

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **14th DECEMBER 2022**

REPORT BY: **CHIEF OFFICER (PLANNING, ENVIRONMENT
AND ECONOMY)**

SUBJECT: **FULL APPLICATION- REDEVELOPMENT OF
FORMER OAKMERE CARE HOME SITE TO
DELIVER NEW SPECIALISED SUPPORTED
LIVING (USE CLASS C3) AND CARE HOME (USE
CLASS C2) ACCOMMODATION FOR ADULTS
WITH DISABILITIES, TOGETHER WITH
ASSOCIATED NEW ACCESS ROAD, PARKING,
LANDSCAPING AND AMENITY SPACE**

**APPLICATION
NUMBER:** **064397**

APPLICANT: **FOLEY STREET HOMES LTD**

SITE: **OAKMERE NURSING HOME BENNETS LANE
HAWARDEN**

**APPLICATION
VALID DATE:** **18TH MAY 2022**

LOCAL MEMBERS: **COUNCILLOR H BROWN
COUNCILLOR G BROCKLEY**

**TOWN/COMMUNITY
COUNCIL:** **HAWARDEN COMMUNITY COUNCIL**

**REASON FOR
COMMITTEE:** **SCALE OF DEVELOPMENT**

SITE VISIT: **YES, DUE TO CONCERNS RELATING TO THE
HIGHWAY**

1.00 SUMMARY

- 1.01 This is a full application for the redevelopment of a former care home site to deliver new specialised supported living (Use Class C3) and care home (Use Class C2) accommodation for adults with disabilities, together with associated new access road, parking, landscaping and amenity space at Oakmere Nursing Home, Bennets Lane, Hawarden.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-

- 2.01
1. Time Limit
 2. In accordance with approved plans
 3. Materials
 4. Landscaping
 5. Landscape Implementation
 6. Site Levels
 7. The siting, layout, and design of the means of site access shall be in accordance with details to be submitted to and approved by the County Council prior to the commencement of any site works.
 8. The forming and construction of the means of site access shall not commence unless and until the detailed design has been submitted
 9. The works associated with forming the means of site access shall be kerbed and completed to carriageway base course layer up to the internal tangent point of the entrance radii prior to the commencement of any other site building operations.
 10. The proposed access shall have visibility splays that are maximised in both directions along the nearside edge of the adjoining carriageway over land within the control of the Applicant and/or Highway Authority in accordance with details to be submitted
 11. The stated visibility splays at the proposed point of access shall be made available and kept free from all obstructions for the duration of site construction works.
 12. Adequate facilities shall be provided and retained within the site for the loading, unloading, parking and turning of vehicles.
 13. The gradient of the access from the edge of the existing carriageway and for a minimum distance of 10m shall be 1 in 24 and a maximum of 1 in 15 thereafter.
 14. Positive means to prevent the run-off of surface water from any part of the site onto the highway shall be provided
 15. No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.
 16. Prior to commencement of development, a scheme of mitigation in line with the submitted Bat Survey report Anser Ecology 2021, which takes into account the needs of the bats shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details for bats shall be

incorporated within the Method Statement for the NRW licence application and implemented thereafter

17. Prior to commencement method statement for the removal of non-native invasive species listed in Penny Anderson Associates Ltd PEA December 2021.
18. Prior to commencement lighting plan.
19. Arboricultural statement
20. Details of footpath. New route to be available immediately upon closure of existing footpath.
21. Submission of Construction Traffic Management Plan

3.00 CONSULTATIONS

3.01 **Local Member(s) Councillor H Brown:** No response received at time of writing

Local Member(s) Councillor G Brockley: No response received at time of writing

Hawarden Community Council: No response received at time of writing

Highways Development Control: The Highway Authority confirm that they have no objection to the proposal subject to conditions

Ecology: No designated sites are present and no Section 7 habitats of Biodiversity Importance (Environment Act 2016) have been identified but a number of invasive non-native species listed as problematic under Schedule 9 Wildlife and Countryside Act 1981 are present. These are associated with the ornamental planting and include various Cotoneaster species, Monbretia and Variegated Archangel. Where development impacts these species appropriate control/removal will need to be undertaken as recommended within the PEA which includes the requirement for a detailed Method Statement. Suggests conditions

Welsh Water/Dwr Cymru: The Drainage Strategy (file ref: 14193-Drainage Strategy-02) proposes to discharge surface water to soakaways and foul water to the public sewer. DCWW raise no object to this strategy and request Conditions & Advisory Notes are included in any permission.

Natural Resources Wales: NRW have reviewed the planning application, and from the information provided do not consider that the proposed development affects a matter within their remit and therefore do not have any comment to make on the proposed development.

The Ramblers: Ramblers wish to maintain a strong objection – they consider that the diversion would be a dog-leg twice as long as the existing footpath with extra height gain which they feel is unacceptable.

4.00 PUBLICITY

4.01 11 Neighbour Notifications were sent to adjoining/nearby properties. A Site Notice was also displayed at the site and the application was publicised by way of a Press Notice in a local newspaper.

6 Letters of objection have been received and those objections are summarised as follows:

1. Traffic impact
2. Massing and scale
3. Noise impact

5.00 SITE HISTORY

5.01 055795- Erection of 2no. single storey extensions and siting of moveable office/shed- Approved 09/11/2016

040963- Construction of galvanised emergency escape stair and walkway over existing flat roof- Approved 05/05/2006

038549- Outline residential development- Approved 08/04/2005

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

GEN1- General Requirements for Development

GEN2- Development Inside Settlement Boundaries

D1- Design Quality, Location and Layout

D2- Design

D3- Landscaping

D4- Lighting

AC2- Pedestrian Provision and Public Rights of Way

AC13- Access and Traffic Impact

AC18- Parking Provision and New Development

CF1- Retention of Existing Facilities

CF2- Development of New Facilities

National Planning Policies:

- Planning Policy Wales Edition 11 (February 2021)

- Future Wales 2020 - 2040

It is noted and acknowledged that the national planning framework as set out within Planning Policy Wales Edition 11 and Future Wales: The National Plan 2040 sets out the most up to date planning principles against which to consider development proposals. The Development Plan and associated supplementary planning guidance remain broadly consistent with these changes to legislation

7.00 PLANNING APPRAISAL

7.01 Proposal

This proposal is for the redevelopment of an existing care home site for a similar use, providing supported living accommodation comprising of a care home facility providing 16 No resident units, made up of 14 No. resident units and 2 No. resident wheelchair units as well as 14 No. single bedroom supported living apartments (including 2 No wheelchair units) split over 3 blocks of buildings. Each apartment with individual or shared amenity terrace/garden area.

7.02 The proposed care home is a private facility and is not being promoted by Flintshire County Council Adult Social Care. It is intended that this development will provide appropriate facilities for people that currently have to travel out of county to find similar facilities.

7.03 Site

The site is located on Bennetts Lane, Hawarden and lies wholly within the Hawarden settlement boundary as defined in the Flintshire Unitary Development Plan.

7.04 The site previously had the benefit of outline planning permission for 6 no. dwellings, granted in 2005. Although this permission has since lapsed.

7.05 The existing private nursing home is a large two storey brick built property that has been extended over the years and has a large footprint. The existing building is located to the front of the site.

7.06 Principle

The proposal represents the redevelopment of an existing care home site for a new facility

7.07 The existing facility is considered to be a community facility under the definition of Policy CF2 in the Flintshire Unitary Development Plan. In accordance with policies CF1 and CF2 of the Flintshire Unitary

Development Plan the principle of a replacement facility in this location is acceptable.

- 7.08 The apartments are proposed as assisted living units, which would help develop a person's skills in order to enable a greater level of independent living. These are not market housing units and it is considered that from a policy point of view these units are very much part of the whole site care remit and as such the above policies would be relevant to their development as well. It should be noted, however, that as the site is located within the settlement boundary for Hawarden then the proposal would be compliant with the general Housing policies in any case.
- 7.09 Access and Parking
Whilst the existing use of the site would generate a certain level of traffic if the use was reinstated it is importance to be mindful of the possible impact of the development upon the adjacent highway network. Bennetts lane is a narrow and awkward access lane with inherent access issues due to its traditional layout. The submission highlights that typically residents of the site would tend not to drive, and so demand for parking space is very low and mainly only required for occasional visitors, or staff who are unable to use public transport. Staff will work on a 24-hour three shift pattern, with staggered start and finish times to avoid peaks in traffic generation.
- 7.10 The scheme proposes a total of 32 parking spaces including three mobility impaired spaces and this is considered to be in accordance with the advice set out within SPGN11- Parking Standards.
- 7.11 A transport assessment carried out by SCP has been submitted in support of the application. One of the main conclusions that the assessment comes to is that investigations into traffic generation of the site reveal that the development will provide no material change in traffic movements when compared to the previous use of the site as a care home for complex needs. There is an existing baseline position whereby the site could be brought back into this use without the need for planning permission, with no restriction on staff numbers which will depend on the nature of the individuals living at the property. In addition, the proposed development includes a range of state-of-the-art assistive technology and promotes supported independent living alongside the care home, which means there will be less reliance on staff care and therefore potentially lower trips than the extant lawful use. Highways Development Control have considered the submitted information and have raised no objection to the proposal.

Public footpath

- 7.12 There is presently a public footpath that bisects the site. As part of the proposal a new meandering route for this footpath, which follows the site periphery, has been proposed. Whilst the Ramblers Association have expressed concern at this, as it increases the length of the footpath, it is considered that due to the nature of the use of the site it would not be appropriate to allow unfettered access across the site given the vulnerable nature of residents. The proposal incorporates landscaping into the new route of the footpath to create an attractive route around the site.
- 7.13 The granting of planning permission does not constitute permission to close or divert a footpath and there is a separate procedure the developer would have to follow prior to the development affecting a public footpath taking place. Whilst the retention and sympathetic incorporation of a public right of way is the preferred approach Flintshire Unitary Development Plan policy AC2 allows for diverted footpaths where this is considered to be necessary. This is subject to the diversion taking into account the needs of user for direct and safe access. The developer is proposing a new route which whilst adding approximately 60-70 metres of new footpath from its current route, will enhance the environment by providing a well-lit and landscaped route that skirts the site. To ensure that the access currently provided by the public footpath is protected it is proposed that a condition requiring full details of the new footpath route is imposed with any permission and for this to be available immediately after the existing route is closed up.

Visual Impact and Design

- 7.14 The site is large, and well screened with existing vegetation. The existing neighbouring property to the west, Pantile cottage, is a single storey dwelling located close to the shared boundary. At present the existing site entrance runs alongside the dividing fence line between this property and the site. The neighbouring property to the east is also a single storey dwelling, although the dwelling types in the site vicinity vary from bungalows, which are generally large albeit of a single storey construction, to two storey detached dwellings with an assortment of brick and render finishes. There is no single prevailing style of architecture in the locality of the site and the individual nature of the various dwellings and other buildings dictate the local vernacular style.
- 7.15 The current care home building, located close to the front of the site and viewable from the highway, is a converted Victorian house of traditional brick and pitched slate roof construction, with later large extensions to the side and rear.

7.16 The proposed care home building is the largest of the proposed structures and is a three storey building with facing brick and timber clad effect details. It is orientated so that the mass of the building is built into the embankment at the rear of the site, to limit its visual impact and massing as much as possible. The building has been designed to lessen the potential 'institutional' feel of the building and create a more residential feel as a consequence of its design, in order to be more in keeping with the general character of the area. In order to further integrate the design of all elements of the development with local architectural features both the care home and apartment blocks integrate gable details into their elevations.

7.17 The supported living apartment blocks are two storey, utilise the gabled elements as seen on the care home and which pick up design cues from adjacent developments, and utilise height variations to break up the visual impact of the blocks as well as introduce visual interest into the development as a whole. They use the same materials as on the external elevations of the care home, namely facing brick with timber cladding features.

It is considered that the design of the buildings are acceptable and accord with policies D1 and D2 in the Flintshire Unitary Development plan.

7.18 Impact upon neighbouring amenity

The proposed development is laid out with the 16 no. unit care home facility, which is a three storey building, located at the southern end of the site. This ensures that this building, which is of a larger scale than the dwellings immediately surrounding the site, is approximately 40 metres away from the nearest neighbouring property, Oakmere Bungalow.

7.19 The 14 no. supported living apartments are arranged within 3 separate two-storey apartment blocks. The block containing units 1-6 is located at the front of the site occupying some of the footprint of the existing care home building. This unit is close to its neighbour 'Pantile Cottage' although in terms of building mass it represents far less of an impact upon the neighbouring property as the former home buildings, being substantially smaller in mass as well as height.

7.20 The other two blocks are located further to the south of the site close to the care home building. As a result they are as far as practicable from neighbouring residential properties. Whilst the neighbouring properties are largely bungalows and the proposed buildings are 2-storey it is not considered to be unacceptably large in relation to the

local vernacular and given the separation distances between buildings, in excess of 22 metres between the rear of Oakmere bungalow and the gable elevation of the block of units 11-14 and 33 metres between Oakmere bungalow and the unit 7-10 block which includes a screened boundary. It is not considered that the apartment blocks would unacceptably harm neighbouring residential amenity.

- 7.21 Extensive landscaping is proposed, particularly on site boundaries, both utilising existing planting and introducing new native species. In order to secure appropriate landscaping provision for the scheme the imposition of standard landscaping and landscape implementation conditions is recommended.
- 7.22 In order to safeguard neighbouring amenity it is also proposed that full details of an external lighting plan is conditioned. There are also ecological implications that require an appropriate level of lighting is utilised in the scheme and the condition will ensure that this is undertaken.
- 7.23 In general it is considered that the proposal makes the best use of the site in terms of providing the necessary level of accommodation for its needs whilst respecting the character and amenity of the area and adjoining properties.
- 7.24 Ecology
The site consists of a mixture of semi improved grassland, small groups of trees and scrub as well as the abandoned buildings. A Preliminary Ecological Appraisal (PEA) has been submitted in support of the application. The PEA examined the site for evidence of protected, and other, species and make recommendations for further surveys and work required to be undertaken to protect the ecological interests on site.
- 7.25 In general some of the trees were found to have potential for bat roosting. Earlier surveys carried out on the building in 2021 concluded that the main building had high potential for bats and recommended further surveys. No evidence for Badgers or nesting birds were found on site. There is no watercourse or body of water on the site so it is not expected that amphibians or reptile life will be present on site.
- 7.26 Given the findings of the PEA it would be reasonable to condition the recommendations of this appraisal to be carried out as well as require details of Bat mitigation, such as roosts, to be agreed and implemented with the development.

There are no overriding concerns with ecological issues on site and subject to appropriate conditions the proposal is considered to be acceptable with regard to policy WB1 of the FUDP.

7.27 Other Matters

Dwr Cymru Welsh Water have raised no objection to the proposal but have requested that conditions relating to the drainage and surface water and included on any permission. The proposed conditions are reasonable and are included in the recommendation.

8.00 **CONCLUSION**

This proposal is for the reuse and redevelopment of an existing, but currently vacant care home site for the same use. It is considered that the principle of redeveloping the site and bringing it back to this use is acceptable and it is also acceptable in terms of its design and impact, as well as with regard to its impact on the highway and the other matters raised. As such the proposals are considered to be acceptable and recommended for approval subject to the conditions listed above.

8.01 Other Considerations

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

The Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

The Council has had due regard to its public sector equality duty under the Equality Act 2010.

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

Planning Application & Supporting Documents
National & Local Planning Policy
Responses to Consultation
Responses to Publicity

Contact Officer: James Beattie
Telephone: 01352 703232
Email: james.beattie@flintshire.gov.uk