

APPLICATION NO.	P12/V1819/O
APPLICATION TYPE	OUTLINE
REGISTERED	22 August 2012
PARISH	CUMNOR
WARD MEMBER(S)	Dudley Hoddinott Judy Roberts John Woodford
APPLICANT	Rycote Developments Ltd
SITE	Land to the rear of nos. 82-88 Cumnor Hill OX2 9HU
PROPOSAL	Outline application for the erection of a 72 bed residential care home and 4 units for staff accommodation with associated parking, landscaping and access.
AMENDMENTS	
GRID REFERENCE	447669/205197
OFFICER	Stuart Walker

1.0 INTRODUCTION

- 1.1 This is a proposal to redevelop part of the rear gardens of 82 – 88 Cumnor Hill to create a 72 bed care home with four ancillary staff accommodation units and associated parking. It is an outline application with only access to be considered at this stage. Layout, landscaping, scale and appearance are reserved matters.
- 1.2 The site comprises part of the rear gardens of four properties, measures 0.93 hectares, and is located on the north-west side of Cumnor Hill. It is a local plan policy H3 allocated housing site. The site is bounded by detached dwellings, and the topography of the site is such that the rear gardens fall steeply away from the road. There are many trees on the site and the large unkempt garden areas provide various habitats for wildlife. A block of flats (Breeches End) is located to the south-east corner adjacent to the vehicle access into the site. A site plan is **attached** at appendix 1.
- 1.3 The application comes to committee because Cumnor Parish Council and many local residents object.

2.0 PROPOSAL

- 2.1 The proposal is to create a class C2 residential institution in the form of a 72 bed nursing care home. The accompanying plans show a development shaped to work with the site's constraints, where the singular formed building runs south from the middle of the site with a curve westwards to the south-west boundary, being cut into the hillside with a retaining wall that is internally enclosed as a light well. The main building has been located and designed to avoid the largest and most diverse area of semi-natural broad leaved woodland to the north-west of the site, and to minimise the impact on a badger sett. To the south, a four unit block of staff accommodation is proposed. All buildings are proposed to be single storey in height at their entrance levels, with shallow pitched green roofs. The proposal will employ 66 staff.
- 2.2 The care home will be approximately 106.7m long by 11m wide arranged over three floors. The staff accommodation will be single storey measuring approximately 24.3m long by 7.0m wide. 15 car parking spaces are proposed. The application has been amended to address concerns about the impact on protected species, which has resulted in the removal of the separate service block.

2.3 A copy of the application drawings is **attached** at appendix 2.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 Cumnor Parish Council: objection on the grounds of the site not being suitable for the proposed use due to its steep topography, inadequate access / on site parking, steep gradient and highway safety, harm to the character of area and neighbour amenity, light and noise pollution, impact on wildlife, flood risk and drainage. The parish council has also made comments on the functionality of the care home and its detailed design, which are reserved matters. The full comments of the parish council are **attached** at appendix 3.

3.2 County Engineer: no objection, subject to conditions.

3.3 Developer Funding Officer: contributions required.

3.4 Drainage Engineer: no objection, subject to conditions.

3.5 Environment Agency: no objection, subject to a condition on a scheme for foul drainage to be submitted and agreed.

3.6 Countyside Officer: no objection, subject to conditions.

3.7 Arboricultural Officer: no objection. "The site of the building itself would not involve the removal of any highly significant trees".

3.8 Thames Water: no objection.

3.9 Architects Panel: *"In terms of local setting, the proposed outline scheme addresses well the existing site topography, its relationship with neighbours and access. The proposed outline scale plans are well considered to accommodate the potential 'bulk' of the care home accommodation on this sloping site etc. The location of the proposed main entrance, reception area may be worthy of review in terms of its legibility in the future detailed design."*

3.10 Natural England: standing advice applies.

3.11 42 letters of objection have been received raising the following issues:

- The site is unsuitable site for a care home due to its steep topography.
- Overdevelopment.
- A 72 bed care home is far too large for the site.
- Scale and form is inappropriate and out of keeping with the surroundings.
- The proposal will exacerbate existing foul and surface water drainage problems
- Highway safety and excessive traffic generation.
- Lack of on-site parking and inadequate access.
- Noise and light pollution.
- The proposal will harm the character of the area.
- The proposal is contrary to guidance in the adopted residential design guide.
- Impact on protected species and wildlife.
- Loss of privacy / overlooking / overshadowing / over dominance to neighbours.
- Comments on inadequacy of internal layout (a reserved matter).
- There is no indication how the site will be managed or how medical services will be provided (these are not material planning considerations).

- The proposal does not comply with local plan policy H19 (special housing needs).

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P05/V1637](#) - Refused (19/01/2006)

Erection of 7 houses and 6 apartments.

4.2 [P05/V0977](#) - Withdrawn (11/11/2005)

Erection of 7 houses and 6 apartments.

4.3 [P03/V6581/O](#) - Approved (04/08/2003)

Erection of 8 detached houses and a block of 6 flats. (Demolition of 88 Cumnor Hill). (88 and rear of 82, 84 & 86).

4.4 [P02/V1660/O](#) - Approved (05/12/2002)

Erection of two dwellings. Demolish garage to provide new access to highway.

5.0 **POLICY & GUIDANCE**

5.1 *Vale of White Horse Local Plan 2011 policies:*

CF2 - Provision of new community services and facilities

DC1 - Design

DC4 - Public art

DC5 - Access

DC7 - Waste collection and recycling

DC8 - Provision of infrastructure and services

DC9 - Impact of development on neighbouring uses

H3 - Housing sites in Botley

5.2 *National Planning Policy Framework*

The National Planning Policy Framework confirms there is a presumption in favour of sustainable development and within the overarching roles that the planning system ought to play there are a set of 12 core planning principles, the following of which are directly relevant to this application:

i. Be genuinely plan led; ii. Proactively drive and support sustainable economic development; iii. Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; and iv. Take account of and support local strategies to improve health, wealth, and cultural well-being for all, and deliver sufficient community and cultural facilities and services to meet local needs.

5.3 In delivering sustainable development, the framework sets out a variety of detailed guidance, and the following sections are directly relevant to this application:

i. Building a strong, competitive economy – plan proactively to meet the development needs of business.

ii. Delivering a wide choice of high quality homes – plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as older people).

iii. Requiring good design – achieving high quality and inclusive design to contribute positively to making places better for people by concentrating on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally, and refusing permission for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions.

iv. Promoting healthy communities – planning positively for the provision and use

- of community facilities.
- v. Meeting the challenge of climate change and flooding – managing risks through suitable adaptation measures to ensure flood risk is not increased elsewhere.
- vi. Conserving and enhancing the natural environment – minimising the impact on biodiversity through adequate mitigation.

6.0 PLANNING CONSIDERATIONS

6.1 *Principle of development*

The site is identified in the adopted local plan under policy H3 for housing development, and despite changes in government advice omitting residential gardens from the definition of “*previously developed land*”, the site remains acceptable in policy terms for housing development.

6.2 The proposal to provide a new care home is aimed at meeting, in part, an existing shortfall in provision of such facilities in the local area as identified in the public health strategy for Oxfordshire 2007 – 2012. A class C2 care home, therefore, is considered an acceptable alternative to class C3 housing as it provides a form of residential accommodation for which there is an identified need. It will also provide employment for 66 staff which accords with government guidance in helping to build a strong, competitive economy.

6.3 Members will be aware that the council currently lacks a five year supply of housing and, therefore, the housing policies of the local plan are not up-to-date or fully consistent with the national planning policy framework. Whilst the loss of this allocated site to a class C2 nursing care home would not help to reduce the housing land shortfall, the site is allocated for only eight dwellings (although allocated for 14 dwellings, 6 flats were constructed at Breeches End), so its loss to an alternative use would not be significant in relation to the overall current shortfall. The current shortfall in accommodation for an aging population also needs to be taken into account. Given the length of time the site has remained undeveloped since the original grant of planning permission (August 2003), the benefits of the current proposal are considered to outweigh the current lack of housing land and so, in principle, is considered acceptable.

6.4 *Character*

Cumnor Hill is characterised by medium to large detached houses of varying designs, set within well landscaped and spacious gardens with generous spatial relationships between buildings and boundaries, and is overall a low density area.

6.5 The proposal is not considered to be harmful to the character of the area. The proposal is to the rear of existing dwellings where it will have only a limited public presence in views from Cumnor Hill. The form and scale of the proposal is considered to work well with the site’s constraints and officers are confident a high quality design outcome would be achieved. The architects panel considers “*the scheme addresses well the existing site topography, its relationship with neighbours and access*” and “*the proposed outline scale plans are well considered to accommodate the potential ‘bulk’ of the care home accommodation on this sloping site.*” Consequently, the visual impact of the proposed development and its impact on the character and appearance of the locality are considered acceptable.

6.6 However, officers are mindful that class C2 care home uses often have an institutional feel and the proposed care home will only achieve a high quality outcome if the illustrative layout design shown (although a reserved matter) is adhered to. It is, therefore, recommended that the layout and scale of the development are conditioned to be as shown on the drawings accompanying this outline application (condition 9

refers).

6.7 *Amenity*

Concerns have been raised by local residents in terms of over-dominance, potential overlooking, noise and general disturbance. Whilst the detailed design of the proposal is a reserved matter, it is considered that a scheme could be designed to avoid harmful overlooking / impact on adjacent dwellings. In terms of scale and over-dominance, the proposed buildings shown in the illustrative plans are set off the boundaries, and the amenity standards set out in the residential design guide (12m to window to flank wall and 21m window to window) are exceeded. It is also considered that the building can be designed to mitigate light and noise pollution, and it is not considered that the day to day operation of the care home would not be so harmful to neighbouring amenity to warrant refusal of planning permission. The impact on neighbours, therefore, is considered acceptable.

6.8 *Highways / parking*

Adequate visibility can be achieved at the new access to ensure pedestrian and highway safety. Parking and turning arrangements within the site as shown on the layout plan are acceptable. Any additional traffic resulting from this development would not be so significant to warrant refusal on highway safety grounds. The County Highways officer has fully assessed the application, including an independent traffic statement produced on behalf of several objectors, and raises no objection to the proposal.

6.9 *Wildlife*

The applicant has provided comprehensive surveys / reports in relation to protected species within the site. The plans have also been amended to ensure wildlife corridors are maintained on site. Subject to further survey work prior to commencement of development, the proposed mitigation measures are considered acceptable and the relevant licence tests are considered to have been met. Any impact on other wildlife (i.e. that is not protected under EU directives or UK law) is considered acceptable.

6.10 *Drainage*

The site is considered large enough to deal with surface water without causing surface water run-off problems and this can be controlled through a planning condition. In respect of foul drainage, the development would be connected to the main sewer, which is acceptable. The council's drainage engineer, Thames Water and the Environment Agency raise no objection.

6.11 *Other matters*

Objectors have raised the issue that the proposal does not comply with policy H19 of the local plan. This policy refers to grouped accommodation to meet the special housing needs of the elderly and other defined groups. It requires schemes for the elderly to have level access and be free from other physical impediments, and those schemes for people with limited independence to be located within 400m of shops and local services.

6.12 Accommodation for the elderly can be delivered in a number of ways and the levels of independence in different types of specialist accommodation are a key consideration in determining whether to apply the requirements of policy H19. Some specialist accommodation for the elderly will fall within the C3 use class where it is a group of self-contained flats with private access to all of the rooms within each unit, including kitchen, bathroom and toilet, behind a single door. This type of accommodation can include, for example, sheltered housing where no care is provided as part of the scheme or extra care housing. Both of these types of development are good examples

of where policy H19 would apply as, although the residents may have limited independence compared to non-specialist housing, they are still C3 dwellings whose residents are likely to have a level of independence that would require them to have good access to local shops and services.

- 6.13 In contrast, this is not what is being proposed as part of this application. The proposal is for a C2 residential institution in the form of a nursing care home. By their nature the level of independence of residents in these developments is very low. Residents are wholly reliant on their food being supplied by the institution as they do not have access to their own kitchen. They also have their own room and share communal facilities for the rest of their day-to-day activities. This is why this type of accommodation falls within a separate use class compared to other types of specialist accommodation. As a result, it is not considered that the residents of a C2 institution would have limited independence in the context of criterion (ii) in policy H19. As such, officers do not consider that policy H19 applies in this case.

7.0 CONCLUSION

- 7.1 The proposal will meet in part an existing shortfall in provision of class C2 accommodation in the local area, will not be harmful to the character of the area, residential amenity, highway safety or flood risk and, therefore, complies with the relevant policies of the local plan and the national planning policy framework.

8.0 RECOMMENDATION

- 8.1 **It is recommended that the decision to grant outline planning permission is delegated to the head of planning in consultation with the committee chairman and/or vice-chairman subject to the completion of a S106 agreement for financial contributions and public art and subject to the following conditions:**

- 1 : TL2 - Time limit - Outline application**
- 2 : OL2 - Standard outline condition (excluding access)**
- 3 : Planning condition listing the approved drawings**
- 4 : HY2 - Access in accordance with specified plan**
- 5 : HY17 – Closure of existing accesses**
- 6 : MC24 - Drainage details (surface and foul)**
- 7 : MC29 - Sustainable drainage scheme**
- 8 : ID9 - Restriction of use**
- 9 : Condition specifying scale form and layout as shown**
- 10 : Work is carried out in accordance with submitted flood risk assessment**
- 11 : Travel plan to be submitted and approved**
- 12 : Cycling parking to be provided prior to occupation**
- 13 : Updated badger survey and detailed mitigation strategy**
- 14 : Bat survey of all trees affected by the proposals and a mitigation strategy where appropriate**
- 15 : Details of proposals for habitat creation in compensation for those lost**

Author: Stuart Walker
Contact number: 01235 540505
Email: stuart.walker@southandvale.gov.uk