

BRECKLAND COUNCIL

PLANNING COMMITTEE - 14th JANUARY 2013

REPORT OF THE DIRECTOR OF COMMISSIONING
(Author: Chris Raine, Senior Planner)

**SHIPDHAM: EIGHT HOMES WITH CARE INCLUDING COMMUNAL
AREA AT WOOD FARM, CHURCH LANE, SHIPDHAM**

Applicant: Mr T Thompson

Reference: 3PL/2012/0770/F

DEFERRED ITEM REPORT

At the Planning Committee on the 26th of November 2012 Members agreed to defer the application in order to gain further information in relation to the following:

- Highway safety
- Occupancy restrictions of the units and associated legal agreement
- Revisions to design of units 7 and 8
- Protected species (impact on newts)

In response to this the following points can be confirmed:

Highway Safety

With regard to the highway safety related issues, the agent has responded with the following observations:

- They feel that the modest scale of the proposal and the likelihood that occupiers would not own motor vehicles will result in minimal vehicle movements.
- They confirm that it is anticipated that most care will be provided by the nearby Manor House care facility which is in close proximity.
- It is apparent that service vehicles already serve nearby residents and in turn could service this proposal.
- The applicant is seeking quotations with a view to upgrading the surface of the access drive. However, it should be noted that the drive is no different to many other private drives serving private grounds or estates.
- It is suggested that the access onto the main road is predominantly used by vehicles travelling north which means that oncoming vehicles are slow moving given the close proximity of the sharp bend in the road and any vehicles travelling south would use an alternative point of access which has better visibility. The agent's view is that this could be formalised through some form of one way system.

The Highway Authority does not consider that the points put forward overcome their concerns and in particular the alternative access referred to by the agent does not actually satisfy their safety/visibility requirements. Furthermore, it is not considered to be practical to introduce such an arrangement.

As referred to in the original committee report, the Highway Authority maintain an objection on highway safety grounds and, on balance, this continues to be a reason for refusal.

Occupancy restrictions on the units and associated legal agreement

The agent has confirmed that the units would be operated as homes with care as defined by the Care Standards Act 2000 and must be occupied by a person or persons in need of care and their partner if applicable; care being defined as personal care for people in need of such care by reason of old age or infirmity or requiring supervision or monitoring where this has been certified by a medical practitioner.

It has also been confirmed that the units will be offered to people with a local connection to Shipdham which cascades down to adjacent parishes in the event that there are vacant units which are not required by any people with the aforementioned local connection.

The above have been submitted as "heads of terms" which could be used in the formulation of a S106 legal agreement should planning permission be granted..

It is considered that there is sufficient clarity as to the restrictions relating to the occupancy of the units and these could be effectively controlled through a legal agreement. Similar terms were agreed by Members for the development of care bungalows at Lincoln House, Swanton Morley.

Revisions to units 7 and 8

The revisions to the design of units 7 and 8 have been undertaken, giving an improved internal layout and external appearance.

Protected species (impact on newts)

The agent has provided an amended ecology survey undertaken by Norfolk Wildlife Services, including information on the impact of the development upon newts. This sets out a number of mitigation and enhancement measures which are considered acceptable. These could be used to formulate a suitably worded condition.

Conclusion

It is considered that sufficient clarification has been provided in relation to the occupancy of the units and protected species and the alterations to units have improved their layout and design. However, it is apparent that the highway safety related concerns set out in the previous committee report have not been addressed to the satisfaction of the Highway Authority. Furthermore, the concerns relating to the isolated nature of the site away from local services and facilities remain. On this basis the application continues to be recommended for refusal.