



**Recommendation:- Grant Permission as a departure subject to the conditions set out in Appendix 1.****REPORT****1.0 THE PROPOSAL**

1.1 The proposal involves the erection of 14 'close care' single storey dwelling units, consisting of 10 two bed units and 4 single bed units on land adjacent Bradeney House a elderly care home comprising of some 101 beds. The proposed bungalows would provide independent care associated with the residential home. The proposal includes the use of East Bradeney for communal facilities and accommodation for a member of staff. The bungalows are proposed to be constructed in pairs and arranged in a crescent, the living areas located at the front and the bedrooms to the rear facing small private garden spaces. The scheme also includes a vehicular service link to the existing home and a parking space for each unit together with space for visitor parking for each unit. The bungalows have been designed in a traditional style with rendered walls and pitched tiled roofs. The scheme proposes improving the existing site access onto the highway from Bradeney bungalow and constructing a private driveway within the site to serve each bungalow.

1.2 The term 'Close Care' generally refers to independent flats or bungalows built on the same site as a care home and is one form of specialist housing for older people that is designed to assist older people with their accommodation and support needs in later life. The key features include individual dwellings with their own front door (whether for rent , sale or on a shared ownership basis ) a scheme manager and varying levels of personal care and support available 24 hours a day for those who need it. The concept is also known as extra care, enhanced sheltered housing or assisted living.

1.3 In support of the application details have been submitted indicating how the existing bungalow would be used. The information submitted illustrates the use of the bungalow for communal purposes such as

- ☐ a hub and meeting place to hold birthday parties, anniversaries and other special occasions/events.
- ☐ a computer room, where people will be able to use computers for various reasons including Skype.
- ☐ the garden area would include picnic tables for people to sit out
- ☐ a treatment room for therapists, chiropodists etc, which could also be used as an exercise room, with low intensity equipment.
- ☐ coffee mornings.
- ☐ art classes and flower arranging.
- ☐ music and movement.
- ☐ bingo sessions, quizzes and yoga classes.
- ☐ music lessons
- ☐ lunch club service.
- ☐ Use of the facilities for in house training
- ☐ Opening hours would be 9.00 am to 6.00 pm Monday to Friday.

1.4 In terms of the use of the bungalows the applicant has confirmed the following:

- ☐ The occupants of the bungalows would be required to receive a minimum of 2hrs care per week from the nursing staff of Bradeney House. This care would cover a range of care services from hygiene issues, basic nursing requirements, counselling and household assistance. This is proposed to be a condition of the lease. Bradeney House would be the freeholder of all the properties and grounds. The occupants would also be able to use the specialist facilities at Bradeney House Care home such as the assisted bathrooms and use of the Hair salon.
- ☐ All the bungalows would have 24 hour nurse call facilities to the main house.
- ☐ Under the leasehold agreement there would be a ground rent to cover general maintenance of the grounds and properties. This will include a minimum level of gardening within the private areas of each unit by the Bradeney Gardeners.
- ☐ The bungalows would only be sold to anyone over the age of 65 requiring health care plus a partner.
- ☐ If a resident wished to move then the bungalows would have to be sold back to Bradeney House, and at no time would the bungalows be sold Freehold. They would always remain part of Bradeney House.

Given the information submitted it is considered that the use of the proposed bungalows would be more akin to a C2 Use than a dwelling house (C3 Use). On this basis with the occupation controlled the proposal would not attract the need for an Affordable Housing contribution.

## 2.0 SITE LOCATION/DESCRIPTION

- 2.1 Bradeney House is a care home which offers a range of palliative and complex care including nursing and dementia care. The care home has been significantly extended over the years and now forms a substantial building. The application site refers to the bungalow known as East Bradeney and its existing residential curtilage together with land to the north of Bradeney House. The site occupies a raised platform and the centre of the site is largely devoid of trees however the perimeter of the site benefits from a substantial tree belt. The site is adjoined by a number of residential properties to the north and east and is located within the Green Belt but within a group of dwellings forming the small settlement of Bradeney.

## 3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The development would represent a departure from the Development Plan. The Area Manager and Principal Officer in consultation with the chairman agree that the material planning issues raised by this application should be considered by committee.

#### 4.0 Community Representations

##### - Consultee Comments

#### 4.1 Worfield & Rudge Parish Council – Support application.

However taking into consideration the concerns of residents of neighbouring properties, Councillors make the following important comments:

1. Consideration should be given to safety issues of the entrance/exit for vehicles from the proposed bungalows onto a very narrow and busy county road.

2. Attention should be addressed to the drainage from the development, relative to potential flooding risk from surface run off, ground water and also alluvial deposit all of which may be increased by the presence of this development.

3. Should this application be granted, W&R Councillors would wish to see instructions to the applicants that adequate screening is provided to protect the privacy of the many close neighbouring properties from this elevated site. This screening may be fencing panels in the short term. In the medium to long term the screening should ideally be native species, fairly fast growing shrub, or mature shrub (native species).

#### 4.2 SC Highways – No objections, recommend condition.

#### 4.3 SC Trees – Requests additional information to enable proper arboricultural assessment of the proposed development. Additional information submitted 20.05.2015.

Comments received (30.05.2014.) Summarised as follows:

No objection to the principle of the proposed development, but have concerns regarding the layout and the levels of shading, the overbearing presence of the trees and nuisance such as leaf litter and other tree detritus, which will be more problematic for people less able to clear it up.

Consulted on additional information received regarding the tree shadow and tree removal.

Comments received (01.07.2014.) Summarised as follows:

Accepts that the affected windows would only be directly shaded for a portion of the day but considers that the private amenity spaces would be shaded for longer. Maintains concerns regarding liveability issues associated with large trees in close proximity to the bungalows.

Comments received 22.07.2014. Summarised as follows:

Maintains concerns as to the suitability of the layout with regard to the proximity of mature trees and certain proposed dwellings. But is satisfied that the proposed development can be implemented without causing significant damage to the trees to be retained, subject to precautions and controls as described in the tree protection plan (Arbtech TPP 01).

Accepts that on balance the benefits of the proposed development may override concerns as to the future 'liveability' issues for future occupants.

- 4.4 SC Ecology – Recommends that an Ecological Assessment and bat survey should be submitted with this application.

Re-consulted on Ecological Report received 30.06.2014.  
Recommends conditions/informatives.

The bungalow on site was inspected internally and externally for signs of bats by Greenscape (2014). None were found however due to presence of gaps around roof tiles a bat emergence/activity survey was undertaken on the 17th May 2014. No emergence was observed however foraging by a common pipistrelle bat was recorded on the site. The existing bungalow is to be converted and no further bat survey work is needed on this.

- 4.5 SC Drainage – No objections recommend conditions. Additional drainage information submitted 28.05.2015.

- 4.6 SC Public Protection – Recommends informative.

- 4.7 - Public Comments

Advertised 18.02.2014. Expired 11.03.2014. Site notice displayed/dated 18.02.2014. Expired 11.03.2014. Eight letters sent 10.02.2014. Expired 03.03.2014. Advertised as a Departure (22.07.2014.) Expired 12.08.2014. Site notice displayed/dated 24.07.2014. Expired 14.08.2014.

Seven representations received two supporting application and five objecting on the following grounds:

Lack of consultation prior to the application being submitted.

Size of the development - Bradeney House has already been over developed and is out of keeping with other properties within the hamlet. The new proposed care units would double the number of properties in the hamlet.

Construction and materials proposed are not in keeping with other properties within the hamlet.

Devaluation of neighbouring properties - we all chose to pay a premium to live in this small hamlet.

This is Green Belt land.

Light and noise pollution - special consideration should be given to the type of lighting as we currently enjoy no street lighting.

Submitted drawings do not illustrate the elevation/gradient of the field - concerned about the height of the proposed bungalows and loss of existing privacy.

Screening of any proposed development has been discussed at a previous meeting with the applicant and his agent, and substantial tree planting was to be carried out this season. The only planting that has occurred is a single row of Leylandii Conifers in hedge form which can only be kept at a height of 2m, therefore will not provide a screen. On other boundaries, a double row of 60cm hedging plants have been planted right on the boundary. Both of these pose questions for future maintenance and access, and will provide insufficient screening. Consider that good screen planting would include mixed species with various heights and depths to the planting scheme. Carl Huntley (Agent/Architect) proposed planting be established prior to any development commencing.

Sewage treatment plant is of concern as the newly installed treatment plant for Bradeney House often smells of raw sewage in the area between the temporary caravan and Stratford Brook.

Increased traffic on narrow lane heavily used by commuters, farm traffic and HGVs, despite restriction signs already in place.

If the motion is approved through the new Localism Bill to re-designate such roads in order that they do not appear on Sat Nav routes, this will have very little impact as this is a well known cut through on the commuter routes.

Verges deteriorated since nursing home development.

Improved Bradeney House access would be a more suitable entry and exit point.

Accessibility - there is no footpath on the road for the 15 minute walk to Worfield, local amenities, and nearest public transport. The narrow road and blind corners make this a potentially hazardous walk.

Access to proposed development - consider that the map and photo do not portray the severity of the road, particularly to the left, towards Worfield, having used the adjacent entrance for many years. There would be increased number of vehicles using this entrance including elderly residents, (who potentially may have slower reactions) visiting family members, friends, delivery vehicles. The adjacent lane already gives access to 4 dwellings and 1 business and would be of concern being so close especially if vehicles are exiting at the same time. The recently enlarged purpose built entrance at Bradeney House would offer a far safer entrance and exit for these proposed care units.

Inaccuracies on the site plan. Garden room style extension is not shown therefore the living area of 1 Bradeney Farm Cottages is closer than shown.

Difference in ground levels means that Bradeney Farmhouse Cottages and new proposed site are lower than where the proposed buildings would stand. Accordingly the bottom of the window line (1 Bradeney Farmhouse Cottage) is significantly above the height of the 2 metre high boundary hedge. This has implications for any proposed screen planting.

Comments in support may be summarised as follows:

The recently completed renovation and extension to Bradeney House has ,as other residents have commented caused some light pollution and extra traffic, however consider that this has caused minimal disturbance and the owners/ contractors have addressed any issues when requested to do so.

The additional site-traffic is very short lived - already disturbed by farm/animal transportation on the lane.

Consider the proposal would be an asset to have such a local facility without having to travel in excess of twenty miles.

On the last development I complained about the planting and the owners dealt with it quickly. Recommend that the bulk of the planting is carried out prior to the development as with mixed variety planting all neighbours will be screened and the wildlife will benefit.

## **5.0 THE MAIN ISSUES**

Principle of development  
Siting, scale and design of structure  
Trees  
Highway Safety  
Residential Amenity  
Ecology  
Drainage

## **6.0 OFFICER APPRAISAL**

6.1 Principle of development

6.1.1 Policy CS11 of the adopted Core Strategy recognises that there is a need to provide a mix of residential accommodation across the County. This ranges from open market housing to housing required for a vulnerable person. The policy states that housing for vulnerable people should be provided in appropriate locations and where there is an identified need.

6.1.2 This scheme is would extend the range of accommodation provided by an established nursing home, and as such has historically already been recognised as being an appropriate location for such a use.

6.1.3 The site is located in the green belt countryside some 1 kilometre to the west of the village of Worfield, as such policy CS5 of the Core Strategy is of relevance. This policy supports new development where it will enhance countryside vitality and

character where they improve the sustainability of rural communities by bringing local economic and community benefits, particularly where it relates to small-scale new economic development diversifying the rural economy. The policy goes on to support, “the retention and appropriate expansion of an existing established business, unless relocation to a suitable site within a settlement would be more appropriate”.

- 6.1.4 The National Planning Policy Framework confirms that the construction of new buildings represents inappropriate development in the Green Belt and that as with previous Green Belt policy inappropriate development is, by definition harmful to the green belt and should not be approved except in very special circumstances. Para.89 lists exceptions to this policy which include “limited infilling in villages, and limited affordable housing for community needs under policies set out in the Local Plan.”
- 6.1.5 Saved Bridgnorth District Local Plan S3 generally reflects the guidance set out in the NPPF as it states that permission will not be given except in very special circumstances for new building other than in specified circumstances listing affordable housing for community needs as an exception.
- 6.1.6 Policy CS11 supports the provision of housing for vulnerable people and specialist housing provision, including nursing homes, residential and extra care facilities, in appropriate locations and where there is an identified need.
- 6.1.7 The Supplementary Planning Document (SPD) advises that provision has to be made for the increasing number of elderly people in Shropshire and for other vulnerable groups who need either specialist accommodation or a setting where appropriate support can be provided.
- 6.1.8 In support of the application the applicants have submitted a Care Needs Analysis Report. The report examines the existing and future provision of housing for older people together with the demographic profile within the Catchment Area as at 2012 and projecting forward to 2017 and 2027.
- 6.1.9 The submitted Report concludes that there is a current requirement for 81 enhanced sheltered housing/extra care units within a 15 minute drive time catchment area and given the projected growth in population aged 75 years plus, this shortfall would increase to 116 units by 2017. In terms of existing supply it notes that there is a combined total of approximately 120 units within the catchment area (Enhanced Extra Care sheltered housing, McCarthy and Stone, Salop Street, Bridgnorth and an Extra Care scheme, Chillcott Gardens, Madeley, Telford, operated by Coverage Care which is on the edge of the catchment area).
- 6.1.10 In support of the application the SC Head of Social Care Service: Improvement and Efficiency has confirmed the following:

“that the demographic nature of the population in the County will see a marked rise in the number of people aged 65 and over and an increase in the number of people over 80 that is significantly greater than the England average.

Shropshire Council aims to support older people to remain in their own home as long as possible and the provision of Extra Care accommodation supports this. Older people who require care do not always require admittance to a care home. People thrive better in their own home closer to friends, family and local communities.

The concept of extra care or close care when it is situated near to a care home is intended to help older people enjoy greater independence and well-being by giving them a greater range of housing and care options from which to choose. Extra Care housing helps to reduce loneliness, depression, ill-health and promote longevity.

Furthermore it also helps divert older people from moving into residential care and where present, gives Shropshire the opportunity to reinvest resources into preventative services. For this reason Extra Care and close care are increasingly being seen as very appropriate forms of providing housing with care for older people.

The planned Extra Care scheme in Shropshire to provide 400 Extra Care units was unfortunately withdrawn in 2010. This has consequently put greater pressure on the need to provide this form of housing with care in Shropshire.

We therefore welcome more Extra Care units, including those that can be developed in conjunction with existing care homes, including in South Shropshire where there is a particular shortage of this type of accommodation for older people.”

6.1.11 It is acknowledged that the benefit of ‘Close Care’ schemes is their linkage to the services provided by the existing care home. The significant growth in the over-65 population will necessitate a need for additional specialised homes. As such it is considered that there is a need which would amount to “very special circumstances” of significant weight which would outweigh the harm to the Green Belt.

6.2 Siting, scale and design of structure

6.2.1 As stated above the scheme proposes the erection of 14 small semi-detached bungalows of a simple traditional design arranged in a crescent pattern. The bungalows would have a roughly ‘L’ shaped plan and have been designed to have two bedrooms and basic accommodation with the living space to the front of the properties looking out onto the crescent to promote the communal nature of the use. The bungalows would have simple pitched roofs and the external materials proposed would be coloured rendered walls to reflect those of the existing nursing home and twin interlocking concrete tiles. The design of the proposed bungalows is considered acceptable within the existing context.

6.3 Trees

6.3.1 The centre of the site is largely devoid of trees however the perimeter of the site benefits from a substantial tree belt which it is considered contributes significantly to the character and visual amenity of the area.

- 6.3.2 In support of the application the applicant has surveyed the trees within the site using a methodology guided by British Standard 5837:2012 'Trees in relation to design, demolition and construction – Recommendations'. Subsequently, a report has been produced, balancing the layout of the proposed development against the competing needs of trees. The report comprises an arboricultural implications assessment, method statement and supporting plans.
- 6.3.3 The report concludes that the overall quality and longevity of the amenity contribution provided for by the trees and groups of trees within and adjacent to the site would not be adversely affected as a result of the proposed development, subject to appropriate conditions.
- 6.3.4 The SC Arboriculturalist has reviewed the information submitted and whilst he does not raise objections in principle of the proposed development, has significant concerns regarding the impact of the trees on the living conditions of the occupiers. He considers that the bungalows would suffer from excessive levels of shading, and the size of the retained trees would give the appearance of a dominant green wall when viewed from the windows of the units.
- 6.3.5 Further he considers that the overbearing presence of the trees would be a cause of concern and worry and that this would be exacerbated by nuisance issues such as leaf litter and other tree detritus, which would be more problematic for people less able to clear it up.
- 6.3.6 This issue has been raised with the applicant and it has been suggested that the applicant may wish to consider revising the scheme to address this issue.
- 6.3.7 The applicant has pointed out that the software used for the shadow information is not seasonal and does not take into account the low sun angle in the morning and evening or the high sun angle at mid-day (which should show a more wide and squashed arc in reality). They point out that other factors should be considered including that all the trees causing shadows are deciduous so there should not be an issue of shading from November to April; that the arch that is shown indicates the path of the sun throughout the day, it is therefore possible to calculate (as below) the times of day that shading would occur. Each window falling within an arc is therefore only shaded for about an hour.
- 6.3.8 Further they note that tree shading during the midday hours in the summer is usually an asset as it reduces overheating of internal spaces and that this reduces the need to provide solar shading on south facing windows; all the rooms that would be shaded for an hour each day would be bedrooms and that only one living room (unit 4) would have shading between around 8am and 9am. The applicant concludes that the option of rearranging the units so that they face the other way, closer to the existing bungalow has been considered but in operational and social terms it would not work.
- 6.3.9 The Council's Arboricultural Officer has considered the additional information submitted and accepts that the affected windows will only be directly shaded for a

portion of the day. However, the concern is that the private amenity spaces (gardens) of the dwellings would be shaded for considerably longer.

6.3.10 Further the Councils Arboricultural Officer is concerned about the “liveability issues” associated with large trees in close proximity to single storey dwellings, particularly given the age and likely health of the intended occupants and the fact that the trees concerned include sycamore, sweet chestnut and horse chestnut, which have dense, dark canopies and a heavy leaf fall in autumn and also shed prolific fruits and seed.

6.3.11 With respect to this it is acknowledged that the proximity of the trees to the bungalows may not be ideal however the applicant has confirmed that under the leasehold agreement there would be a ground rent to cover general maintenance of the grounds and properties and that this would include a minimum level of gardening within the private areas of each unit by the Bradeney Gardeners. On balance it is considered that the benefits of the provision of additional specialist accommodation outweigh the concerns as to the future ‘liveability’ issues for future occupants.

#### 6.4 Highway Safety

6.4.1 The scheme proposes utilising and improving the existing site access to East Bradeney onto the highway and the construction of a private driveway within the site to serve each bungalow. The Councils Highways Development Control Section have been consulted on this application and have confirmed that due to the nature of the proposed use of the bungalows, the vehicle movements generated by their occupants are likely to be lower than those associated with normal residential dwellings. Further it is considered that the improvement to the existing access would make it acceptable to accommodate the likely vehicle movements, details of the arrangements for refuse collection are considered below.

#### 6.5 Residential Amenity

6.5.1 As noted above representations have been received regarding the proximity of the proposed development to the existing neighbouring residential properties. With respect to this it is noted that the site occupies a raised platform and the existing neighbouring residential properties are located on land which is at a significantly lower level. The applicant has submitted amended drawings which indicate the contour levels of the site together with the approximate finished floor levels of the proposed bungalows and sections. The scheme would include some levelling to accommodate the development. The existing perimeter trees provide a significant contribution to the character and visual amenity of the site and whilst it is acknowledged that the proposed development would inevitably have an impact on the character of the site the single storey nature of the development would serve to reduce the impact on the surroundings. In terms of the proximity of the bungalows to the existing nearby dwellings it is accepted that the difference in ground levels would increase the impact of the development however it is considered that the orientation of the bungalows, the retention of a significant number of the perimeter trees and the separation distances involved would ensure that, together with appropriate fencing no undue loss of residential amenity would ensue.

## 6.6 Ecology

- 6.6.1 In support of the application the applicant has submitted an Ecology Report. With respect to this it is noted that the existing bungalow on site was inspected internally and externally for signs of bats. None were found however due to presence of gaps around roof tiles a bat emergence/activity survey was undertaken on the 17th May 2014. No emergence was observed however foraging by a common pipistrelle bat was recorded on the site. The report concludes that as the existing bungalow is proposed to be re-used no further bat survey work is needed on this.
- 6.6.2 With respect to the surrounding trees the applicants' ecologist, Greenscape (2014) consider that the trees have potential for use by bats for foraging and commuting. One bat activity survey was carried out in May, which found low levels of bat activity. No assessment of bat roosting potential of the trees to be removed has been carried out; however, the Councils Planning Ecologist recommends that an appropriately worded condition requiring the trees to be assessed before felling would be sufficient in this case.
- 6.6.3 In view of the above the Councils Planning Ecologist raises no objections to the proposal subject to appropriate conditions.

## 6.7 Drainage

- 6.7.1 The information submitted with the application stated that the existing foul drainage to Bradeney House is treated by a new treatment plant and that a new combined treatment plant is proposed for the 14 units proposed. The surface water is proposed to be accommodated via a suitably designed soakaway.
- 6.7.2 Additional drainage information was submitted during the course of the application which includes the use of a surface water attenuation system as it was demonstrated through porosity tests that soakaways cannot be used for the surface water drainage.
- 6.7.3 This has been reviewed by the SC Drainage Team who whilst raising no objection in principle make recommendations regarding the size of the package sewage treatment plan and details with respect to the surface water drainage arrangements. It is considered that these details may be controlled by the inclusion of suitably worded pre-commencement conditions.
- ## 6.7 Other issues
- 6.7.1 Clarification was sought with respect to how refuse collection would be achieved and if a refuse vehicle has to enter the site how it would turn around in order to exit. The applicant has confirmed that each unit would be provided by the Councils standard bins for refuse and recycling. Refuse storage is indicated on the detail plan (BA726 304). It is understood that on collection days, the refuse vehicle goes down the lane to the side of the site to access all the surrounding properties. The refuse from the proposed dwellings would be collected where it is currently collected from East Bradeney House (the bungalow on the site). The applicant has confirmed that all bins would be taken to the top of the drive for collection when the vehicle does its current collection.

## **7.0 CONCLUSION**

7.1 The benefit of 'Close Care' schemes is their linkage to the services provided by the existing care home. The significant growth in the over-65 population will necessitate a need for additional specialised homes. As such it is considered that there is a need which would amount to "very special circumstances" of significant weight which would outweigh the harm to the Green Belt. Likewise the benefits of the provision of additional specialist accommodation outweigh the concerns as to the proximity of the perimeter trees proposed to be retained and the future 'liveability' issues for future occupants.

## 8.0 Risk Assessment and Opportunities Appraisal

### 8.1 Risk Management

There are two principal risks associated with this recommendation as follows:

- ☐ As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.
- ☐ The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than three months after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

### 8.2 Human Rights

Article 8 gives the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

### 8.3 Equalities

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee members' minds under section 70(2) of the Town and Country Planning Act 1970.

### 9.0 Financial Implications

There are likely financial implications if the decision and / or imposition of conditions is challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependent on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – insofar as they are material to the application. The weight given to this issue is a matter for the decision maker.

## 10. Background

### Relevant Planning Policies

Central Government Guidance:  
National Planning Policy Framework

Shropshire Core Strategy and Saved Bridgnorth District Local Plan Policies:

CS1 Strategic Approach  
CS3 The Market Towns and Other Key Centres  
CS5 Countryside and Green Belt  
CS6 Sustainable Design and Development Principles  
CS11 Type and Affordability of Housing  
CS17 Environmental Networks  
CS18 Sustainable Water Management  
S1 Development Boundaries  
S3 Green Belt  
D6 Access and Car Parking

SPD on the Type and Affordability of Housing

### RELEVANT PLANNING HISTORY:

09/03076/COU Application under Section 73a of the Town and Country Planning Act 1990 for siting of 2 No. residential caravans for a period of 12 months (Retrospective)  
GRANT 10th May 2010

10/00245/DIS Extension and alteration of existing Nursing Home DISPAR 3rd March 2011

BR/74/0500 The erection of a ground floor bedroom GRANT 20th May 1975

11/00081/FUL Erection of a single storey extension to provide new entrance and reception area GRANT 6th May 2011

BR/75/0102/FUL The erection of an external fire escape at the rear GRANT 30th May 1975

BR/75/0536/FUL The installation of a septic tank GRANT 3rd February 1976

BR/75/0746/FUL Change of use of existing guest house to a private home for elderly and handicapped persons GRANT 5th March 1976

BR/75/0522/FUL The use of the existing grooms quarters as living accommodation for staff GRANT 5th March 1976

BR/74/0653/FUL The use of dwelling as a guest house GRANT 20th May 1975

BR/76/0270/FUL Alterations to the building previously given permission for staff accommodation, including the installation of new and replacement windows and the part rebuilding of a single storey extension at the rear GRANT 5th July 1976

BR/81/0749 The erection of a single storey building to form five bedrooms, one staff bedsitting room, various ancillary rooms and double garage and workshop GRANT 19th January 1982

BR/82/0328 Alteration to existing access and construction of driveway REFUSE 5th September 1982

13/04898/FUL Retention of existing caravan for a further temporary period of 18 months for use as staff accommodation GRANT 18th March 2014

BR/APP/FUL/09/0141 Alterations including the addition of a conservatory, single, two and three storey extensions and installation of a sewage treatment plant GRANT 19th August 2009

BR/APP/FUL/09/0001 Siting of two mobile homes for a temporary period GRANT 5th March 2009

BR/APP/FUL/07/0970 External alterations and erection of a conservatory GRANT 28th February 2008

BR/89/1182 RENEWAL OF PLANNING PERMISSION REF. B84288 APPROVED 19.12.84 FOR THE ERECTION OF A COVERED SWIMMING POOL GRANT 8th January 1990

BR/89/0976 REBUILDING OF DERELICT FORGE BUILDING FOR USE FOR STORAGE IN CONNECTION WITH THE ADJOINING ELDERLY PERSONS HOME GRANT 3rd November 1989

BR/89/0813 ERECTION OF MANAGERS BUNGALOW REF 3rd October 1989

BR/86/0139 ERECTION OF DOMESTIC UNIT FOR OLD PEOPLE REF 8th May 1986

BR/95/0613 ERECTION OF A SINGLE STOREY BUILDING TO FORM AN ELDERLY MENTALLY ILL UNIT REF 13th November 1995

BR/94/0634 ERECTION OF SINGLE STOREY EXTENSIONS GRANT 17th November 1994

BR/78/0758/FUL The erection of a single storey side extension to the home for elderly persons to provide a dining room, sitting room, toilet and four additional bedrooms GRANT 5th December 1978

BR/79/0924 The erection of a porch to front entrance at grooms quarters GRANT 8th January 1980

BR/80/0240/FUL The erection of a three storey extension to provide two single bedrooms one double bedroom and bathroom and dining room on each floor GRANT 1st July 1980

BR/80/0737/FUL The erection of a single storey side extension to provide a dining room, bathroom and office space GRANT 4th November 1980

BR/82/0533/FUL Alterations to existing vehicular access and construction of driveway GRANT 2nd November 1982

BR/83/0351 The erection of a single storey building to form five guest bedrooms, one staff bedroom, various ancillary rooms, private double garage and workshop GRANT 29th June 1983

BR/84/0288/FUL The erection of a covered swimming pool GRANT 19th December 1984

BR/76/0180 The erection of an extension to provide two bedrooms, two bathrooms and utility room and alterations to existing bungalow GRANT 26th April 1976

BR/76/0080 The erection of a private double garage GRANT 2nd April 1976

BR/75/0647 The erection of an extension to provide a kitchen and dining room, the conversion of an existing garage and store into a bedroom and study and the erection of a private double garage GRANT 16th February 1976

#### Appeal

09/01270/REF (BR/95/0613) ERECTION OF A SINGLE STOREY BUILDING TO FORM AN ELDERLY MENTALLY ILL UNIT DISMIS 7th June 1996

**List of Background Papers**

Care Needs Analysis Report  
Design and Access Statement  
Tree Survey  
Tree Survey BS5837  
Tree Protection Plan  
Arboricultural Method Statement  
Tree Constraint Plan  
Arboricultural Impact Assessment  
Drainage Proposals Summary  
Micro Drainage details  
Ecology Report  
Use of Bungalows Letter  
Tree Shadow Plan

**Cabinet Member (Portfolio Holder)**

Cllr M. Price

**Local Member**

Cllr Michael Wood

**Appendices**

APPENDIX 1 - Conditions

## APPENDIX 1

### Conditions

#### STANDARD CONDITION(S)

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

Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 (As amended).

2. The development shall be carried out strictly in accordance with the approved plans and drawings.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

3. This permission relates to the amended levels and site section plan received 29.05.2014. and proposed site plan received 23.07.2014.

Reason: To define the permission for the avoidance of doubt.

4. The accommodation hereby approved shall be occupied solely by persons 65 years and over , in receipt of a care package provided on site and any partners of those persons, or a widow or widower of such persons, unless otherwise agreed in writing with the Local Planning Authority on an individual basis. The accommodation shall be used solely for 'Close Care Accommodation' (in accordance with the details outlined in the letter dated 24.07.2014. submitted by the applicant ) in association with the use of Bradeney House as a Care Home and the freehold interests shall not be disposed of separately from Bradeney House.

Reason: The development is only acceptable for 'close care' accommodation associated with the existing nursing home and the occupancy of the units as independent dwelling units would be contrary to the Development Plan policies for development in the Green Belt.

5. The proposed development shall be used solely for the purpose of Close Care Units, in association with the use of Bradeney House as a nursing/residential care home, and for no other purpose within Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order with or without modification.

Reason: The development is only acceptable for 'close care accommodation' associated with the existing nursing/residential care home.

6. The development hereby approved shall be constructed in accordance with the proposed levels as shown on drawing No. 305 Rev A received 29.05.2014. unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual and residential amenity of the area

7. All planting, seeding or turfing comprised in the approved details of landscaping hereby approved shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the visual amenities of the area.

8. Prior to the erection of any external lighting on the site a lighting plan shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and thereafter retained for the lifetime of the development. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust booklet Bats and Lighting in the UK

Reason: To minimise disturbance to bats, a European Protected Species and in the interests of the visual amenities of the area and to assess any impact upon amenity of adjoining occupiers.

9. No demolition or construction works relating to this permission shall be carried out on any Sunday or Bank Holiday nor before 07:30 hours or after 18:00 hours Monday - Friday, or on any Saturday before 08:00 hours or after 13:00 hours unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to maintain the residential amenities of the area.

10. The existing site access onto the highway shall be modified in accordance with the approved drawing prior to the development hereby approved being first brought into use.

Reason: To ensure the formation and construction of a satisfactory access in the interests of highway safety.

#### **CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES**

11. No built development shall commence until samples of all external materials including hard surfacing, have been first submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approval details.

Reason: To ensure that the external appearance of the development is satisfactory.

12. Prior to the commencement of development, the tree works and tree protection measures as detailed in the Arboricultural Impact Assessment (Arbtech AIA01, May 2014), the Tree Protection Plan (Arbtech TPP01, May 2014) and Arboricultural Method Statement (Arbtech AMS01, 13 May 2014) shall be carried out / installed to the written satisfaction of the Local Planning Authority. Thereafter the development shall be implemented strictly in accordance with these documents and plans.

Reason: To protect trees which contribute to the character and appearance of the site from damage during development.

13. Prior to commencement of development a landscaping/planting plan shall be submitted to and approved in writing by the Local Planning Authority, detailing the species, numbers, locations, sizes, means of protection and support, timescale for planting and means of post-planting maintenance of trees and shrubs to be planted to enhance the development. Planting is to be undertaken in accordance with this plan and any tree or shrub which within a period of three years from planting becomes diseased, dies, or is otherwise lost or destroyed, shall be replaced by another of similar type and specification.

Reason: To enhance the development and contribute to long-term continuity of tree cover at the site.

14. No development, demolition or site clearance procedures shall commence until any tree to be removed has been assessed for potential bat roost habitat as described in The Bat Conservation Trust's Bat Surveys - Good Practice Guidelines (2nd Edition 2012) by a licenced bat ecologist and their subsequent recommendations on felling methods complied with.

Reason: To ensure the protection of bats, a European Protected Species

15. Before development commences and notwithstanding the drainage details submitted full details of the design calculations and plan of the proposed surface water drainage arrangements shall be submitted to and approved in writing by the Local Planning Authority, to ensure that the design has fulfilled the requirements of Shropshire Council's Surface Water Management: Interim Guidance for Developers paragraphs 7.10 to 7.12, where exceedance flows up to the 1 in 100 years plus climate change should not result in the surface water flooding of more vulnerable areas within the development site or contribute to surface water flooding of any area outside of the development site. The drainage scheme shall be installed in accordance with the approved details.

Reason: To ensure that any such flows are managed on site to reduce the risk of flooding elsewhere.

16. Before development commences and notwithstanding the drainage details submitted full details of the sizing of the proposed package treatment plant should be submitted for approval including the Foul Drainage Assessment Form (FDA1 Form). British Water Flows and Loads: 3 should be used to determine the sizing of the package sewage treatment plant and drainage fields.

Reason: To ensure the foul water drainage system is suitable for the development site and to ensure their design is to a robust standard to minimise the risk of surface water flooding and pollution.

17. Prior to commencement of development details (method of construction and surface water drainage arrangements) of the proposed ramp linking the nursing home to the accommodation hereby approved, shall be submitted to and approved in writing by the Local Planning Authority. The access ramp shall be constructed in accordance with the approved details before the accommodation hereby approved is first occupied.

Reason: To ensure that the surface water arrangements are managed on site to reduce the risk of flooding elsewhere and to protect trees which contribute to the character and appearance of the site from damage during development.

### **CONDITION(S) THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT**

18. Prior to the first occupation of the buildings hereby approved details of two woodcrete bat boxes suitable for nursery or summer roosting for small crevice dwelling bat species shall be submitted to and approved in writing by the local planning authority. All boxes must be at an appropriate height above the ground with a clear flight path and thereafter be permanently retained. The approved details shall be implemented in full prior to the occupation of the dwelling/ building.

Reason: To ensure the provision of roosting opportunities for bats, which are European Protected Species

19. Prior to the first occupation of the buildings hereby approved details of five woodcrete artificial nests suitable for small birds such as robin, blackbird, tit species, sparrow and swallow shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented in full prior to the occupation of the dwelling/ building.

Reason: To ensure the provision of nesting opportunities for wild birds.

### **Informatives**

1. In determining the application the Local Planning Authority gave consideration to the following policies:

Central Government Guidance:  
National Planning Policy Framework

Shropshire Core Strategy and Saved Bridgnorth District Local Plan Policies:  
CS1 Strategic Approach

CS3 The Market Towns and Other Key Centres  
CS5 Countryside and Green Belt  
CS6 Sustainable Design and Development Principles  
CS11 Type and Affordability of Housing  
CS17 Environmental Networks  
CS18 Sustainable Water Management  
S1 Development Boundaries  
S3 Green Belt  
D6 Access and Car Parking

SPD on the Type and Affordability of Housing

2. In arriving at this decision the Council has used its best endeavours to work with the applicant in a positive and proactive manner to secure an appropriate outcome as required in the National Planning Policy Framework paragraph 187.
3. All species of bats found in the UK are European Protected Species under the Habitats Directive 1992, the Conservation of Species and Habitats Regulations 2010 and the Wildlife & Countryside Act 1981 (as amended).

If a live bat should be discovered on site at any point during the development then work must halt and Natural England should be contacted for advice.

4. The active nests of all wild birds are protected under the Wildlife & Countryside Act 1981 (As amended). An active nest is one being built, containing eggs or chicks, or on which fledged chicks are still dependent.

All clearance work in association with the approved scheme shall be carried out outside of the bird nesting season which runs from March to September inclusive

Note: If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation and buildings for active bird nests should be carried out. If vegetation cannot be clearly seen to be clear of birds nests then an experienced ecologist should be called in to carry out the check. Only if there are no active nests present should work be allowed to commence.

5. Your attention is specifically drawn to the conditions above that require the Local Planning Authority's approval of materials, details, information, drawings etc. In accordance with Article 21 of the Town & Country Planning (Development Management Procedure) Order 2010 a fee is required to be paid to the Local Planning Authority for requests to discharge conditions. Requests are to be made on forms available from [www.planningportal.gov.uk](http://www.planningportal.gov.uk) or from the Local Planning Authority. The fee required is £97 per request, and £28 for existing residential properties.

Failure to discharge pre-start conditions will result in a contravention of the terms of this permission; any commencement may be unlawful and the Local Planning Authority may consequently take enforcement action.

6. To ensure that any such flows are managed on site the gully spacing and the 150mm diameter carrier drain should be reviewed. Confirmation is required that the design has fulfilled the requirements of Shropshire Councils Surface Water Management: Interim Guidance for Developers paragraphs 7.10 to 7.12 where exceedance flows up to the 1 in 100 years plus climate change should not result in the surface water flooding of more vulnerable areas within the development site or contribute to surface water flooding of any area outside of the development site. Please confirm where the exceedance flow will be stored prior to entering the attenuation system.
7. For the sizing of the package sewage treatment plant, British Water Flows and Loads: 3 should be used to determine the number of persons for the proposed development i.e. for up to 3 bedroom dwelling, the population equivalent should be 5 not 4.
8. In order to make the properties ready for EV charging point installation isolation switches should be connected so that a vehicle may be charged in the garage or driveway. An independent 32 amp radial circuit isolation switch must be supplied at each property for the purpose of future proofing the installation of an electric vehicle charging point. The charging point must comply with BS7671. A standard 3 pin, 13 amp external socket will be required. The socket should comply with BS1363, and must be provided with a locking weatherproof cover if located externally to the building.