

40 Extra Care apartments for the elderly with associated communal facilities, car parking and landscaping at King Edward Court, Herne Bay – CA/06/1392

A report by Head of Planning Applications Unit to Planning Applications Committee on 12 December 2006.

Application by Kent County Council Adult Services and Housing 21 for the demolition of existing buildings and erection of a detached three storey block of 40 extra care apartments for the elderly with associated communal facilities together with car parking and landscaping at King Edward Court, King Edward Avenue, Herne Bay.

Recommendation: Permission be granted subject to conditions.

Local Member(s): J. Law and D. Hirst

Classification: Unrestricted

Site

1. The application site is located off King Edward Avenue in Herne Bay. The site currently consists of a mixture of one and two storey buildings, which provide County Council accommodation for the elderly. Residential properties surround the site and a hospital is located on the northern side of King Edward Avenue. A Public Right of Way runs to the south of the site along Grange Road (see attached plans).

Background

2. The application is one of a number of applications, which have been submitted on behalf of Kent County Council Adult Services and Housing 21. The proposals form part of a Private Finance Initiative (PFI) to redevelop a number of sites in Kent with new extra care accommodation for the elderly and supported flats for people with learning disabilities.
3. Outline Planning permission was granted (ref: CA/05/1124) by the Planning Application Committee on 8 November 2005 for a similar development. That outline planning permission for the site approved the principle of development, with a part 2 and part 3 storey building for use as 40 extra care flats, using a site layout that differs from the current application.
4. Following the submission of a new full planning application, Housing 21 has held an exhibition for local residents regarding the proposed development of the site, which coincided with the submission of the planning application. Responses submitted in response to the exhibition have been conveyed to myself and are incorporated those received in response to the planning application.

Proposal

5. Full planning permission is now sought for the demolition of the existing buildings and the erection of a detached 3-storey block of 40 extra care apartments for the elderly with associated communal facilities together with landscaping. A total of 19 car-parking spaces would be provided on site, including 4 spaces for use by disabled persons.

Item D2

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Layout

6. The layout of the development on site is constrained by the need to re-use the existing access to King Edward Court and by surrounding residential development. The site runs southward from King Edward Avenue and is broadly triangular in plan. The applicant considered the siting of the proposed building would respect the existing building line and appearance of the essentially residential character of the street.
7. The compact 'L' shaped building form is concentrated to the north of the site releasing much of the southern portion to provide a large south facing garden and separation zone to the existing rear gardens beyond. One of the three existing bungalows on the site (each with three flats) is to be retained along with a significant number of existing mature trees. The principal communal rooms are located in the north/south wing to benefit from direct access to the garden and the long views beyond.
8. The access into the building for residents and tenants is very close to the access into the site and is by its nature clear and direct to encourage the wider community in. The service road continues to a discreet service area, which also allows access to those bungalow units that would remain. Parking would be located away from the building entrance and is broken into bays of a few spaces separated by new landscaping.
9. The development has been designed in crime prevention terms to comply with Secured by Design principles. The applicant has stated that an integrated approach to the development has been taken to ensure that a well designed environment is created with good natural surveillance over the car parking areas, a secure and well maintained access from King Edward Avenue and private amenity space for the residents which is overlooked from each unit within the building and secure from intruders. It is also proposed to introduce low level lighting to the parking court and pedestrian access route.

Proposed Building

10. The site is located in a residential area and the design of the new building has been influenced by the need to provide a building which complements adjoining properties whilst providing an appropriate appearance to the street scene. The building has long principal elevations with a strong horizontal emphasis. In order to provide interest and activity in the elevations, the front and rear elevations have been broken into modules with projecting bays in contrasting materials in order to provide a vertical rhythm.
11. The horizontal emphasis would also be delineated by differing materials with the third floor set within a tiled mansard style roof and lower floors marked by fair faced brick. The projecting bay windows are a key feature of the design, which provides residents with a safe and secure area for viewing the gardens to the front and rear of the building. These features have proved to work well in other similar schemes that have been built to this architect's design. The projecting bays are also distinguished by horizontal cedar cladding to provide a softer contrast to the other materials. In order to complement the other materials, windows and doors would be constructed of powder coated metal frames to provide a crisp, understated finish.

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12. The main entrance to the extra care building would be easily identified by its location alongside the drop-off point and the car parking spaces, with shelter provided by a projecting canopy.

Access

13. Given the site constraints and the layout of the surrounding development, the existing site access is being re-used. The site is well located in relation to main routes into the town and is easily accessible from the surrounding road network. Full access for refuse and emergency vehicles would be maintained.

Landscaping

14. The garden is protected and made private by the configuration of the buildings, the area closest to the communal rooms is framed and given a discreet sense of enclosure by the existing trees on the western border and by the bungalows to the south.
15. A sensory garden is also proposed. Its main component would be new planting. The structure of the planting would be visually stimulating with bright areas and cooler zones and all year round interest. It would include plants that have movement and create sound, such as ornamental grasses. Tactile plants would be located at the front of raised beds. Plants with scented flowers and leaves would be carefully selected and located with both summer and winter in mind. Small and safe water features such as bubble fountains would be designed in association with seating areas.
16. A clipped evergreen hedge laid out with indented cells would define the new site frontage to King Edwards Avenue. Within each cell a tree would be planted with low ground cover below. Altogether 5 trees at even spacing, together with the hedge, would create a formal but distinctive boundary with the avenue. Around the immediate edge of the Care Home block, low to medium height flowering and scented would be planted to enhance the view from the windows.
17. The rear garden has two design elements. First, a sensory garden would be laid out adjoining the proposed paved patio. This would comprise of a circular walk enclosing a curved garden. Within the garden a sitting out space would be created bordered by a semi-circular curved timber pergola with climbing plants. That would link through to a raised bed. Planting in both the ground and raised bed would comprise a range of flowering shrubs, herbs and perennials with an emphasis on scented species that are also suitable for a seaside location.
18. Secondly, a line of ornamental trees would be planted along the western boundary to create interest. Along the south eastern boundary groups of woodland trees and shrubs would provide a wooded backcloth and encourage birds and other wildlife to enrich the experience of living in the new care home.

Planning Policy

19. The Development Plan Policies summarised below are relevant to the consideration of the application:

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(i) **The Kent & Medway Structure Plan, 2006:**

Policy SP1 - Seeks to conserve and enhance Kent's environment and ensuring a sustainable pattern of development.

Policy QL1 – All development should be well designed and be of high quality.

Policy QL7 – The archaeological and historic integrity of scheduled ancient monuments and other important archaeological sites, together with their settings, will be protected and, where possible, enhanced.

Policy QL11 – Existing community services, will be protected as long as there is a demonstrable need for them.

Policy TP3 – Development sites should be well served by public transport, walking and cycling or will be made so as a result of the development. Requires travel plans to be established for larger developments that generate significant demand for travel. Developments likely to generate a larger number of trips should be located where there is either a good choice of transport already available or where a good choice can be provided in an acceptable manner.

Policy TP19 – Development proposals must comply with the adopted vehicle parking policies and standards.

Policy NR5 – The quality of Kent's environment will be conserved and enhanced, this includes visual, ecological, geological, historic and water environments, air quality, noise and levels of tranquillity and light intrusion.

(ii) **Canterbury District Local Plan, Adopted November 1998:**

Policy D1 – The City Council will permit development of a high standard of design, which is sympathetic to the appearance and character of the surrounding area and appropriate in scale; and avoids placing undue burden on existing infrastructure.

Policy D3 – The City Council seeks landscaping to be carried out in appropriate cases.

Policy D62 – New development will be required to provide parking for vehicles in accordance with Kent Vehicle Parking Standards.

(iii) **Canterbury District Local Plan, Deposit April 2002:**

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Policy BE1 – The City Council will permit proposals of high quality design.

Policy BE2 - Sets out criteria that should be given regard to when considering planning applications including landscaping, lighting, the retention and incorporation of public rights of way and the creation of a connected open space and pedestrian/cyclist circulation system.

Policy NE5 – Requires development to retain existing trees, hedgerows and woodland.

Policy C8 - Seeks to apply Kent Vehicle Parking Standards to development proposals.

Policy C10 - Proposals for new buildings or uses for local communities will be encouraged and granted planning permission on the basis that any new building is appropriately designed and located.

Consultations

20. **Canterbury City Council:** has no objection to the principle of the application. The redevelopment of this site is acceptable however, the Council is concerned by the scale and mass of the proposed building and its impact in the street scene and on the adjoining residential properties. The provision of second floor accommodation within the roof of any new building may be a means of reducing its scale and impact.

“Kent County Council should be satisfied that sufficient parking is to be provided on the site and should consider a Green Travel Plan for staff. Landscaping screening should be sought to break up views of the building, including hedging and mature trees. Additional screening should be provided along the boundary with 9 King Edward Avenue to reduce the impact of the car parking in this part of the site. Overall, as much landscaping and existing trees should be retained on site and it is recommended that a condition should be imposed to require an archaeological evaluation to be undertaken”

Divisional Transport Manager: no objection subject to cycle parking being conditioned. The cycle parking facilities for 5 Bicycles should be shown in a secure communal compound on site.

Jacobs (Landscaping): “Overall, the visual impact would be ‘slight adverse’ due to the size of the proposed building and close proximity of visual receptors. In order to reduce this impact, we recommend the retention of existing screening planting to the south of the site. Slight adjustment of the car parking along the eastern boundary to allow for a native hedgerow would also be beneficial in reducing visual impact on the adjacent property, 9 King Edward Avenue. The impact on trees and the landscape is assessed as negligible, providing the suitability of the following information, which we would like to see before making further comment:

- Full landscape plans, including hard and soft detailing (taking into account the above recommendations).
- Tree protection plan in accordance with BS5837:2005 ‘Trees in Relation to

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Construction”.

Public Rights of Way: No comments.

County Archaeologist: No comments.

Local Member

21. The local County Member(s), Mr J. Law and Mr. D. Hirst were notified of the application on the 13 October 2006. Mr Law has commented as follows:

“As local Kent County Council Member, I have inspected the plans together with the officers on site and support the application in line with desirable Supporting Independence Programme providing modern accommodation and monitoring systems for residents. The project will also provide 23 additional jobs on site to benefit the local economy”.

Publicity

22. The application was publicised by advertisement in a local paper, the posting of two site notices and the notification of 31 neighbouring properties.

Representations

23. 3 letters of representation have been received. The main concerns and objections are as follows:

- To demolish the existing building would entail the use of heavy equipment and transport. King Edward Avenue is in poor condition and considering the car parking that takes place on both sides due to the hospital and Church, heavy traffic would cause serious problems.
- The noise, dust, etc. from the demolition and construction would be an inconvenience, affecting surrounding properties, most of these are bungalows owned by elderly people.
- Is there not a more suitable site for the proposed development?
- 3-storey building is a bit domineering in an area of predominately two and one storey homes.
- The proposed number of parking spaces does not appear to be sufficient to cope with traffic numbers and cars will be parked outside neighbouring properties.
- Detrimental effect on visual amenity from neighbouring properties.
- Privacy will be taken away from neighbours trying to enjoy their homes.
- The proposed new building is unattractive.
- What is the intention of the west boundary, where at present there is only a basic long link fence garages and a shed? Traffic entering the site will look directly onto the property adjacent to the west boundary, as at present there is only a low fence.

Discussion

24. This application needs to be determined with regard to the relevant Development Plan Policies and in the light of other material planning considerations, including relevant

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planning objections raised by the consultees, set against the need for the proposed development.

Policy

25. The key policies for consideration regarding the proposed development are SP1 (environment), QL1 (design) and QL11 (community). The principle of the development accords with Policy SP1, although there are design and layout issues that need to be addressed.
26. Overall I consider that the proposed development is in general accordance with the relevant Development Plan Policies and I see no overriding objection on planning policy grounds. In particular the proposed development would be erected over the existing footprint of the existing care home facilities and a significant part of the building is contained in a block, which follows the orientation of properties fronting King Edward Avenue.

Design and Layout

27. Canterbury City Council has no objections in principle to the redevelopment of the site, but is concerned by the scale and mass of the proposed building and its impact in the street scene and on the adjoining residential properties. This concern is shared by neighbours of the site. The proposed building generally follows the existing building line, and although it would be a large building (3-storey) it would be similar in scale to the existing building. Unlike the existing building on the site, the proposed care home building would be articulated with bays, commensurate in size with the adjoining houses, projecting forward to reduce its scale. In this regard, I consider that the building would represent an appropriate scale of development in the street scene, which can be softened in appearance through the implementation of appropriate landscaping and other detailed building treatment.
28. To further reduce the bulk of the proposed building, the applicant has looked at the possibility of including accommodation within the roof space, but that would result in the loss of a number of units of accommodation. The proposal is for a high quality extra care building with enhanced communal facilities such as a hairdresser, a small kiosk/shop and restaurant and tea bar, both for residents and visitors. These additional facilities would add to the quality of life for residents but also require a quantum of development to make them viable, both economically and in care terms. The applicant would therefore be concerned that the loss of accommodation would render the scheme unviable and could also have an impact on the Kent PFI as a whole. The architect has explored a mansard roof plan on other proposed sites in Kent and has come to the conclusion that the proposed building at King Edwards Court would be more elegant and less imposing were a mansard not deployed, and this aspect has therefore not been adopted. I do not dissent from that view in this particular case, where there is little precedent for such a style of roofing.
29. In terms of appearance, all external materials proposed for use can be conditioned for submission prior to the commencement of operations on site. I do not consider the design to be out of character for the site and consider that it would complement the existing street scene, which is a mixture of relatively modern materials and detailing of

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no uniform or distinctive design. The proposed building would be an improvement to the run-down buildings existing on site and in my opinion provide a fresh contribution to the character of the area.

Residential Amenity

30. With regards to the amenities of neighbouring local residents, the new building's proposed siting has been chosen in order to minimise its impact on the amenities of neighbouring local residents. The front section of the building would be located in line with existing houses either side of the site and would have a limited impact on their amenities in my view. To the east the new building would be located 18 metres from the side elevation of number 9 King Edward Avenue. To the west, the building would be located in line with the existing dwelling and 4 metres from the side elevation of number 11. New planting on the western elevation boundary of the site would also protect the privacy of the garden of number 11.
31. The eastern elevation of the building would, however, have a view of the rear garden of number 9, and in order to mitigate this impact, the applicant has relocated two of the car parking spaces and now showing tree planting along the eastern boundary of the site which in time, would prevent any overlooking. The car parking spaces, which remain on the eastern boundary, are located in a similar location to the existing car parking spaces on site. At the rear of the site the new building would be located over 35 metres from the nearest residential properties in Grange Road. There would be no windows in this part of the southern elevation of the building and therefore I do not consider the amenities of local residents would be affected along the southern boundary. Overall I do not consider that there would be any significant loss of privacy for neighbouring occupiers by virtue of overlooking.
32. Loss of amenity due to the introduction of a building of overbearing proportions should not be confused with the right to an uninterrupted private view, which cannot be considered as a material planning objection sufficient to warrant refusal of the application. The proximity of a dominant building could have the potential to affect neighbouring amenities if it was perceived as overbearing in appearance and presence. However, given the distances proposed and the measures proposed to reduce impact such as landscaping, I do not consider that the building would be overbearing for neighbouring residents and therefore see no overriding objection in terms of residential amenity considerations. Additional planting can be included along open boundaries of the site in order to further maintain privacy and any overlooking issues.
33. The boundaries are likely to be marked with a 1.8 metre high close boarded fence (details of which can be requested under a condition on the planning consent, should Members be minded to permit).

Parking and Access

34. The site would be accessed from an existing access off King Edward Avenue and the parking spaces would be provided off the access road. One of these spaces would be an ambulance space. The applicant has submitted an amended plan in order to address the concerns raised by the Divisional Transport Manager and Canterbury City Council. The ambulance parking space has now been provided to the right on entering the site from King Edward Avenue and the parking bays have been re-organised to Kent Vehicle

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Parking standards and also to incorporate landscaping cover on the east boundary next to 9 King Edward Avenue. This has been considered acceptable by the Divisional Transport Officer.

35. There are a number of other issues arising in relation to traffic, access and parking as a result of the proposed development. These are reflected in the letters of representation summarised in paragraph (23) above and include concerns about additional traffic and the state of the roads in the area and the impact on residential amenity.
36. I consider that the number of car parking spaces proposed to be sufficient to serve the needs of the development, without causing unacceptable additional on-street car parking. The Divisional Transport Manager has raised no objections on this issue. It is not expected that parking problems would occur as a direct result of this development. The County Council vehicle parking standards for sheltered housing require 1 space per resident warden and 1 space for 2 units. This would result in the requirement for 21 spaces. However, it should be borne in mind that the residents of extra-care housing are likely to be the very frail/elderly and car ownership levels amongst residents is usually very low. The provision of 19 spaces in total, including 4 spaces for disabled use would therefore be appropriate in this instance.
37. Concern has been raised regarding the ability for King Edward Avenue to cope with the level of construction vehicles associated with the new build. It is not envisaged that there would be significant change to traffic generation at the site and therefore the development should not have a significant effect on the existing road network. Construction traffic and the presence of HGVs would be temporary, and the area would not experience heavy vehicle traffic permanently. A condition to control construction hours can be attached to any planning consent, in order that construction traffic does not compete with peak time traffic.
38. The Divisional Transport Manager has also requested a condition for the inclusion of cycle parking on site, which I would advise could be incorporated in any consent.

Landscaping

39. The application site currently benefits from existing planting and landscaping, which forms an important amenity function both within the site and within the wider area. The proposed development would not affect the existing boundary vegetation, and further tree planting is proposed.
40. Canterbury City Council has requested the inclusion of landscape screening at the front of the site to break up views of the building, including hedging and mature trees. The applicant has stated that this can be done, but considers it not to be a feature of the existing building. It is possible that any serious tree planting and screening which breaks forward from the main front elevation would draw attention to the different nature of the building, and therefore the applicant has suggested a small number of high quality specimen trees to break up the frontage and to add interest to the street scene.
41. Jacobs Landscaping has also requested the submission of a detailed landscaping scheme that could be attached to any grant of planning permission. Details would include species and size of trees to be planted, those to be removed, a maintenance plan and specific boundary work on the east and west boundaries of the site. Given that

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the proposal includes the removal of at least 4 existing trees, the applicant has been informed of the need for a Tree Protection Plan, which has been requested prior to determination of this planning application. The Tree Protection Plan has not yet been submitted and I would therefore advise that permission be granted subject to the receipt of a satisfactory Tree Protection Plan.

42. I have no objection to the removal of the trees identified in paragraph (41) or the proposed extra tree planting provided by the applicant. I consider that detailed and thorough landscaping on site would help mitigate and visual amenity and overlooking issues which have been of particular concern for neighbouring residents of the site. I also consider that detailed landscaping would add character and attractiveness to the site and proposed building.

Archaeology

43. The application site lies between two concentrations of prehistoric and Roman activity, and whilst the County Archaeologist has not commented on the full application for the proposed care home facility, it was advised under outline planning stage that the site might harbour archaeological remains. It is acknowledged that a sizeable building already occupies the site, but it is considered that there is the potential for significant remains to survive in some parts of the site. It was therefore recommended that a condition is placed on any grant of planning permission requiring that prior to any development taking place on the site that the implementation of a programme of archaeological work is secured in accordance with a written specification and time table. I consider that the suggested condition would be an appropriate means of addressing the potential archaeological issues.

Public Rights of Way

44. A Public Right of Way (CH49) is located to the south of the application site linking the two parts of Grange Road (see attached plans). Development Plan Policies see to protect and enhance Public Rights of Way and the interests of its users. I would advise that the main impacts of the development on the Public Right of Way would appear to be from demolition and construction works and from the location of the proposed location of the building and car park.
45. In terms of the location of the building within the site, the proposed building would be at its closest point approximately 22 metres from the boundary of the site. The elevation, which would face the Public Right of Way, would be the end elevation and this would be approximately 18 metres in length. I would consider this elevation to be of sufficient distance not to affect the Public Right of way and given the proposed parking area is two-dimensional, I do not consider this to have a detrimental impact of the footpath. The boundary is also well vegetated and views to the site are minimal.
46. In terms of the effect of the demolition and construction works on the Public Right of Way, these would predominantly be from the potential for the activities to cause noise and dust. In order to minimise the potential for these impacts to occur, conditions should be imposed on any grant of planning permission. The specific conditions that should be imposed are outlined below.

Demolition and Construction

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47. It is proposed to demolish the two blocks of 3 bungalows included within, and to the south of, the development site along with the 'C' shaped existing care home building. This has the potential to have an impact particularly on the closest residential properties. In order to minimise the impact of the development on local residents during demolition and construction, especially in terms of noise and dust, a condition should limit the use of any plant, machinery and other equipment which is audible at the application site boundary to 0800 to 1800 Mondays to Fridays and 0900 to 1300 Saturdays. Conditions should also require measures to be taken to minimise dust and to ensure mud and other debris is not deposited on the public highway.

Conclusion

48. The application has to be considered in the context of the Development Plan and in relation to the location of the proposed development set against the impact of the proposal and the need for the proposal. Whilst issues have been raised relating to amongst other things the scale of the building and the potential loss of amenity and privacy from the proposed development, I consider that the location of the development on the site is acceptable. Additionally, I consider that with the use of suitable external materials and the provision of landscape screening, the impacts of the building would be minimised to an acceptable level. Furthermore I consider that there should not be an unacceptable detrimental impact from vehicle movements at the site and that the use of conditions should minimise any potential disturbance during demolition and construction. I therefore recommend accordingly.

Recommendation

49. I RECOMMEND that SUBJECT TO the submission of an acceptable Tree Protection Plan, PERMISSION BE GRANTED, SUBJECT to conditions including:

- the standard time condition,
- submission of details of materials,
- submission of a detailed landscaping scheme, including fencing details,
- provision of cycle parking,
- hours of use for construction, including use of machinery and plant,
- measures to minimise dust disturbance
- measure to ensure mud is not deposited on the highway
- programme of archaeological work
- development to be constructed strictly in accordance with approved plans.

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| Case officer – Helena Woodcock | 01622 221063 |
| Background documents - See section heading | |