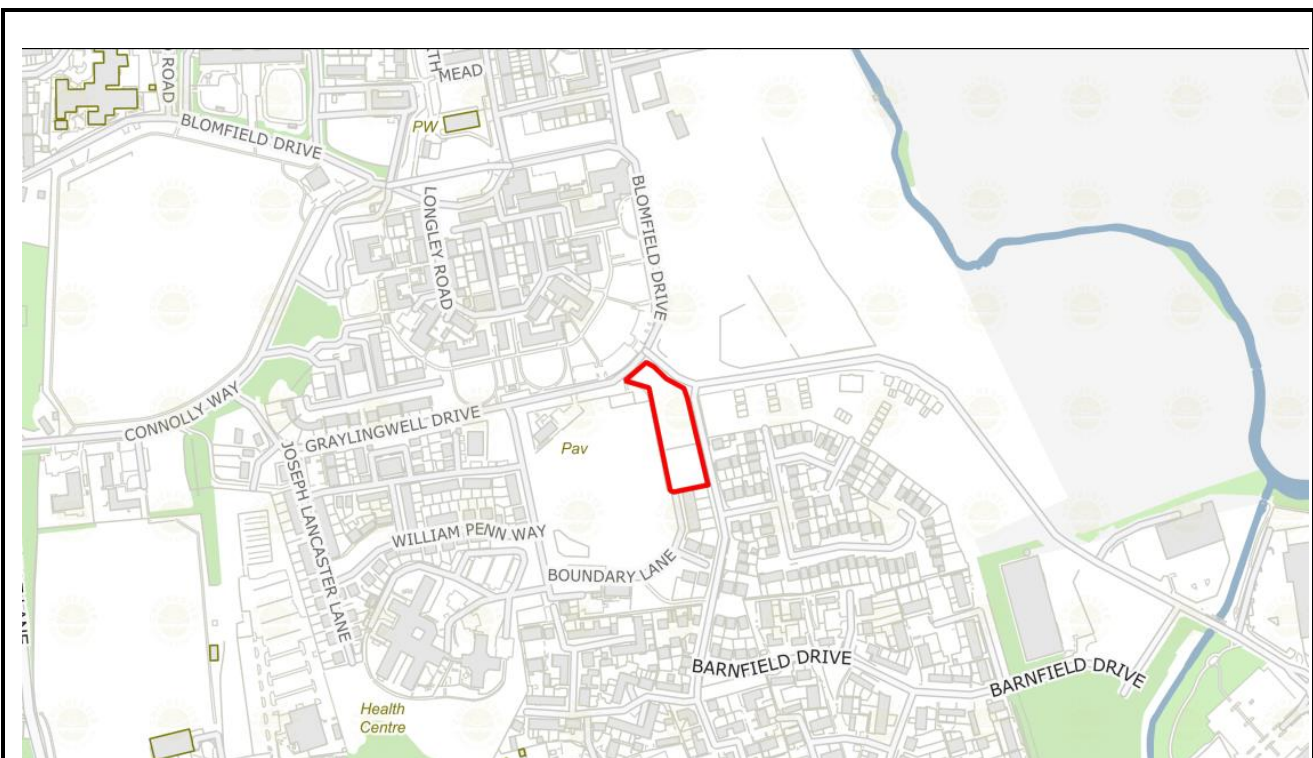



Parish: Chichester	Ward: Chichester North
-----------------------	---------------------------

CC/22/01501/REM

Proposal	Application for the approval of Reserved Matters for appearance, landscaping, layout and scale following Outline Planning Permission 14/01018/OUT - erection of class C2 assisted living/extra care accommodation with communal facilities and car parking.		
Site	Graylingwell Hospital College Lane Chichester West Sussex PO19 6PQ		
Map Ref	(E) 486704 (N) 106370		
Applicant	Mr S Paull	Agent	Gian Bendinelli

RECOMMENDATION TO PERMIT



	<p>NOT TO SCALE</p>	<p>Note: Do not scale from map. For information only. Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office, Crown Copyright. License No. 100018803</p>
---	----------------------------	--

1.0 Reason for Committee Referral

1.1 Parish Objection - Officer recommends Permit

2.0 The Site and Surroundings

2.1 The site is located at the southern end of the Graylingwell development, south of the airing courts of the former hospital buildings, which are separated from the site by Graylingwell Drive. It is partially within the Graylingwell Conservation Area and Historic Park and Garden (approximately two thirds of the site, the northern and central sections). It is not within the setting of any listed buildings.

2.2 The site is adjacent to a park and cricket green, known as Keepers Green, to the west which comprises recreation land which serves the area including an all-weather cricket strip. A footpath runs along the eastern edge of the park, along the western boundary of the application site. To the south lies a recent housing development along Boundary Lane. To the north-east the site abuts Kingsmead Avenue beyond which currently lies the site office and compound for the wider development. Due east the site is bound by Palmers Field Avenue, beyond which there is a phase of the wider development under construction for 106 new homes, known as Phase 9a, as well as existing housing along Palmers Field Avenue.

2.3 The application site is 0.4ha in size and forms a roughly rectangular shape running north to south which tapers to the north west following the boundary with Keepers Green.

3.0 The Proposal

3.1 The application seeks reserved matters approval for appearance, landscaping, layout and scale. It proposes the erection of class C2 assisted living/extra care accommodation comprising 61 apartments, along with communal facilities and car parking. The proposals include:

- 36 one bedroom apartments
- 25 two bedroom apartments
- Entrance Lobby and Reception
- Estate Management Office
- Salon
- Bistro and associated kitchen facilities
- Communal sun room and terrace
- Guest Suite and staff accommodation
- Refuse Store and Buggy /Mobility scooter store
- Lift Access
- Landscaped amenity spaces
- 40 total car parking spaces

3.2 The proposed development would provide varying levels of care to residents. As set out in the planning statement, care needs are assessment on a case by case basis prior to residents moving into their property which would be owner-occupied. However, the typical level of the care provision proposed includes 24 hour staff cover for the benefit of the residents who provide assistance with daily activities and care to residents, including domestic assistance and emergency call facilities. Residents would have their own

washers and dryers within their homes, with assistance provided by staff where necessary. Residents would also benefit from grounds management and an on-site chef.

- 3.3 When originally submitted, the application proposed 64 apartments and 42 car parking spaces. As a result of negotiations with regards to the scale and design of the building, the applicant reduced the size of the proposals, particularly the top floor, which has resulted in 3 fewer units being proposed. The car parking has been reduced to accommodate larger disabled parking spaces.

4.0 History

08/03533/OUT	PER106	<p>A hybrid outline application for the comprehensive phased residential and mixed use regeneration and change of use for 750 market and affordable dwellings, care home, commercial accommodation within use classes B1, A1, A2, A3, A4, A5, D1, community facilities including use classes D1 and D2. A combined heat and power energy centre, car parking, public open space, sports pitches, art and culture strategy, landscaping, vehicular access and earthworks.</p> <p>Phase 1 fully detailed application for 110 new dwellings, a temporary sales centre/sports changing room to be converted to changing rooms and cafe later, 251sq m energy centre, associated SUDS and landscaping relating to the heart space.</p>
14/01018/OUT	PER106	<p>Outline application for Graylingwell Park including Kingsmead Avenue incorporating revised masterplan layout for up to 218 dwellings. Proposals include increased overall parking provision, revised architectural styling, CCDT community buildings, revised employment floor space, a C2 care home, works to Havenstoke Park to include re-location of children's play area, and a gated car parking area for temporary event parking.</p>

5.0 Constraints

Listed Building	NO
Conservation Area	Graylingwell
Rural Area	NO
AONB	NO
Tree Preservation Order	Conservation Area
EA Flood Zone	
- Flood Zone 2	NO
- Flood Zone 3	NO
Historic Parks and Gardens	YES

6.0 Representations and Consultations

6.1 Chichester City Council

Revised comments dated 09.12.2023 following submission of revised plans

Further to the amended plans for application 22/01501, I confirm that the City Council's objection to the application still stands. Members concerns remain regarding the lack of parking, gardens and internal space and regarding the scale and visual impact of the building itself.

Original comments

Strong objection.

The outline permission is for a 3-3.5 storey building, which is a building with the appearance of 3 storeys but which may have some accommodation within the roof space. The proposal is a four storey building. The fourth storey is not even set back from edge of the building at all points, and where it is, the visual effect of the building is still that of a building of more than three storeys high at the eaves because of the parapet. The visual impact of the building is very significant, as it is out of scale with its surroundings. The whole width of the plot is used for the building, and the meaningful garden area shown on the approved masterplan has been omitted. The balconies are of poor quality appearance, sharing unattractive vertical metal supports spanning three to four storeys in height, with unattractive metal railings.

There is concern over the quality of the accommodation and for the amenity of the potential residents. As well as the lack of garden and parking, space within the apartments themselves is very limited, with most having internal bathrooms not served with a window, and therefore reliant on mechanical ventilation. The bistro, and particularly its kitchen, appears very small to serve the number of residents the accommodation would provide for, as does the bin store. The 42 parking spaces appears insufficient for 64 apartments, especially as parking is limited outside of the site.

6.2 WSCC Highways

Additional comment dated 16.03.2023 following submission of car parking information

No objection.

Comments below solely respond to parking provision for the development.

Paul Basham Associates has produced a note covering car parking for the development. Reading through this, it appears to have been prepared in response to the Planning Case Officer who has requested further clarity about the following points:

- How parking is allocated
- Are any units proposed to be sold with a parking space? If not, can residents have a car on site and are there any restrictions on this?
- What are the expectations in terms of staff parking?

Development proposals.

The development proposes 61 Retirement Living Plus (RLP) units (36 x 1-bed 25 x 2-bed), 40 parking spaces and 14 mobility scooter/buggy spaces (reduced from 64 units and 42 car parking spaces).

The traffic consultant explains that McCarthy and Stone provide a unique range of accommodation which does not fall neatly within typical retirement or elderly residential sites in terms of trends and requirements for highway considerations such as traffic impact and parking provision.

McCarthy Stone RLP schemes are an Extra Care accommodation for the frail elderly. They say that 'Extra Care' developments are designed to meet the needs of elderly persons who require some level of support whilst still allowing for a relatively independent life compared to a traditional care home. It is stated that the average age of entry at such developments is 83.2 years and the development offers the following services:

- An onsite management team 24 hours a day, 365 days a year.
- Waiter/waitress service restaurant (3 meals per day)
- Domestic assistance
- Flexible personal care by arrangement.

The applicant anticipates that an Extra Care development of this size would employ a total of 20 staff who would work shift patterns, with the expectation of up to 8 being on site at any one time.

Parking Provision.

The proposed development will provide 40 parking spaces for the 61 RLP units, amounting to 0.66 spaces per-unit.

The applicant states that McCarthy Stone developments are an atypical land use and therefore do not tend to experience the same level of car ownership and thus parking demand to that of typical retirement developments. Therefore, the proposed level of

parking has been informed by independent research undertaken at existing similar McCarthy Stone developments to demonstrate what is likely to be an accurate reflection of likely parking demands at the proposed development site.

The applicant provided Odyssey Planning with a summary of the parking provision (for application: 22/01501/REM) at three comparable sites to the proposed development. These are summarised within Table 1 below taken directly from the Paul Basham Report:

Development	Number of Flats	Number of Car Parking Spaces	Car Parking Ratio
Kenn Road, Clevedon	57 flats	45 CP spaces	Ratio: 0.79
Bewick Avenue, Topsham	53 flats	29 CP spaces	Ratio: 0.55
South Street, Taunton	62 flats	41 CP spaces	Ratio: 0.66
			Average ratio: 0.66

Based upon the information provided by the applicant for sites comparable to the proposed development, it is indicated that on average, a similar RLP scheme provided parking at 0.66 per unit, which would equate to 40 spaces for the 61 units.

Further assessment of wider RLP data included as Appendix A of the Paul Basham Report indicates a recommended provision of 0.52 spaces per dwelling based on 13 sample sites, which the proposals at Graylingwell Park exceed.

Therefore, the development is providing parking in line with McCarthy Stone independent research providing 40 spaces for 61 units and 20 staff.

Parking Allocation.

Resident Parking Spaces

The applicants say that parking will be unallocated and provided on the basis of annual permits. Residents will not be able to bring a car to the site if a permit has not already been secured. They also add that McCarthy Stone are also happy to preclude any residents from applying for permits on the local road network, which are all subject to residential parking permits.

Upon examination of the Controlled Parking Zone (CPZ) in the vicinity of the site, the development falls into Zone 'S'. This zone has a capacity of 334 and at the time of writing, 244 permits have been issued. Therefore, if WSCC were to provide (upon successful application) non-residential on-street CPZ permits or, indeed, residential permits, these would be road-specific and based on the current take-up of permits and should not cause unnecessary pressure in Zone 'S'.

In terms of the number of residents requiring a permit, based upon McCarthy Stone independent research (Appendix A) it is suggested that those in the age group 80-84, 40.4% will own a car, which drops to 26% for age group 85-89. As mentioned above, the average age for entry to RLP developments is 83.2 years. With regard to this development, 40.4% of residents owning a car would result in the requirement for 25 parking spaces and 26% owning a car, results in the need for 16 spaces. Therefore, 40 spaces is deemed more than sufficient to accommodate likely resident demand.

In terms of car ownership levels by apartment type, car ownership for 1-bed units is 0.460 and for 2-bed units is 0.675. With regard to the 36 x 1-bed units and 25 x 2-bed units, this would equate to a requirement of 34 parking spaces for the 61 units.

The Report also says that research confirms that 22% of residents have often given up their car 5 or more years prior to entry to RLP units. It also shows that 18.5% of residents decide to give up their car within 1 year of entry to a RLP development. This would equate to 11 residents giving up their car after moving into the accommodation, and in turn relinquishing their permit.

In addition, from the sale of the first unit to the last, there will be an estimated gap of circa 36 months. Within this time, a number of residents who brought a car to the development could have decided to give up driving (up to 18.5% in line with research). Therefore, the applicants state that there is ample time for residents to give up a parking space before the development is complete.

Therefore, as car ownership by apartment type confirms the need for 34 parking spaces and research confirms that less than 50% of residents over the age of 80 in RLP units require a parking space, and around 18.5% give up driving within the first year of living in an RLP unit, 40 parking spaces for 61 units is deemed sufficient.

The site is located approximately 600m (7-minute walk) north-west of Barnfield Drive retail park and approximately 1.8km (22-minute walk) north of Chichester Town Centre. The site is in proximity to a bus stop and a combination of good quality foot and cycle paths, making the site accessible by alternative modes of transport to the private car which also has the potential to reduce trips made by car.

Buggy Parking

Mobility Scooter/Buggy parking will be provided for 14 spaces in a communal storage area, as shown within Appendix B of the Paul Basham Report.

The applicants say that McCarthy Stone research suggests that mobility buggy storage should be provided at 1 per 5 apartments. This would equate to 12 spaces. The site is providing 14 spaces which the applicants consider is sufficient for a 61-unit RLP development.

Cycle Parking

This is shown to the front of the building, close to the buggy parking areas. As stated in previous response to the planning application, the Highway Authority recommends that it be provided with a canopy to encourage use.

Staff Parking Spaces

The proposed RLP development will have 20 staff on the rota, with no more than 8 staff expected during daylight hours. There are no specific parking spaces allocated for staff as the applicants do not expect all of the residents will bring a car with them. In addition, parking permits are allocated on an annual basis and therefore, a minimum of 8 spaces could be retained for staff use.

A Travel Plan also forms part of the proposal and this should encourage both residents and staff to utilise sustainable travel methods (walk, cycle and public transport) to reach the site.

In addition, with restricted parking on the surrounding roads and the management of parking provision on site, staff will be encouraged to travel to the site by alternative means.

Additional comment in response to member query received 16.03.2023

EV parking – It is my understanding that this is considered as part of the building regulations approvals process which would be looked at by the District Council.

Visitor parking – This would either be on a first-come-first served basis, or alternatively, visitors could use sustainable means of transport to visit the site.

Catering and laundry – Drop off and collection would take place within the car parking turning areas and aisles or alternatively, would take place within a car parking bay, if available.

Revised comment dated 04.11.2022 following submission of revised details

Following receipt and review of emails from the applicant's traffic consultant of 19th and 21st October 2022 - the latter with Stage 1 Road Safety Audit attached to it - the CHA considers the content largely satisfies highway requirements for purposes of the planning application. However, it is recommended that the cycle parking be provided with a cover/canopy to protect users and their cycles and it will encourage use.

And finally, the case officer should check that the refuse contractor is satisfied that collections can take place on-street.

Original comment

In order that the CHA can consider the proposal further, the applicant should supply a copy of the original Stage 1 Road Safety Audit for the access serving the proposed care home undertaken as part of the outline planning consent (CC/14/1018).

6.3 WSSC Fire and Rescue

I refer to your consultation in respect of the above planning application and would provide the following comments:

1) Prior to the commencement of the development details showing the proposed location of [1] one fire hydrant or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service. These approvals shall not be unreasonably withheld or delayed.

2) Prior to the first occupation of any dwelling/unit forming part of the proposed development that they will at their own expense install the fire hydrant (or in a phased programme if a large development) in the approved location to BS 750 standards or stored water supply and arrange for their connection to a water supply which is appropriate in

terms of both pressure and volume for the purposes of firefighting. The fire hydrant shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner / occupier if the installation is retained as a private network.

As part of the Building Regulations 2004, adequate access for firefighting vehicles and equipment from the public highway must be available and may require additional works on or off site, particularly in very large developments. (BS5588 Part B 5) for further information please contact the Fire and Rescue Service

If a requirement for additional water supply is identified by the Fire and Rescue Service and is subsequently not supplied, there is an increased risk for the Service to control a potential fire. It is therefore recommended that the hydrant condition is implemented.

6.4 CDC Waste Management

We are happy with the proposal and collecting from the roadside.

6.5 CDC Environmental Strategy

Further comment received 03.11.2023 following submission of required updated information on ecology and lighting

Bats: The hedgerows on site are used by bats for commuting and foraging and will need to be retained and enhanced for bats. This will include having a buffer strip around the hedgerows and during construction fencing should be used to ensure this area is undisturbed. Conditions should be used to ensure this.

The lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. We require that bat bricks / tiles / tubes are integrated into the new building onsite facing south/south westerly positioned 3-5m above ground.

Reptiles: To ensure the site remains unsuitable for reptiles, continued management of the site must take place to ensure reptile habitat does not develop onsite. If this is not possible then a precautionary approach should be taken within the site with regards to reptiles.

Nesting Birds: Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March 1st October. If works are required within this time an ecologist will need to check the site before any works take place (within 24 hours of any work). We would like a number of bird box to be installed on the new buildings onsite

Hedgehogs: Any brush pile, compost and debris piles on site could provide shelter areas and hibernation potential for hedgehogs. These piles must be removed outside of the hibernation period mid-October to mid-March inclusive. The piles must undergo soft demolition

Original comments

Ecology: We are concerned that no information has been submitted as part of this REM relating to this phase on the development. As with previous REM applications as part of the Graylingwell development we would expect a summary of ecology work / updates / mitigation to be submitted with this application providing details of any updated survey work, mitigation and enhancements for this phase. We require that an Environmental Mitigation and management Plan (EMMP) is produced for this phase of the site and submitted prior to determination.

Lighting plan: The lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. Please can further information be provided on this.

6.6 CDC Environmental Protection

Additional comment received 08.03.2023 following receipt of noise assessment report

Thank you for sending the plant noise assessment relating to the above application to the EP team for consideration. I have reviewed the document (Plant Noise Assessment dated 28 February 2022 produced by 24 Acoustics) and confirm that the assessment has been undertaken in accordance with BS4142 (recognised guidance) and includes both a noise survey and predicted noise levels from plant to be installed at the development. The report concludes that there is a low probability of adverse impact from plant noise at the nearest noise-sensitive windows, for daytime and night-time. We agree with the conclusions of the report and providing the plant used within the assessment is installed at the site (ie the same specification for the kitchen extract fan and sub-station), the predicted impact is considered to be acceptable. A condition should be applied to ensure the sub-station is enclosed as detailed in the report (ie the substation will be housed in a brick enclosure with louvres on the doors and rear façade).

It should be noted that the previous comments also apply, reproduced below:
It shall have to be demonstrated that the proposed development site shall not be significantly adversely impacted by any neighbouring noise sources, for example traffic on surrounding roads or the use of the adjacent sports pitches. A link is provided below to the Planning Noise Advice Document: Sussex (Sept 2021) that has been adopted by Chichester District Council as a Technical Advice Note:

https://www.chichester.gov.uk/media/36365/Planning-Noise-Advice-Document-Sussex-Sept-2021/pdf/PNADS_FINAL_2021_09__PDF_Document.pdf

Internal noise levels should meet the requirements of BS8233.

Original comments

Land contamination

The original comments made for application 14/01018/OUT included the following sentence: 'A remediation method statement should be produced for each phase of the development'. The proposed C2 assisted living/extra care accommodation is not

considered a highly sensitive land use with respect to land contamination however the applicant is advised to ensure the layout and landscaping takes account of ground conditions previously highlighted in the original site investigation (and that remediation/validation is undertaken if applicable).

Air quality

WSCC highways team has made comments with respect to cycle parking at the development. Electric vehicle parking should also be provided at the site in line with the requirements of Building Regulations Part S and/or West Sussex CC Parking Standards (whichever is applicable to this development) – it is noted that this point is covered in the Design and Access statement p44. It was also recommended in the original comments that opportunities to enhance the provision of cycle routes are considered by the applicant including links to the off-site cycle network. It is noted that it is intended to produce a 'Green Transport Plan' for residents p50 of the Design and Access statement – a travel plan should also be considered for staff in order to promote green travel options and thus reduce the air quality impacts from the development.

Noise

It is recommended the following conditions are applied:

A noise impact assessment of plant or other fixed noise sources and delivery noise should be undertaken in accordance with the requirements of BS4142:2014+A1: 2019 in order to ensure the development does not cause adverse noise impacts at nearby residential locations.

It shall have to be demonstrated that the proposed development site shall not be significantly adversely impacted by any neighbouring noise sources, for example traffic on surrounding roads or the use of the adjacent sports pitches. A link is provided below to the Planning Noise Advice Document: Sussex (Sept 2021) that has been adopted by Chichester District Council as a Technical Advice Note:

https://www.chichester.gov.uk/media/36365/Planning-Noise-Advice-Document-Sussex-Sept-2021/pdf/PNADS_FINAL_2021_09__PDF_Document.pdf

Internal noise levels should meet the requirements of BS8233.

6.7 CDC Archaeology

No further archaeological investigation is warranted on this site.

6.8 **7 Third Party Objections** have been received on this application.

Summary of comments:

- Concerns about consultation by developers
- Substation location
- Documents are not online for public scrutiny
- Kingsmead Avenue/Palmers Field Avenue controlled junction is being ignored
- Not enough car parking and could impact on-street parking restrictions in the area
- Concerns that the application is for C3 flats disguised as a C2 care home.
- Should be restricted by age and/or to those needing care
- Should be no more than 3 storeys

7.0 Planning Policy

The Development Plan

- 7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029, the CDC Site Allocation Development Plan Document and all made neighbourhood plans. There is currently no neighbourhood plan for the Chichester City area.
- 7.2 The principle planning policies relevant to the consideration of this application are as follows:

Chichester Local Plan: Key Policies 2014-2029

- Policy 1: Presumption in Favour of Sustainable Development
- Policy 2: Development Strategy and Settlement Hierarchy
- Policy 33: New Residential Development
- Policy 34: Affordable Housing
- Policy 39: Transport, Accessibility and Parking
- Policy 40: Sustainable Design and Construction
- Policy 47: Heritage
- Policy 49: Biodiversity

Chichester Local Plan 2021-2039: Proposed Submission (Regulation 19)

- 7.3 Work on the review of the adopted Local Plan to consider the development needs of the Chichester Plan Area through to 2039 is now well advanced. Consultation on a Preferred Approach Local Plan has taken place. Following detailed consideration of all responses to the consultation, the Council has published a Submission Local Plan under Regulation 19, which was approved by Cabinet and Full Council for consultation in January 2023. A period of consultation took place from 3rd February to 17th March 2023, and the Submission Local Plan is expected to be submitted to the Secretary of State for independent examination in Summer 2023. In accordance with the Local Development Scheme, it is anticipated that the new Plan will be adopted by the Council in 2024. At this stage, the Local Plan Review is an important material consideration in the determination of planning applications, the weight that can be attached to the policies contained therein is dependent on the significance of unresolved objection attributed to any relevant policy, commensurate with government policy at paragraph 48 of the NPPF (2021).
- 7.4 Relevant policies from the published Chichester Local Plan Review 2021 - 2039: Proposed (Regulation 19) are:
- NE5: Biodiversity and Biodiversity Net Gain
 - NE8: Trees, Hedgerows and Woodlands
 - NE21: Lighting
 - NE21: Lighting
 - NE23: Noise
 - H10: Accessible and Adaptable Homes
 - P1: Design Principles
 - P2: Local Character and Distinctiveness
 - P3: Density

P4: Layout and Access
P5: Spaces and Landscaping
P6: Amenity
P8: Materials and Detailing
P9: The Historic Environment
P11: Conservation Areas
P13: Registered Parks and Gardens
T2: Transport and Development
T3: Active Travel - Walking and Cycling Provision
T4: Parking Provisions
A1: Chichester City Development Principles

National Policy and Guidance

7.5 Government planning policy comprises the National Planning Policy Framework (NPPF July 2021) and related policy guidance in the NPPG.

7.6 Paragraph 11 of the current Framework states that plans and decisions should apply a presumption in favour of sustainable development, and for decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas of assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Consideration should also be given to the following Sections: 2, 4, 5, 8, 9, 11, 12, 14, 15 and 16 relevant paragraphs of the National Planning Practice Guidance have also been taken into account.

7.7 The following documents are material to the determination of this planning application:

- WSCC Guidance on Parking at New Developments (September 2020)
- CDC Waste Storage and Collection Guidance

7.8 The aims and objectives of the Chichester in Partnership Community Strategy 2016-2029 which are relevant and material to the determination of this planning application are:

- Encourage and support people who live and work in the district and to adopt healthy and active lifestyles
- Coordinate and promote services that help those living with low level mental health conditions
- Protect and support the most vulnerable in society including the elderly, young, carers, families in crisis and the socially isolated

- Support and empower communities and people to help themselves and develop resilience
- Support communities to meet their own housing needs
- Promote and increase sustainable, environmentally friendly initiatives in the district
- Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

8.0 Planning Comments

8.1 The principle of the development of a care home within C2 use (residential institution) in this location is established, through the grant of outline planning permission (including access) under 14/01018/OUT in March 2018. This application seeks planning permission for the reserved matters of scale, appearance, layout and landscaping. It is also important to ensure that the proposals remain satisfactory in terms of highway safety, ecology and sustainability. As such the key consideration for this application are:

- i. Scale
- ii. Layout
- iii. Appearance
- iv. Landscaping
- v. Other matters

Principle of development

- 8.2 Condition 4 of 14/01018/OUT secures the provision of a care home to be provided within the development, to fall within Use Class C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended). As such, the care home to which this application relates benefits from outline planning permission with all matters reserved other than access.
- 8.3 The illustrative masterplan (00267C_PP_05 P4) and storey heights parameter plan (00267C_PP_07 P3), approved as part of the Outline permission, show the care home as being a 3 - 3.5 storey building with car parking to the south and access via Palmers Field Avenue. The illustrative masterplan parameter plan shows the care home to be located to the southern end of the wider Graylingwell development. This reserved matters application accords with the positioning of the proposed care home under the outline permission in terms of scale and layout.
- 8.4 For clarification, it is considered that the proposed development falls within use class C2 (residential institutions) under the Town and Country Planning (Use Classes) Order 1987 (as amended). As well as traditional care homes, "housing with care" also falls within use class C2. A recent High Court judgement found that "there is no reason why a C2 development or scheme may not provide residential accommodation in the form of dwellings" [Rectory Homes Ltd v SSHCLG [2020] EWHC 2098 (Admin)]. This could include blocks containing flatted accommodation.

8.5 The applicant explains in the planning statement that, whilst care needs are assessed on a case by case basis, the general care provision proposed is 24 hour staff cover for the benefit of the residents, typically consisting of a Manager assisted by a team of Deputy Managers and support staff, who provide assistance with daily activities and care to residents, as well as a chef and grounds management. The planning statement states that the accommodation will be managed by McCarthy and Stone Management Services which is registered as a Domiciliary Care Agency with the Care Quality Commission. The Care Home will be managed by Care UK who are similarly registered with the Care Quality Commission.

i. Scale

8.6 The outline planning permission for the care home, granted as part of the wider Graylingwell scheme, includes approved parameter plans on a number of different aspects, including storey heights. The approved storey heights parameter plan shows the proposed care home as being a 3 - 3.5 storey building. This Reserved Matters application is for a building with 3 main storeys with a fourth recessed from the main building line. This gives the appearance of a 3.5 storey building, being similar height and proportions as a 3.5 storey pitched roof building. The drawings originally submitted with this application showed the top floor as being much less set back and, in some places, creating a full fourth storey. This was not considered acceptable by officers and negotiations led to the reduction in size of the top floor, thereby reflecting the scale envisaged under the illustrative information submitted as part of the extant outline permission. This also led to the reduction of apartments proposed from 64 to 61. Officers are now content that the height and scale of the elevations is acceptable and reflects the illustrative information submitted with the outline permission.

8.7 In terms of footprint, representations received on this application have expressed concerns about the proposed building taking up a large proportion of the site. However, the approximate footprint and positioning of the building within the site was again shown in the illustrative masterplan with which this application is broadly in compliance with.

8.8 The scale of the car park includes 40 car parking spaces in total, including 3 disabled parking spaces. There are no set parking standards set by WSCC for C2 uses and therefore they are considered on a case by case basis. The applicant has explained that none of the apartments would be sold with a parking space and that given the age and care needs of the prospective residents, car ownership is less than the general population. Residents would require a permit to bring cars onto the site, as would staff of which there is proposed to be 20 employees, with around 8 expected on site at any one time. Visitors will be permitted to use the car park if necessary. Car parking on-street at Palmers Field Avenue and surrounding areas is also restricted thereby limiting any overspill car parking. There is also a small car park at Keepers Green which can be used by members of the public (payment required). WSCC have raised no objection to the level of car parking. It is therefore considered that the number of parking spaces is acceptable.

ii. Layout

- 8.9 As explained above, the overall layout of the site is in accordance with the illustrative masterplan approved at outline stage. This includes the main care home building positioned within the top/northern section of the site, with car parking and access laid out towards the south.
- 8.10 The internal layout includes 36no. 1 bed and 28no. 2 bed apartments, each with a living area within self-catering kitchen facilities. Each apartment also includes a private bathroom. Most apartments are served by a private terrace or balcony but communal space is provide within the sun lounge and terrace at third floor level. The internal layout also includes a bistro with internal and external seating at ground floor level where residents can have meals or meet recreationally. The ground floor layout also includes a bistro kitchen, a cycle and buggy store for mobility scooters and a bin store for staff use (leading out to the curb side for collection). It has been confirmed that the proposed collection of waste from the curb side is acceptable, in consultation with the Council's Contract Services Manager.
- 8.11 The City Council has raised concerns about the amount of amenity space provided given the scale of the building within the plot. In response, the applicants have explained that the amount of amenity space provided within the scheme is more about outlook for residents and providing areas to sit out rather than for active use such as for extensive gardening or recreation, given the nature of the proposed occupation. It is considered that sufficient amenity space is provided for the nature of the proposal, with many units have a private terrace or balcony for siting out and undertaking small scale gardening works, as well as the provision of communal spaces such as the bistro seating area and sun terrace. Furthermore, the site is immediately adjacent to Keepers Green park for those who wish to participate in further recreation.
- 8.12 The City Council also noted that the proposed bathrooms would be internal, with no external window and so would require mechanical ventilation. It is not uncommon for any bathroom, with or without a window, to have mechanical ventilation so that ventilation is not only facilitated by opening a window. In addition, bathrooms are not classed as habitable rooms so do not need to have direct daylight or outlook. Outlook for most bathrooms is restricted by obscure glazing when a window is present. It is considered that the location of the bathrooms within the apartments is acceptable.
- 8.13 In terms of the relationship with other buildings, the main consideration is the residential amenity of the properties along the eastern side of Palmers Field Avenue. The layout excludes balconies facing onto Palmers Field Avenue to reduce any perceived loss of privacy or risk of overlooking. The windows facing Palmers Field Avenue would not overlook private gardens or amenity space on the existing properties. It is therefore considered that the proposals would not result in harm caused to residents of Palmers Field Avenue, including the new homes at Phase 9a, in terms of outlooking, privacy or amenity. In addition, there is a property to the south of the site at boundary Avenue. The proposed building is circa 34m away from the location and so it is not considered that the application would result in harm to this property in terms of outlooking, privacy or amenity.

- 8.14 Whilst the means of access was a detailed consideration under the outline application, this related only to the overall access to Graylingwell Park via Kingsmead Avenue and Summersdale Road/College Lane, rather than for each individual parcel of land within the site. Instead, this consideration falls within 'layout' at reserved matters stage for each phase. The outline application indicated access to the site from Palmers Field Avenue and the reserved matters proposals reflect this, with access proposed towards the southern end of the site. The applicants have submitted a Road Safety Audit and visibility splays as part of this application, which have been considered acceptable by WSCC.
- 8.15 The car park includes 40no. parking spaces for use by residents, staff and visitors. WSCC do not have specific parking standards for C2 uses and they are instead considered on a site-by-site basis. The applicant has explained that the level of car parking provided reflects the typical demand associated with C2 accommodation. WSCC highways officers have found the proposals to be acceptable in terms of number of spaces and layout.
- 8.16 In terms of cycle parking, WSCC confirmed their acceptance of the proposed provision of 8 spaces (made up of 4 Sheffield stands), provided the spaces were covered. The application has provided details of the cover, which is recommended to be secured via condition.
- 8.17 The application also includes an electrical substation to the south-east corner of the site. The applicant has provided a letter from the statutory undertaker who confirms their intention to construct the substation using permitted development rights. Officers agree that the substation is permitted development under The Town and Country Planning (General Permitted Development)(England) Order 2015 – Part 15 Class B. Notwithstanding this, the applicant has provided a noise report to confirm that the substation's location would not result in harm to nearby residents.
- 8.18 It is proposed that the substation would be encased in brick housing, which in itself is not permitted development and therefore for consideration under this application. The housing would be traditional in appearance with a brick walls and tiled roof with vented access doors. Details of the exact materials are recommended to be secured by condition.

iii. Appearance

- 8.19 Officers have been in negotiation with the applicant on the details of the building's design, particularly with regards to comments made by the City Council. The applicants have taken officer comments into account in arriving at the current proposed design. In terms of materials, the applicants have amended the proposals to reflect a softer brick palette of red and buff brickwork. The previously proposed cladding has been removed and replaced with timber boarding, laid vertically to give vertical emphasis. The applicant has revised the elevations to ensure that there is a suitable mix of set back and projection to the elevations, giving articulation and visual interest. Previously proposed railing balconies have been replaced with glass balconies to give a clean contemporary appearance.
- 8.20 Whilst the main 3 storeys would be built in a mixture of buff and red brick with timber detailing, the top floor would be set back from the main building line and covered entirely within the timber cladding in order to give a subservient appearance.

8.21 Previous iterations of the drawings showed some sections of the top floor not being set back, which resulted in runs of balconies stretching over 4 floors. These dominated the western elevations. The plans have been revised so that the top floor is set back along all elevations. As a result, there are no longer 4 storey runs of balconies. In the locations where there are runs of three balconies above each other on the western elevation, the design has been amended so that the balconies are partially integrated and partially cantilevered so that they appear more integral to design rather than being applied to the external facade. This replicated the proposals on the northern elevation fronting Kingsmead Avenue.

8.22 Notwithstanding the negotiations on the type of materials officers considered to be acceptable, it is recommended that details of the exact materials to be used should be secured via condition, requiring the submission of samples for approval.

iv. Landscaping

8.23 The proposed landscaping strategy for the development includes an extensive amount of low-level planting as well as some turfed areas. This level of variety and extent of soft landscaping adds visual interest and adds to the overall appearance of the scheme. In terms of hard landscaping, patio areas laid out in pavements are proposed for the terraces, bistro seating area and access paths, with the car park to be laid out in asphalt. This is in-keeping with the residential nature of the proposed scheme. The scheme includes new hedge and tree planting along the boundaries of the site and areas of lawn and low level planting within the amenity areas.

8.26 It is considered that the proposed landscaping is acceptable in principle, subject to submission of details and approval of planting species, densities and on-going maintenance and management. The outline planning permission includes a condition that requires the submission and approval of full details of both hard and soft landscaping prior to occupation of the development. In addition to this, it is recommended that a further condition be attached to any grant of reserved matters condition to secure details of the on-going management and maintenance of the landscaping features.

v. Other matters

Fire Hydrants

8.25 The WSCC Fire and Rescue have requested that conditions be applied to ensure that, prior to the commencement of the development, the applicant must provide details showing the proposed location of one fire hydrant or stored water supply for approval. Then, prior to first occupation, the applicant must install the fire hydrant as approved. A condition to this effect has been attached to the recommendation.

Ecology

- 8.26 In terms of ecology, the proposals are considered acceptable in principle by virtue of the extant outline planning permission. Condition 37 of the outline permission requires the applicant to submit updated details on protected species (in this case bats and reptiles) to ensure that the appropriate mitigation is undertaken, where necessary. The applicant must submit these details and have them approved prior to commencement of works. It is noted that the existing trees and vegetation on the site were permitted to be cleared under the outline planning application (Approved Tree Protection Plan ref SJA TPP 13225-01B).
- 8.27 In addition, a further condition is recommended should the reserved matters application be granted, in addition to Condition 37 of the outline permission, relating to ecological enhancements. This includes the provision of bird and bat boxes and hedgehog houses, the protection and enhancement of existing hedgerows and the soft demolition of any compost or debris piles on site.

Sustainability

- 8.28 Policy 40 of the CLP requires that all applications for new buildings meet a certain level of sustainability. The applicant proposes that the scheme would be connected to the district heating scheme and may include photovoltaics should they be necessary to meet the energy efficiency requirements of Part L of the Building Regulations. The application also agrees to the imposition of conditions which would restrict the maximum water consumption to 110l per person per day and require the provision of electric vehicle charging points including details of charging speed of unit and management of payment. The calculations of energy efficiency, details of how water use will be restricted provision and details of electric vehicle charging can be consolidated within the submission and approval of a Sustainability Statement, which is recommended to be secured by condition.

Conditions

- 8.29 The following matters are dealt with through conditions of the outline application: Palmers Field Avenue access (4); schedule of materials and finishes including samples (5), Levels (6), archaeological investigations (7), hard and soft landscaping details (8, 9), foul drainage (12, 26), site drainage (13), land contamination and remediation (14, 15, 16, 19), parking provision (24), CEMP (30), lighting scheme (amenity only) (28), bat and bird boxes (31), tree retention and protection (36), detailed Reptile and Bat surveys (37).
- 8.30 Additional conditions are also recommended, should reserved matters permission be granted covering noise impact assessment, fire hydrant, sustainability statement, cycle store provision, materials for substation housing, light scheme, landscape management plan, ecological protection measures and use restriction to C2 only.

Documentation

8.31 A resident raised concerns that the application documents were not available online. It is confirmed that all the application documents including third party representations are available online. The only exception to this could have been during any period of maintenance of the website, in which case the web page would clearly notify users of this temporary closure and expected date of reopening. In addition, site notices were erected close to the site, including on Palmers Field Avenue, including when amended plans were submitted.

Conclusion

8.32 Based on the above assessment, it is considered the proposal complies with the development plan and therefore the application is recommended for approval subject to conditions.

Human Rights

8.33 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account when reaching this recommendation and it is concluded that the recommendation to permit is justified and proportionate.

RECOMMENDATION

PERMIT subject to the following conditions and informatives:-

1) The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

2) The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Decided Plans"

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

3) Notwithstanding any details submitted, **no works shall commence above slab level** until a full schedule of all materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the substation housing have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved schedule of materials and finishes unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interest of amenity and to ensure a development of visual quality.

4) **No development shall commence above slab level** on the site until a scheme for the protection of the occupants of the proposed care home and nearby residential properties from noise from the plant or other fixed noise sources, delivery noise and any neighbouring noise sources including has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out strictly in accordance with the scheme as approved and retained thereafter.

Reason: In order to maintain reasonable living conditions for the future occupants of the proposed dwellings.

5) **Before development commences on construction of the superstructure** of any building hereby permitted, details of the sustainable design and construction for development, including details of how a maximum water use of 110 litres per person per day will be achieved, how the scheme will link into the Graylingwell District Heating Scheme, final energy efficiency calculations, details of size, location and positioning of any photovoltaics to be erected on the roof of the building and details of electric vehicle charging infrastructure including charging speed and arrangements for management of payment shall be submitted to and approved in writing by the Local Planning Authority. This strategy shall reflect the objectives in Policy 40 of the Chichester Local Plan: Key Policies 2014-2029. The approved strategy shall be implemented as approved prior to first occupation unless any variation is agreed in writing by the Local Planning Authority.

Reason: To minimise the impact of the development upon climate change. These details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

6) 1) **Prior to the commencement of the development above slab level**, details showing the proposed location of the required 1no. fire hydrant shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service. These approvals shall not be unreasonably withheld or delayed.

2) Prior to the first occupation of any apartment forming part of the proposed development that, the developer shall at their own expense install the required fire hydrant in the approved location to BS 750 standards or stored water supply and arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting.

The fire hydrant shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner / occupier if the installation is retained as a private network. Within 1 month of the completion of the fire hydrant installation, confirmation that the fire hydrant is ready for operational use shall be made to the WSCC Fire and Rescue Service's Water and Access Manager.

Reason: In the interests of amenity and in accordance with Chichester Local Plan (2014 - 2029) Key Policies 8 and 9 and in accordance with The Fire & Rescue Service Act 2004.

7) **Prior to the first occupation of the development** hereby permitted, details of any external lighting of the site shall be submitted to, and approved in writing by, the Local Planning Authority. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall thereafter be installed, maintained and operated in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect foraging bats in the area affected by external lighting.

8) **No part of the development hereby permitted shall be first occupied** until covered and secure cycle parking spaces have been provided in accordance with Proposed Cycle Store plans 22-058-015 (dated Dec 2022). Thereafter the cycle parking shall be retained for that purpose in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

9) **The development hereby permitted shall not be first occupied** until a landscape management plan, including a maintenance schedule indicating proposals for the long-term management of landscape features of the development, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be managed in accordance with the approved details.

Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal, public, nature conservation, or historical significance.

10) **During construction** of the development hereby permitted, the following ecological protection measures shall apply:

- no works to the trees or vegetation clearance on the site shall be undertaken within the bird breeding season (1st March - 1st October) unless otherwise agreed in writing by the Local Planning Authority.
- Any brush piles, compost and debris piles on site which could provide shelter areas and hibernation potential for hedgehogs shall only be removed outside of the hibernation period (mid-October to mid-March inclusive). These piles must undergo soft demolition. If any small mammals including hedgehogs are found, relocation away from the construction area into surrounding suitable habitats shall be undertaken.
- Prior to vegetation clearance, the site shall be assessed by a suitably qualified Ecologist before any works take place (within 24 hours of any work).

Reason: in the interest of protecting and enhancing biodiversity

11) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, and the Town and Country Planning (General Permitted Development) Order 2015, or in any other statutory instrument amending, revoking and re-enacting the Order, the building hereby permitted shall be used for Assisted Living apartments only and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2015 or in any provision equivalent to that Class in any other statutory instrument revoking and re-enacting that Order).

Reason: To ensure the use of the building does not have a harmful environmental effect in the interests of amenity/in the interests of protecting the character of the area/in the interests of protecting residential amenity.

Informatives

- 1) Your attention is bought to the conditions of the outline planning permission (reference 14/01018/OUT) for the development hereby permitted. The relevant outline conditions must be complied with in relation to this development. This includes, but may not be exhaustive of, the following conditions: Palmers Field Avenue access (4); levels (6); archaeological investigations (7); hard and soft landscaping details (8, 9); site drainage (13); contamination (14, 15, 16, 19); parking provision (24); Construction Environment Management Plan (30); lighting scheme (amenity only) (28); tree retention and protection (36); and detailed Reptile and Bat surveys (37).
- 2) A link is provided below to the Planning Noise Advice Document: Sussex (Sept 2021) that has been adopted by Chichester District Council as a Technical Advice Note:

https://www.chichester.gov.uk/media/36365/Planning-Noise-Advice-Document-Sussex-Sept-2021/pdf/PNADS_FINAL_2021_09_PDF_Document.pdf

Internal noise levels should meet the requirements of BS8233.

Decided Plans

The application has been assessed and the decision is made on the basis of the following plans and documents submitted:

Details	Reference	Version	Date Received	Status
Proposed Site Plan	SO-2698-03-AC-025	P02		Approved
Proposed Car Park and Loading Bay	22-058-012	B		Approved
Proposed Cycle Store	22-058-015			Approved

Proposed Ground Floor Plans	SO-2698-03-AC-027	P10		Approved
Proposed First Floor Plans	SO-2698-03-AC-028	P09		Approved
Proposed Second Floor Plans	SO-2698-03-AC-029	P10		Approved
Proposed Third Floor Plans	SO-2698-03-AC-030	P11		Approved
Proposed Roof Plan	SO-2698-03-AC-032	P05		Approved
Proposed Elevations East	SO-2698-03-AC-037	P11		Approved
Proposed Elevations West	SO-2698-03-AC-038	P10		Approved
Proposed Elevations South and North	SO-2698-03-AC-039	P10		Approved
Proposed Site Layout Plan	SO-2698-03-AC-026	P06		Approved
Substation	224871 - IDL - 01 - A - 090 -			Approved

For further information on this application please contact Joanne Prichard on 01243 534734.

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RD7RTZERHG800>