

<u>No:</u>	BH2020/01824	<u>Ward:</u>	Patcham Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Patcham Nursing Home, Eastwick Close, Brighton BN1 8SF		
<u>Proposal:</u>	Conversion of existing kitchen and office space to form 4no additional bedroom units (C2) and associated works.		
<u>Officer:</u>	Joanne Doyle, tel: 292198	<u>Valid Date:</u>	09.07.2020
<u>Con Area:</u>		<u>Expiry Date:</u>	03.09.2020
<u>Listed Building Grade:</u>		<u>EOT:</u>	19.03.2021
<u>Agent:</u>	Worke & Bussell Architects Ltd 72 Summerlee Avenue East Finchley N2 9QH		
<u>Applicant:</u>	Wren Retirement Living C/O Worke & Bussell Architects Ltd 72 Summerlee Avenue East Finchley London N2 9QH		

1. RECOMMENDATION

- 1.1. That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to **GRANT** planning permission subject to the following Conditions and Informatives:

Conditions:

1. The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

Reason: For the avoidance of doubt and in the interests of proper planning.

Plan Type	Reference	Version	Date Received
Proposed Drawing	09	-	30 November 2020
Proposed Drawing	05A	-	22 February 2021
Proposed Drawing	08A	-	22 February 2021
Location Plan	100	-	9 July 2020

2. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

3. The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD14 of the Brighton & Hove Local Plan and CP12 of the Brighton & Hove City Plan Part One.

4. Notwithstanding the plans hereby approved, prior to first occupation of the development hereby permitted, a car park layout plan shall have been submitted to and approved in writing by the Local Planning Authority. This should include

details of existing and proposed cycle parking, car parking, mobility scooter parking and charging, disabled parking, visitor parking, loading bays, ambulance/ taxi pick-up and drop off, service and delivery areas for the management of all forms of parking and stopping as appropriate. The approved scheme shall be fully implemented and made available for use prior to the first occupation of the development and shall thereafter be retained for use at all times.

Reason: To ensure the development provides for the needs of all occupants and visitors to the site, to ensure the provision of satisfactory facilities for all users of the car park including pedestrians and the mobility and visually impaired and to comply with policies TR7, TR12, TR14 and TR18 of the Brighton & Hove Local Plan and SPD14 Parking Standards and CP9 of the City Plan Part One.

5. Prior to the first occupation of the development hereby approved a Parking Strategy & Management Plan, which includes details of management of:
 - Staff and visitor travel and parking;
 - Deliveries and residents' pick-ups including type of vehicle parking and frequency; shall be submitted to and approved in writing by the Local Planning Authority. All parking shall thereafter be carried out in accordance with the approved plan.

Reason: In order to ensure that the safe operation of the development and to protection of the amenities of nearby residents, in accordance with policies SU10, QD27 and TR7 of the Brighton & Hove Local Plan.

6. Noise from any plant and machinery incorporated within the development (namely the kitchen extract and exhaust) shall be controlled such that the Rating Level measured or calculated at 1-metre from the façade of the nearest noise sensitive premises, shall not exceed the existing representative L90 background noise level. The Rating Level and existing background noise levels are to be determined as per the guidance provided in BS 4142:2014.

Reason: To safeguard the amenities of the occupiers of neighbouring properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

7. Any odour control required for the kitchen extraction canopy and exhaust system shall comply with the 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' published by DEFRA and the 'Minimum requirements for Discharge Stacks' and 'Odour Arrestment Plant Performance.'

Reason: To safeguard the amenities of the occupiers of neighbouring properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.

2. SITE LOCATION

- 2.1. The application relates to Patcham Nursing Home, which is a converted barn, located on the north side of Eastwick Close. The Nursing Home (planning use class C2) is accessed via a front carpark on Eastwick Close and currently contains 30 bedspaces. The large detached property is surrounded by detached residential dwellings and is located adjacent to the South Downs National Park and designated open space areas.

3. RELEVANT HISTORY

- 3.1. **96/0433/FP-** Conservatory extension on ground floor and 1st floor extension over entrance to form 4 additional bedrooms with laundry room beneath. Approved 25.06.1996.

4. APPLICATION DESCRIPTION

- 4.1. The application seeks consent for the conversion of existing kitchen and office space to form 4no additional bedroom units and associated works. The external works would include infilling the undercroft to facilitate the relocated kitchen/office/laundry room, a change to the fenestration of the building and the installation of an extract flue.
- 4.2. The existing nursing home currently has 30 beds and proposes the additional 4no. bedrooms to address a current demand. It has been confirmed that no additional staff would be required.
- 4.3. During the course of the application revised plans have been provided to detail the extract system and proposed parking and a letter has been submitted from the District Manager.

5. REPRESENTATIONS

- 5.1. Eight (8) letters of representation have been received objecting to the proposal for the following reasons:
- Traffic and parking issues
 - Current insufficient parking
 - Block close with deliveries, ambulance and vehicles
 - Noise nuisance from deliveries
 - Building work disturbance
 - On-going issue with delivery and ambulance vehicles
 - Increasing the capacity of the nursing home will increase problems
 - Not a suitable location for a Nursing Home
 - Access and road not wide enough
 - Infrastructure is already insufficient for the current number of residents
 - Unsuitable for expansion
 - The title of application deceptive
 - Ventilation close to residential properties

- Light and noise pollution
- Conversion works will reduce the level of parking
- The property is already overdeveloped

6. CONSULTATIONS

- 6.1. **Sustainable Transport:** No objection
No objections subject to recommended conditions.
- 6.2. **Environmental Health** No objection
No objections subject to recommended conditions.

7. MATERIAL CONSIDERATIONS

- 7.1. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report
- 7.2. The development plan is:
- Brighton & Hove City Plan Part One (adopted March 2016);
 - Brighton & Hove Local Plan 2005 (retained policies March 2016);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);
 - Shoreham Harbour Joint Area Action Plan (JAAP) 2019.
- 7.3. Due weight has been given to the relevant retained policies in the Brighton & Hove Local Plan 2005 according to their degree of consistency with the NPPF.

8. RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part Two

Policies in the Proposed Submission City Plan Part 2 do not carry full statutory weight but are gathering weight as the Plan proceeds through its stages. They provide an indication of the direction of future policy. Since 23 April 2020, when the Plan was agreed for submission to the Secretary of State, it has gained weight for the determination of planning applications. The weight given to the key CPP2 policies considered in determining this application is set out below where applicable.

DM5 Supported Accommodation (Specialist and Vulnerable Needs)-
Significant weight

DM20	Protection of Amenity- Significant weight
DM21	Extensions and alterations- Significant weight
DM22	Landscape Design and Trees- Significant weight
DM33	Safe, Sustainable and Active Travel- Significant Weight
DM36	Parking and Servicing- Significant weight
DM40	Protection of the Environment and Health - Pollution and Nuisance- Significant weight

Brighton & Hove City Plan Part One

SS1	Presumption in Favour of Sustainable Development
SA5	The Setting of the South Downs National Park
CP8	Sustainable buildings
CP9	Sustainable transport
CP12	Urban design
CP16	Open Space

Brighton & Hove Local Plan (retained policies March 2016)

TR7	Safe Development
TR14	Cycle access and parking
TR18	Parking for people with a mobility related disability
SU9	Pollution and nuisance control
SU10	Noise Nuisance
QD14	Extensions and alterations
QD16	Trees and hedgerows
QD27	Protection of amenity
HO11	Residential care and nursing homes

Supplementary Planning Documents

SPD12	Design Guide for Extensions and Alterations
SPD14	Parking Standards

9. CONSIDERATIONS & ASSESSMENT

- 9.1. The main considerations in the determination of this application relate to the impacts on the character and appearance of the host building and wider area, as well as on the amenities of local residents.

Design and Appearance:

- 9.2. The external works would include infilling the undercroft to facilitate the relocated kitchen, office and laundry room and a minimal change to the fenestration on the building and the installation of an extract flue. Two windows would be installed within the rear elevation to serve bedroom 1 and 2 and two high level windows within the front elevation to serve the kitchen. The extract flue would be located upon the flat roof section of the roof from the kitchen room and a bin area would be located to the front of the kitchen.
- 9.3. The building would retain the overall form and scale of the existing Nursing Home and the overall appearance of the development would result in no harm to the host property, street scene or to the character of the wider area.

9.4. The addition of the extract flue, given its location, size and projection, would not result in harm to the appearance of the host building or surrounding area.

9.5. The development is therefore acceptable in terms of design and appearance.

Impact on Amenity:

9.6. Policy QD27 of the Brighton & Hove Local Plan and Policy DM40 of CPP2 states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.

9.7. The external works, including additional windows and the reconfiguration of the internal space would not result in amenity harm. The infilling of the undercroft to facilitate the internal works would not result in additional bulk or massing and therefore the proposed alterations would not result in overshadowing, loss of light or loss of outlook. The 2no high level windows serving the kitchen would not result in overlooking and the 2no windows serving bedroom 1 and 2 would face onto boundary treatment/open space to the rear of the site and would not result in overlooking or loss of privacy to neighbouring properties. The provision and location of the bin storage area is considered adequate for the development and is not considered to result in amenity harm.

9.8. The reconfiguration of the internal layout to provide 4no. additional bedrooms would provide adequate bedroom sizes and would a functional layout.

9.9. The flue, positioned away from neighbouring properties, is unlikely to have a significant detrimental impact on neighbouring amenity by way of noise, vibration or odour disturbance. The Environmental Health officer has commented that subject to appropriately worded conditions the kitchen extract would not have an adverse impact in terms of noise or odour.

9.10. Concerns have been raised by residents regarding the existing noise output of the nursing home and that this could be exacerbated by the increased number of residents. It is not considered that an increase of 4no beds would result in increased noise or disturbance to warrant refusal of the application.

Sustainable Transport :

9.11. The provision of four additional bed spaces is not considered to be a significant increase in trip generation from the development particularly given that there would be no increase in staff numbers and no loss of parking on site.

9.12. However, the proposed development is located outside of a controlled Parking Zone (CPZ). The on-site parking is accessed from a residential cul-de-sac and the current parking on site does result in overspill parking on-street. The applicant is proposing to address this problem by marking out specific bays, but the proposed layout and arrangement is not considered satisfactory due to some of the bays creating manoeuvring issues that may cause safety and obstruction

issues. It is, however, considered that this can be overcome and therefore, a revised parking layout condition has been secured via condition.

- 9.13. The applicant has offered to produce a parking strategy document which is welcomed as it would ensure that staff, visitor and deliveries/ ambulances are managed to reduce any on-street impact. A parking strategy/management plan condition has been attached.
- 9.14. No cycle parking is indicated and therefore the provision and detail of this will be secured via condition.

Other Considerations:

- 9.15. Concerns have been raised that the current undercroft is used for the storage of refuse bins and that the relocated bins would reduce the existing parking area. The development is attempting to rectify the parking issues by marking out bays and the size of the bin store would not impact this. The Highways Officer has not raised an objection to this.
- 9.16. Issues have been raised during the consultation process relating to the existing situation at the Nursing Home. This application for the addition of 4no bedspaces (including internal and external alterations) has been fully assessed and subject to conditions is considered acceptable. The LPA consider that the existing situation on the site does not form part of this current application and no concerns are upheld as the application has been assessed on its own merit.

10. EQUALITIES

- 10.1. No disabled user parking bay have been provided; details of which have been sought as part of the car park layout plan and parking strategy/ management plan condition.

