



Appeal Decision

Site visit made on 15 July 2020

by David Spencer BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29 July 2020

Appeal Ref: APP/Y2620/W/20/3244606

Heath Farm, Hempstead Road, Holt NR25 6JU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by LNT Care Developments against the decision of North Norfolk District Council.
 - The application Ref PM/19/0981, dated 13 June 2019, was refused by notice dated 13 September 2019.
 - The development proposed is erection of 66 bed, 3 storey care home for older people (Use Class C2) with associated parking, access and landscaping (reserved matters for: access, appearance, layout and scale).
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Decision

1. The appeal is dismissed.

Procedural matters

2. The application is for reserved matters following the grant of an outline consent in August 2016 for the wider Heath Farm site as allocated in the North Norfolk Site Allocations Development Plan Document 2011 (SADPD) at Policy H09. Landscaping is not part of the reserved matters such that this remains a matter of detail to be determined. The Local Planning Authority (LPA) dealt with the proposal on this basis and so shall I.

Main Issues

3. The main issues in this appeal are firstly, the effect of the proposed care home on the character and appearance of the surrounding area, and secondly whether the proposed development would provide acceptable living conditions for future occupiers, with regard to the provision of amenity space.

Reasons

Character and appearance

4. The appeal site occupies a gateway location into the wider Heath Farm development at a prominent location at the south-east frontage of a roundabout junction on the main A148 Holt bypass road. Recent residential development has been constructed around the south-west quadrant of the roundabout where Nightjar Road now forms a new spine road. Dwellings immediately opposite the appeal site comprise of two storey houses involving a mix of materials including brick, render and flint. The roundabout and the dwellings announce the presence of development and that change is occurring

to the south of the A148 bypass at this location. There is, however, a relative restraint to the arrangement and scale of these houses. It is noticeable that for large parts of the bypass from the junction with Hempstead Road to the west through to High Kelling in the east, the proximate development of Holt, either side of the bypass is not particularly obvious. The appeal site occupies a location that would form the edge of Holt at a point where it transitions to a surrounding patchwork of arable fields and woodland blocks resonant of the local landscape character.

5. The appeal proposal would comprise an extensive single building, occupying almost the full width of the site as it faces onto the prominent frontage with the A148 and roundabout. The building has been designed to provide a moderate degree of variety in its appearance through both the minor variations in ridge heights and the arrangement of a central hub spanning out into two wings of development that have been further divided by the use of various materials including render, brick and flint. Additional articulation would be provided by detailing around recessed openings. This design approach, however, would not sufficiently reduce the impact of the overall massing of the building across the site frontage. It would appear as a highly conspicuous bulky block of development, particularly in longer views from the west along the straight alignment of the A148 bypass road. In this perspective it would not be widely seen in the context of the nearby housing development at Heath Farm other than in very immediate views close to the roundabout. Given the semi-rural, transitional edge of town character, the appeal proposal would appear as a harmfully discordant and incongruously cumbersome urban form.
6. There are no comparably scaled buildings to help assimilate the proposal into its semi-rural edge of small market town context. Nearby housing is generally two storeys in scale with any taller two-and-a-half storey dwellings positioned well within the development, ensuring a necessary transition in scale. In contrast, the appeal proposal building, exacerbated by its peripheral, gateway location, would be a somewhat ungainly building that would fail to relate sympathetically to the local context.
7. As set out above landscaping remains a reserved matter and the layout shows space between the building and edge of the appeal site where landscaping could take place. Given the massing of the proposed building landscaping would need to be extensive and would take time to become established. The area available for landscaping is compromised by the proximity of the A148 and the proposal to use some of the land as amenity space for residents. The LPAs officer report also refers to an intermediate pressure gas pipeline in this location. Taking all these factors into consideration I have reservations that there would be sufficient room to accommodate a necessarily comprehensive structural landscaping scheme at reserved matters. Furthermore, even allowing for a reasonable period of time, I am not persuaded that landscaping would sufficiently mitigate the visual impact of the vast massing of the building to assist maintain the principal green corridor character of the A148 and transition to adjoining countryside.
8. The LPA is concerned that without structural landscaping there would be harmful light spillage emanating from the appeal proposal. I observed that there are streetlights in the adjoining residential development on Nightjar Road including a column in the group of 4 houses fronting onto the A148. In this context I am not persuaded that the appeal proposal would generate harmful

light pollution and that any external lighting could be managed through an appropriate planning condition.

9. Land to the east of the appeal site is presented in the LPAs Housing and Economic Land Availability Assessment 2017 (HELAA) as one of the “less constrained” options for future growth in Holt. The HELAA does not allocate land for development and I note the emerging Local Plan is not an advanced stage and so could be subject to further change. It therefore carries negligible weight in my considerations. I recognise that further development would take place on land immediately to the south of the appeal site, recognising the context is that the Heath Farm site is a location of development and change. It is, however, a gateway location and the appeal site has a particularly high profile where development needs to successfully create a new edge to the town including onto the green corridor character of the A148 bypass. The scale and massing of the appeal proposal as a particularly bulky and solid form of development would fail to do that and would appear as a harmfully abrupt and overbearing entrance development.
10. I recognise that the design and form of the building would reflect operational requirements which are likely to make disaggregating the building into separate elements difficult or potentially unviable. However, that is not in itself justification to locate such a bulky building, awkwardly on a relatively modest gateway plot, given the specific and significant locational harm that would arise.
11. My attention has been drawn to the approved development brief for the Heath Farm site which identifies that there should be a ‘highlight’ building at the appeal location, one of heightened architectural status, achieved amongst other things, through both scale and mass. To my mind “highlight” means an emphasis on design quality as a comprehensive concept, not just scale. A larger building may well form the focal point as sought by the brief, however, the design proposed would result in a dominant yet undistinguished building that would appear harmfully ponderous. It would not create an attractive, welcoming and distinctive place that would be sympathetic to local character. It would not be, therefore, compliant with the wider requirement for a ‘highlight’ building as sought by the development brief.
12. I therefore conclude that the proposed care home would have a significantly harmful effect on the character and appearance of the surrounding area. It would be contrary to Policies EN2 and EN4 of North Norfolk Local Development Core Strategy 2008 (the NNCS), which require, amongst other things, that all development is of a high quality and that development is suitably designed for its context and that the scale and massing of buildings relate sympathetically to the surrounding area. It would also be contrary to Policy HO1 of the NNCS which whilst supportive of the principle of additional care home provision in the district nonetheless provides qualification that proposals which detract from the character of the surrounding area will not be supported. In respect of this main issue, these policies are consistent with the National Planning Policy Framework (NPPF), a core objective of which is to achieve well-designed places through the planning system. In particular, paragraph 127 of the NPPF seeks to ensure that development functions well, adds to the overall quality of the area, is visually attractive as a result of good architecture and is sympathetic to local character. The appeal proposal would not accord with this part of the NPPF to improve design quality.

Living Conditions

13. The proposed layout shows two secure landscaped gardens adjacent to the elevation facing the A148 and Nightjar Road roundabout together with space for what appear to be two similar landscaped gardens adjacent to the rear elevation. As a C2 care home use for both general residents and those needing dementia care, it seems reasonable to assume there would be a proportion of residents who would be able to readily benefit from enjoyment of the garden areas for their well-being. Additionally, in summer months, the garden areas would be likely to be used as spaces for residents to receive visits from family and friends. With significant staff numbers it is also reasonable to assume that staff too would benefit from amenity space for breaks.
14. The issues of quantity and quality of amenity space are inherently linked here. At a broad level, from the plans submitted, I accept a reasonable amount of amenity space for relaxation and well-being would be provided (the appellant submits a figure of some 33sqm per resident) in addition to any internal communal space. However, the two secure landscape gardens facing towards the A148 and the Nightjar Road roundabout would be particularly exposed to traffic noise and emissions, particularly in the busier summer months when residents and visitors are more likely to want to use outdoor amenity space. I recognise landscaping and means of enclosure could assist in screening these areas, but it would not fundamentally overcome the unfavourable conditions arising from significant volumes of passing traffic at close quarters, slowing and manoeuvring to negotiate the adjacent roundabout. Additionally, any comprehensive landscaping to the front of the building would result in these areas becoming particularly shady and gloomy. Accordingly, I do not find these two front areas would provide appropriate, quality amenity space for future occupants.
15. The areas to the rear of the building are wedged between the building and the car park. On their own they would not provide a sufficient quantity of amenity space for the 66 residents, visitors and staff. Accordingly, I find the restricted and exposed environment between the building and car park means this space would have a relatively low amenity quality.
16. I accept the LPAs description that future occupants would be “vulnerable” in the sense they could not readily access alternative amenity spaces elsewhere in Holt. Consequently, they would be reliant on the on-site provision such that there would be significant social harm to well-being arising from the identified deficiencies in the quantity and quality of amenity space proposed.
17. I therefore conclude that the proposed development would not provide acceptable living conditions for future occupiers, with regard to the provision of amenity space. The proposal would therefore be contrary to Policy EN4 of the NNCS which requires all development proposals to secure a high quality of design. Whilst Policy EN4 refers to residential amenity in terms of new dwellings (typically use class C3), the objective of securing a “high standard amenity” for future users of all developments is embedded in the NPPF at paragraph 127(f). Overall, I find Policy EN4 to be consistent with NPPF paragraph 127 including the need to create places, which amongst other things, are inclusive and promote health and well-being.

Other matters

18. It is recognised that the principle of a C2 use is established at the appeal location (Heath Farm) and would be sustainably located to services and facilities in Holt. Whilst the location of the C2 use on the appeal site would not accord with the illustrative masterplan for the site, I do not consider this conflict, in terms of land-use, to be significant given the lack of commercial land take-up at the Heath Farm site. Indeed, the appeal proposal may well stimulate other commercial interest in the Heath Farm site. As a C2 use the appeal proposal would provide significant employment (some 60 jobs), consistent with the mixed-use employment objectives for the Heath Farm site. Jobs would also be sustained during its construction. I consider the economic benefits arising from the appeal proposal to be significant, consistent with NPPF paragraph 80.
19. There is clearly an identifiable need to improve accommodation choices for older persons in this part of North Norfolk, including those needing care for conditions such as dementia. This has been reflected in notable local support for the scheme. The appeal proposal would therefore have a significant social benefit in meeting a much-needed form of accommodation.

Conclusion

20. Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The proposal would result in significant environmental and social harms due to its poor design which would fail to improve the character and quality of the locality and its unsatisfactory provision of suitable amenity space. These harms mean the proposal would be contrary to relevant and up-to-date development plan policies which are most important for determining the proposal. The NPPF, as an important material consideration, is also clear at paragraph 130 that permission should be refused for poor design that fails to take the opportunities available for improving the character and quality of an area.
21. Whilst the location is deemed appropriate for care home provision and there would be significant social and economic benefits, these are cumulatively insufficient material considerations to outweigh the significant harms arising from a proposal that would be contrary to the requirements of the development plan and national policy to achieve well designed places and create high quality buildings and places. Consequently, permission should not be granted.
22. I have taken into account all other points raised but there is nothing before me that persuades me other than that the appeal be dismissed for the reasons given.

David Spencer

Inspector.