

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr I Dym	Proposed alterations and extension to existing care home, to provide additional bedrooms and amenity space.  Breach House Residential Care Home , Holy Cross Lane, Belbroughton, Stourbridge, DY9 9SP	08.09.2014	14/0421

**Councillor Margaret Sherrey has requested that this application be considered by Planning Committee rather than being determined under delegated powers.**

**RECOMMENDATION:** That planning permission be **REFUSED**

### **Consultations**

**Belbroughton Parish Council** Consulted 23.07.2014  
No objection

**Highways Department- Worcestershire County Council** Consulted 23.07.2014  
No Objection

**Landscape & Tree Officer** Consulted 23.07.2014  
No objection subject to conditions protecting existing trees on site and the provision of a landscaping scheme.

**Drainage Engineers Internal Planning Consultation** Consulted 23.07.2014  
No objection

### **Publicity:**

6 letters sent on the 23<sup>rd</sup> July 2014 (expired 13<sup>th</sup> August 2014)  
1 site notice posted on the 24<sup>th</sup> July 2014 (expired 14<sup>th</sup> August 2014)

### **Councillor Margaret Sherrey**

The Councillor has requested that this application be considered by Planning Committee rather than being determined under delegated powers. She is supportive of the application and has highlighted that there is a need for a greater provision of specialist dementia care within the district.

### **Relevant Policies**

NPPF National Planning Policy Framework

### **Bromsgrove District Local Plan 2004 (BDLP):**

DS2 Green Belt Development Criteria  
DS13 Sustainable Development  
S6 Special Needs Housing  
C17 Retention of Existing Trees

## TR11 Access and Off-Street parking

### **Relevant Planning History**

B/12267/1984	Change of use to convalescent and rest home.	Approved
B/14479/1986	Extension to care home	Approved
B/1993/0460	Conservatory	Approved
B/1994/0401	Lounge and bedroom extensions	Approved

### **Assessment of Proposal**

#### **The site and its surroundings**

The application site is located in the open countryside and access is gained from Holy Cross Lane via a long drive. The house was formerly a residential dwelling within a farm complex but has been used as a care home for over 20 years.

#### **The proposed development**

The proposal is for alterations and extensions to an existing care home to provide 7 additional bedrooms and a lounge. The alternations primarily consist of the demolition of an existing conservatory, a side lounge extension and the raising of the roof along the rear element of the building by 0.6m and the insertion of dormer windows to enable the creation of a number of additional bedrooms at first floor level.

#### **Planning Considerations**

The main issues to be considered in assessing the application are the following:

- (i) Whether the proposal amounts to inappropriate development in the Green Belt
- (ii) If inappropriate, whether there are any very special circumstances to justify the proposal
- (iii) Residential amenity
- iv) Highways and Parking
- v) Street Scene Impact
- vi) Landscape and Trees

#### **(i) Green Belt**

The site is located in the Green Belt with the entire area washed over by the Green Belt and there is no village envelope.

It is necessary to consider whether the proposal represents inappropriate development in the Green Belt and if so whether any very special circumstances exist that outweigh any identified harm.

Policies DS2 of the Local Plan are relevant. It is considered that these policies are consistent with paragraphs 79-92 of the NPPF in relation to Green Belt and weight can be attached to them.

Paragraph 89 of the NPPF sets out that planning authorities should regard development in the Green Belt as inappropriate except in a small number of exceptions. One of these exceptions is:

*“The extension or alteration of a building that does not result in disproportionate additions over and above the size of the original building”*

This is clearly relevant to an application for the extension to a care home. The Council has no local policy defining what a proportionate extension is to a care home but applies a 40% guideline to extensions to single residential dwellings. This is considered to provide a reasonable benchmark of what is proportionate in many instances.

From a site visit and planning history search it is clear that Breach House has been heavily extended previously. The building has already increased in size by approximately 73% above the original floor area of the building. Including the proposed extensions there would be an increase of 116% above the original floor area of the building. The applicant has proposed to demolish a detached garage but removing this area from the calculation still represents a 112% increase. This comfortably exceeds what could be considered to be a proportionate extension. Therefore all of the additional extensions proposed as part of this application would be viewed as a disproportionate addition meaning that the proposal is considered to constitute inappropriate development in the Green Belt.

## **(ii) Very special circumstances**

Paragraph 87 of the NPPF highlights that inappropriate development, is by definition harmful to the Green Belt and should not be approved except in very special circumstances. The applicant has put forward 6 over-lapping issues within the Supporting Planning Statement (December 2014) that purport to be very special circumstances:

1. Employment and ability to visit residents;
2. The need to provide care home accommodation;
3. Care and quality of life for residents;
4. Demolition of existing garage;
5. Design and Care Quality Commission (CQC) Standards; and
6. The role of local authorities and private care providers

I will address each of these matters in turn.

### *Employment and ability to visit residents:*

The applicant argues that the Care Home provides significant local employment and further jobs would be provided if the extension were permitted. No details have been provided of how many jobs would be created but details have been provided of where the 19 current employees live. Of these 19 employees 8 (42%) are from the Belbroughton and Clent area with the remainder from the wider West Midlands region. It would appear unlikely that a development of 7 extra bedrooms would create more than a handful of jobs and based on current proportions over half these employees would be from outside the

local area meaning travel by an unsustainable mode due to the lack of public transport options. It is considered that the economic benefits of the scheme are fairly limited and this benefit is reduced further when considering the unsustainable travel patterns that are likely to increase.

The applicant has also highlighted the benefit of providing an extended care home close to where friends and family of the residents live. Data has been submitted to highlight that of the current residents 10 of 26 (38.5%) came from Belbroughton village. In reality, this data simply highlights that the majority of residents were not local and therefore relatives and friends would need to travel by car from locations such as South Birmingham which is not considered to be sustainable. In addition, even when the residents are local there is no guarantee that friends and family would also live in Belbroughton. Whilst some visitors would travel from Belbroughton it seems unlikely that all family members would live in the village of Belbroughton as this is an expensive village that would be unaffordable to many. It is considered that any expansion of the care home is likely to lead to an increase in travel by an unsustainable mode.

*The Need to provide Care Home Accommodation:*

The applicant has highlighted that there is a high level of need for the accommodation and has taken statistics from the Worcestershire Strategic Housing Market Assessment (SHMA). This highlights that 21% of the population within Bromsgrove District is over the age of 65. The principle of specialist housing for the elderly is supported within Policy S6 of the BDLP but this states a preference for accommodation to be close shops and public transport. This is clearly not the case in this instance with the development located outside of any defined settlement with no public transport options.

The need for housing for the elderly is not disputed, however the National Planning Practice Guidance (NPPG) states:

*Unmet housing need (including for traveller sites) is unlikely to outweigh the harm to the Green Belt and other harm to constitute the “very special circumstances” justifying inappropriate development on a site within the Green Belt. (Paragraph: 034, Reference ID: 3-034-20141006)*

It is therefore considered that this issue does not amount to a very special circumstance, which is backed up by a recent appeal decision within the district at Leys Residential Care Home (APP/P1805/A/14/2225986). Whilst the Inspector acknowledged that there was need for specialist elderly accommodation this do not clearly outweigh the harm to the Green Belt.

In addition, The Council is seeking to address the need for elderly accommodation through key development sites that are outside of the Green Belt in sustainable locations. For example, there is a current planning application at Recreation Road, Bromsgrove (14/0821) for a development of an 81 bed care home, 66 extra care apartments and 26 age restricted apartments. In addition a 200 unit extra care facility is proposed on the Perryfields Road site as part of a much larger allocation under Policy BDP5A within the Proposed Submission Version of the Bromsgrove District Plan. An outline planning application is expected on this site shortly.

*Care and quality of life for residents:*

The applicant highlights that the proposed extensions will allow greater room for wheelchairs and hoists which would allow residential to stay in the residential care home for longer, rather than moving to a nursing home. In addition the applicant states that a rural setting is beneficial to dementia patients as it is quiet and therapeutic.

It is not disputed that these are benefits for residents, although the applicant points out that the care home already has an excellent reputation and the CQC do not appear to have any concerns currently. So whilst the improvements are beneficial to residents they are not considered to be essential as residents already receive a good level of care.

*Demolition of existing garage:*

The applicant believes that removing an existing garage can improve openness and would amount to an acceptable 'trade' for the proposed extensions. The garage in question covers 23sqm and is insignificant in scale when compared to the extent of the previous and proposed extensions to the care home. For example, when including the existing and proposed extensions the building would increase in size by 116% above the original floor area. Taking into account the removal of the garage, this drops to an increase of 112%. Extensions that would over double the size of the original dwelling are considered to be disproportionate. The loss of the garage is considered to be inconsequential in relation to the scale of the development proposed.

*Design & CQC Standards:*

The applicant has set out that several lounge spaces are required so that any individuals of a contentious nature can be separated for the well-being of residents and the additional space is beneficial to wheelchair bound patients. This clearly overlaps with the previous issue put forward regarding the 'care and quality of life for residents'. Whilst more space is obviously a benefit for residents, it is important to note there is currently a large lounge, a lounge/family room, dining room and conservatory. It is considered that there is sufficient room for the number of residents and it should be emphasised that there is no evidence to suggest that the CQC have raised any concerns over the amount of lounge space currently provided.

*The Role of Local Authorities and Private Care Providers:*

The applicant states that local authorities are increasingly closing local authority run premises and passing the burden to the private sector. No evidence has been provided of any care homes closing within the district and the Council is seeking to expand the provision of accommodation for the elderly on the sites mentioned previously in this report.

The applicant also highlights that funding for care places by local authorities is capped and so a mix of local authority and private residents provides the best business model but this ratio is often out of the control of the care home. They go on to question the viability of the business in the short to medium term. It is of note that a 5 year Business Plan was produced by the applicant that stated that the extensions were necessary to maintain the viability of the business. The Council employed an independent consultant to review the

Business Plan and he concluded that the business was viable in its current form. It is therefore considered that there is not currently a viability argument that can be used to add weight in support of the application.

### Summary of Very Special Circumstances Case

A range of factors have been put forward by the applicant that can generally be summarized as the high level of need for specialist care, improving care for current residents, economic benefits, viability and the removal of a garage. Whilst some of the factors are considered to be benefits of the scheme these benefits are not significant, particularly when considering the wording within Paragraph 034 of the NPPG (Reference ID: 3-034-20141006). In summary, it is considered that neither individually or cumulatively the factors put forward do not amount to very special circumstances that clearly outweigh the harm to the Green Belt. The proposal is therefore contrary to policy DS2 of the BDLP and the NPPF.

#### **(iii) Residential amenity**

Whilst Breach House is in a rural location it is surrounded by a small number of residential dwellings, many of which are converted barns. The most notable change is the introduction of dormer windows on the western elevation of the building. However, the windows are positioned so that they do not directly overlook land within the curtilage of the attached barn conversion. The height of the building has been raised by 0.6m from 5m to 5.6 in height. This is not considered to be over bearing or cause a loss of light in relation to the dwellings to the east and west of the site. The single storey side extension is 11m from the side elevation of the nearest property ensuring that proposal has no undue amenity impact.

Overall, it is considered that the proposal would have no significant amenity impact on the occupiers of adjacent dwellings in accordance with policy DS13 of the BDLP.

#### **(iv) Access, highways and parking**

The site provides ample parking for staff and visitors and the proposal does not lead to a loss of parking spaces. No objection has been raised by the Highways Authority. The proposal therefore accords with policy TR11 of the BDLP.

#### **(v) Street Scene and Design**

Breach House is a heavily extended former farmhouse that is situated at the end of a long drive which is 87m from Holy Cross Lane. The single storey side extension is subservient to the main building and modest in size. The raising of the rear section of roof and the insertion of modest dormer windows do not have significant impact on the external appearance of the building. The proposal is not considered to detract from the appearance of Breach House or the character of the local area in accordance with policy DS13.

## **Vi) Landscape and Trees**

There are a number of high quality trees within the grounds of Breach House, the trees immediately adjacent to the proposed extension have already been recently felled. They do appear, however, to have been species and specimens of limited amenity value. The Tree Officer notes that the remaining trees on the site are all sufficiently far from the proposed extension that they should not be affected provided that they are their root systems are protected by suitably located protective fencing in accordance with BS5837. No objection has been raised subject to the imposition of conditions. The proposal therefore accords with policies C12, C17 and DS13 of the Bromsgrove District Local Plan January 2004.

### **Conclusion**

The proposal is acceptable in terms of its impact on residential amenity, street scene, landscape and highways. The proposal represents inappropriate development in the Green Belt which by definition causes significant harm to the Green Belt. There are not considered to be any very special circumstances that clearly outweigh this harm. The proposal is therefore contrary to Policy DS2 of the BDLP and the NPPF.

**RECOMMENDATION:** That planning permission be **REFUSED**

- 1) The proposed extension results in a disproportionate addition to the building and therefore does not fall within any of the categories of appropriate development specified at Policy DS2 of the Bromsgrove District Local Plan 2004 (BDLP) or at paragraph 89 of the National Planning Policy Framework 2012 (NPPF). Thus, the building constitutes an inappropriate form of development in the Green Belt which harms the Green Belt by reason of inappropriateness and harms the openness of the Green Belt. No very special circumstances are considered to exist that would clearly outweigh the identified harm to the Green Belt.

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