It is expected that the nursing home environment will be quiet and peaceful and that residents will not expect disturbance, despite the relatively central town location of the application site.

6.11 The National Planning Policy Framework states at para. 123 that planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development and it is considered that introducing such noise sensitive development in such close proximity to a sport club is likely to lead to conflicts in the future and could potentially compromise the Rugby Club, the activities of which have been established for many years without complaint.

### **Accessibility and Sustainable Transport**

6.12 The application site is within walking distance of Seaford railway station and the A259, along which there are frequent bus services along the south coast. The site is in a sustainable location in respect of transport, but, as the proposals relate to a nursing home whereby residents are less likely to be less mobile and because staff and visitors will need to access the site, it is important that the proposals provide for the level of transport demand generated. The proposed extension will more than double the size of the existing nursing home and this will lead to increased movements to and from the site, an additional 35 trips in accordance with highway authority comments. The proposals should provide at least 14 car parking spaces and an ambulance bay.

6.13 The car parking plan submitted shows only 9 parking spaces and this falls well short of the minimum required for the scale of development which is proposed. If the proposed extension was smaller in size there would be more space available around it for car parking, and indeed the car parking requirement would reduce. The Highway Authority also cites potential problems with refuse and servicing vehicles entering the site and having enough space to manoeuvre. These concerns will not only result in a degree of localised congestion potentially leading to highway safety issues or interruption of the free flow of traffic, but will also increase the time that servicing and refuse vehicles spend at the site, with a consequent impact on neighbour amenity in terms of noise, disturbance and fumes.

6.14 It is noted also that no cycle parking provision is proposed, but this matter, together with the Travel Plan required by the highway authority, could be addressed by imposing conditions in the event planning approval was to be granted.

6.15 The Highway Authority raises objections to the planning application and the support of the Town Council is conditional on the satisfactory provision of adequate parking within the site.

### **Flood Risk**

6.16 In terms of flooding by river or sea the application site is in a low risk Zone 1 area. However, the County Council as Lead Local Flood Authority has objected to the application on the grounds of insufficient information as to the method of surface water drainage at the site. In this instance it is considered that this issue could be overcome by imposing a

condition in the event that planning approval was to be granted and this issue in itself is not sufficient to warrant refusal of the planning application.

## **7. RECOMMENDATION**

In view of the above, refusal is recommended.

### **Reason(s) for Refusal:**

1. The proposed development will, by reason of its scale and siting, intensify the use of this site which is set back from the public highway behind existing buildings, resulting in increased movements to and from the site and increased noise and disturbance from vehicular traffic and servicing vehicles that would have a significant harmful impact on the amenities of neighbouring residents. As such the proposals are contrary to retained policy ST3 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to the National Planning Policy Framework.

2. The proposed development will, by reason of its scale and siting, introduce noise sensitive residential development for the elderly and those requiring a nursing home, in close proximity to an existing and well established sports club, which is also used to host community and social events. This is likely to lead to a conflict whereby future residents living conditions would not meet the standards reasonably expected and the continued activities of the sports club will be compromised. In view of this the proposals are contrary to retained policy ST3 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to the National Planning Policy Framework.

3. The proposed development will not provide sufficiently for the levels of demand for parking generated by an increase in the size and scale of the nursing home proposed. There will be insufficient parking space within the site and inadequate room for access and manoeuvring servicing vehicles. This will lead to localised congestion and vehicles waiting on the highway, interrupting the free flow of traffic, and exacerbate the harmful impact on the amenity of adjoining residents. In view of this the proposals are contrary to retained policy ST3 and Core Policies 11 and 13 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to the National Planning Policy Framework.

### **INFORMATIVE(S)**

1. This development may be CIL liable and correspondence on this matter will be sent separately, we strongly advise you not to commence on site until you have fulfilled your obligations under the CIL Regulations 2010 (as Amended). For more information please visit <http://www.lewes.gov.uk/planning/22287.asp>

2. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, it has not been possible to resolve them. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

**This decision is based on the following submitted plans/documents:**

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Design & Access Statement	17 January 2017	
Flood Risk Assessment	28 March 2017	
Location Plan	17 January 2017	00302200
Existing Floor Plan(s)	17 January 2017	2373/101
Existing Floor Plan(s)	17 January 2017	2373/102
Existing Elevation(s)	17 January 2017	2373/103
Existing Layout Plan	17 January 2017	2373/104
Existing Roof Plan	17 January 2017	2373/104
Proposed Floor Plan(s)	17 January 2017	2373/201
Proposed Floor Plan(s)	17 January 2017	2373/202
Proposed Floor Plan(s)	17 January 2017	2373/203
Proposed Floor Plan(s)	17 January 2017	2373/204
Proposed Elevation(s)	17 January 2017	2373/205
Proposed Layout Plan	17 January 2017	2373/206
Proposed Roof Plan	17 January 2017	2373/206
Proposed Parking Plan	21 July 2017	2373/206
Proposed Block Plan	31 January 2017	2373/207
Location Plan	31 January 2017	2373/207