

NURSERY ROAD

Gas Gov

11.6m

11.6m

Nursery

TCBs

Car Park

PEREGRINE ROAD

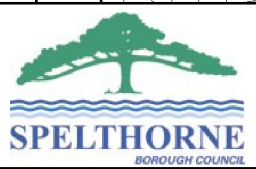
FALCON WAY



1:1,250

16/00560/FUL
Land to west of 26 & 28 Peregrine Road and 181 Nursery Road
(Formerly 187 Nursery Road) Sunbury

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Planning Committee

01 June 2016



Application Nos.	16/00560/FUL		
Site Address	Land to the west of 26 and 28 Peregrine Road and 181 Nursery Road (formerly 187 Nursery Road), Sunbury		
Proposal	Erection of a detached two-storey building for the purposes of special needs housing (Use Class C2) together with associated entrance gates, access, parking and landscaping. As shown on plan nos.' L2321/03; / 04A; 07G; /10A; /11A; /13; /14A; /16 and L1774/LPA received 31 March 2016.		
Applicant	Mr C. Hamilton (London Care Partnership)		
Ward	Halliford and Sunbury West		
Call in details	This application has been called-in by Councillor Evans on the grounds that <i>"overwhelming need for facilities of this nature overrides the marginal infringement of the Green Belt noting that smaller facility to fit the existing footprint would not be operationally viable."</i>		
Case Officer	Paul Tomson		
Application Dates	Valid: 31.03.2016	Expiry: 26.05.2016	Target: Over 8 weeks
Executive Summary	<p>This application seeks the erection of a detached building for the purposes of special needs accommodation (Use Class C2). The building will comprise 8 bedrooms, 2 lounges, dining room, kitchen, office and other associated facilities. It will cater for up to 8 people.</p> <p>The site is located within the Green Belt. The proposed development constitutes <i>'inappropriate development'</i> in the Green Belt and will cause an unacceptable loss of openness. Whilst there is a planning permission on the site for a new dwellinghouse, the proposed building and its associated plot will be substantially greater in scale and it is not considered there are any <i>'very special circumstances'</i> that would outweigh the substantial harm to the Green Belt.</p>		
Recommended Decision	This application is recommended for refusal		

MAIN REPORT

1. Development Plan

1.1 The following policies in the Council's Core Strategy and Policies DPD 2009 are considered relevant to this proposal:

- EN1 (Design of New Development)
- CC3 (Parking Provision)

1.2 The following saved policy of the Spelthorne Borough Local Plan 2001 is considered relevant to this proposal:

- GB1 (Green Belt)

2. Relevant Planning History

95/00296/FUL	Erection of detached two-storey dwelling and double garage with a gross floorspace of 215m ² .	Approved 16/08/1995
99/00815/FUL	Renewal of planning permission PA/95/0815 for the erection of a detached two-storey dwelling and double garage with a gross floorspace of 215 square metres.	Approved 08/02/2000
04/01131/FUL	Renewal of planning permission PA/95/0815 (originally approved under PA/95/0296) for the erection of a detached two-storey dwelling and double garage with a gross floorspace of 215 square metres.	Approved 24/01/2005
09/00754/REN	Renewal of planning permission (ref. no. 04/01131/FUL) which was original approved under PA/95/0296 for the erection of a detached two-storey dwelling and double garage with a gross floorspace of 215 square metres.	Approved 22/12/2009
12/01176/REN	Renewal of planning permission (09/00754/REN) which was originally approved under PA/95/0296 for the erection of a detached two-storey dwelling and double garage with a gross floorspace of 215 square metres.	Approved 19/10/2012
16/00054/FUL	Erection of a detached two-storey building for the purposes of special needs accommodation (Use Class C2) together with associated entrance gates, access, parking and landscaping.	Withdrawn 11/04/2016

- 2.1 It can be seen from the above planning history that planning permission was originally granted in 1995 for the erection of a detached house and garage with a gross floorspace of 215 sqm. That consent was not implemented and the applicant has reapplied to renew the permission several times. The last planning permission to be renewed and granted was 12/01176/REN granted on the 19th October 2012. This permission was valid for a period of 3 years expiring on the 19/10/2015. In order to keep this permission alive the applicant has installed the foundations (i.e. commenced the development) and discharged a number of conditions attached to that consent. Whilst no further building works to the house has been carried out, the Council is satisfied that the 2012 planning permission has not expired and that the development has commenced. It was noted at the site visit that some construction works have been implemented regarding the laying of the access road from Nursery Road.
- 2.2 Planning application 16/00054/FUL was for an identical scheme to the current proposal. It was withdrawn because the Council informed the applicant that the proposal was unacceptable on Green Belt grounds and would be refused.

3. Description of Current Proposal

- 3.1 The application relates to an area of open land located to the west of 26 & 28 Peregrine Road and 181 Nursery Road in Sunbury. I understand that the site originally formed part of a larger nursery site that included the land further to the west. There are some remnants of old greenhouses to the west of No. 201 Nursery Road, and many years ago there existed a house known as 187 Nursery Road. However, that particular house has not existed for a considerable period of time. Much of the site is covered with trees and other vegetation. Whilst there has been some site clearance and work on laying an access road, viewed from the surrounding area the site appears free of development and is characterised by trees and other vegetation. The application site is accessed from Nursery Road and comprises 0.33 hectares. The site is located within the Green Belt.
- 3.2 The proposal involves the erection of a detached two-storey building for the purposes of special needs housing (Use Class C2) together with associated entrance gates, access, parking and landscaping. The proposed building will measure 18.7m in width, 11.9m in depth and up to 7.8m in height. The external walls will be faced in multi-stock brickwork, whilst the roof will be laid with slates. The care home will accommodate up to 8 persons. A staff bedroom and office is provided within the building. 4 no. off-street parking spaces will be provided. The applicant states that:

“London Care Partnership is unique in the provision of specialist residential support; being the only provider solely catering for young individuals with autism, learning disabilities and complex needs locally and throughout West London.”

“The residential option that London Care Partnership propose is not a one-size fits all and is only an appropriate choice for some individuals. These individuals are likely to be the most disadvantaged and inappropriately

supported at the time of referral. Virtually all placements are young adults transitions coming from education establishments where there are few specialist move-on options. London Care Partnership have a 100% success rate in supporting all individuals with no placement breakdowns to-date.

Surrey would be offered first option on any placement at the Nursery Road site as demand for provision far exceeds any supply locally. This is a major benefit to the young local eligible individuals and their families.”

3.3 Members may be aware that London Care Partnership operate a similar facility at the care home in School Walk in Sunbury (adjacent to the Scouts and Guides building), which was approved under 12/01277/FUL on 19 February 2013.

3.4 Copies of the proposed site layout, floor plans and elevations are provided as an Appendix.

4. Consultations

4.1 The following table shows those bodies consulted and their response.

Consultee	Comment
County Highway Authority	No objection subject to a condition.
Environmental Health (Pollution)	No objection subject to a condition relating to contaminated land.
Surrey Wildlife Trust	No objection
Tree Officer	Raised concern about the potential loss of trees. Has requested the applicant submits a woodland management plan to clarify the extent of clearance and future aims.
Thames Water	Any comments will be reported orally at the meeting. Did not raise any objection to the previous (identical) application 16/00054/FUL)

5. Public Consultation

39 neighbouring properties were notified of the planning application. No letters of objection had been received.

6 Planning Issues

- Green Belt
- Impact on neighbouring properties

7 Planning Considerations

Green Belt

- 7.1 Section 9 of the NPPF sets out the Government's policy with regard to protecting Green Belt Land. It states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The policy is similarly reflected in the Council's Saved Local Plan Policy GB1.
- 7.2 The proposal involves the erection of a new two-storey building to provide special needs accommodation. The NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Although the NPPF does list a limited number of exceptions at paragraphs 89 and 90, the proposed new building on the application site does not fit into any of these categories. Accordingly, the proposal constitutes "*inappropriate development*" in the Green Belt. The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. '*Very special circumstances*' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 7.3 The proposed development is considered to cause a substantial loss of openness to the Green Belt. The new building is substantial in scale measuring some 18.7m in length and 11.9m in depth, and is two-storey in scale. The proposed building will effectively result in built-up area of Sunbury being extended into the Green Belt by some 27m, and reduce the already narrow strip of open land between Sunbury and Upper Halliford. Up until recently the site was free of any development and was covered with trees and other vegetation. It is also considered that the access road, parking spaces (and associated parked vehicles), fencing, paving areas and other associated development will diminish the openness of the Green Belt. The creation of a substantial new plot to be used for Use Class C2 purposes on land which was open and free of development would conflict with the purposes of including land in the Green Belt. Three of the five purposes of the Green Belt are particularly pertinent to this case: "*to check the unrestricted sprawl of large built-up areas*"; "*to prevent neighbouring towns merging into one another*, and "*to assist in safeguarding the countryside from encroachment*". The proposal would effectively reduce the existing Green Belt gap between the built-up areas of Sunbury and Upper Halliford, which at this point is currently only 180 metres, and because of its limited extent is of particular importance.
- 7.4 The proposal is also considered to cause harm to the visual amenities of the Green Belt. The site and surrounding open land is visible from the elevated section of Nursery Road and Upper Halliford Road. Although there is hedging alongside the pavements, there are public views down towards the site and the houses in Peregrine Road. The proposed building will be visible above the existing trees and detract from the current outlook create a more built-up appearance to the area. The upper part of the building will also be visible from

the public amenity area situated between 10 – 26 Peregrine Road and 28 – 44 Peregrine Road.

7.5 The applicant has set out some considerations in support of the application and they consider these justify the development in the Green Belt. These considerations are summarised below. I have then responded to each point: -

1. The proposed development should be assessed in the context of the extant planning permission, which has been lawfully implemented. With that in mind, the proposed development could be legitimately treated as a proposal for a replacement building or buildings with a residential use. It should therefore be deemed acceptable in accordance with Green Belt policy.

Response

Only the footings of the approved dwelling house granted in 2012 have been laid. Moreover, the planning permission is for a dwellinghouse (Use Class C3), whilst the proposed building is for a care home (Use Class C2) and which is substantially bigger. The proposal is not therefore replacing an existing building, is not within the same use, and does not accord with Green Belt policy.

2. The proposed dwelling house for use as special needs housing will have a similar footprint, floor area and volume to the previously approved and currently implemented planning permission. Therefore the proposal should be deemed equally acceptable in Green Belt policy terms and the need to demonstrate very special circumstance should not be necessary.

Response

The proposed building is substantially greater in footprint, floorspace and volume compared to the approved dwellinghouse, as shown in the table below. Moreover, the proposed plot with its associated boundary fencing is substantially greater. The impact on the openness of the Green Belt will therefore be significantly greater.

	Footprint	Floorspace	Volume	Plot Size
Approved House (12/01176/REN)	92 sqm	179 sqm	546 m3	0.16 ha.
Approved House and Garage (12/01176/REN)	128 sqm	215 sqm	661 m3	0.16 ha.
Proposed Building	198 sqm	375 sqm	1240 m3	0.33 ha.

3. There would be no material difference between the implemented planning permission and the proposed development. The consequential impacts established by the implemented planning permission would be similar in respect of the proposed development.

Response

As demonstrated by the figures above, there will clearly be a substantial material increase in the scale of the new building compared to the approved house. The proposed footprint will be 55% greater than the approved house and garage. The proposed floorspace is 74% greater. The proposed volume is 88% greater. Furthermore, the average width of the proposed plot will be 46m, whilst the average width of the approved dwelling plot is 23m. Consequently, the proposed plot is approximately double the size.

4. Policy HO4 of the Core Strategy and Policies DPD states that there is a need for up to 400 units of extra care housing in Spelthorne by 2026.

Response

The extra care housing referred to in Policy HO4 of the Core Strategy and Policies DPD relates to the needs of older people. Indeed, the Policy states that The Council will ensure that the size and type of housing reflects the needs of the community by:

“b) encouraging the provision of housing designed to meet the needs of older people including the provision of 400 units of extra care housing on suitable sites over the period 2006 to 2026.”

The Core Strategy makes clear that all housing identified in the plan (of which the 400 is part) can be met within the urban area. Whilst the importance of special care facilities is recognised, no explanation has been given why a facility cannot be provided in the urban area as is the case of the proposal at School Walk. No evidence has been submitted to show a suitable site could not be found in the urban area.

5. The proposed development would fulfil an important sustainable objective in that it would deliver a dwelling unit for special needs housing accommodation through the re-use of a previously developed site.

Response

The site is not considered to constitute “*previously developed land*” as defined in Annex 2 of the National Planning Policy Framework. The site has been free of development for many years. No justification has been given why the proposed use needs to be in the Green Belt.

6. The proposal would deliver significant economic, social and community, and sustainability benefits.

Response

Whilst it is noted that the proposed development will provide some economic, social and community and sustainability benefits, these would equally apply to a site in the urban area. These points have no added justification for the development in terms of justifying the unacceptable harm to the Green Belt, or why such provision cannot be made in the urban area.

7. If planning permission is not granted, the site would continue to operate as it has done with various dilapidated buildings and overgrown trees and hedges.

Response

A site visit carried out by the planning officer on the 22/03/2016 did not reveal the existence of any old buildings. The tree cover is of merit and the Council's Tree Officer recommends a Woodland Management Plan.

- 7.6 To conclude, the development constitutes inappropriate development in the Green Belt and this, in itself, weighs heavily against the merits of the scheme. In addition, the proposal results in a reduction in the openness of the Green Belt, and will harm the visual amenities of the Green Belt. The development will conflict with three of the five core purposes of the Green Belt in paragraph 80 of the NPPF, namely to check the unrestricted sprawl of large built areas, to prevent neighbouring towns merging into one another, and to assist in safeguarding the countryside from encroachment. The NPPF para 88 requires 'substantial weight' to be given to this harm. No 'very special circumstances' have been put forward by the applicant to weigh against the 'significant harm'. Indeed, there is no evidence why the proposal should be built in the Green Belt. The proposal is therefore contrary to the Section 9 of the NPPF and saved Local Plan Policy GB1

Other Matters

- 7.7 There will be a separation distance of 14m from the proposed building and the neighbouring dwelling of 26 Peregrine Road. The separation distance between the new building and 28 Peregrine Road will be 19m. There is a 3m high brick wall running along the boundary and I consider the relationship with these properties to be acceptable. With regard to 181 Nursery Road, there will be a 2m – 3m wide landscape buffer between the new access road and the boundary, which in amenity terms is considered acceptable. I also consider the physical relationship with 201 Nursery Road to be acceptable.
- 7.8 The proposed building will be set back from the cul-de-sac element of Nursery Road. The care home will be faced with multi-stock brickwork and a slate roof. Taken in isolation the building is acceptable in terms of design and appearance, however in principle it is inappropriate development and visually filling part of the narrow Green Belt gap between Sunbury and Upper Halliford. I also consider the proposed entrance gates and pillars to be acceptable only in visual terms.
- 7.9 4 no. off-street parking spaces will be provided on the site, 2 of which are disabled parking spaces. The Council's minimum parking standards stipulate 5 no. parking spaces for the "first 10 residents". As only 8 residents are proposed, the proposed parking provision is considered acceptable. Given the size of the access road and turning area, there would be scope to accommodate further parked vehicles on the site if required.
- 7.10 The applicant has submitted an ecological survey which confirms that there are no bats roosting within the site. No other protected species would be

affected by the development and the site is considered to be of low ecological value. The Surrey Wildlife Trust were consulted and have raised no objection subject to conditions relating to wildlife enhancement measures and the need for a precautionary working method statement (as recommended in the report).

- 7.11 There are a number of existing trees on the site and the Council's Tree Officer was consulted on the application. The Tree Officer has raised concerns regarding the potential loss of trees as the amount of tree removal is unclear. He has therefore recommended the submission of a Woodland Management Plan to clarify the extent of clearance and future aims. If the plan was otherwise acceptable, a condition could be imposed requiring that it is implemented. I have informed the applicant of this issue and it is anticipated that the plan will be submitted prior to the meeting. I will update Members orally at the meeting.
- 7.12 Given the lack of any evidence to justify what is inappropriate development in the Green Belt, the application is recommended for refusal.

8. Recommendation

8.1 REFUSE for the following reason: -

1. The proposal represents inappropriate development in the Green Belt for which no very special circumstances have been demonstrated including no evidence why the facility cannot be provided in the urban area. It will result in the site having a more urban character, will diminish the openness and harm the visual amenities of the Green Belt, and conflict with three of the five purposes of Green Belts. It is therefore contrary to Policy GB1 of the Spelthorne Borough Local Plan 2001 and Section 9 (Protecting Green Belt Land) of the Government's National Planning Policy Framework 2012.

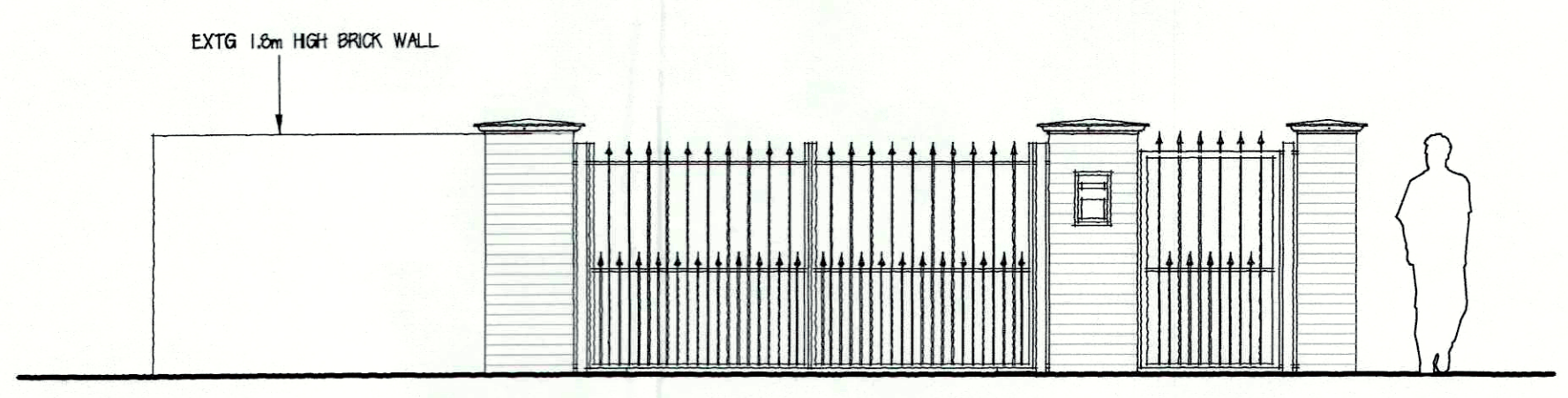
Decision Making: Working in a Positive and Proactive Manner

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included the following:-

- a) Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.

0 1 2 3 4 5
METRES

- NOTE
- 1 THE CONTRACTOR IS RESPONSIBLE FOR ALL SETTING OUT AND MUST CHECK DIMENSIONS ON SITE BEFORE WORK IS PUT IN HAND
 - 2 WRITTEN DIMENSIONS ONLY TO BE TAKEN THIS DRAWING MUST NOT BE SCALED
 - 3 THE ARCHITECT IS TO BE IMMEDIATELY NOTIFIED OF SUSPECTED OMISSIONS OR DISCREPANCIES



VEHICLE AND PEDESTRIAN ACCESS GATE STREET VIEW, scale 1:50

SITE LAYOUT ONLY - 16/00560/FUL

G GATES POST ADDED	AJ	14/01/16
F ENTRANCE GATE AMENDED, 2 CPS ADDED	AJ	13/01/16
E ENTRANCE GATE DETAIL ADDED		
D BOUNDARY TREATMENT UPDATED		
C POUL, DRAINAGE INDICATED		
B DETAILS ADDED		
A OUTLINE OF THE APPROVED BUILDING ADDED		
REVISION	CHECKED	DATE



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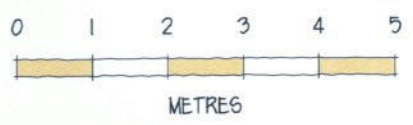
DATE: 12/01/16
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DRAWN: AJ
CHECKED:

16/00560

PROPOSED SITE PLAN

DATE NO: **L2321/07** REV: G

PROPOSED ELEVATIONS

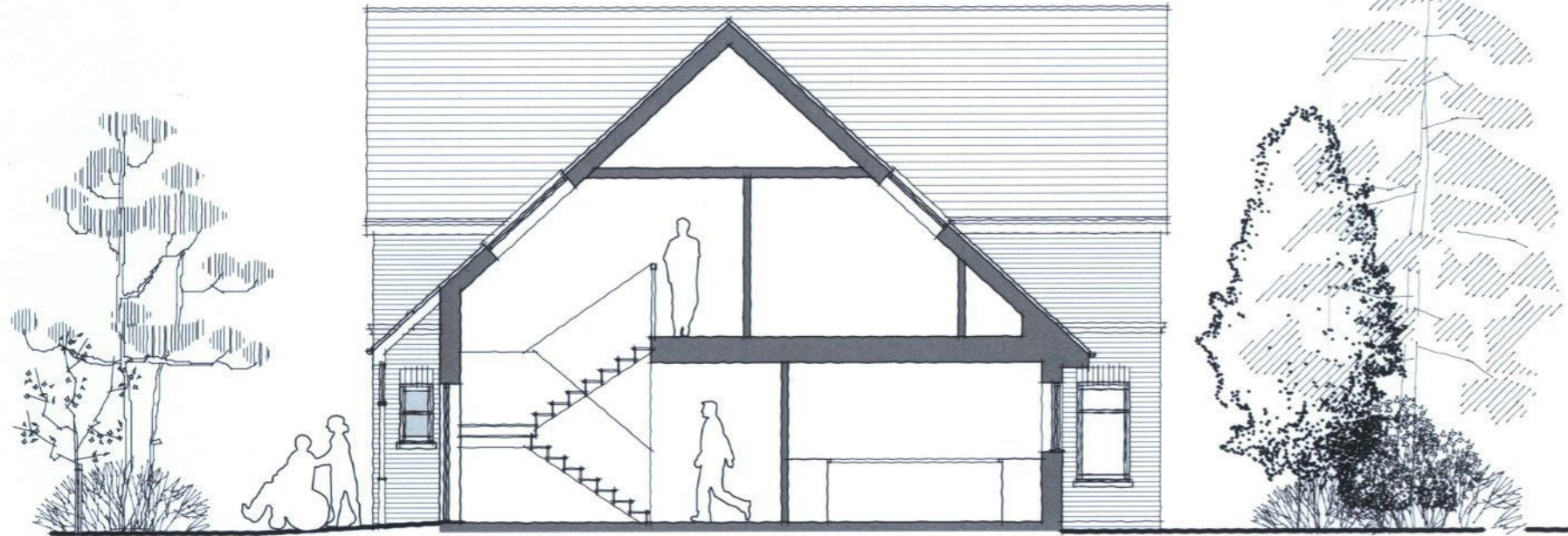


REAR ELEVATION



SIDE ELEVATION

16/00560



PROPOSED SECTION A-A



SIDE ELEVATION

EXTERNAL MATERIALS:

- ROOF - PITCHED 42.5° FINISH GLATE
- PRE-FINISHED FASCIAS, SOFFITS & BARGE BOARDS, COLOUR 'WHITE'
- DOWNPIPES & GUTTERS - BLACK PLASTIC
- WALLS - FLEMISH BOND YELLOW LONDON STOCK FACING BRICKWORK;

- PLINTH AND SOLDIERS - DARK YELLOW LONDON STOCK BRICK
- WINDOWS - TIMBER PAINTED WHITE, BATHROOMS & WCS TO BE OBSCURED GLAZING AS INDICATED
- WINDOW CILL - PLAIN TILES
- OBSCURED GLAZING SHADED THUS



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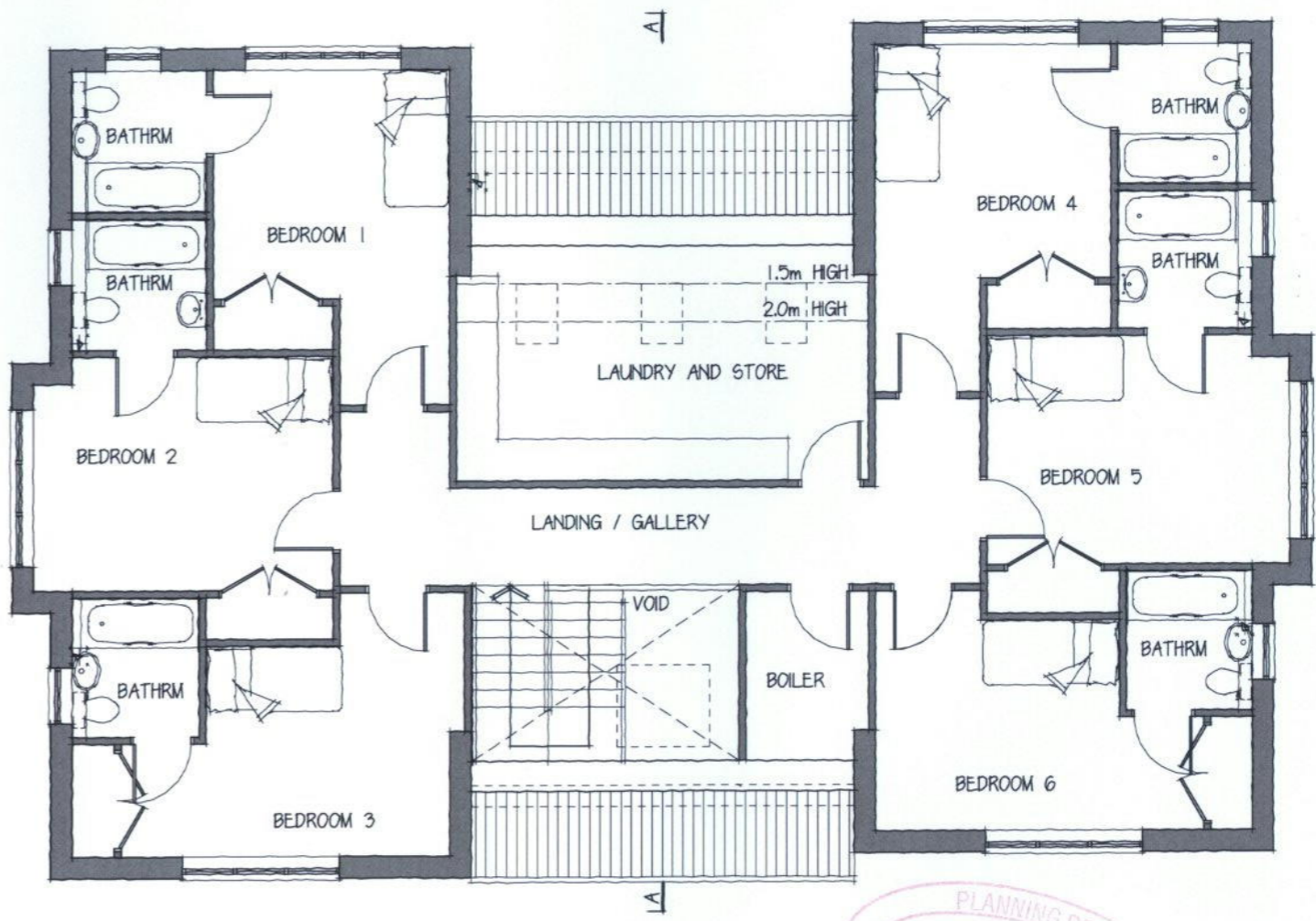
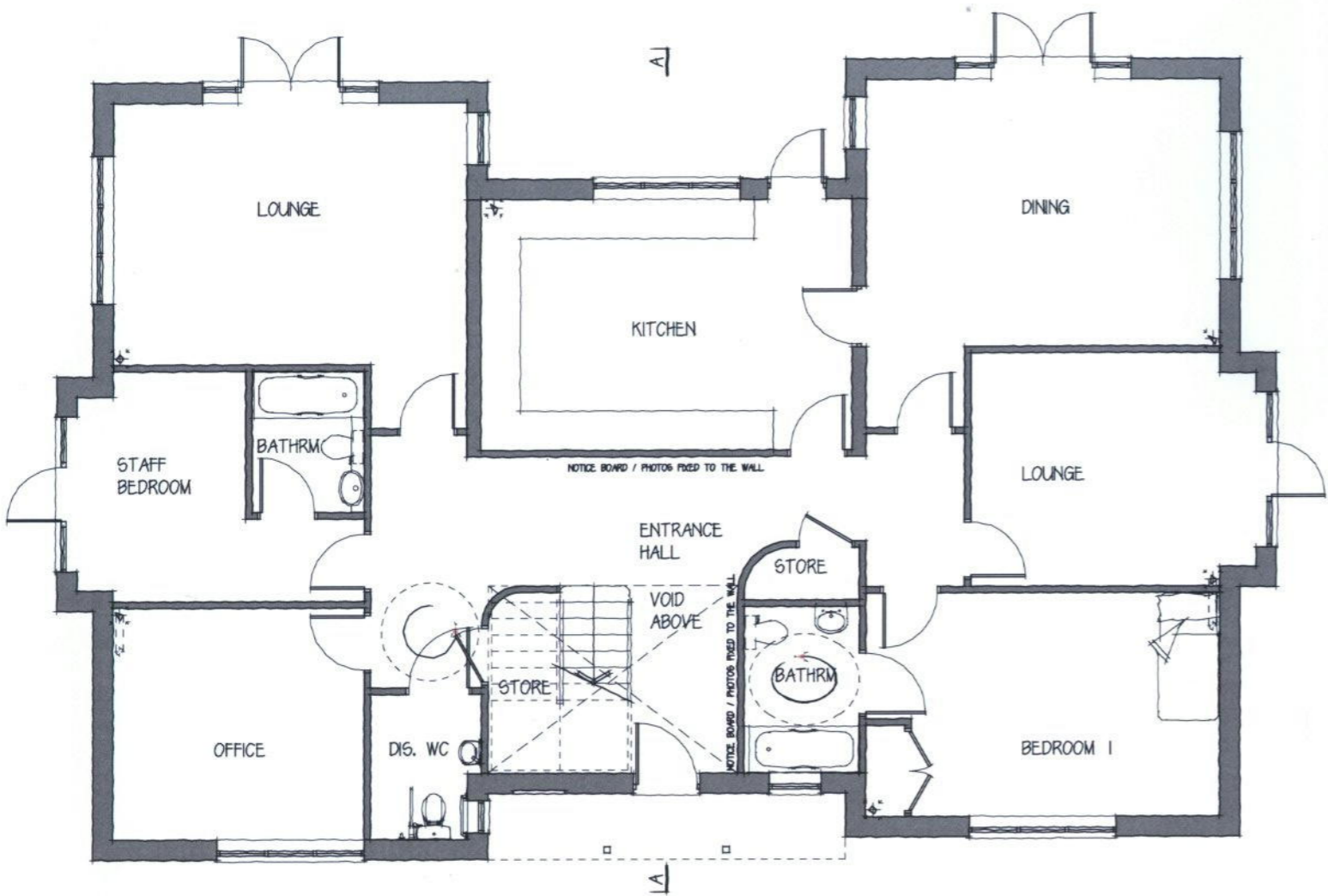
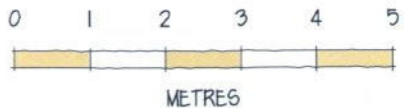
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PROPOSED DEVELOPMENT,
187 NURSERY ROAD
SUNBURY ON THAMES
PROP ELEV & SECTION A-A

DFWG No **L2321/11** REV **A**

PROPOSED FLOOR PLANS

FLOOR PLANS ONLY - 16/00560/FUL



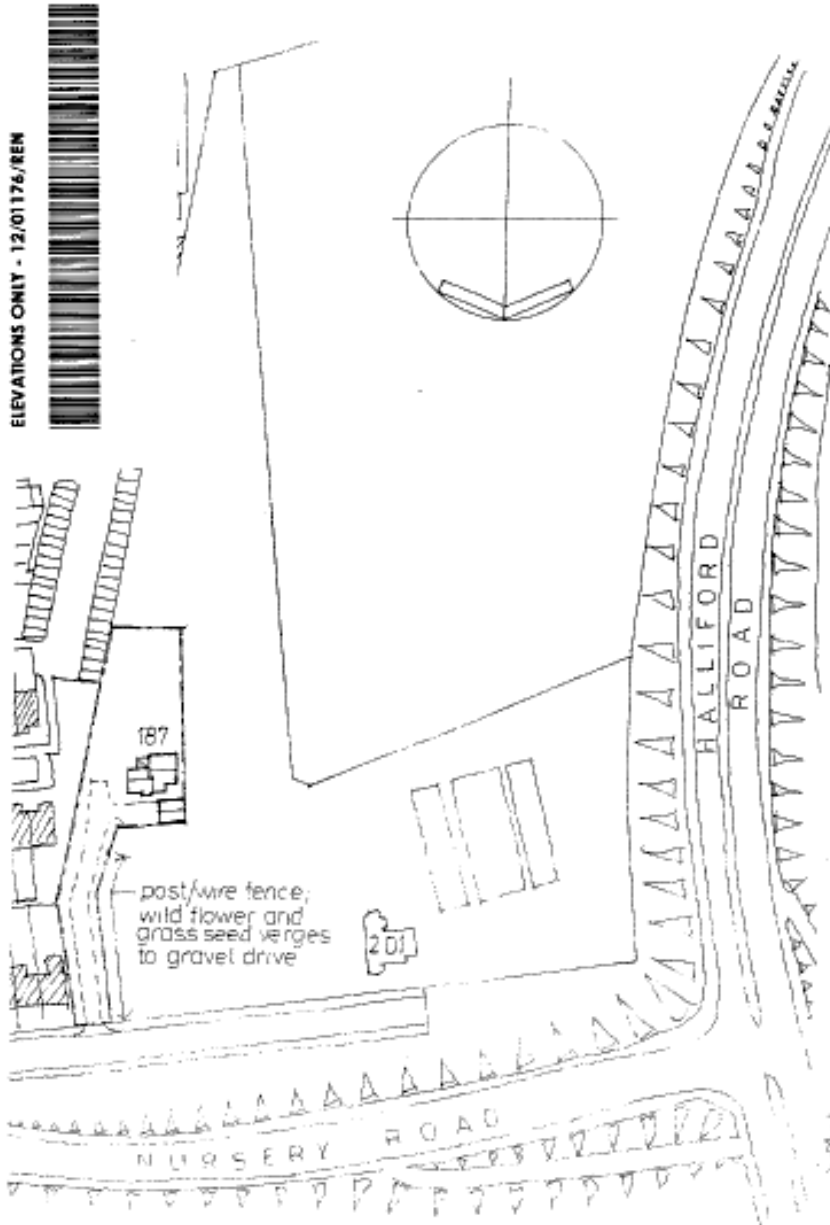
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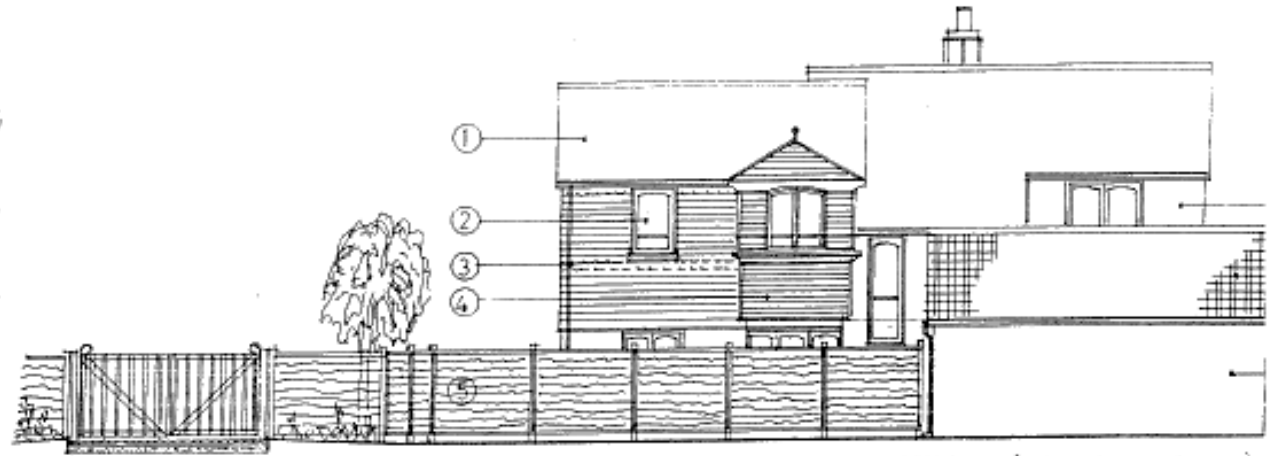
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 PROPOSED DEVELOPMENT,
 187 NURSERY ROAD
 SUNBURY ON THAMES
 PROPOSED FLOOR PLANS
 DRWG No **L2321/10** REV **A**



ELEVATIONS ONLY - 12/01176/REN



1:250 LOCATION PLAN



NORTH ELEVATION (showing boundary enclosure)

LEGEND

- 1 Marley Double Roman roof tiles at 30° pitch
Colour: Old English Dark Red.
- 2 Softwood Windows (Ebony stained) clear glazed.
- 3 Marley plain tile hanging (Colour: Dark Red) with decorative "Cotswold" bands (Colour: Antique Brown).
- 4 Softwood boarding (Grey Amber stained) with Ebony stained timber and all/string features.
- 5 Wavy fence panels/posts & gates in softwood (Grey Amber stained).
- 6 Red rustic facing bricks in yellow mortar
- 7 Black PVC rainwater goods.
- 8 Garage doors/screen gates in softwood (Grey Amber) with softwood (Ebony) faced timbers and plain tile (Dark Red) hoods.
- 9 Conservatory in mill finish aluminium clear glazed



EAST ELEVATION

12/01176

DETAIL PROPOSAL: 187 NURSERY RD, SUNBURY ON THAMES
 FOR MR C. HEW scale 1:100
 DWG NO. D15 20/004 THE DALLAS ARCHITECTURAL GROUP
 100, WINDYBUSH LANE, SUNBURY ON THAMES, MIDDLESEX, ENGLAND TW20 9LQ