
Appeal Decision

Site visit made on 3 February 2021

by Neil Pope BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 February 2021

Appeal Ref: APP/F0114/W/20/3260852

Treetops Nursing Home, St. Clements Road, Keynsham, BS31 1AF.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by UKS Ltd against the decision of Bath & North East Somerset Council.
 - The application Ref.20/01277/OUT, dated 1/4/20, was refused by notice dated 21/8/20.
 - The development proposed is the redevelopment of the existing care home to provide a 57 bedspace replacement care home, associated parking and hard/soft landscape works (agreed amended description).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Matters relating to appearance and landscaping have been reserved for subsequent consideration.
3. The application was originally made for a replacement 76 bedroom care home but was amended prior to the Council's determination. I have determined the appeal on the basis of the amended description for a 57 bedroom care home.
4. The Council, having reviewed its decision, has informed me that the concerns set out within its fifth reason for refusal (drainage) could be addressed by way of a planning condition. It has withdrawn this reason for refusal.

Main Issues

5. The two main issues are: firstly, the likely effect of the proposed buildings upon the character and appearance of the area, including the setting of Keynsham and the Keynsham Conservation Area (CA), as well as the visual amenity of the Bristol and Bath Green Belt (GB) and; secondly, whether the proposed layout would allow for good design, with particular regard to the arrangements for motor vehicles and areas for landscaping, including outdoor amenity space.

Reasons

Planning Policy

6. The development plan includes the Bath and North East Somerset Core Strategy (CS) adopted in 2014 and the Bath and North East Somerset Placemaking Plan (PP) adopted in 2017. The most important policies to the determination of this appeal are: CS policy CP6 (environmental quality) and; PP

policies H1 (housing for the elderly), HE1 (historic environment¹), GB1 (visual amenities of the GB²), NE2 (landscape), NE2A (landscape setting of settlements³), D2 (local character), D4 (streets and spaces) and D6 (amenity).

7. My attention has also been drawn to the Local Plan Partial Update Options Consultation (eLP) January 2021. This Plan is at an early stage and has only limited weight.
8. In determining this appeal, I have also had regard to the Keynsham Conservation Area Appraisal (CAA) dated 2016. This document has been subject to a process of stakeholder consultation and can be given moderate weight. Amongst other things, it identifies the special qualities of the CA, as well as key or significant views and significant panoramas.
9. The National Planning Policy Framework (the Framework) and the National Design Guide (NDG) are important material considerations that carry substantial weight.

Public Benefits of the Proposal

10. The proposed development would help meet the housing and care needs of the aging population. It would increase the stock of homes within the district and the choice of housing available for some local people. Significant employment opportunities would be created (approximately 50 full-time equivalent jobs) and during the building phase there would be some support for the construction industry. The proposal would also entail the more efficient use of a 'brownfield' site and would be well-related to other services and facilities. These social, economic and environmental benefits carry considerable weight.

Effect of the Proposed Buildings upon the Character and Appearance of the Area

11. This 0.23 ha triangular shaped site lies within the built-up area of Keynsham. The three storey Keynsham Health Centre, including its car park, is situated to the north. The open countryside is to the south and east, with residential areas to the west. The site includes a 1960s one and two storey building that is unoccupied and was previously used as a 30 bedroom nursing home. Overall, this part of Keynsham has a pleasant suburban character.
12. The proposed replacement care home would comprise three separate building blocks to provide a care home for elderly residents, a nursing home facility and a care home for patients with mental health illnesses or dementia. These new flat and mono-pitched roof buildings would all be the same height. They would be much taller than the existing care home but would be lower in height than the health centre alongside. I note that the scale of the proposed buildings has been reduced in height in an attempt to overcome the Council's concerns.
13. The site would continue to be accessed from St. Clements Road, with parking retained along the frontage and additional parking within the centre of the site. Small pockets of external amenity space would be provided around the new buildings and some private garden space would be available for residents.

¹ The site lies outside but is immediately adjacent to the CA.

² The site lies outside the GB but is visible from parts of it.

³ The appeal site is immediately adjacent to the landscape setting of Keynsham as identified within the PP. The site is not identified in any of the strategic viewpoints.

14. The proposed development would be readily visible from the public domain. This includes from within the neighbouring residential streets, as well in views towards Keynsham from across the River Chew Valley to the east and south east. By virtue of the three storey height of the replacement care home and its likely massing, the proposal would be more noticeable within its immediate and wider settings. However, when seen from St. Clements Road and neighbouring streets to the west, the new buildings would not be unduly tall, with the mass and height sitting comfortably alongside the neighbouring health centre. There would be no interruption to any important views or harm to any street scene.
15. In views from the east and south east, including from within the GB, the proposed buildings would extend considerably above the height of the existing stone boundary walls. However, the proposal would be lower in height than the neighbouring health centre and would not break the skyline. As noted within the appellant's Landscape Visual Appraisal, the use of recessive colours in the external materials/finish of the proposed buildings, together with the windows (all to be considered as part of the reserved matters) would assist in breaking up the mass of the new buildings. The proposed buildings would not appear bulky or out of character with their surroundings.
16. The proposal would be seen against the backdrop of Keynsham and would be softened by new tree planting. The new buildings would not be especially prominent within any public views. They would be read as part of the townscape and would not detract from the landscape attributes of the River Chew Valley. The proposed buildings would not diminish the quality of public views⁴ or erode the landscape setting of Keynsham or detract from the extensive visual amenities of the GB. Moreover, there is no cogent evidence to demonstrate that the proposal would have any adverse effect upon the ability to appreciate or understand the special qualities or significance of the CA.
17. I conclude on the first main issue that the proposed buildings would not harm the character or appearance of the area, including the setting of Keynsham or the CA, or the visual amenity of the GB. These new buildings would accord with the provisions of PP policies HE1, GB1, NE2, NE2A and D2.

Layout (Vehicles and Landscaping, including Outdoor Amenity Space)

18. CS policy CP 6 includes a requirement for new development to be designed to a high quality. Under PP policies D4 and D6, there are requirements for car parking not to dominate the design of a development and for adequate and useable private or communal amenity space to be provided. In addition, PP policy H1 requires, amongst other things, garden / outdoor spaces to meet the needs of residents, having regard to best practice⁵. These policies are consistent with the provisions of the Framework that are aimed at achieving well-designed spaces, including good layout, appropriate and effective landscaping, as well as securing a high standard of amenity for future users.
19. The proposed layout shows provisions for 14 staff car parking spaces, 17 visitor parking car spaces and 2 disabled parking spaces. I appreciate that many people working in the care home and those visiting residents of the care home

⁴ Including the significant views and significant panoramas identified within the CAA.

⁵ Housing our Ageing Population Plan for Implementation (HAPP12) Report (2012). All Party Parliamentary Group on Housing and Care for Older People.

may wish to travel by car. I also note the concerns of some local residents regarding the potential increase in traffic and pressure for on-street parking.

20. However, the site is well-related to housing⁶, services and facilities, including public transport and rights of way. As noted within the appellant's Transport Statement, this is "*a highly sustainable location*". Whilst also noting the Council's parking standards, it is unclear why so many car parking spaces are required. Even if 33 car parking spaces could be justified, the staff car parking would occupy much space within the centre of the site. Together with the row of visitor parking in front of the buildings, the proposal would have very significant areas of hardstanding and would convey the impression of a layout heavily influenced by car parking. This would not amount to good design.
21. In addition to the above, the 'footprints' of the three sizeable new buildings would result in limited space for landscape planting to soften the impact of the development. The remnant spaces for tree planting would be very close to the new buildings and could result in them being perceived as a nuisance, not least due to the likely effects of shadowing and leaf litter. In time, there could be pressure to undertake extensive works to these trees or to seek their removal. If this were to arise, it would result in a rather hard and inappropriate urban development. This aspect of the layout would also not amount to good design.
22. The proposed private garden spaces would also be of limited size⁷ and would be located at the end of the staff car parking area. Whilst some occupants of the proposed buildings are likely to require assistance when walking or be poorly, it is no less important to their well-being for them to have attractive and useable outdoor amenity space to look at, or relax and/or exercise in. Such spaces can also be comforting for visitors to use when seeing friends or relatives in care homes. Even allowing for balconies that may be provided as part of the reserved matters, the proposed private garden spaces are rather mean and would be unlikely to provide a high standard of amenity for future users.
23. I conclude on the second main issue that the proposed layout, by virtue of the car parking arrangements and areas intended for landscaping and private garden spaces would not allow for good design. This would conflict with the provisions of CS policy CP6 and PP policies H1, D4 and D6 and the objectives of the Framework and the NDG for securing high standards of design.

Other Matters

24. The development plan also requires provision for sustainable construction and on-site renewable energy production, including roof-mounted solar panels. Whilst no sustainable construction checklist or energy statement has been submitted, appearance is a reserved matter. The overall design has yet to be finalised and it is not unreasonable to expect such a checklist and statement to be submitted at a later stage. The extent of the proposed flat roof area of the new buildings strongly suggests that there is adequate scope to meet the renewable energy requirements of the development plan. These matters could be addressed by way of suitably worded planning conditions, such as those (Nos. 15 and 16) suggested by the Council.

⁶ The proposed layout includes covered parking for 16 bicycles.

⁷ Whilst the appellant has calculated that this would amount to 583m², it would be considerably smaller than the existing layout which accommodates significantly fewer bedspaces.

25. I note the concerns of some local residents regarding the traffic that would be associated with the proposal. Having carefully considered the matter, including the appellant's Transport Statement, the Council did not withhold permission on highway grounds. Although local residents are very familiar with traffic conditions on the local road network, there is no technical or other cogent evidence to demonstrate that the proposal would compromise highway safety interests or result in any significant increase in congestion.

Overall Conclusion

26. The proposal would deliver some important public benefits and the new buildings would not harm the character or appearance of the area. However, neither this nor any support derived from the eLP outweighs or overcomes the concerns I have identified in respect of the proposed layout. Achieving well-designed places is an integral part of established national and local planning policies and should not be set aside in order to achieve other planning objectives. I therefore conclude overall that the appeal should not succeed.

Neil Pope

Inspector