

DEF ITEM 2 REFERENCE NO – 23/501017/FULL		
APPLICATION PROPOSAL Erection of a three storey 66no. bed care home for older people (Use Class C2) with associated access, parking and landscaping and ancillary facilities.		
ADDRESS Land West of Barton Hill Drive, Minster-on-sea, Kent, ME12 3LZ		
RECOMMENDATION Delegate to the Head of Planning to grant planning permission subject to appropriate safeguarding conditions and the completion of a Section 106 agreement as set out in the report, with further delegation to the Head of Planning to negotiate the precise wording of conditions, including adding or amending such conditions and precise Heads of Terms as may be consequently necessary and appropriate.		
APPLICATION TYPE – Major Full Application.		
REASON FOR REFERRAL TO COMMITTEE Objection from Minster-on-Sea Parish Council		
WARD Queenborough & Halfway	PARISH/TOWN COUNCIL Minster-On-Sea	APPLICANT LNT Care Developments AGENT LNT Construction
DECISION DUE DATE 07 March 2023	PUBLICITY EXPIRY DATE 06 June 2023	CASE OFFICER William Allwood

1. INTRODUCTION

1.1. This application was initially reported to Planning Committee on 14 September 2023 with a recommendation for approval. The item was deferred by the Planning Committee in order for the following matters to be considered further:

- To allow Officers to discuss improvements with the applicant in terms scale and design to ensure that the building sits more comfortably within the landscape.
- To allow the swept path drawings to be reviewed by KCC as Local Highway Authority, in order that service vehicles can enter and leave the site in a forward gear.
- To allow a response to be sought from the NHS.

1.2. The original Committee Report is included (see Appendix A).

2. RESPONSE TO DEFERRED ISSUES

2.1. In terms of the issues raised at the Planning Committee meeting on the 14 September 2023, and in dealing with the first bullet point above, the applicant has revised and refined the proposals to take on board Members concerns, thus:

- Provided stepped roof features to breaks up the overall massing;

- Incorporate contrasting clay ridge tiles to tie the building in with surrounding dwellings that host clay roofs;
- Introduced half dormer gable end features to add further articulation and layering of the façade and massing;
- Replace rendered elements with horizontal cladding to visually manage how the scale is perceived, with a finish that will better blend the building with the landscape.
- Utilise a buff brick, as is identified for this parcel, to offers a more natural appearance and warmer tone.

2.2. It is considered that these changes are positive, and suitable for this gateway location.

2.3. In terms of the issues raised at the Planning Committee meeting on the 14 September 2023, and in dealing with the second bullet point above, Kent County Council as Local Highway Authority have been consulted on the amended scheme, and do not have any objections, subject to the imposition of planning conditions as set out in this Report. Swept path drawings and justification on trip rates/parking provision were provided at the request of KCC Highways in April 2023.

2.4. In terms of the issues raised at the Planning Committee meeting on the 14 September 2023, and in dealing with the third bullet point above, a consultation response has been received from the Senior Programme Manager in the Strategic Planning and Primary Care Estate Team of NHS Kent and Medway. In this regard, the Senior Programme Manager has advised the following:

At this point in time, we will not be requesting a financial contribution against this application as our internal discussions on any change required to the approach are ongoing.

2.5 Therefore, and in respect of this application at this time, it is not possible to request a contribution towards health care.

3 Conclusion

3.1 The application site is located within a large-scale development site allocated under Policy A12, and which benefits from outline planning permission for 700 dwellings. The use of the site for a well-designed Care Home is considered appropriate in this context and in accordance with the Local Plan.

3.2 Whilst acknowledging the comments and observations of Minster-on-Sea Parish Council, the application has been comprehensively assessed by officers and in addition to this there is no objection from statutory consultees, subject to the imposition of appropriate planning conditions and the satisfactory conclusion of the S106 negotiations.

3.3 An Appropriate Assessment has been adopted by the Council in consultation with Natural England subject to matters set out below, there is no likely significant effect on the Swale Special Protection Areas (SPA) and Ramsar Sites:

- The use of the property is to be restricted to C2 nursing care home.
- The care home shall not be occupied other than by persons of limited mobility who require full time nursing care and/or those who require high dependency dementia care.
- No residential staff accommodation will be provided on site.

- 3.4** The application is therefore recommended for APPROVAL on this basis, subject to completion of a S106 Agreement.

CONDITIONS:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance 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 approved shall be carried out in accordance with the following approved drawings:

Site Plan as Proposed ME12 3LY - A-03 Rev A

Site Location Plan as Proposed ME12 3LY - A-01

Floor Plans as Proposed ME12 3LY - A-04

Elevations as Proposed ME12 3LY - A-05 Rev A

Reason: For the avoidance of doubt and in the interests of proper planning.
3. No development beyond the construction of foundations shall take place until samples/details of the materials proposed to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity.
4. Prior to the commencement of development hereby permitted, a Construction Management Plan shall be submitted to the Local Planning Authority, to include the following:
 - (a) Routing of construction and delivery vehicles to / from site
 - (b) Parking and turning areas for construction and delivery vehicles and site personnel
 - (c) Timing of deliveries
 - (d) Provision of wheel washing facilities
 - (e) Temporary traffic management / signageThe development shall be carried out in accordance with the approved details.

Reason: To protect highway safety and residential amenity locally
5. Prior to first use / occupation of the development, 2no. Electric Vehicle charging points shall be provided to Mode 3 standard (providing a 7kw output). Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved ChargePoint model list: <https://www.gov.uk/government/publications/electric-vehicle-homecharge-scheme-approved-chargepoint-model-list>. The charging points shall be maintained in perpetuity.

Reason: For the avoidance of doubt, and to enable the Local Planning Authority to retain control of the development.

6. Prior to the first occupation of the development, the vehicle parking spaces shown on the submitted plans (ME12 3LY - A-03) shall be completed and made available for use and shall be retained for such purposes only thereafter.

Reason: To enable the Local Planning Authority to retain control of the development in the interests of highway safety.

7. Prior to the first occupation of the development, the cycle parking facilities shall be provided as shown on the submitted plans (ME12 3LY - A-03) and thereafter retained for such use.

Reason: For the avoidance of doubt, and to enable the Local Planning Authority to retain control of the development in the interests of highway safety.

8. Development shall not begin until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon the Flood Risk and Drainage Statement prepared by LNT Care Developments (February 2023), together with Care Home General Arrangement ref. 8663-100-001 Rev. D dated 19th May 2023, and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100-year storm) can be accommodated and disposed of without increase to flood risk on or off-site. The drainage scheme shall also demonstrate (with reference to published guidance):

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

9. No building within the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system, and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets, and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the development as constructed is compliant with

and subsequently maintained pursuant to the requirements of paragraph 169 of the National Planning Policy Framework.

10. Prior to the commencement of the development hereby approved, a scheme to demonstrate that the internal noise levels within the residential units and the external noise levels in gardens and other relevant amenity areas will conform to the standard identified by the current version of BS 8233 2014, Sound Insulation and Noise Reduction for Buildings - shall be submitted to and approved in writing by the Local Planning Authority. The assessment should have regard to ProPG: Planning & Noise (2017) and the Acoustics Ventilation and Heating Guide (2020) to ensure that there is a good balance between acoustics, ventilation, and thermal comfort for future occupants. It is expected that higher levels of noise that require windows to be closed to meet BS8233 internal level specifications will need greater ventilation than the minimum standard in the Building Regulations in trying to achieve open window equivalence which will involve user control of ventilation rates to key rooms such as living rooms and bedrooms. The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

Reason: To protect the amenity of the proposed care home.

11. Prior to the commencement of the development a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The document shall be produced in accordance with the Code of Construction Practice and BS5228 Noise Vibration and Control on Construction and Open Sites, the Control of Dust from Construction Sites (BRE DTi Feb 2003) and the Institute of Air Quality Management (IAQM) 'Guidance on the Assessment of Dust from Demolition and Construction'. The construction of the development shall then be carried out in accordance with the approved methodology.

Reason: To protect the air quality during the construction phase.

12. No development shall take place until a programme of archaeological work in accordance with a written scheme of investigation has been submitted by the applicant and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved scheme.

Reason: To record or safeguard any archaeological evidence that may be present at the site and to comply with the National Planning Policy Framework.

13. Prior to any works commencing, an ecological mitigation strategy must be submitted to the LPA for written approval. The ecological mitigation strategy must be implemented as approved in accordance with a timetable to be included within the strategy.

Reason: In the interests of ecology in accordance with the NPPF.

14. Within 3 months of works commencing an ecological enhancement plan must be submitted to the LPA for written approval. It must provide details of ecological enhancement features to be incorporated into the building and the wider site. The plan must be implemented as approved.

Reason: In the interests of ecology in accordance with the NPPF.

15. No development beyond the construction of foundations shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include existing trees, shrubs and other features, planting schedules of plants, noting species (which shall be native species and of

a type that will encourage wildlife and biodiversity), plant sizes and numbers where appropriate, means of enclosure, hard surfacing materials, and an implementation programme.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

16. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

17. Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

18. The building hereby approved shall be constructed to BREEAM 'Good' Standard or an equivalent standard and prior to the use of the building the relevant certification shall be submitted to the Local Planning Authority confirming that the required standard has been achieved.

Reason: In the interest of promoting energy efficiency and sustainable development.

19. Prior to the commencement of development, details of the finished floor levels of the proposed development shall be submitted and approved in writing by the Local Planning Authority and shall include full details of finished floor levels for the proposed building and finished site levels (for all hard surfaced and landscaped areas) in relation to existing ground levels. The development shall thereafter be carried out in accordance with the approved level details.

Reason: For the avoidance of doubt and to ensure a satisfactory form of development.

The Council's approach to the application

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2018 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

