



Rutland
County Council

DELEGATED REPORT

Application Ref: 2018/0646/FUL
Case Officer: Nick Hodgett
Determination Date: 31 August 2018

Date of Report: 21-Aug-18

Proposal: Replacement care home for 8 residents plus alterations to existing care home to create 7 independent apartments with additional care.

Address: Willowbrook, Willow Crescent, Oakham, Rutland, LE15 6EH,

Miss Leanne Gray

Also in addition to my first comment.. as someone who lives on willow crescent, i can honestly say there has never been any trouble/ excess noise/traffic problems coming from the current care home, these are mainly caused by school pick up/drop off. On reflecting on some of the comments made by other people, i do not understand why anybody would deny people the chance to live their lives as independtly or "normal" as possible.. receiving care and support they deserve.. anybody may need to use these facilities one day and at the moment there are very little of them. So as a community i feel it is best to support such plans and give these vulnerable adults the best possibilities in life and the same equal opportunities !

Mrs Melissa Fraine

I totally, 100%, support with this application. I have worked in care services for 20 years and we need more accomodation to help and support adults maintain and build an independent and fulfilling life. Oakham and the surrounding area is limited to accomodation and support of this kind and often those adults needing that extra support have to move out of the area away from family and friends. This development is very important to Oakham.

Mrs Sally Burgess

The prevelance of conditions such as strokes and dementia are increasing dramatically with society living longer. I have family members who suffer from different types of dementia as well as the loss of family members from both dementia and stroke.

RHCT/Willowbrook provides care and support for not only learning disabilities but for the care of those who are suffering from the results of dementia and stroke.

This could happen to any one of us and suitable care is few and far between in this area.

I would feel more than comfortable knowing that small, unobtrusive accomodation and support facility was available for my self and/or loved ones than a large generic care home.

Mr & Mrs Gemma Flavell

Support (no comments made).

Mrs Sarah Bowes

Willowbrook offers much needed care and support for adults who require supported living.

Having visited the present site it is a well kept, quiet area. Traffic is minimal in comparison to the school next door.

There are very few options in Rutland for people needing this level of support. I hope that if I or someone in my family needed a secure, safe place to live, that Willowbrook would be an option.

Mrs Kerry Taylor

Care homes to support adults with learning disabilities are few and far between in the county of Rutland, I am familiar with the area, and cannot see that it would pose a problem to neighbours as it is so secluded. I think it is really important that adults who require care are able to stay in their own county or one near by so as they are able to remain part of the community but it also makes visiting much more accessible for families and friends, particularly those who do not drive, so in my opinion it could only be a positive build.

Mr & Mrs James Curtis

The proposed building application was rejected by Oakham Town Council and we, as neighbours to the proposed new build, agree with their decision. We strongly object to the proposed development for the following reasons.

1. The access to the site is through a narrow track which leads to the allotments from Willow Crescent. This is next to a primary school and a play area, and is questionably suitable for the increased traffic as a result of doubling the Willowbrook facility.
2. The Willow Crescent road has frequent parking on one side, near to the entrance to Willowbrook, as the flats do not have garages opposite the track entrance.
3. Increased footfall and vehicle numbers will be a problem over access to this road.
4. The proposed building is not a replacement for the existing building: it is an entirely new building, resulting in doubling the number of clients it services.
5. It is a development on land which the Rutland Development Plan designated as an important green open space. It should therefore be seen as an overdevelopment of such an area. We do not see how the proposed development and the Rutland Development Plan can coexist.
6. The proposed 2 story building overlooks residences in Claresholm Close creating significant issues of privacy and security.
7. Noise from radios and clients has been a frequent issue over the years and increased numbers of clients and staff will only add to this.
8. There has been no consultation with neighbours, apart from a letter from RCC, or with Oakham Town Council.

Mr Martin Brookes

The trust does not have formal consent from the Town

Council
to build on land owned by the town council.

The land is currently rented in two sections on renewable short terms leases. which I think is inadequate and provides no long term security for the Trust proposed development.

I support neighbours objections and fears that noise nuisance from staff and residents would increase.

The access drive is unsuitable for the increase traffic and it is not clear who owns the drive, the Town council certainly does not know who owns it.

I also object to the job losses shown on the application.

Mr leslie moverley

My wife and I live directly behind the proposed new development and wish to highlight particular concerns as regards this proposal.

- 1.The plan we received notice of on 20 July is an amendment to an earlier proposal-we received no notice of an earlier proposal.
- 2.Because the proposed new building is to be 2 storeys it will overlook our house. There is a need therefore, we believe, to keep the hedge of trees behind our house at the existing height and also extend the hedges behind numbers 6 and 8 Claresholm to cover 7 Claresholm as well
- 3.There is a need for a high wooden security fence between the buildings and this hedge to prevent unauthorised access to both the stream and to the rear of our houses
- 4.There has been an issue of noise in the past from both staff radios being loud and outside and from shouting out from clients. There should be some measure of control over this.

Mr & Mrs James & Linda Curtis

My wife and I live directly behind the proposed new development in 7 Claresholm Close, and we have done so for the last 15 years.

We wish to object to the current planned proposal for the following reasons:

1. The current building is a single storey construction but the proposed new building is a two-storey structure which will directly overlook the rear of our house. This will inevitably impact our privacy unless (say) the hedge of fast growing conifers (as presently exists behind 6 Claresholm Close) is extended to prevent this intrusion into our privacy. We believe that the existing hedge of trees was a condition of the construction of the existing building and, as such, we are not asking for a precedent to be set.
2. We are concerned that doubling the size of Willowbrook will see a significant rise in footfall and are very anxious about the security between such a development and our property. There is a need to

construct a substantial security fence between the hedge (above) and the Willowbrook building. The security fence would not only safeguard against clients/staff accessing the stream at the back of our property but also prevent unauthorised access to the rear and garden of our house.

3. There have been numerous instances in the past where noise has been a problem: both from the staff playing loud music with the windows open and from clients shouting. Doubling the size of the facility will certainly not reduce this and we feel measures to curb/contain this intrusion are necessary to allow us to continue peaceful enjoyment of our property.

Mr & Mrs Stephen and Georgianne Green

We are the owner and occupiers of 6, Claresholm Close. Our property abuts the Southern boundary of the development site.

Your Council's letter of the 20th. July 2018 is the first intimation that we, and indeed other abutting owners in Claresholm Close (numbers 7 and 8) have had of the development proposal. A message recently left by Nick Hodgett on our telephone-answering service would seem to indicate that the proposal referred to in the letter was a minor amendment to plans already approved. We have had no other notice of the development and neither have our neighbours at number 7 and number 8. It would be a legal requirement that notice should have been given. So, if no notice has been served, then the application in its present state must fail.

When the present building was erected in 1991 or thereabouts, the then developers gave an assurance to us that in the interests of security and privacy a tall conifer hedge would be in due course planted and maintained; that was indeed done. At that time it was intended that the building would house a small number of severely handicapped residents who would be under continuous supervision and care. We were happy with that arrangement because we felt that security issues were adequately addressed.

Having said all that, it seems that the nature of the Willowbrook Home is to change, in that one part of it will be as before, but another part will take the form of self-contained apartments. Thus, security becomes an issue.

We would object to the proposal if the present conifer hedge were to be removed or its height reduced. We would also object if there were not to be erected on the Home's side of that hedge a close-boarded fence and, further, for such fence to be continued, adjacent to the boundary for the boundary's entire length. Further, we would object if the hedge were not continued on our and on our neighbours' side of such fence for the length of the boundary, so as to screen such fence. We ask all this in the interests of security, privacy, aesthetics and noise-reduction.

Mrs Joanne Munton

I would like to say what a great idea this is. Having independent living is important to everyone. I believe this will have a positive effect on all those who will be lucky enough to live here. Oakham is a safe and friendly place to live and should be accommodating to every one . I fully support this application.

Consultation Responses

Parish Consultation

Recommend refusal - on the grounds of poor access to the site, increased traffic, over development and nuisance to the neighbouring properties.

Planning Officer's Report

The site is located off a long driveway off Willow Crescent which also serves allotments and a small play area. Adjacent is English Martyrs school.

There is a single row of parking spaces outside the security gate, providing approx 9 spaces. Inside the gate is a larger parking area for cars and a mini bus.

The site is a small part of a wider area of important open space identified in the Site Allocations and Policies DPD.

Willowbrook is a registered residential service for adults with learning disabilities run by Rutland House Community Trust

There are 2 single storey buildings on site, the original care home, opened 1995, and new bungalow built about 10 years ago.

The current premises house 7 residents and a 2 bed supported living bungalow. There are 3 staff on duty am and pm (shifts), 1 in the bungalow and 2 overnight staff. It is anticipated that there will be 2 extra members of staff as a result of the proposal.

Some residents receive visitors, some don't. On average there is 1 visitor a day, usually family, social worker or doctor.

Along the boundary to Claresholm Cresc is a stream. The boundary is a post and wire fence and between this and the stream, is a row of Ash and conifer trees (outside the application site) which are in excess of 8m high.

The plot is located to the east of the existing main care home. It would be in a T shape with a 2 storey element running west to east and a single storey wing to the south, towards Claresholm Cresc. The 2 storey element would be approximately 25-27m from the boundary closest to Claresholm Cresc. The Ash and conifer trees along that boundary would remain such that visibility between adjacent dwellings and the new building would be negligible, and at this distance, entirely within normal parameters, on that basis no additional screening is justified. The existing trees are outside the site boundary and therefore cannot be removed by the applicants.

The windows at 2nd floor would be to an office, meeting room, boiler room and laundry.

The use of radio's by staff is not a planning issue. Shouting from residents is also a management matter for the operators of the unit. The occupiers are vulnerable adults in care and are unlikely to roam into the watercourse.

The new building itself would be barely visible from a public place, mainly from the allotments, and along the driveway from Willow Crescent but at a much lower level.

In terms of the important open space policy, SP21 states that Sites have been identified on the basis of the following criteria and development will only be permitted where it does not have an adverse impact on an area having regard to:

- a) is of intrinsic environmental value by virtue of its landform, vegetation and tree cover. Or the presence of any special features such as streams, ponds, important wildlife habitats and walls.
- b) enhances the attractiveness of the town or village setting when viewed from surrounding land, particularly the approaches to the built-up area.
- c) affords views and vistas out of and within the town or village important to its character and attractiveness.
- d) is transitional or peripheral land which should remain open to preserve the form and character of the town or village.
- e) while not in itself of particular environmental value, is an essential feature, possibly in conjunction with other areas, in creating the overall character and attractiveness of the town or village.
- f) is an essential element in the street scene, important to the form and character of the town or village in terms of the relationship of buildings and structures one to another, to other areas of open space and to natural features e.g. trees
- g) is important in the contribution it makes to the setting of a building or group of buildings, or important natural features.

This particular wider area, (Allotments south of Willow Crescent – OAK 14) which essentially covers the allotments, was designated on the basis of “*Allotments and playing fields. Strong perimeter of planting. Parts are difficult to see from street, however can be seen from some parts of Woodland Ave and top of Willow Crescent*”. This is possibly in relation to criteria e) and f) above?

The part of the open space which forms this application site is not part of the allotments or playing fields. It is within a curtilage used by Willowbrook and leased from the Town Council, separate to the allotments and playing fields. The land is well screened from, any public view (apart from the allotments which are not ‘public’). The perimeter planting will not be affected by the proposal. On that basis the development would not have a detrimental impact on the open space. This section should probably not have been included in the first place and I have recommended to Planning Policy that the designation on this small part of the site is reviewed before the new Plan is adopted.

Finished floor levels are confirmed as being 300mm below the existing building and the agent has confirmed that grey tiles will be used rather than red (as used on the existing) which have faded to a nondescript colour anyway see plan no. 787/17/5B received on 15 Aug. The footprint of the development would still leave adequate space for residents to use the grounds of the property.

The parking standards in the Site Allocations document require 1 space per residential member of staff plus up to 1 space per non-resident staff and 1 space per 4 bedrooms.

The residential staff are overnight (not permanent) so can share with daytime staff. There are 4 staff at any one time, so that requires up to 2 (maximum). There would be 17 beds in the 2 buildings on site so 4.25 spaces. That could be rounded down to 6 spaces or up to 7. There are currently 9 spaces outside the gate and 11 inside the gate, inc a mini bus space.

There is therefore adequate parking facility to cater for the proposed new building, even without the proposed 8 new spaces. Residents do not have their own vehicles. Access to the site is from Willow Close and although adjacent to the school which will be busy at certain times, the road is generally quiet as it is a loop road so is not subject to through traffic. The access is shared between Willowbrook and the allotments and there is a wider area clear of the highway to allow

vehicles to pass without stopping on the highway - the proposal will not be a significant increase in traffic in any event so there will be no material impact on highway safety.

The Town Council has objected on the grounds of poor access to the site, increased traffic, over development and nuisance to the neighbouring properties, echoing some of the neighbour comments. These issues have been addressed above. Some residents have written in support of the proposal stating that it is a valuable local facility.

A late objection has been received from a Town Councillor on the grounds that the TC has not given permission for the development on its land. This is not a planning consideration. The objection also refers to loss of employment but the applicant states 3 jobs will be created. Issues regarding access and parking are considered above.

A additional letter of support has also been received.

The proposal constitutes sustainable development as it meets the 3 criteria set out in the NPPF, economic, social and environmental. This, together with the provision of an important social facility, also outweighs any minor impact the scheme could be argued to have on the open space designation under SP21, although I do not consider it has any impact in terms of the policy.

Planning Policy

NPPF (2018)

Chapter 2 - Supports sustainable development

Chapter 8 – Promoting Healthy and Safe communities

Chapter 12 - Achieving well designed places

Chapter 16 - Conserving and Enhancing the Historic Environment

Rutland Core Strategy (2011)

CS4 – Location of Development

CS19- Promoting Good Design

Site Allocations and Policies DPD (2014)

SP5 – Development in towns and villages

SP15 – Design & Amenity

SP21 – Important open spaces

The proposal complies with the NPPF and the Development Plan and there are no material considerations that would lead to a refusal.

Recommendation: Approve

1. The development shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 787/17/5B, (including levels) received on 15 August 2018 and 787/17/6.

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

Notes to Applicant