

<b>Application Number:</b> PM/19/0981	<b>Appeal Reference:</b> APP/Y2620/W/20/3244606
<b>Location:</b> Land off Nightjar Road, Heath Farm, Hempstead Road, Holt NR25 6JU	
<b>Proposal:</b> Erection of 66 bed, 3 storey care home for older people (Use Class C2) with associated parking, access and landscaping (reserved matters for: access, appearance, layout and scale).	
<b>Officer Recommendation:</b> Refusal	<b>Member decision (if applicable)</b> Refusal
<b>Appeal Decision:</b> DISMISSED	<b>Costs:</b> None Made / awarded
<p><b>Summary:</b> The Inspector considered that the main issues in this appeal were:</p> <ul style="list-style-type: none"> <li>• the effect of the proposed care home on the character and appearance of the surrounding area, and</li> <li>• whether the proposed development would provide acceptable living conditions for future occupiers, with regard to the provision of amenity space.</li> </ul> <p><b>Character and Appearance</b></p> <p>The Inspector noted that the appeal site occupied a gateway location in the wider Heath Farm development at a prominent location adjacent to the roundabout on the A148 Holt bypass. The Inspector noted that the proposal would comprise an extensive single building, occupying almost the full width of the site as it faces onto the prominent frontage with the A148 and roundabout. Whilst recognising some attempts made by the appellant to provide some articulation and variety to the proposed building, the Inspector nonetheless concluded that the design approach, would not sufficiently reduce the impact of the overall massing of the building across the site frontage. The inspector considered it would appear as a highly conspicuous bulky block of development, particularly in longer views from the west along the straight alignment of the A148 bypass road and went on to comment that ‘Given the semi-rural, transitional edge of town character, the appeal proposal would appear as a harmfully discordant and incongruously cumbersome urban form’.</p> <p>In terms of how the building would sit with the residential development on the other side of Nightjar Road, the Inspector concluded that the appeal proposal building, exacerbated by its peripheral, gateway location, would be a somewhat ungainly building that would fail to relate sympathetically to the local context.</p> <p>The Inspector went further setting out that the Heath farm site is a ‘gateway location and the appeal site has a particularly high profile where development needs to successfully create a new edge to the town including onto the green corridor character of the A148 bypass. The scale and massing of the appeal proposal as a particularly bulky and solid form of development would fail to do that and would appear as a harmfully abrupt and overbearing entrance development’.</p> <p>In terms of the development brief for the Heath Farm site and the need for a ‘highlight’ building on the appeal site, the Inspector commented that ‘To my mind “highlight” means an emphasis on design quality as a comprehensive concept, not just scale. A larger building may well form the focal point as sought by the brief, however, the design proposed would result in a dominant yet undistinguished building that would appear harmfully ponderous. It would not create an attractive, welcoming and distinctive place that would be sympathetic to local character. It would not be, therefore, compliant with the wider requirement for a ‘highlight’ building as sought by the development brief’.</p> <p>Although landscaping was not a reserved matter for determination as part of the appeal, the Inspector went out of his way to note that he had ‘reservations that there would be sufficient room to accommodate a necessarily comprehensive structural landscaping scheme at reserved matters. Furthermore, even allowing for a reasonable period of time, I am not persuaded that landscaping would sufficiently mitigate the visual impact of the vast massing of the building to</p>	

assist maintain the principal green corridor character of the A148 and transition to adjoining countryside’.

In terms of character and appearance, the Inspector concluded the proposal was contrary to Core Strategy Policies EN 2, EN 4 and HO 1 and in conflict with NPPF para 127 in relation to design.

### **Living Conditions**

The Inspector noted that as a C2 care home use for both general residents and those needing dementia care, it seems reasonable to assume there would be a proportion of residents who would be able to readily benefit from enjoyment of the garden areas for their well-being. Additionally, in summer months, the garden areas would be likely to be used as spaces for residents to receive visits from family and friends. With significant staff numbers it is also reasonable to assume that staff too would benefit from amenity space for breaks.

The Inspector remarked that the issues of quantity and quality of amenity space are inherently linked and whilst accepting that a reasonable amount of amenity space for relaxation and well-being would be provided he noted that the two secure landscape gardens facing towards the A148 and the Nightjar Road roundabout would be particularly exposed to traffic noise and emissions, particularly in the busier summer months when residents and visitors are more likely to want to use outdoor amenity space. The Inspector noted that any comprehensive landscaping to the front of the building would result in these areas becoming particularly shady and gloomy. The Inspector found that these two front areas would not provide appropriate, quality amenity space for future occupants. The Inspector considered that areas to the rear of the building are wedged between the building and the car park. On their own they would not provide a sufficient quantity of amenity space for the 66 residents, visitors and staff.

The Inspector agreed with the Council’s description that future occupants would be “vulnerable” in the sense they could not readily access alternative amenity spaces elsewhere in Holt. Consequently, they would be reliant on the on-site provision such that there would be significant social harm to well-being arising from the identified deficiencies in the quantity and quality of amenity space proposed. The Inspector concluded that the proposal would not provide acceptable living conditions for future occupiers, with regard to the provision of amenity space, contrary to Policy EN 4 which requires all development proposals to secure a high quality of design. The Inspector found Core Strategy Policy EN 4 to be consistent with NPPF para 127 on design.

### **Other Matters**

In terms of light spillage from the proposed development, the Inspector was not persuaded that the proposal would generate harmful light pollution and that any external lighting could be managed through an appropriate planning condition.

The Inspector remarked that, whilst the location of the Care Home would not accord with the illustrative masterplan for the site, he did not consider this conflict, in terms of land-use, to be significant given the lack of commercial land take-up at the Heath Farm site. Indeed, the Inspector considered that the appeal proposal may well stimulate other commercial interest in the Heath Farm site.

**Relevant Core Strategy Policies: EN 2, EN 4 HO 1**

**Relevant NPPF Sections/Paragraphs: Section 12 para 127**

**Learning Points/Actions:** Whilst Officers and Committee Members will fully recognise that there is clearly an identifiable need to improve accommodation choices for older persons in this part of North Norfolk, including those needing care for conditions such as dementia, this appeal decision brings home the need to ensure that proposed accommodation for vulnerable people in our communities is proposed to a high standard not only in terms of matters of appearance and scale but through ensuring a layout which enables the provision of sufficient quantity and quality of amenity space so as to provide acceptable living conditions for future occupiers.

This decision should give further weight to empower officers and Committee to act in the wider public interest and to refuse schemes which are not of the standard required.

A full copy of the Inspector's decision can be found on the Council's public access pages.

**Source:**

Geoff Lyon – Major Projects Manager