

SEATON
(Seaton)

07/0079/FUL

Target Date: 09/04/2007

Applicant: Cannon Care Homes Ltd
Location: Thornfield, 87 Scalwell Lane, Seaton
Proposal: Extensions and alterations to care home

CONSULTATIONS

County Highway Authority

Refuse.

Adequate information has not been submitted to satisfy the LPA that the proposal is acceptable in terms of access, off-street parking and on site turning facilities, contrary to Policy TR10 of the Devon County Structure Plan.

Amended plan.

I now withdraw the highway objection and would recommend the following condition:

The development hereby approved shall be served by a reconfigured parking and turning area generally in accordance with the submitted plans the details and specification of which shall have been submitted to and approved in writing by the LPA.

Reason to ensure the provision of adequate facilities within the site for the traffic generated by the development.

TOWN/PARISH COUNCIL

Refuse on the grounds of overdevelopment, inadequate drainage, loss of privacy to neighbours, loss of light to neighbours. Members requested an inspection of the plans by the Fire Inspector as they believed that there could be inadequate access for fire appliances.

Members agreed that in view of the insufficient information provided in the proposed amendment, there were no significant changes to the previously submitted plans and they therefore unanimously recommended refusal on the same grounds as before: overdevelopment, inadequate drainage, loss of privacy to neighbours, loss of light to neighbours, inadequate access for fire appliances, and inappropriate development in residential area.

Members were also concerned at the potential loss of a rare tree and requested that the tree officer inspect the tree with a view to placing a preservation order on it.

WARD MEMBER(S)

The initial comments of the Ward Member(s) are -

Cllr. Knight

“Object to the application. Having viewed the site from the adjoining property I see this as over development of a small area left by previous build allowed on appeal. Already the existing extension is over looking 230 Harepath Road and the sewer within 230 backs up from Thornfield causing the owners of 230 to clear it with rods. Under the human rights act this person can not

enjoy living in his own property especially the amount of over looking that will take place and the raw sewerage that comes out of the manhole and health hazard.

In the event that this application comes to Committee I would reserve my position until I am in full possession of all the relevant facts and arguments for and against.”

Cllr. Knight

“Having met with Mr. Gibbon of 230 Harepath Road Seaton and he is now quite happy with the development with an understanding from the developers agent that the things and areas that needed to be covered will be covered to his satisfaction so to this end I would withdraw my original letter of objection.”

Cllr. Knight

“I have been approached by the neighbours in Scalwell Lane concerning the new development at Thornfield Nursing Home. As I see it from their side they will have trouble with drains, overlooking, loss of privacy and a tree within their garden should be protected if any building is allowed to take place and no building foundation work near the said tree to be allowed without supervision of our tree warden. In all it looks like overdevelopment adjoining a small residential site.

In the event that this application comes to committee, I reserve my position until I am in full possession of all the relevant facts and arguments for and against.”

Cllr Burrows (former Ward Member)

“Object to the application.

In the event my recommendation and that of the planning officer differs, I wish the application to be referred to the Development Control Committee:

Reasons for Action:

The site would in my opinion become overdeveloped with these new additions to the front and back. Thornfield already occupies most of the footprint on the site and this will reduce the amenity space for the residents. As one that works in a residential home (declaration of interest?) in Colyford I can sympathise with the neighbours who might already suffer from continuous noise which can go through the night if residents are restless. With these additions that noise will be brought that much closer.

In the event that this application comes to Committee, I would reserve my position until I am in full possession of all the relevant facts and arguments for and against.”

REPRESENTATIONS

Objections

5 letters have been received raising the following points:

- Overlooking
- Noise problems because of proximity to houses
- Drainage
- Overdevelopment
- Effect on important tree
- Inadequate car parking

RELEVANT PLANNING HISTORY

App.No:	Proposal	Decision	Date
02/P1221	Extension to provide 7 additional rooms	Allowed on appeal	10.06.03
88/P1803	Change of use to residential care home	Approved	19.12.88

PLANNING POLICIES

Devon Country Structure Plan (2001-2016)

Policy CO6 – Quality of New Development

East Devon Local Plan (1995-2011)

Policy S4 – Development Within Built-up Area Boundaries

Policy D1 – Design and Local Distinctiveness

Policy D5 – Trees on Development Sites.

SITE LOCATION AND DESCRIPTION

Thornfield is a residential care home on the west side of Scalwell Lane, with a direct pedestrian link to Harepath Road.

The site itself extends to about 0.21ha in area and the existing two storey building has a total floor space of 1121m².

The building itself was formerly a large detached Edwardian residential property which was converted to a hotel in 1955 and remained in that use until 1983. It was converted to a care home in 1988 and since then it has been substantially extended. It currently has 36 rooms.

The whole site is bordered by trees and hedges and there are residential properties on the north, south and west sides. Those to the south and west are particularly close to the existing building. A relatively small open area to the east of the main building is available for parking. Provision for 5 cars is shown on the submitted drawings.

PROPOSED DEVELOPMENT

This application is for two additional extensions, one at the southwest corner and one at the south east corner.

The proposed additional accommodation consists of the following works;

- (i) Enlarged kitchen, laundry, office and staff room.
- (ii) Additional bathroom
- (iii) New visiting room and communal areas.
- (iv) 12 new bedrooms, which result in a total of 42 bedrooms being provided.

The proposed single storey extension fronting onto Scalwell Lane will replace an existing unsuitable conservatory and will accommodate improved visitor and communal facilities. This element will have a flat, sedum planted roof which intends to be both more attractive and eco-friendly.

The proposed south west extension will provide extra accommodation for residents and has been designed as a two storey building, but with a roof profile and fenestration pattern designed to prevent any overlooking or loss of amenity to neighbours.

An unattractive former garage building will be demolished to allow better access, turning and parking.

CONSIDERATIONS AND ASSESSMENT

This application follows an appeal decision of June 2003 for a substantial extension to provide 7 additional rooms. Application 02/P1221 for an extension to provide 7 additional bedrooms was refused for the following reason;

'The further enlargement, as proposed, of this residential care home would result in a structure overly large for its site, out of character with this area of Seaton, which consists primarily of ordinary residential dwellings, and resulting in loss of privacy to and an adverse impact on the outlook from houses to the west, in Harepath Road. Such effects would be in conflict with the considerations set out in the East Devon Local Plan - January 2002 in respect of housing for the elderly and special needs housing.'

However, the subsequent appeal was allowed and in his report the Inspector concluded that the proposed extension would not affect neighbours by overlooking to an unacceptable degree and that the increase in the size of the building's footprint would not greatly affect the area or its appearance as it is fairly well screened.

The Inspector was also satisfied that there were no overriding concerns of parking, access and drainage.

That work has been completed and has caused some problems to adjoining residents in Harepath Road who have suffered from overlooking from first floor windows and increased noise from the extended building.

In response, the application now submitted, incorporates internal reorganisation of rooms which will reduce these problems and the nearest neighbour has confirmed that he is satisfied that this will be achieved. Additional planting along the site boundary will also reduce privacy concerns.

The new building at the south west corner will be immediately to the east of the two immediate neighbours in Harepath Road and it has been designed with a proposed roof slope only being visible and no windows in elevations directly overlooking adjoining gardens.

The other proposed extension will replace the existing unattractive conservatory and is intended to improve the appearance of the front entrance to the building as well as providing better facilities within the building itself.

The revised parking arrangements are also an improvement which will have no detriment on the appearance of the building.

There is a Hybrid Strawberry tree in the adjoining garden of no 85a, Scalwell Lane which has been inspected by the Council's arboricultural officer. The tree is not formally protected but as it is in the neighbour's ownership and its root system may be affected it is recommended that a method statement is required detailing measures to protect the roots during and after construction to ensure that it is not damaged.

CONCLUSIONS

The proposed development will result in a further increase in size of this building and an equivalent reduction in the amount of external amenity space. Nevertheless, as agreed by the Inspector in allowing the earlier appeal, the appearance of the building would not be greatly altered and the character of the area would not be greatly changed.

The impact on the amenity of neighbours can be protected by the provision and maintenance of additional planting along the site boundaries.

The nature of the use of the site is such that residents have little need for sizeable amenity space and, in the light of the appeal decision, the proposed development can not be considered to be overdevelopment. It will also enable a reorganisation of existing accommodation so that there will be less overlooking and disturbance to neighbours.

RECOMMENDATION

APPROVE subject to the following conditions :-

1. 3 year commencement.
2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture those of the existing building.
(Reason - To ensure that the materials are sympathetic to the character and appearance of the existing building.)
3. No development shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority; such a scheme to include the planting of trees, hedges, shrubs, herbaceous plants and areas to be grassed. The scheme shall also give details of any proposed walls, fences and other boundary treatment. The landscaping scheme shall be carried out in the first planting season after commencement of the development unless otherwise agreed in writing by the Local Planning Authority and shall be maintained for a period of 5 years. Any trees or other plants which die during this period shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.
(Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area.)
4. No development shall commence until the parking spaces shown on the additional plans received by the Local Planning Authority on 23 February 2007 have been laid out. These spaces shall be retained permanently available for vehicle parking and not used for any other purpose without the express permission of the Local Planning Authority.
(Reason – To ensure adequate off street parking facilities are provided.)
5. No development shall commence until a method statement has been submitted to and approved in writing by the Local Planning Authority detailing how the foundations of the proposed extensions will be designed and constructed to avoid damage to the Hybrid Strawberry Tree in the grounds of 85a Scalwell Lane immediately adjoining the site. The development shall be carried out in accordance with the requirements of the approved method statement.
(Reason – To ensure the health of the tree is not affected.)

6. The foul drainage shall be connected to the public sewer and shall be kept separate from clean surface and roof water.
(Reason - To avoid pollution of the environment.)

Reasons for permission

1. The proposal complies with the Devon Structure Plan 2001 -2016, policy CO6.
2. The proposal complies with the East Devon Local Plan, Revised Deposit, September 2003, policy D1.
3. The proposal does not adversely affect the privacy and/or amenity of neighbouring properties.
4. The design and external appearance of the proposal does not harm the visual amenity of the site and surrounding area.

List of Background Papers

Application file, consultations and policy documents referred to in the report.