

Item No. 8**SCHEDULE A**

APPLICATION NUMBER	SB/TP/09/0008
LOCATION	THE PADDOCKS, SPRINGFIELD ROAD, EATON BRAY, DUNSTABLE, LU6 2JT
PROPOSAL	ERECTION OF SINGLE STOREY SIDE EXTENSION TO CARE HOME
PARISH	EATON BRAY
WARD & COUNCILLORS	Eaton Bray Cllr K Janes
CASE OFFICER	Mr. C. Murdoch
DATE REGISTERED	18 February 2009
EXPIRY DATE	15 April 2009
APPLICANT	Mr. K. Janes
AGENT	C. A. Emmer
REASON FOR COMMITTEE TO DETERMINE	APPLICANT IS A MEMBER OF THE COUNCIL
RECOMMENDED DECISION	REFUSAL OF PLANNING PERMISSION

Site Location:

Wellhead comprises a small group of buildings (predominantly dwellings) on the western side of Tring Road (B489) some 1.5km east of the main built-up part of Eaton Bray village. The Paddocks is a detached chalet-style two storey residential care home for the elderly at the south-western end of Springfield Road some 230m from the junction with Tring Road. There is a row of houses to the north and north east of the site, whilst to the west, south and east of the property are paddocks and arable land. The site is within the South Bedfordshire Green Belt.

The existing ground floor accommodation comprises lounge, dining room, kitchen, bathroom and three bedrooms. There is a rear conservatory adjoining the lounge and at the south-eastern end of the building a further conservatory, used as a laundry room, encloses a lift shaft. At first floor level, there are seven bedrooms and a bathroom. The care home use extends also to part of an outbuilding (a former agricultural building) to the south of the laundry room conservatory, to which it is connected by a link corridor. The ancillary accommodation here comprises an office, storage areas and a laundry. The remainder of the outbuilding is a workshop and store.

The Application:

It is proposed to remove the laundry room conservatory and permission is sought to construct a single storey side extension that would enclose the lift shaft at the south-eastern end of the property, with its main axis running at right angles to that of the existing building. The proposal would be 8.2m wide by 13.8m deep and incorporate

a part gabled/part ridged roof with a maximum height of 6.3m. An additional four bedrooms, each with a wc en suite, would be accommodated within the new extension. Five solar panels and two rooflights would be installed in the south-eastern roof slope. It should be noted that, save for the addition of these solar panels and rooflights, the current scheme is identical to that refused permission in 2005 (reference SB/TP/05/1149).

Should permission for the proposal be granted, the number of full-time employees would increase from 8 to 12 and the number of part-time employees increase from 6 to 7. The existing on-site parking provision – 12 car spaces, 2 LGV spaces, 2 motorcycle spaces and 6 cycle spaces – would remain unaltered.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS1	Delivering Sustainable Development.
PPG2	Green Belts.
PPS3	Housing.
PPG4	Industrial and Commercial Development and Small Firms.
PPS7	Sustainable Development in Rural Areas.

Regional Spatial Strategy

East of England Plan (May 2008)

SS1	Achieving Sustainable Development.
SS2	Overall Spatial Strategy.
SS7	Green Belt.
E1	Job Growth
ENV7	Quality in the Built Environment.

Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

Strategic Policy 1: The Spatial Framework - Locations for Growth: Luton/Dunstable & Houghton Regis (with Leighton-Linslade).

Strategic Policy 3: Sustainable Communities.

Bedfordshire and Luton Policies 2(a) and 2(b): Luton/Dunstable/Houghton Regis and Leighton-Linslade.

South Bedfordshire Local Plan Review

SD1	Sustainability Keynote Policy.
BE8	Design and Environmental Considerations.

Planning History

SB/TP/81/0888	Refusal for stockman's bungalow.
SB/TP/83/0552	Refusal for agricultural worker's mobile home.

SB/TP/85/0483	Temporary permission (1985-1987) for agricultural worker's mobile home.
SB/TP/87/0318	Outline permission for detached agricultural worker's bungalow.
SB/TP/87/1149	Approval of reserved matters for detached chalet bungalow.
SB/TP/91/0168	Refusal for change of use of part of dwelling to bed and breakfast accommodation.
SB/TP/94/0111	Refusal for change of use from agricultural worker's dwelling to residential care home.
SB/TP/96/0766	Refusal for change of use from agricultural worker's dwelling to residential care home. Subsequent appeal dismissed.
SB/TP/97/0772	Permission for change of use from agricultural worker's dwelling to residential care home with associated parking.
SB/TP/98/0206	Permission for two storey side extension, lift shaft and motor room.
SB/TP/99/0343	Permission for side conservatory.
SB/TP/02/0228	Refusal for single storey side extension to residential care home to provide six additional bedrooms. Subsequent appeal dismissed.
SB/TP/05/0103	Permission for continued use of part of outbuilding as office, laundry and stores and retention of covered link.
SB/TP/05/1149	Refusal for single storey side extension to residential care home to provide four bed spaces with wc facilities.

**Representations:
(Parish & Neighbours)**

Eaton Bray Parish
Council

Objection:

- Site is Green Belt.
- Overdevelopment of site.
- Obtrusive to surrounding area.
- Extra pressure on an already overburdened lane due to use by scaffolding lorries and Etyres.
- Any development on this site can now be deemed excessive and inappropriate.

'Cowslips', Manton
Road, Wellhead

Objection:

- When care home conversion was originally granted it was limited to 10 beds. Subsequent additions and conversions mean that it has already been extended substantially since original.
- Proposal will make building even more prominent when viewed from top of Downs and other local locations.
- Smell nuisance from wood burner heating that undoubtedly includes burning of refuse from care home.
- Lane already subjected to excessive traffic from care home, scaffolding company and Etyres. Proposal will impose even more traffic pressure on lane.
- Permission would set precedent for various expansions by other residents.

Resident of Wellhead

Objection:

- Wellhead residents are suffering excessive traffic to site, moreover, not just to care home. Etyres are running full-time operation from rear yard and creating constant nuisance. Scaffolding company enjoys same business privileges.

Consultations/Publicity responses:

Environment Agency

Proposal has been assessed as having low environmental risk. No further comment.

Buckingham and
River Ouzel IDB

If ground conditions are found to be satisfactory, soakaways must be constructed in accordance with latest BRE Digest 365. If ground conditions are found to be unsuitable for soakaway drainage, any direct discharge to nearby watercourse will require Board's consent.

Environmental Health
Officer

No objection.

Determining Issues

The main considerations of the application are;

1. Impact on the Green Belt.
2. Sustainable development.
3. Design and impact on the surrounding area.
4. Highways considerations.

Considerations

1. Impact on the Green Belt

The control of development within the Green Belt hinges on a two-part test: (1) whether the development proposed is appropriate development; and (2) if inappropriate, whether there are 'very special circumstances' present which clearly outweigh both the harm by virtue of inappropriateness, and any other harm. The Courts have held that even if there is no other harm, for example to openness, inappropriate development is, by definition, harmful to the Green Belt. Furthermore, the harm in principle will remain even if there is no further harm to openness because the development is wholly inconspicuous.

Paragraph 3.4 of PPG2 (Green Belts) advises that the construction of new buildings inside a Green Belt is inappropriate unless it is for certain specified purposes:

- agriculture and forestry;
- essential facilities for outdoor sport and outdoor recreation;
- limited extension or replacement of existing dwellings;
- limited infilling in existing villages;
- limited infilling/redevelopment of major developed sites.

An extension to a residential care home is not one of the categories of new buildings considered to be appropriate in the Green Belt. It follows that the proposal is inappropriate development in the Green Belt.

The existing laundry room conservatory to be removed has a floor area of 33sqm and a maximum height of 2.9m. The new single storey side extension would have a floor area of 113sqm and a maximum height of 6.3m. The proposal would therefore result in an increase of some 80sqm in the area covered by buildings. This would represent an incursion of built development onto land that is currently open, and consequently it would materially detract from the openness of the Green Belt. Although there is a row of houses to the north and north east of the site, Wellhead has a distinctly rural character and the site is clearly within the countryside. Paragraph 1.5 of PPG2 makes it clear that one of the purposes of including land in Green Belts is to assist in safeguarding the countryside from encroachment. The reduction in the openness of the Green Belt that would result from the proposed extension would conflict with that purpose.

Paragraph 3.1 of PPG2 states that inappropriate development should not be permitted except in 'very special circumstances'. The applicant's 'Justification Statement for Additional Bedrooms' submitted in support of the application includes the following points.

- In the period 2005-2031, the population aged 65-74 will increase from 4.5 million to just under 8 million, the 75-84 age group from 4 million to 6 million and the 85+ age group from 1.5 million to 2 million.

- The figures for the 75+ age group will continue to rise up to 2080. Advances in medical technology mean that people are living longer. This age group comprises some of the most vulnerable of people and society has a duty to provide them with the opportunity to live as comfortably and independently as possible.
- A study by the Alzheimer's Society states that by 2025 people suffering with dementia will rise to at least 2 million. Social services also forecast a 56% increase in social services clients aged 65+ by 2021.
- It is important to bear in mind the amount of housing development currently taking place and the level of new development required by central government in the near future. Amongst in-migrants there will be a wide range of ages including people who will need some form of care. As stated in the Bedfordshire Primary Care Trust leaflet about the proposal for a new medical centre in Dunstable, with an ageing population living longer, there will be a large increase in the number of older people in Bedfordshire over the next 25 years that will create significant extra demand for healthcare.
- The proposal is modest – four en-suite ground floor rooms built to Commission for Social Care Inspection standards giving residents easier circulation access no matter what their problems are. The additional rooms will give the care home a better chance of surviving in the ever turbulent economic climate.

It is acknowledged that the existing care home fulfils a need in the area, and that if additional bedrooms were provided at the site, this would help to meet the continuing need for care home places. These benefits, however, would be outweighed by the significant harm caused to the Green Belt described above. The applicant's supporting statement does not demonstrate that any additional care home places that are needed could not be provided in other locations where harm to the Green Belt could be avoided.

Whilst national guidance in PPS3 (Housing) supports housing provision for elderly people and the provision of affordable housing in rural areas that are subject to policies of restraint, it does not suggest that this guidance overrides policies to protect the Green Belt.

Although PPG4 (Industrial and Commercial Development and Small Firms) encourages the development and expansion of businesses, including those in rural areas, it reiterates guidance in PPG2 that new commercial buildings will not normally be appropriate in Green Belts.

PPS7 (Sustainable Development in Rural Areas) states that the policies in PPG2 continue to apply in Green Belts. Whilst one of the Government's objectives for rural areas is to raise the quality of life and the environment in rural areas through the promotion of, inter alia, sustainable economic growth and diversification, of equal importance is the continued protection of the open countryside for the benefit of all. A further objective of PPS7 is to

promote more sustainable patterns of development by focussing most development in, or next to, existing towns or villages and discouraging the development of 'greenfield' land.

2. Sustainable development

Sustainable development is the core principle underpinning land use planning. PPS7 advises that decisions on the location of developments in rural areas should, where possible, give people the greatest opportunity to access them by public transport, walking and cycling, consistent with achieving the primary purpose of the development. PPS7 further advises that new building development in the open countryside away from existing settlements, or outside areas allocated for development in development plans, should be strictly controlled.

In the Local Plan Review's Development Strategy, the authority has ranked categories of sites required to meet the authority's development needs in an order of preference:

First: Previously developed sites and vacant land within urban areas.

Second: Sites already identified in previous plans for development or as 'white' land on the edges of the urban areas.

Third: Sites already identified in previous plans for development or as 'white' land on the edges of villages.

Fourth: Sites, including previously developed or vacant sites, within villages well served by existing facilities including public transport.

Fifth: Other sites on the edges of urban areas.

Sixth: Other sites on the edges of villages well served by existing facilities including public transport.

Seventh: Previously developed sites in open countryside well served by facilities including public transport.

Eighth: Other open undeveloped sites within urban areas.

Ninth: Other sites in open countryside e.g. to accommodate new settlements.

Local Plan Review Policy SD1 states:

“Preference will be given to proposals on sites within the first four categories of the Development Strategy.

Proposals on sites in the remaining categories of the Development Strategy will only be favourably considered where the applicant can demonstrate that:

i) there is a need that could not be met by proposals in the local plan;

ii) there are no sites in the first four categories that could practicably meet that need;

iii) the proposal would be preferable to sites in the first four categories in terms of reducing the need to travel; relationship to existing services and facilities; and accessibility by modes of transport other than the car;

- lv) there is adequate service and community infrastructure, existing or proposed, to accommodate the proposal; and*
- v) the proposal is acceptable in terms of Green Belt policy.”*

Given Wellhead's lack of facilities and services and the very low frequency of the bus service along Tring Road (one bus to and from Dunstable on Wednesday operated by Red Kite Bus and a summer Sunday service operated by Rambler Bus), it is likely that care home employees and residents' relatives would be reliant on the use of private cars for travel purposes. It is considered that the site should be ranked 9th in the Development Strategy's order of preference – “other sites in open countryside”. The new scheme would fail to meet any of the criteria specified in the second part of Policy SD1. By virtue of constituting development of a site outside the first four categories of sites in the Development Strategy's order of preference, the proposal would fail to contribute towards a sustainable pattern of development, contrary to national guidance in PPS1 and PPS7 and to Policy SD1.

3. Design and impact on the surrounding area

Local Plan Review Policy BE8 requires that the size, scale and overall appearance of development should complement and harmonise with the local surroundings. As set out above, in terms of footprint and height, the proposed extension would be considerably larger than the laundry room conservatory it would replace. Although the line of the new roof would be lower than the roof structure of the existing building, it would have a somewhat awkward relationship with the lift shaft and the gable end of the care home. The north-western and south-western elevations of the proposed scheme would not generally be seen in public views from outside the site, but from Springfield Road to the north east, across the adjoining paddock, the extension would be clearly seen projecting beyond the main north-eastern and south-eastern elevations of the existing building. In respect of its impact on the surrounding area, due to its size and bulk, the proposal would result in the care home being more intrusive in wider views from the north east and the south east.

4. Highways considerations

With regard to the traffic/highway safety issues raised by objectors, the comments of the Highways Officer are awaited. It should be noted that the County Highways Officer had no objection to the identical 2005 application (reference SB/TP/05/1149).

The objectors' allegations of breaches of planning control in respect of business operations at the site other than the residential care home use are the subject of investigation by the enforcement officers.

Conclusion

In light of the above considerations it is recommended that planning permission be refused.

RECOMMENDATION

REFUSE Planning Permission for the application described above for the following reasons:

1. The site lies within the South Bedfordshire Green Belt where permission will not be granted except in very special circumstances for development for purposes other than agriculture and forestry, mineral working, essential small scale facilities for outdoor sport and outdoor recreation or other uses appropriate to a rural area which preserve the openness of the Green Belt. No very special circumstances have been established in this case sufficient to outweigh the harm to the Green Belt by reason of inappropriateness and the harm to the openness of the Green Belt. Accordingly, the proposed development is contrary to national guidance in Planning Policy Guidance Note 2 'Green Belts' and Policy SS7 of the East of England Plan.
2. Planning Policy Statement 1 'Delivering Sustainable Development' and Planning Policy Statement 7 'Sustainable Development in Rural Areas' seek to promote more sustainable patterns of development by focusing most development in, or next to, urban areas and by strictly controlling new building development in the open countryside away from settlements. The proposed extension at a site inadequately served by facilities and services, including public transport, would fail to contribute towards a sustainable pattern of development. Accordingly, the proposal conflicts with national guidance in PPS1 and PPS7, with Policies SS1 and SS2 of the East of England Plan and with the Development Strategy set out in Policy SD1 of the South Bedfordshire Local Plan Review.
3. The proposed extension would, by virtue of its size, bulk, siting and appearance, be out of keeping with the existing residential care home and other properties in the locality and would thereby be harmful to the established character of this rural location. Accordingly, the proposal is contrary to national guidance in Planning Policy Statement 1 'Delivering Sustainable Development' and Planning Policy Statement 'Sustainable Development in Rural Areas', to Policy ENV7 of the East of England Plan and to Policy BE8 of the South Bedfordshire Local Plan Review.

DECISION

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