



St Edmundsbury
BOROUGH COUNCIL

Development Control Committee 7 April 2016

Planning Application DC/15/1794/FUL Nowton Court Residential Home, Bury Road, Nowton

Date: 16 September **Expiry Date:** 16 December 2015
Registered: 2015

Case: Charlotte **Recommendation:** Refuse
Officer: Waugh

Parish: Nowton Parish **Ward:** Horringer and
Council Whelnetham

Proposal: Planning Application – 60 bedroom nursing home with parking, as amended by plans received on 11 February 2016 partially reducing the height of the building and amending the external appearance

Site: Nowton Court Residential Home, Bury Road, Nowton, IP29 5LU

Applicant: Euronite Ltd Heritage Manor Ltd

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

Background:

This application is referred to Development Control Committee at the request of the ward member to allow full consideration of the scheme. It is a 'major' application and so is presented directly before the Committee without initial consideration by the Delegation Panel. The application is recommended for refusal.

A site visit is proposed to be undertaken on 31 March 2016.

Proposal:

1. Planning permission is sought for the erection of a nursing home containing 60 en-suite single bedrooms, communal areas, office, reception, nurse stations, assisted bathrooms, café, hair salon and kitchen. The building has been designed as three linked crescents to surround a prominent Redwood tree and other existing landscape features. The total size of the building is 56 x 39 metres over three storeys, with a maximum ridge height of 13 metres (on the south crescent), a gross floor area of 2819m² and a footprint of 965m². In addition, 30 parking spaces are proposed as well as hard landscaping to link the building to the exiting access and car park. Informal sensory gardens and wander gardens are proposed to the east and north of the building for the use of occupants and visitors.
2. The full Nowton Court site extends to 2.15 hectares with the application site comprising 0.76 hectares of this. This area includes the proposed building with vehicular access, parking and surrounding gardens. The intention is for the proposed building to provide nursing and dementia care which is needed to complete the 'care village' envisaged by the applicant.
3. Amended plans were submitted during the course of the application which reduced the number of bedrooms proposed from 62 to 60. Furthermore, the amendments lowered the overall height of the building and made changes to the design including the use of an accessible green roof on the eastern crescent. Additional information was also submitted at this stage including additions to the landscape appraisal, planning statement and historical statement and further plans detailing the removal and retention of trees within the application site.

Application Supporting Material:

4. Information submitted with the application as follows:
 - Location plan
 - Existing and proposed plans and sections – As amended
 - Proposed 3D visualisations
 - Design & Access Statement
 - Planning Supporting Statement – As updated
 - Tree survey and Arboricultural assessment
 - Landscape Appraisal – supplemented by additional Landscape Strategy

- Planting proposal
- Ecological Appraisal
- Statement of need
- Travel Plan statement
- Historical statement
- Land Contamination Assessment
- Archaeological Assessment

Site Details:

5. The site is situated in the countryside outside of any designated housing settlement boundary and adjacent to Nowton Park, although in an area historically included as part of it. It comprises two buildings; the original late 19th century Manor House which is considered a non-designated heritage asset (Nowton Court), and a stable block to the north which was extended and converted in the late 20th century (Nowton Grange).
6. These existing buildings largely contain residential apartments which are occupied by elderly people with varying degrees of care provided in addition to an associated wellbeing centre which offers beauty treatments and activities. Nowton Court provides rented assisted living units with residents typically being over 75 and receiving daily care. Nowton Grange provides independent living units which residents purchase the leasehold of. At present there are approximately 50 residents within the site as a whole.
7. The site is in a well-treed setting, many of which were planted in the late 1880's as part of the original laying out of what is now Nowton Park. Nowton Park is located adjacent to the application site and provides views of the Manor House down an avenue of Lime trees. The site is designated as a Local Wildlife Site, Special Landscape Area, as Recreational Open Space and is subject to an extensive Tree Preservation Order (TPO). It is also located in an area of archaeological importance.

Planning History:

8. The site comprises two buildings which have previously accommodated a boy's prep school and then a ladies' finishing school (1990/91). The buildings were subsequently acquired by a Japanese University in 1995 and were used as residential accommodation for the students.
9. Planning Application [SE/08/1481](#) for (i) the erection of single storey ground floor extension to north wing (ii) replacement of second floor terrace with single storey extension (iii) alterations to fenestrations including 11 no. Juliet balconies, 2 no. new windows, replacement of 1 no. window with entrance door in courtyard east elevation & removal of 1 no. exit door to east elevation (iv) removal of spiral staircase to west elevation (v) alterations to existing windows. This proposal which ultimately sought internal and external alterations to form 18 apartments for occupation as extra care accommodation, was approved on 28 November 2008.

10. Most recently, application SE/11/1265 was submitted for (i) Erection of 54 bedroom nursing home. This was refused on the basis that the development was in an unsustainable location, of inappropriate design and would have an adverse impact on trees and the overall character and appearance of the site.

Consultations:

11. Highway Authority: After raising initial concerns, no objections are offered on the amended plans subject to conditions.

Travel Plan Officer: No objections to proposal and submitted travel plan, subject to condition.

Public Health & Housing: No objections.

Land Contamination Officer: No objections.

Planning Policy: Outlines relevant policies in relation to the proposal, in particular those related to the position of the site outside of any housing settlement boundary and within an area of recreational open space and special landscape area. Due to these designations the proposal is considered contrary to adopted policy where there is a presumption against unsustainable development, however, the increasing need for nursing accommodation to care for the elderly as well as the creation of jobs and adoption of a travel plan are noted. In summary the harm of the proposal will need to be weighed against the public benefits.

Economic Development: Support the application.

Natural England: No objections.

Conservation Officer: Raises concern over the scale, height, massing and design together with the actual and likely threat of loss of trees. The proposed building fails to appear subservient to the manor house, with a largely comparable height which is positioned forward of the principal elevation. Consequently, the proposals fail to sustain and enhance the significance of the non-designated heritage asset as required by para 131 of the NPPF

Ecology Tree & Landscape Officer: Object. The trees within the site are protected by a TPO of which the proposal requires the direct loss of twelve, as well as areas of boundary tree and shrub planting eroding the existing boundary of the site with Nowton Park which at its closest point is only 8 metres from the proposed building. The retention of heritage trees on the site will be reliant on management of the site and the level of success of no dig foundations (of which details have been provided). Concerns are expressed regarding the removal of hard landscaping to the surrounding gardens and whether this provides suitable access to open space for the occupants. Furthermore, the building is located in close proximity to Nowton Park and particularly the popular circular park, where it will appear dominant by virtue of its scale and location in relation to the

boundary and significant reduction in existing boundary trees.

Parks Operations Manager: Object. The current management plan for the park clearly states the authorities' intention and aspirations for the future. It is considered that the proposed development would compromise this intent.

Representations:

12.Nowton Parish Council: Object. Recognise that there is a need for this proposal but consider that it is in the wrong place as it is in a Special Landscape Area. The Parish also consider the entrance and exit to be dangerous.

13.Representations have been received from 15 local residents, including from the group Parklife Nowton and occupants of Nowton Grange, raising the following (summarised) concerns:

- Development is too big for existing constrained site
- Excessive scale and mass of building
- Will spoil the beauty of existing manor house
- Should be subordinate to existing development
- Objections to tree felling
- Utilitarian design is out of keeping and not of high quality
- Not an area of high density accommodation
- Noise and disruption during construction
- Peaceful area with environmental value which will be eroded
- Car park will be close to park and used all times of the day
- Site is only accessible by driving – cut off from public transport - unsustainable
- Will be highly visible from the park which is a special landscape area
- Entry and exist will be close to Nowton Grange flats making it noisy and dangerous
- The site forms part of park and shouldn't have to be screened
- Harms the special qualities and amenity of the Park
- Areas of open green space need safeguarding
- Wrong place for major development
- Increased traffic on dangerous stretch of road
- Transport plan doesn't stack up
- Proposal does not comply with planning policies
- Smaller footprint, less beds and better overall design would be more acceptable
- Will be difficult to resist further development i.e parking space
- Agree with Parish Council comments
- Amended plans are an improvement

14.In addition a petition has been submitted objecting to the application with 158 signatures.

15.Bury St. Edmunds Society: (To original plans) Concerned about the impact upon one of the Towns most important amenity spaces. Consider that the

overall bulk and height of a three storey building will significantly affect the open, country-side character of the park. Furthermore, the new building diminishes the scale and aspect of the existing Hall which is distinguished by its neo-Gothic roofline. The plans represent over development of this constrained site.

16.7 Letters of support have been received, including from the Nowton Grange Resident's Association and West Suffolk Hospital's Chief Executive which raise the following summarised points:

- Stress how important the facility is needed
- As regular park users do not feel building will affect enjoyment of the park walks
- Will support the local health economy

Policy: The following policies of the Joint Development Management Policies Document (February 2015), St Edmundsbury Core Strategy (December 2010) and Vision 2031 (September 2014) have been taken into account in the consideration of this application:

17. Joint Development Management Policies Document:

- Policy DM1 – Presumption in favour of sustainable development
- Policy DM2 – Creating Places
- Policy DM5 – Development in the Countryside
- Policy DM12 – Mitigation, enhancement, management and monitoring of biodiversity
- Policy DM13 – Landscape Features
- Policy DM23 – Special Housing Needs
- Policy DM42 – Open Space, Sport and Recreation Facilities
- Policy DM45 – Transport Assessments and Travel Plans
- Policy DM46 – Parking Standards

18. St Edmundsbury Core Strategy:

- Policy CS2 – Sustainable Development
- Policy CS3 – Design & Local Distinctiveness
- Policy CS7 – Sustainable Transport
- Policy CS9 – Employment and the Local Economy
- Policy CS13 – Rural Areas

19. Rural Vision 2031:

- RV1 – Presumption in favour of sustainable development
- RV3 – Housing Settlement Boundaries

Other Planning Policy:

20. National Planning Policy Framework (2012)

- core principles
- Section 1 – Building a strong competitive economy
- Section 7 – Requiring good design
- Section 11 – Conserving and enhancing the natural environment
- Section 12 – Conserving and enhancing the historic environment

Officer Comment:

21. The issues to be considered in the determination of the application are:

- Principle of Development, including consideration of need
- Design of the Building
- Impact on Trees and Landscape/including consequentially upon the recreational amenity and enjoyment of Nowton Park
- Impact on Nowton Court
- Impact on residential amenity
- Impact on Ecology
- Economic benefits
- Impact on Highway Safety
- Conclusions and planning balance

Principle of development, including consideration of need

22. The site falls outside of any settlement boundary where policies DM5 and CS13 make it clear that protecting the character and diversity of the countryside is a priority and therefore is an area where there is a presumption against residential development. Support in principle is gained however from policy DM23 which allows proposals for new or extensions to existing accommodation for elderly and/or vulnerable people on sites which are otherwise in compliance with adopted policy. In relation to areas such as this where housing would not ordinarily be provided, and subject to the remainder of Policy DM23 and other relevant policies, permission will be granted where the need '*can clearly be demonstrated*'. It is the issue of need therefore that is central to the acceptability of the principle of this development on this site.

23. The National Planning Policy Framework (The Framework) states at paragraph 17 that planning should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

24. The proposed nursing home is on the same site as existing Class C2 residential accommodation and would form part of a care village where it would complement the existing functions (independent living facility and assisted living facility). This must be taken as being a fact which weighs in favour of the scheme.

25. Certainly the principle of a nursing home has benefits therefore which weigh in its favour and this argument is put forward in the supporting documentation. At present residents are often required to move to another facility if they need a greater degree of care. This scheme seeks to rectify this with the creation of its own care agency and a nursing home which could accommodate residents when this need arises rather than residents having to be displaced to suitable care elsewhere. Furthermore, research has been provided by the applicant which assesses local demographics and the forecast aging population of this area, specifically within a 5 mile radius of the site. This research concludes that a shortfall of 113 beds will be suffered by 2022. Officers consider, at face value, that

these are both strong arguments that support the need for the development, and in this specific location, and are therefore factors which also weigh in favour of approval.

26. The site is designated as recreational open space which is otherwise protected by policy DM42. Notwithstanding this designation the site is in private ownership and is distinct from the adjacent Nowton Park and, as such, is not publicly accessible. On this basis, whilst the contribution made by this site to the wider setting and amenity of Nowton Park is an important matter that is discussed below it is Officer's view that it would be unreasonable to refuse planning permission on the basis that this area should be retained on any expectation that it will provide recreational open space or sport facilities. Any technical conflict with Policy DM42 is not therefore considered a matter that should weigh against this proposal in the balance of considerations.
27. Whilst the site is located in the rural area, the location of this proposal has, in principle, been justified, through its relationship to the existing facility, through the submission of a travel plan, which is considered acceptable and is discussed further below, and also on the basis of the 'need' arguments presented. These are factors which heavily support the principle and which Officers consider offer notable weight in support of the scheme. These factors alone are not determinative however and full consideration of any specific impacts must rightly be made.
28. However, insofar as the principle of development is concerned, albeit on balance, the site itself is not considered unsustainable, such that the principle of development would otherwise be considered unacceptable and that support can therefore be gained from Policy DM5 and Policy DM23. However, the overall proposal must be considered 'sustainable' in order to benefit from the presumption in favour. This report will therefore first consider and thereafter balance the issues of detail raised by this application and will then assess them against the provisions of national and local policy.

Design of the Building

29. The Framework states that the Government attaches great importance to the design of the built environment and confirms good design is a key aspect of sustainable development, and one which is indivisible from good planning. Policy DM2 reinforces this view and states that proposals should recognise and address key features and local characteristics and create or maintain a sense of place.
30. The supporting statement which accompanies the application explains how the development proposed responds to the site constraints and its surroundings, with specific reference to the design principles of the scheme including positioning, landscaping, materials and scale. The design form chosen appears to have been formulated with consideration given to the position of the existing trees. In this regard weight must be given to the fact that, in theory, this is a bespoke design solution to the

development and site and that this therefore, by definition, goes some way to being considered 'good' design. This however is only part of it.

31. The design itself in terms of the elevational treatment has been subject to revision through the consideration of this application in an attempt to address concerns raised by Officers with regard to scale, massing and bulk. From what was initially considered as being a monolithic and poorly articulated building as originally submitted, elevation changes that include a more varied palette of materials plus, more importantly, some reduction in the overall scale of the elevations through the introduction of an accessible flat roof to the eastern crescent and a balcony to the southern crescent have improved the design. It remains however, in the opinion of Officers, a very largely scaled building that will inevitably have a profound adverse effect upon the locality as a result.
32. The proposal utilises an interesting and contemporary footprint which takes the form of three crescent shaped wings curved around a giant redwood tree which provides a focal point for the development. These crescents have been designed to respond to their orientation, aspect and function. As described in the supporting statement the west facing crescent, in red brick, relates to the original mansion and stable block. The rendered south crescent highlights the entrance point with a central steel vertical element which reflects the surrounding trees; and the east is designed with large windows to maximise the dappled light through the trees they overlook.
33. Scale is a matter which weighs both for and against the scheme. There are certainly benefits brought by the inclusion of 60 bedrooms in terms of the level of care offered and job creation. However, this is balanced by the height, bulk and massing of the building whose scale is dictated by viability and site constraints. The still monolithic form of the building conflicts with the domestic scale of adjacent Nowton Grange, which was originally a stable block and which retains its subservience to Nowton Court. Its bulky appearance which generally retains a uniform height, despite efforts to introduce changes to the roof line, contrasts with existing buildings which are well articulated with spires and turrets and which possess a traditional appearance.
34. To conclude, the intrinsic design of the building is perhaps appropriate and acceptable as the linked crescent design has a strong degree of interest and the elevations, in the main, and in themselves, are not unattractive. This however divorces consideration of such from the site context which it is not reasonable or possible to do. As will be discussed later, the proximity of the site to retained trees, and to more modestly scaled existing buildings within the Nowton Court site, render the design, when assessed contextually, somewhat less appropriate. The building crowds and is crowded by the retained trees, with the proximity to such and the considerable scale of both building and trees combining to suggest a development which is asking too much of this very constrained site. The provision of the two external fire escapes of overtly utilitarian appearance is an inexcusable design feature on a prominent elevation facing Nowton Park and which detracts very significantly from the quality and design

aesthetic of the building. In other circumstances it might have been expected that these would have been included within more modest and well articulated stair 'turrets' on these elevations, thereby masking their utilitarian appearance whilst also providing greater articulation to an otherwise monolithic building facade. That they have not been provided in this fashion indicates the need for the modest foundations required for these staircases given the proximity to retained trees and is symptomatic of a development proposal that in scale and bulk terms, and in terms of its position and proximity to trees, is simply asking for, far too much of this site in this context.

35. It is understood that the site itself used to accommodate a headmasters house which was removed in the 1980's, before which another building stood in a similar position. However, historic maps show that this was a modest building and is in no way comparable to that proposed. In this respect, previous development on the site carries no weight whatsoever in the determination of the application.

36. The site, in terms of its external areas and parking and circulation areas, must be considered unobjectionable.

37. However, in accordance with the provisions of the NPPF in relation to good design, and to those of policy DM2, it is not considered that this proposal offers an acceptable design solution in this context. This must be considered as a factor which weighs very, very heavily against the proposal in the balance of considerations.

Impact on Trees and Landscape/including consequentially upon the recreational amenity and enjoyment of Nowton Park

38. It is acknowledged that the footprint of the building, with three linked crescent forms, has been designed around, in particular, a mature and substantial specimen Redwood tree. Since submission of the original application further information has been provided which details the position of trees within the site at present and those to be retained as it is very heavily treed with a number of substantial specimens. The application proposes the felling of 28 of these trees, in addition to the removal of boundary vegetation, 16 of which are required for woodland management reasons. A planting plan shows the replanting of 6 trees and approximately 31 Yew and Holly on the boundaries.

39. Taken together the site provides a very high level of intrinsic amenity value and also, noting its location directly adjacent to the Nowton Park Country Park, also a very high level of amenity to the general recreational enjoyment and physical setting of the park itself.

40. The building is of a substantial scale (exacerbated by the foundation details proposed and by the levels within the site which has the effect of raising the building further) and, in places, is positioned very close to retained trees. Even with a suitable no-dig foundation (which if correctly implemented can reasonably be considered to have a neutral effect physically upon the retained trees), with so many substantial mature trees

sited so close to a three-storey building housing elderly, and vulnerable occupants, there inevitably would be future pressure to prune or remove trees. The Tree, Landscape and Ecology Officer has confirmed that in such a scenario the Authority would not reasonably be able to resist any such proposals. This would result in an even greater adverse intrinsic impact upon the amenity integrity of the site as well as, consequentially, and as will be discussed in more detail later, an adverse visual impact on the park, not least when perceived by users of the popular circular walk which runs close to the boundary of the site in close proximity to this proposal.

41. In this regard therefore, there are serious concerns raised as to the acceptability of the proposal, arising from its scale, its proximity to retained trees, and its proximity to the edge of Nowton Park and the popular recreational footpath routes within it.
42. It is considered that the siting, scale and design of the nursing home, its position on site adjacent to protected trees, Nowton Court and the avenue which runs north in the adjoining Nowton Park, and the actual and potential loss of a number of these trees, all of which lie within the Special Landscape Area, will have an adverse visual impact on the character of the site and its wider setting which would be adversely and unacceptably harmful to the visual quality of the Special Landscape Area and the provisions of Policy DM2 and DM13 of the Joint Development Management Policies Local Plan.
43. 'Amenity' is not defined exhaustively in the planning regulations. However, factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. Generally, 'amenity' is understood to mean the effect on visual and aural amenity in the immediate neighbourhood. Therefore, in assessing amenity, it is necessary to consider the local characteristics of the neighbourhood, in this case, the Manor House, which is designated as a non-designated heritage asset and Nowton Park and to thereafter judge the consequences, whether positive, negative or neutral, of development upon such.
44. Nowton Park was developed as the 'pleasure grounds' of the Oaks family in the 1800's with their country estate evolving as their fortunes grew, introducing formal landscaping and the planting of the Lime avenue, now considered the best example in the country. The woodlands provide an excellent example of Victorian landscape planting incorporating elements drawn from the Gothic and Picturesque movements blended with enthusiastic planting of newly introduced conifers from around the world. These woodlands were laid out primarily for screening and amenity.
45. The 69 hectare park now has regional significance attracting approximately 300,000 visitors a year. It was established as a leisure facility in accordance with guidelines recommended by the Countryside Agency in the late 1980's, incorporating some formal recreation and some informal recreation. It also acts as a gateway to the countryside which is a job it performs well, acting as a green wedge from the urban fringe of the town into the centre of Bury St. Edmunds close to the Lark Valley. The

park is within a designated special landscape area which gains policy protection from Policy DM13.

46. The proposed three storey building is sited in close proximity to the popular circular walk round the park as well as routes to the maze and arboretum. Whilst the 115 metre stretch of path likely to be most affected is only a small proportion of the overall park, this is a well used and significant area and therefore does not diminish the overall level of adverse impact, which is considered to be significant.
47. Assessments have been commissioned by the applicant to demonstrate the impact upon the surrounding landscape during varying seasons, in addition to 3D modelling and photo montages. These have provided a useful tool in assessing the application but have still concluded that the visual effects of the building on the adjacent footpath (measured from three different points) are considered thus in terms of impact significance; medium/high – high in year 1 and medium/high – medium/low in year 15. The landscape strategy states; *The proposals would introduce a large new component within the view that would cause deterioration to the nature of the existing view. Given the proximity and non-continuous nature of the intervening planting, and the need for vegetation removal the new block will be seen at relatively close proximity and its contemporary form and style will mean it will be prominent.*
48. At its closest point the building is 8 metres from the park boundary. Due to this proximity and the height, orientation and mass of the building it will be prominently visible from within the park, from limited viewpoints in the context of the park as a whole, but from within the park nonetheless. Whilst a degree of planting can be retained, and limited hedging and shrubs are proposed, the limited separation distances and the height of the building will prevent the establishment of effective screening, thereby placing an unreasonable burden on the Local Authority to screen the development from within the park, which, in any event, due to the circular path is also limited in planting space. As discussed, this harm is also exacerbated by the notable height and bulk of the building and by its linked crescent form that makes it appear substantial and bulky when viewed from any angle.
49. The Parks Management Plan outlines the Local Authority's aspirations for Nowton Park and contributes to many of its strategic agendas. Aim 1 is *to maintain and establish facilities and features which improve the visitors experience without adverse impact on the landscape, historic and wildlife value of the site.* Furthermore, Aim 4 seeks *to maintain and enhance the landscape character and heritage of the site* through ensuring vistas and views remain unspoilt, amongst other things. These aims, whilst not being enshrined in Planning Policy, must nonetheless be considered a significant material consideration noting, as they do, that they provide context for the LPA's assessment of harm and impact when judged against Policies DM2 and DM13.
50. Paragraph 123 of the Framework states *planning decisions should aim to protect areas of tranquillity which have remained relatively undisturbed by*

noise and are prized for their recreational and amenity value for this reason.

51. To conclude therefore, and when assessed objectively, it is considered that the design, orientation, scale and proximity of the proposal to the edge of the site, and noting the limited availability for soft landscaping as well as the position of well used footpaths within the park proximate to the building, as well as the loss of (and future pressure upon) trees are all factors that combine such that it can be concluded that the proposal will have a very significant materially adverse effect upon the aesthetic enjoyment of the adjacent park, to a degree that must be considered as weighing very, very heavily against this proposal. Put simply, Officers consider that it is too tall, and too close, with insufficient scope to be screened effectively. The resulting effect will be domineering and overbearing to users of the park, to the clear detriment of their recreational enjoyment of the park itself. This is considered contrary to the aims of the Park management plan and, consequentially, contrary to the requirements of Policy DM2 and DM13.

Impact on Nowton court

52. Nowton Court is considered a non-designated heritage asset, of which the large number of mature trees occupying the site make a positive contribution to its setting and consequently to its importance. Whilst silhouettes have been provided to compare the proportions of the proposed building with those already on the site, they fail to demonstrate the subservience desired in the context of Nowton Court where both the overall eaves and ridge height of the revised proposal appear largely comparable to that of the old manor house resulting in a building of similar scale, height and massing positioned forward of the principal elevation.

53. It is considered that the scale, height, massing and position of the proposed building, the employment of an architectural style which fails to relate to that of Nowton Court, together with the actual and likely threat of loss of trees has the potential to erode the significance of this asset. Paragraph 131 and 135 of The Framework requires planning applications to sustain or enhance the significance of heritage assets and confirms that the effect on the significance of these non-designated heritage assets should be taken into account when determining applications. On this basis, the negative impact the development will have on Nowton Court is an issue which weighs against the scheme.

Impact on residential amenity

54. The building is proposed close to the existing facilities accommodated within Nowton Court and Nowton Grange. Windows from these existing buildings will look on to the application site, as will windows from the proposed building. However, these are considered to be at a sufficient distance to prevent significant overlooking of either, notwithstanding the scale of the proposed building.

55. The nature of the proposal is not one that is anticipated to create substantial noise and whilst the building will create a degree of activity in terms of visitors, deliveries and general traffic movements these are not thought to create a significant loss of residential amenity to existing occupants of Nowton Court or Nowton Grange, or to any other residential dwellings which are some way distant from the site. Furthermore, other properties which are located within the park or surrounding area are not considered to suffer any loss of amenity through overlooking or disturbance from noise or traffic movements.

Ecology

56. An ecological appraisal has been submitted and concludes that there is a low risk of bats being present but makes recommendations such as soft felling, seasons of work and ecological enhancements. A lighting mitigation strategy is proposed, however no proposals are included and there is no indication that the strategy could be implemented such that they would be compatible with the level of light required for the safe operation of the site given its proposed use.

57. On this basis it is considered that, subject to conditions in relation to biodiversity enhancements, the proposal can be considered satisfactory.

Economic Benefits

58. The application is supported by the Council's Economic Development team and this is a matter that must be respected, and which it is considered offers considerable weight in support of the scheme. The proposed nursing home would require three shifts to meet Care Quality Commission standards which is equivalent to 65 full-time staff including nurses, carers, chefs, domestic staff, maintenance staff, management and administrators. Additionally, Nowton Court currently employs 25 staff and it is anticipated that once at full capacity, staff would grow to over 30. There would also be economic benefit arising from the construction process and, in time, additional benefit arising from spend in the local area by residents.

59. Consequently, there are clear economic benefits from the proposed scheme, and which must be weighted accordingly in the balance of considerations. The Framework offers support to sustainable growth and expansion of all types of business in rural areas which is combined with a government commitment to securing economic growth to create jobs and prosperity.

60. Accordingly, Officers consider that the very tangible economic benefits arising from this development must be given notable weight in support of the scheme in the balance of considerations.

Highway Safety

61. It is Government policy that planning decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable modes of

transport can be maximised. However, the Framework confirms this policy needs to take account of other policies in the document, particularly in rural areas. The Framework confirms that development should only be refused on transport grounds where the residual cumulative impacts of development are severe.

62. Access to the proposed nursing home would be via the existing vehicular access point from Nowton Road. Proposals to improve the access point have been submitted which detail the widening of this section of road to allow increased visibility in accordance with adopted standards. The Highway Authority is satisfied with these details and subject to the imposition of conditions, raises no objections to the access alterations or parking and manoeuvring areas proposed.
63. The proposed use will generate an increase in traffic in terms of employees and visitors. A mini-bus which is already in the ownership of the applicant is proposed to operate at employee shift change times and take employees between the site and a central pick up location. Subject to a robust travel plan, the County Council is satisfied with this provision.
64. Given the support received from the Highway Authority and the intention to utilise the existing vehicular access during construction, as opposed to that of Nowton Park as originally indicated, it is considered that subject to the inclusion of conditions, concerning both the travel plan arrangements, access and parking area details, the application is acceptable from a highway perspective and unlikely to result in a significant adverse impact on traffic generation or highway safety.

Conclusion

65. The proposed nursing home clearly has matters that weigh both in its favour and against it, so the recommendation remains a balanced one.
66. On the one hand there is an accepted need for this proposal, and development on this site has a symbiosis with the existing use here that cannot be ignored. The proposal also offers tangible economic benefit with no obvious adverse impacts upon residential amenity, biodiversity or highway safety and these are all factors combined which not only support the principle of this development but which also offer notable weight in support of the entire scheme.
67. However, on the other hand, there are also notable and materially harmful dis-benefits to the scheme such as its impact on the amenity of users of Nowton Park by reason of its proximity, scale, height and massing in combination with actual and potential tree loss. In this context, and for the reasons expressed above, it is also considered that the design and appearance of the proposal is not acceptable, given the, in places, utilitarian design, and the concerns in relation to proximity to trees and the potential therefore for further tree loss adding to the already manifest adverse impacts.
68. It is not considered that this site, which has a number of constraints to

overcome is appropriate for a development of this size, position and scale. Whilst significant effort has been made to create a scheme which fits within the site, it does not appear possible without the loss of trees and without consequential adverse impacts upon the enjoyment of Nowton Park. As advised, Officers consider this is an excessively scaled building which is poorly designed for its site context and which will have a material and very significant adverse impact to the very clear detriment of the character and appearance of the area

69. It is considered therefore, that the scheme does not meet the Framework's definition of sustainable development as, whilst it fulfils the economic role through job creation and contributions to the local economy and aspects of the social role by fulfilling an established need for this kind of accommodation, it fails to protect the amenity of the special landscape area and as such does not create a high quality environment, also failing to meet the Environmental elements.

70. Officers, whilst recognising that this is a balanced matter, do not consider this to be a particularly fine balance. The benefits are respected and noted. However, the harm arising is considered to be significant, manifest, and material, and will endure without the ability to be ameliorated, for as long as the building remains extant. It is considered therefore that the planning balance falls firmly in favour of a recommendation for refusal.

71. Having regard to the Framework and all other material planning considerations the proposal is considered to conflict with the provisions of both national and development plan policy. On this basis, the application is recommended for refusal.

Recommendation:

It is **RECOMMENDED** that planning permission be **Refused** for the following reason:

Policies DM2 seeks to ensure that proposals for all development recognise and address the key features, characteristics, landscape character, local distinctiveness and special qualities of the area as well as maintain or create a sense of place and/or local character. This is supported by Policy DM13 which permits development where it will not have an unacceptable impact upon the character of the landscape.

It is considered that the site in question, noting its extensive existing woodland which comprises mature protected trees, and its proximity to Nowton Park, is a sensitive location where great care is needed in bringing forward any development.

In this regard it is considered that the excessive scale, bulk and massing of the proposed three storey building in close proximity to Nowton Park, plus the at times utilitarian design and in very close proximity to retained trees of high amenity value, will have a significant detrimental impact on the amenity currently enjoyed by

users of the park as well as an intrinsically harmful impact upon the site itself, which is designated as a special landscape area, and upon the nearby non designated heritage asset. The constrained nature of the application site results in an inappropriately positioned building, poor design choices and the loss of mature protected trees leading, consequently, to a dominant and incongruous building, the impact of which will be exacerbated by future pressure to fell trees and by the limited space for effective screening.

As such, the proposal fails to respect the special qualities of an area, local character, landscape and scale as required by policies DM2, DM13, and by the provisions of the NPPF in relation to good design.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NUAPQMPDK9000>