The Planning Inspectorate

Appeal Decision

Site visit made on 4 August 2020

by Chris Forrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date:13 October 2020

Appeal Ref: APP/G2815/W/20/3252291
Highmead House, 153 Finedon Road, Irthlingborough, Wellingborough, Northamptonshire NN9 5TY

- 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 Mrs J Waller against the decision of East Northamptonshire District Council.
- The application Ref 19/01413/FUL, dated 10 July 2019, was refused by notice dated 4 March 2020.
- The development proposed is an extension to provide five 2-bed and two 1-bed extra care units for independent living.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:-

(i) the effect of the development on highway safety with particular regard to the level of parking provision;
(ii) the effect of the development on the character and appearance of the area;
(iii) the effect of the development on biodiversity; and
(iv) the effect of the development on the living conditions of the occupiers of the existing residents of the care home.

Reasons

Parking

3. As noted by the Council, and what I observed at my site visit, there are currently 16 parking spaces at the site which are located alongside the access driveway or within a small parking court. Notwithstanding that, the application form indicates that there are 22 parking spaces at the site, with the proposal increasing this to 36 spaces. However, the submitted drawings do not show where any of the parking spaces are, or would be, should the proposal gain planning permission.

4. The application form indicates that there are 33 full time members of staff and a further 6 part time staff members. The guidance contained within Northamptonshire County Councils Parking Standards document (2016) (NPS), sets out that for a residential home there should be a minimum of one parking

space per full time equivalent member of staff plus one visitor space for every three bedrooms. Whilst the number of bedrooms in the existing care home is not specified, it would appear that there is currently a technical shortfall in the number of parking spaces associated with the existing care home. However, that is an existing shortfall and is not directly related to the proposal before me. That said, even if no additional parking spaces are needed for staff, there would be a need for at least 4 extra visitor spaces.

5. From the submitted plans, it is highly likely that two of the current spaces in the parking court would be lost to provide further vehicular access to the proposed extra care units should any additional parking spaces be provided.

6. Given the layout of the appeal development, and the distinct lack of detail on the site plan in respect of parking provision, it is unclear how any replacement or indeed additional parking spaces could be provided in an acceptable manner given the location of the extra care units, the shape of the site, and the need to ensure that there is a suitable turning facility.

7. I am also mindful that, given that the proposal is intended to be for assisted living apartments, this type of accommodation supports a more independent style of living albeit with some care being provided. As such, the proposal may well generate the need for parking spaces for the occupiers of each of the extra care units.

8. Taking all of the above into account, and from the very limited information before me, the proposal fails to demonstrate that adequate parking facilities could be provided for the future occupants of the extra care units when taken as a whole with the existing development.

9. Whilst I note that as part of their appeal submissions, the Appellant has suggested that there is already adequate parking provision at this site, it is also been asked that a planning condition be applied to demonstrate the additional parking within the site is viable/possible. However, I consider that in the absence of sufficient information or detail to demonstrate that it would be possible to provide the required number of spaces, it is not appropriate to impose such a planning condition.

10. For the above reasons the proposal does not demonstrate that adequate parking facilities would be provided for the development. In the absence of such information, the proposal would be contrary to the transportation aims of the National Planning Policy Framework (the Framework) and the guidance contained within the NPS which amongst other matters seeks to ensure that developments are provided with a suitable amount of parking provision.

Character and appearance

11. The appeal site is located on the south side of Finedon Road which largely consists of residential and educational uses within the vicinity of the site. To the south of the site is open countryside. The prevailing form of development in the area is that of properties which directly front onto the road. That said, the nearby college is largely located to the rear of the existing housing.

12. The part of the site where development is proposed is located to the rear of the existing care facility on an area which is largely laid to lawn. There are several trees on the site, together with temporary buildings and garden structures. The

appeal proposal would introduce further living accommodation in the form of seven new 'apartments' to provide extra care units for independent living.

13. Taking the existing built form in the area into account, and the fact that the proposal is linked to the existing care facility which fronts onto the road, I consider that the location of the development would not give rise to any significant harm to the character and appearance of the area in principle.

14. However, the proposal seeks to maximise the number of new units and the plans provided with the application provide little detail of how the development would be assimilated with the existing facility or how the parking arrangements would be provided.

15. In addition to the above, the site contains a number of mature trees which would be removed to facilitate the proposed development. The Tree Survey Report (dated December 2019) identifies that several of the trees are classed as category A or B in terms of their retention category and from my site visit I saw that they have a great deal of amenity value. The loss of these trees, cumulatively, would have a significant negative impact on the overall character and appearance of the area.

16. Taking these factors into account, the plans fail to demonstrate that the proposal would not be squeezing to much development into the developable space available at the site, leading to the impression that the proposal would be an over-development of the site.

17. For the above reasons the proposal would harm the character and appearance of the area contrary to Policies 3 and 8 of the North Northamptonshire Joint Core Strategy 2011-2031 (2016) (NNJCS) which amongst other matters seek to ensure that development responds to the sites immediate and wider context and is sensitive to its landscape character. It would also conflict with the overarching design aims of the National Planning Policy Framework (the Framework).

Biodiversity

18. As noted above, the proposal would result in the loss of several trees which contribute to biodiversity in the area and Policy 4 of the NNJCS requires a net gain in biodiversity.

19. The appeal documentation indicates that the land around the proposed care units would be turfed. In that sense, given that the majority of the appeal site is already turfed, there would be a clear loss of biodiversity as a result of the proposal.

20. Given the loss of a great many of the trees on the appeal site, and the very limited information within the appeal proposal on how a net gain in biodiversity could be achieved, I consider that the proposal would not provide the necessary enhancements required by Policy 4.

21. Whilst a scheme to enhance biodiversity could be sought via a suitably worded planning condition, this pre-supposes that such an enhancement could be made. Given the siting of the proposed care units, and the loss of several trees (including the trees along the rear boundary) I consider that this would not be an appropriate method to ensure that biodiversity is not harmed. With that in mind, I find that the proposal would result in an unacceptable loss of

biodiversity and would be in conflict with Policy 4 of the NNJCS and the overarching aims of the Framework.

Living conditions

22. The appeal site forms part of the garden area to the existing care home. That said, it is noted that there is a garden area to the side of the rear projection of the existing facility. However, the proposal would result in a significant loss of the amount of the available garden area, albeit that this appears to be an under-utilised space.

23. When considering this matter in isolation to the other main issues, I consider that there would be a sufficient amount of garden space for all existing and future residents. However, this assumes that there would not be a need for additional parking spaces in the area between the buildings and the rear of the current building or there were no issues relating to the loss of trees. Given my conclusions above, these issues only serve to highlight that the proposal represents an over-development on the site.

24. On this basis, the proposal fails to demonstrate that there would not be an unacceptable level of harm the living conditions of the occupiers of the existing facility. That said, the level of harm would not be severe. Nevertheless, some harm would result.

25. For the above reasons the proposal would harm the living conditions of the existing occupiers of the care facility contrary to Policy 8 of the NNJCS which amongst other matters seek to ensure quality of life and healthier communities by protecting the amenity of the occupiers of existing properties. It would also conflict with the overarching design aims of the National Planning Policy Framework (the Framework).

Conclusion

26. Taking all matters into consideration I conclude that the appeal should be dismissed.

Chris Forrett

INSPECTOR