

| | | |
|--|---|-------------------------------------|
| App.No: 170239 (PPP) | Decision Due Date: 21 June 2017 | Ward: St Anthonys |
| Officer: Thea Petts | Site visit date: | Type: Planning Permission |
| Site Notice(s) Expiry date: 15 April 2017 | | |
| Neighbour Con Expiry: 16/04/17 | | |
| Press Notice(s): Published 20/04/17 | | |
| Over 8/13 week reason: Reported to Committee within time | | |
| Location: 93 Pevensey Bay Road, Eastbourne | | |
| Proposal: Demolition of Existing 102 Bed Care Home, Erection of new 80 Bed Care Home. | | |
| Applicant: Barchester Healthcare | | |
| <ol style="list-style-type: none"> 1. Recommendation: Resolved to grant planning permission subject to the case being referred to HSE for a 21 day period to ascertain whether they want to call the application in for Secretary of State approval. 2. Subject to no call in being received from the HSE/Secretary of State then this application is recommended for approval subject to a legal agreement covering Local Employment initiatives and conditions. | | |

Executive Summary:

This application promotes a redevelopment of this sustainable brownfield site into a care home for 80 residents. It is considered that the proposed use and the new building are acceptable and provides an important community facility that would accord with National Advice and Local Policies

The site layout, design of the new building and the car parking and landscaping arrangement are considered acceptable.

The site, albeit currently vacant has a lawful use as a residential care home for 102 residents, this could re-commence within existing planning permissions and set against this background it is considered that the scheme currently before members presents a reduced HSE risk. The application is recommended for approval in this regard.

Relevant Planning Policies:

- UHT1 - Design of development
- UHT2 - Height of buildings
- UHT4 - Visual amenity
- UHT7 - Landscaping
- NE20 - Site of Nature conservation

| | | |
|------|---|--|
| NE28 | - | Environmental amenity |
| NO2 | - | Residential Area |
| HO17 | - | Supported and special needs housing |
| HO20 | - | Residential amenity |
| TR1 | - | Locations for major development proposals |
| TR2 | - | Travel demands |
| TR11 | - | Car parking |
| TR12 | - | Car parking for those with mobility problems |
| US4 | - | Flood Protection and Surface Water |
| US5 | - | Tidal flood risk |

Eastbourne Core Strategy Local Plan 2006-2027

| | | |
|------|---|--|
| B1 | - | Spatial Development Strategy and Distribution Sustainable Neighbourhood |
| C8 | - | Langney Neighbourhood Policy |
| D5 | - | Housing |
| D10A | - | Design |

Site Description:

This 1960's two-storey flat-roofed building is located on the North West side of Pevensey Bay Road adjacent to the roundabout at the entrance the Sovereign Harbour Retail Park.

The site is triangular in shape, and is constrained by the dual carriageway to the front, Langney Sewer to the rear, and a car showroom (Bexhill Motors) and a bungalow on the south west side.

The building was formerly used as a care-home, and has been vacant for approximately nine years and is falling into some disrepair.

Relevant Planning History:

App Ref:EB/1985/0367 Description: Change of use from motel to residential care home with ancillary facilities and medical nursing centre, together with external alterations, including the erection of a canopy.

Decision: Approved Date: 10 October 1985

App Ref:EB/1999/0479 Description: Change of use of part of nursing home to crèche/nursery.

Decision: Approved Date: 26 November 1999

App Ref:120398 Erection of a replacement two-storey care home and a new single storey day centre.

Decision: Approved Date: 31 August 2012.

Proposed development:

Permission is sought for a replacement two-storey care home with associated car and cycle parking.

The new care home would follow broadly similar footprint/orientation to the existing building. The elevational treatment differs considerably, however, and has a regular pattern of vertical emphasis windows, punctuated with projecting gables to all elevations under a tiled pitched roof. Approximately the external height to ridge of roof is 9m. The external materials are to be formed from red brick with projecting gables of smooth cream render to all elevations. Windows to be grey aluminium.

The scheme proposes 29 car parking spaces located to the front of the site within an open car park court, adequate turning space is provided for all emergency and service vehicles to enter/leave the site in a forward gear.

In view of the safety of future residents, the open watercourse to the rear is to be fenced off, and the brick wall at the front of the site is to be retained with modifications to provide safe pedestrian access. 24 hour staff presence, appropriate external lighting and door entry/exit system will also support the future safety of residents, staff and visitors.

The scheme will provide level access to all thresholds and provide two lifts to serve both floors.

Applicant's Points:

- The application seeks to obtain Full Planning Permission to create an 80 Bed Care Home following the demolition of the existing building. The home will be used by experienced operators Barchester Health Care; one of the biggest independent care providers in the UK employing 17,000 staff supporting 11,000 people in 200 homes.
- Each new Bedroom will be minimum 20sqm En-Suite facility. Each room will also be serviced with Bathrooms and Day Rooms, and the scheme further includes Kitchen, Laundry and Staff Facilities.
- The adjacent Day Care Unit will offer space for up to 30 residents and also offers Dining Room and Dayroom, WC, Bathroom, Treatment Room and Training Kitchen facilities.
- The previous facility would have employed around 62 staff, 34 at any one time between shift patterns. However this facility has ceased for some considerable time, so the proposed would be considered as new employment for around 45 staff.
- The overall increase in floor area is just 6m² which is equal to less than a 1% increase in floor area.
- The site is very accessible by all modes from substantial surrounding residential areas, particularly newer development to the south of the A259, providing a potential source for local staff recruitment. The site's location also provides for easy access by staff and visitors to a range of retail, commercial and social activities at The Crumbles Retail Park and at Sovereign Harbour.
- Construction Management Plan demonstrates that the proposal will generate less traffic and visits trips than the existing and also identifies preferred routes to/from the site and outlines that noise and air quality will be monitored during the construction phase of the scheme.
- The Flood Risk Assessment concludes that even though a Care Home is classed as 'More Vulnerable', as there will be a net decrease in impermeable area and because the surface water will be rerouted from the foul sewer into the watercourse, this development proposal reduces the overall local flood risk.

- The Heritage Statement outlines that due to the high levels of existing development on the site it is recognised that the likely impact on existing /retained archaeology is low.
- The Geo-Environmental Appraisal outlines that the site is formed from made ground to a depth of 1-3m and natural geology from 3-9m. Recommends piled foundation into natural geology.
- The Habitat Survey recognises that there is some potential on this and neighbouring sites for habitat likely to support protected species; this report outlines steps/actions to mitigate the loss of this habitat (barrier fencing – exclusion fencing tree shrub removal outside of planning season).
- The Arboriculture report identifies trees worthy of retention and outlines how they are to be protected during construction.

Consultations:

EXTERNAL

ESCC SuDS Team: - No objection subject to conditions

Health and Safety Executive: - Given the proximity to the High Pressure Gas main (within Pevensey Bay Road) the HSE should be given 21 days post resolution to grant permission to establish if they intend to call the case in for determination by the Secretary of State.

ESCC Highways: - No objections subject to conditions

Sussex Police Crime Prevention Officer: Supports the scheme to revitalise the building/area. Satisfied that the applicant (a National Health Care provider) will create a safe and secure environment for residents and staff and visitors. Recommends fence to the rear to provide secure garden and to deter intruders.

ESCC Archaeology: - No objection to the proposal given that there should not be any below ground archaeology affected by this development.

ESCC Ecologist: - No objections subject to conditions.

Environment Agency: - No objection subject to conditions

Southern Water: - Highlight issues with the long term operation of the site in terms of foul and surface water disposal and the implications that this may have on localised flooding. They recommend conditions to control this issue

INTERNAL

Specialist Advisor Trees: - No objection subject to conditions

Specialist Advisor Regeneration: - No objection subject to S106 agreement to cover local labour issues

Neighbour Representations:

Objections: One representation has been received from a resident in Tanbridge Road, who is concerned that no ventilation or central heating system is shown on the submitted plans, and therefore is anxious that noise emissions from the building is kept below

acceptable limits. He wishes to see the foliage along the river retained as a natural noise barrier; pollution of the river should also be addressed.

Support: Three letters of support have been received who both welcome the improvement to the appearance of the site and surrounding area.

Appraisal:

Principle of Development: The loss of the existing building has been dealt with under EB/2012/0397(FP) and is considered acceptable.

Design of new building: The proposed new building is considered to be suitable for the site in terms of its use and site coverage. The precise siting and appearance has been the subject of discussion and negotiations with the agent to achieve an acceptable scheme, and the standard of accommodation for residents of the home would be much increased from that which currently exists

The existing building is very much of its time, displaying a wide range of materials and extensive glazing with a horizontal emphasis. The proposed building is also linear and runs parallel to Pevensy Bay Road but now includes a pitched roof and has a palette of external materials limited to a good quality brick and cream render; together with the reordered window layout, the emphasis has changed to vertical.

The flank wall of the new building has been pulled away from the boundary by approximately 12m, which is sufficient to protect the amenities of the occupiers of the adjacent bungalow, the only residential property affected by the development.

Soft Landscaping: The loss of most of the trees on the site is regrettable, but none are of outstanding quality, and in practical terms, the construction of a building of this scale on a site of this size/arrangement will mean that few are likely to survive in the limited space available; there is a good hawthorn on the bank of the sewer which could be retained and this will require protection. The landscaping scheme submitted with the application is good with a substantial number of trees and shrubs to be planted; a number of these are to be planted on the boundary with the adjacent bungalow, which will also help to soften the building and provide a good screen.

Parking and layout issues: Due to the vulnerability of the future residents, it will be necessary to fence off Langney Sewer which borders the site. A timber fence is to be provided, 1.8m high, but with only the bottom 1.2m solid.

The parking arrangements and turning facilities have been designed to provide an increase in the number of parking spaces over the existing situation (considered necessary for a use that involves shift work and is located on the edge of town), and pedestrian safety has also been included in the modifications to the main access; a benefit of the scheme is that the former delivery route exiting onto the main roundabout is to be closed.

Other Neighbour Issues : With respect to the neighbours concerns regarding noise from ventilation systems/boilers, Environmental Health has confirmed verbally that no problems have been substantiated in relation to this problem.

Other issues HSE Risk : Members should note that running under Pevensey Bay Road is a gas main that has been identified by the HSE as a potential site constraint that may limit the sites development potential. In this regard the HSE have requested that post resolution to grant planning permission they be given a further 21 days consultation period in order to establish whether the risk is of sufficient magnitude to result in the application being called in by the Secretary of State.

Whilst the ultimate judgment on this matter rests with the HSE, officers consider that the existing lawful use of the site as a residential care home with a greater number of residents should be a material consideration in the evaluation of this case. It is considered therefore that the application proposal represents a reduced risk when compared to the existing lawful use of the site.

Human Rights Implications:

It is considered that there would be no adverse impact on residential amenity.

Conclusion:

The proposed scheme is acceptable in terms of use, siting, design, scale, access and landscaping, and would not have an adverse impact on visual, residential or environmental amenity or on highway safety. As such it complies with the relevant local policies and also National Advice.

Recommendation:

- 1) grant planning permission subject to the case being referred to HSE for a 21 day period to ascertain whether they want to call the application in for Secretary of State approval.

- 2) Subject to no call in being received from the HSE then this is application is recommended for approval subject to a legal agreement covering Local Employment initiatives and condition listed below:

Commencement of development within three years

- (1) Compliance with approved plans
- (2) Hours of operation (construction works)
- (3) Wheel washing facilities
Retention of tree/vegetation adjacent to Langney Sewer & protection during construction
- (4) Provision of landscape maintenance programme
- (5) Hedgerow removal outside of bird nesting season
- (6) Amphibian Mitigation strategy
- (7) Amphibian restoration strategy
- (8) Construction and Environment mitigation strategy
- (9) Surface water run off
- (10) details of attenuation tanks
- (11) Maintenance programme for surface water system
- (12) Details confirm implementation of surface water details
- (13) no development within 3m either side of the exiting sewers at the site
- (14) foul water disposal details
- (15) Existing Access onto the Roundabout to closed up such that it cannot be used
- (16) Car parking in accordance with details
- (17) Cycle parking in accordance with details

- (18) Vehicle turning shall be provided prior to occupations
- (19) Highway construction management plan
- (20) Travel plan
- (21) Landscaping planting scheme implemented prior to occupation
- (22) Details of service runs in connection with retained trees
- (23) Tree protection
- (24) Existing ground levels around saved trees shall not be altered
- (25) Development in accordance with the submitted FRA

Appeal: Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be written representations.