

<u>No:</u>	BH2023/03197	<u>Ward:</u>	Rottingdean & West Saltdean Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	26 Arundel Drive East And 22-24 Arundel Drive East Saltdean Brighton BN2 8SL		
<u>Proposal:</u>	Change of use of 26 Arundel Drive East from residential dwelling (C3) to mental health care home (C2), incorporating erection of two storey pitched roof extensions to the North, South and East elevations and associated alterations and landscaping. Erection of single storey extension to link 26 Arundel Drive East with 22-24 Arundel Drive East.		
<u>Officer:</u>	Sonia Gillam, tel: 292265	<u>Valid Date:</u>	14.12.2023
<u>Con Area:</u>		<u>Expiry Date:</u>	08.02.2024
<u>Listed Building Grade:</u>		<u>EOT:</u>	10.04.2024
<u>Agent:</u>	SDR Designs 14 Batemans Road Brighton BN2 6RD		
<u>Applicant:</u>	The Whytecliffe Group 26 Arundel Drive East Saltdean Brighton BN2 8SL		

1. RECOMMENDATION

- 1.1. That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to **GRANT** planning permission subject to the following Conditions and Informatives:

Conditions:

1. The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Location and block plan	1242023/01		14 December 2023
Proposed Drawing	1242023/02		4 December 2023
Proposed Drawing	1242023/03		4 December 2023
Proposed Drawing	1242023/04		4 December 2023
Proposed Drawing	1242023/05		4 December 2023
Proposed Drawing	1242023/06		4 December 2023

2. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

3. The premises shall be used as a residential care/ nursing home, or a secure residential care/ nursing home only and for no other purpose (including any other purpose in Classes C2 or C2A of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any order revoking and re-enacting that Order with or without modification), no change of use shall occur without planning permission obtained from the Local Planning Authority.
Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the amenities of the area and to comply with Policy DM20 of the Brighton & Hove City Plan.
4. The development hereby approved shall be implemented in strict accordance with the internal layouts detailed on the proposed floorplans 1242023/04 and 1242023/05 received on 4 December 2023. The internal layouts shall be retained as first implemented thereafter.
Reason: To ensure an acceptable standard of accommodation for future occupiers is provided and maintained thereafter and to comply with policy DM1, DM4 and DM5 of the Brighton and Hove City Plan.
5. The vehicle parking areas shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles and motorcycles belonging to the occupants of, staff and visitors to the development hereby approved and shall be maintained so as to ensure their availability for such use at all times.
Reason: To ensure that adequate parking provision is retained and to comply with policies CP9 and DM33 of Brighton & Hove City Plan and SPD14: Parking Standards.
6. The windows in the northern elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the windows which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.
Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with Policies DM20 and DM21 of Brighton & Hove City Plan.
7. Prior to the commencement of the external works hereby approved (including demolition, excavation and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan (TPP), shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.
Reason: As this matter is fundamental to protecting the trees which are to be retained on the site during construction works in the interest of the visual amenities of the area and for biodiversity and sustainability reasons, to comply with policies DM22, DM37, CP8, CP10 and CP12 of the Brighton & Hove City Plan and SPD06:Trees and Development Sites.

8. The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.
Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies DM18, DM21 and CP12 of the Brighton & Hove City Plan.
9. The development hereby permitted shall not be occupied until details of secure cycle parking facilities for the occupants of, staff and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and shall thereafter be retained for use at all times.
Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy DM33 of Brighton & Hove City Plan Part 2, and SPD14: Parking Standards.
10. At least one bee brick shall be incorporated within the external wall of the development hereby approved and shall be retained thereafter.
Reason: To enhance the biodiversity of the site and to comply with Policy DM37 and CP10 of the Brighton & Hove City Plan and Supplementary Planning Document SPD11 Nature Conservation and Development.
11. The development hereby approved should achieve a minimum Energy Performance Certificate (EPC) rating 'C' for conversions and changes of use of existing buildings to residential and non-residential use.
Reason: To improve the energy cost efficiency of existing and new development and help reduce energy costs to comply with policy DM44 of the Brighton & Hove City Plan.
12. The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.
Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with Policies DM18, CP8 of the Brighton & Hove City Plan and Policy WMP3e of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Waste and Minerals Plan
13. Access to the flat roofed areas of the extensions hereby approved shall be for maintenance or emergency purposes only and the flat roofs shall not be used as a roof garden, terrace, patio or similar amenity area.
Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with Policies DM20 and DM21 of Brighton & Hove City Plan Part 2.

Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. To be in line with Policy DM33 of the City Plan cycle parking must be secure, convenient, well lit, well signed and wherever practical, sheltered. The Local Highway Authority's preference is for a purpose-built secure cycle store (e.g., Tri-metal). Alternatively stores made from other materials such as wood must be covered and include a concrete base with Sheffield type stands to ensure the main frame of the bicycle can be securely stored. All must be spaced in line with the guidance contained within the Manual for Streets section 8.2.22.
3. Where possible, bee bricks should be placed in a south facing wall in a sunny location at least 1 metre above ground level and preferably adjacent to pollinator friendly plants.
4. The applicant is advised that a formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (tel 0330 303 0119), or www.southernwater.co.uk

2. SITE LOCATION

- 2.1. The application relates to a large, detached residential property (C3) at 26 Arundel Drive East in Saltdean, which faces the green space of Saltdean Park to the west. The property is currently vacant.
- 2.2. Directly adjacent to the south is the existing 32-bedroom nursing home (Arundel Park Lodge) at 22 & 24 Arundel Drive East (these two properties having previously been combined).
- 2.3. This row of properties benefits from the distinctive green, glazed roof tiles, characteristic of Saltdean. The surrounding area is predominantly residential in character.

3. RELEVANT HISTORY

26 Arundel Drive East

- 3.1. **BN90** Erection of two storey side addition. Approved 11.12.1990.

22-24 Arundel Drive East

- 3.2. **BH2015/02499** Erection of two storey side/front extension, first floor extension built over existing single storey extension, two storey glass extension over

existing building link, ground floor infill extension and other associated works.
Approved 25.01.2016

22 Arundel Drive East

- 3.3. **94/0341/FP** Single storey rear extension to dining room. Infill to front elevation recess and internal alterations to provide accommodation for two additional residents (13 in total). Approved 03.06.1994.
- 3.4. **BN90/1570F** Single storey rear addition and 2no. two storey side additions to provide 2 for owner's occupation and 3 additional residents bedrooms. Approved 11.12.1990.
- 3.5. **BN90/0851/F** Erection of two storey rear addition to provide 5 additional bedrooms and 1 dining room. Refused 03.07.1990.
- 3.6. **86/1436F** Change of use of single dwellinghouse to residential care home. Approved 7.10.1986.

24 Arundel Drive East

- 3.7. **BH1997/00322/FP** Change of use from dwelling house to residential nursing home for up to 16 residents. Two storey rear extension and two storey extension linking to No. 22 an existing residential nursing home. Five parking spaces. Approved 14.08.1997.
- 3.8. **94/1181/FP** Change of use from dwelling house to residential nursing home for up to 12 occupants. Elevational alterations and single storey extension linking to No. 22 (maximum 13 occupants). Three parking spaces. Approved 21.02.1995.

4. APPLICATION DESCRIPTION

- 4.1. The application relates to the proposed conversion of a large detached residential property (C3) at 26 Arundel Drive East into a 14-bedroom mental health care home (C2). It is noted that the application form refers to the proposed use as both C2 (care home) and C2A (secure dementia care home).
- 4.2. The building would also be extended, by way of the erection of two storey pitched roof extensions to the north, south and east elevations, and the erection of a single storey link extension to physically connect the building to the adjacent existing 32-bedroom nursing home at 22 & 24 Arundel Drive East.

5. REPRESENTATIONS

- 5.1. Representations have been received from **seven (7)** people, objecting to the proposed development for the following reasons:
 - Inappropriate use class
 - Overdevelopment of the site
 - Detrimental visual impact
 - Loss of housing

- Loss of privacy
 - Overbearing impact
 - Overshadowing and loss of light
 - Increased noise and disturbance
 - Change to the nature of area
 - The need for the facility has not been justified
 - Negative traffic / parking impacts
 - Staffing issues
 - Impact on biodiversity/ trees
 - Light pollution
 - Poor quality of the submission plans and documents
- 5.2. Representations have been received from **one (1)** person supporting the proposed development for the following reasons:
- Under provision of good-quality care homes
 - Provider has good reputation for care
 - Would provide specialist care which is needed
- 5.3. Representations have been received from **one (1)** person commenting on the proposed development for the following reasons:
- Loss of privacy should be addressed by planning condition.

6. CONSULTATIONS

Internal:

- 6.1. **Arboriculture:** *Verbal Comment:* No objection
Some foliage, but no significant trees to front or near proposed extension. A tree Protection Plan by condition would be sufficient.
- 6.2. **Health and Adult Social Care:** No objection
Proposal would be a benefit to the city.
- 6.3. **Private Sector Housing:** No objection
Assessed but no comments offered.
- 6.4. **Planning Policy:** No objection
The change of use is considered policy compliant.
- 6.5. **Sustainable Transport:** No objection
Subject to cycle parking provision by condition.

External:

- 6.6. **Southern Water:** No objection
A formal application for a connection to the public foul sewer is required.

7. MATERIAL CONSIDERATIONS

- 7.1. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report.
- 7.2. The development plan is:
- Brighton & Hove City Plan Part One (adopted March 2016);
 - Brighton & Hove City Plan Part Two (adopted October 2022);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);
 - Shoreham Harbour JAAP (adopted October 2019).

8. **RELEVANT POLICIES & GUIDANCE**

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One:

SS1	Presumption in Favour of Sustainable Development
SA6	Sustainable Neighbourhoods
CP1	Housing Delivery
CP8	Sustainable buildings
CP9	Sustainable transport
CP10	Biodiversity
CP11	Flood risk
CP12	Urban design
CP13	Public streets and spaces
CP14	Housing Density
CP18	Healthy city
CP19	Housing mix

Brighton & Hove City Plan Part Two:

DM1	Housing Quality, Choice and Mix
DM2	Retaining Housing and residential accommodation (C3)
DM4	Housing and Accommodation for Older Persons
DM5	Supported Accommodation (Specialist and Vulnerable Needs)
DM18	High quality design and places
DM19	Maximising development potential
DM20	Protection of Amenity
DM21	Extensions and alterations
DM22	Landscape Design and Trees
DM33	Safe, sustainable and active travel
DM36	Parking and servicing
DM37	Green Infrastructure and Nature Conservation
DM40	Protection of the Environment and Health - Pollution and Nuisance
DM43	Sustainable Drainage
DM44	Energy Efficiency and Renewables

Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD06	Trees & Development Sites
SPD09	Architectural Features
SPD11	Nature Conservation & Development
SPD12	Design Guide for Extensions and Alterations
SPD14	Parking Standards
SPD17	Urban Design Framework

9. CONSIDERATIONS & ASSESSMENT

- 9.1. The main considerations in the determination of this application relate to the principle of the development; the impact of the extensions on the character and appearance of the building, site and streetscene; neighbour amenity, sustainability, biodiversity, and highways impacts.

Principle of the Development:

Loss of C3 residential use

- 9.2. CPP2 Policy DM2 seeks to resist the loss of existing C3 residential accommodation in the city. The policy states that planning applications that result in the loss of residential accommodation will not be permitted unless one or more exceptions apply as specified in the policy criteria.
- 9.3. The proposals are considered to be justified by criterion d) as the proposed change of use would provide a local community service/facility that meets an identified need. Specifically, the Older People's Housing Needs Assessment 2019, which is referenced in the supporting text to CPP2 Policy DM4, identified a need for additional nursing care bed spaces (246 beds) for older people with complex care needs.
- 9.4. Furthermore, given that the existing use of the building is as a single dwelling (5-bedroom family home), the creation of specialised residential care accommodation with 14 bed spaces would provide a net gain in residential accommodation overall.

Proposed care accommodation

- 9.5. The proposed use as a nursing home for older persons with dementia is subject to CPP2 Policy DM4 which requires that proposals for such developments should meet the following criteria, addressed below:
- 9.6. Criteria a) the proposal demonstrates that it will contribute towards meeting an identified need within the city and is targeted towards the needs of local residents.
- 9.7. The Council's Health and Adult Social Care team supports the proposal as there is an identified need for additional nursing care accommodation for older people with complex needs and the proposed care facility would help address this.

- 9.8. Criteria b) The site is accessible to public transport, shops, services, community facilities, and social networks appropriate to the needs of the intended occupiers;
- 9.9. The site is reasonably accessible being about 5-10 mins walk from shops and facilities at Longridge Avenue (which is defined as a Local Centre) from where there are also frequent bus services to other parts of the city.
- 9.10. Criteria c) to f) relate to the standard of facilities proposed.
- 9.11. In general design terms the layout appears acceptable, and the ensuite bedroom sizes (16m² - 28m²) would meet policy requirements in terms of Policy DM1. The application states that all bedrooms would have ensuite bathroom/ wet rooms and adequate useable floor area as stated in the Care Quality Commission (CQC) guidelines for Residential Care / Nursing Homes.
- 9.12. There would also be a communal bathroom/ wet room on the first floor, and communal living room/ dining area space on the ground floor. Catering would be provided by existing facilities within the adjoining care home at 22-24 Arundel Drive East.
- 9.13. There would be a communal garden to the rear of the premises and the applicant has advised that an area to allow residents to grow plants/ food can be easily provided within the garden.
- 9.14. The applicant has confirmed that a sleeping area for staff / visitors is not part of the proposals and is not provided within the existing Care Home at 22 - 24 Arundel Drive East. The residents require, and are provided with, 24 hour care to hand. Therefore, staff do not require a sleeping area and visitors would not be provided with such a facility.
- 9.15. The Council's Health and Adult Social Care team supports the proposal as it would help meet an identified need and would be of benefit to the city. The Council's Planning Policy Officer has advised that the application is policy compliant, and therefore has no objections. The proposal would comply with City Plan Part Two policies DM1, DM2 and DM4. The principle of the change of use is therefore considered acceptable subject to further planning considerations below.

Design and Appearance:

- 9.16. The building would be extended, by way of the erection of two storey pitched roof extensions to the north, south and east elevations. It is acknowledged that the proposed physical works would be substantial, almost doubling the existing floorspace of the property. However, it is recognised that the development would bring the property in line with a size commensurate of the existing care home buildings at nos. 22 and 24 Arundel Drive East.
- 9.17. The general character of the front elevation, including the height, materials and front projection, would be retained, albeit with increased width and massing to either side. The property has sufficient space surrounding it and the resulting development would not appear excessive or unduly prominent within the

streetscene, particularly given the size and appearance of the adjoining properties. New parapet walls are proposed to the front elevation to match the style of the adjoining properties and to provide an element of uniformity in the streetscene.

- 9.18. The rear and side elevations, again, would appear much increased in size and massing, however, the general design and roof form is considered to remain in character with the existing building. The proposed single storey link extension to physically connect to the adjacent existing care home at 22 & 24 Arundel Drive East is considered discreet and appropriate and matches the style of the existing link between 22 and 24.
- 9.19. Overall, the extensions and alterations are considered suitable additions to the building that would not harm its appearance or that of the wider area, in accordance with policy CP12 of the City Plan Part One, DM21 of City Plan Part 2 and SPD12 guidance. Materials, including the characteristic green roofs, are proposed to match the existing building and this is proposed to be secured by condition.

Impact on Amenity:

- 9.20. Policy DM20 of City Plan Part 2 states that planning permission for any development or change of use will not be granted where it would cause unacceptable loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 9.21. The impact on the adjacent properties has been fully considered in terms of overbearing impact, loss of daylight, sunlight, outlook and privacy and no significant harm has been identified.
- 9.22. The proposed rear extensions would bring the building in line with the adjacent properties to the south on this stretch of Arundel Drive East. The remodelled building would be closer to the properties in Chichester Drive East to the rear, however these neighbouring properties are at a higher ground level and there would be a separation distance of at least 17 metres which is considered an appropriate relationship and in character with this suburban area. Views from the development would be similar to those obtainable within the existing building and the additional bulk is not considered to cause any significant loss of light to the properties to the rear.
- 9.23. The proposed development to the north would bring the building closer to no. 28 Arundel Drive East which has an existing window and a raised terrace to its south elevation. The proposed extension would extend c.3m on the northern side and be set close to the boundary. The resulting development is still however considered to be set a sufficient distance away from the principal dwelling at 28 Arundel Drive East and there is not considered to be an overbearing impact from the added bulk on this boundary. Whilst the bulk to the northern boundary would increase the overall eaves height of the two-storey extension would remain the same as existing. Number 28 Arundel Drive East is also set at a higher land level than the application site which helps to mitigate this impact. The neighbouring property would continue to retain an open westerly aspect and given its raised

land level would not suffer demonstrable harm from overbearing or loss of outlook from the proposal. The windows in the northern elevation of the proposed development would serve bathrooms and, given that they would be obscured glazed, would not result in overlooking or loss of privacy. Small flat roof parapet areas are proposed at first floor level, however these do not appear accessible from the bedrooms and a condition is recommended to ensure that they are not utilised as external amenity spaces.

- 9.24. The development would not cause any harmful impact to properties in Linchmere Avenue to the north, given the generous separation distances involved, and there are no properties sited directly to the front/ west.
- 9.25. Objections have been received from neighbours in terms of potential noise from residents, particularly with regard to use of the garden area. This is noted, however, it is considered reasonable that residents would use the rear garden in much the same way as occupiers of the dwellinghouse. It is recognised that the managers of a care home of this nature would be mindful to mitigate activity that may give rise to ongoing harmful disturbance to guests, visitors and neighbours. In that regard it is considered that the management of the garden area may be left to the those who operate the proposed facility. It is considered that the expected noise and activity associated by a staffed care home of this size would not be so significant as to warrant refusal of the application.
- 9.26. Subject to conditions the proposal is considered to be in accordance with policy DM20 of the Brighton and Hove City Plan Part Two.

Sustainable Transport:

- 9.27. A small area of off-street parking is proposed for staff/ visitor parking. The site is located outside of the Controlled Parking Zones, which would mitigate concerns regarding parking stress caused by visiting vehicles. It is recommended that cycle parking provision should be secured through a condition to ensure facilities are provided.
- 9.28. The Highways Officer has advised that the proposed development is anticipated to result in a slightly reduced number of trips generated by the site, which would result in a positive impact and therefore has no objections to the proposed scheme.

Sustainability/ Biodiversity:

- 9.29. CPP2 Policy DM44 requires conversions and changes of use of existing buildings to residential and non-residential use to achieve a minimum energy Performance Certificate EPC rating 'C'. This is proposed to be secured by condition.
- 9.30. A condition requiring bee bricks is also recommended to improve ecology outcomes on the site in accordance with the Policy CP10 of the Brighton & Hove City Plan Part One and SPD11 Nature Conservation and Development

Other considerations:

- 9.31. The Council's Arboriculture Officer has assessed the scheme and noted that no trees of significance are sited to the front of the site, or close to the proposed extensions. It is considered that the submission of a Tree Protection Plan would be sufficient to protect any existing trees on site during development. This is proposed to be secured by condition.

10. EQUALITIES

- 10.1. During the determination of this application due regard has been given to the impact of this scheme in relation to the Equality Act 2010 in terms of the implications for those with protected characteristics namely age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. There is no indication that those with any of these protected characteristics would be disadvantaged by this development.
- 10.2. The application states that proposed bedrooms would have an ensuite wet room and adequate useable floor area as stated in the Care Quality Commission guidelines for Residential Care / Nursing Homes. A new ramped access to front entrance door from the off-street parking area is proposed. The Council's Highways Office has advised that the location and gradients of the ramped access are deemed satisfactory for accessibility purposes. There is a lift to access the first floor.