

PLANNING STATEMENT

A detailed planning application and application for listed building consent for the construction of a new single storey dementia ward and associated works

At:

Nyton House Care Home
Nyton Road
Westergate
PO20 3UL

On behalf of:

Nyton Care Home

March 2019



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APPENDICES

Appendix 1 – Pre Application Enquiry Response - 29 June 2018

Appendix 2 – Consultation Response from WSCC on Application CM/16/18

1.0 INTRODUCTION AND SUMMARY OF PROPOSAL

- 1.1 This Planning Statement has been prepared on behalf of Nyton Care Home. It accompanies a detailed planning application and application for listed building consent in respect of the proposed construction of a new Dementia Ward and associated works.

Works to Nyton Care Home

- 1.2 A planning application (AL/100/18/PL) and application for listed building consent (AL/99/18/PL) for internal alterations, the replacement of 3 No. existing PVCu windows with sliding sash windows and the reinstatement of bricked up windows on the first floor of Nyton Care Home have both been approved in decisions dated 24 January 2019.
- 1.3 The further work proposed in this planning application and application for listed building consent is for the **construction of a new single storey dementia ward with 10 No. ensuite bedrooms, lounge/dining area and communal garden.**
- 1.4 The works have been the subject of an initial Pre Application enquiry with Arun DC's planning and heritage advisors. A copy of the Council's pre application response dated 29 June 2018 is attached at **Appendix 1.**
- 1.5 It has not been possible to relocate the existing Care Home residents because of their dementia and other medical conditions and closing the Care Home during construction is not an option. However the work programme for the Dementia building has been designed to minimise disturbance to the residents in need of care during construction. The works proposed in the application will not require any existing residents to be moved from their accommodation in the main house.
- 1.6 The plans and information submitted in support of the application comprise the following:
- Location Plan:
 - Block Plan:
 - Site Plan:
 - Elevations & Floor Plans
 - Noise Assessment
 - Lighting Assessment
 - Refuse and Recycling Storage and Collection Strategy
 - Archaeological Statement

- Design & Access Statement
- Drainage Strategy and Flood Risk Assessment
- Transport Statement
- Heritage Statement
- Planning Statement
- Tree Survey and Protection Plan & Ground Conditions Note

2.0 SITE AND SURROUNDINGS

- 2.1 The application site is located on the north side of Nyton Road within the parish of Aldingbourne and on the west side of Westergate. Nyton House Care Home was grade II listed in June 1958 when it was known as Nyton Farmhouse. The listing for Nyton House describes it as a large house with a late 17th Century façade with remnants of the inside of the north wing dating to the 16th century or earlier. Heritage considerations for the application are set out more fully in the Heritage Statement of MHA and Section 4 of this Planning Statement.
- 2.2 The application site is located amongst other residential properties including a terrace of 3 dwellings to the north and another listed grade II dwelling, Nyton Cottage, to the west. Further north is a collection of farm buildings. It is shown below in **figure 1**.



Fig 1 – Google aerial view of the site

- 2.3 The property is accessed from Nyton Road and stands in an extensive plot with a modern conservatory extension attached to the west elevation. Beyond, there is a formal walled garden and another associated 'L' shaped area of garden north west of the house.
- 2.4 For planning policy purposes the site is in flood zone 1 (least liable to flood), and the Nursing Home and its curtilage is previously developed land. It is located in defined open countryside outside the settlement policy boundary of Westergate as shown in the recently adopted 2018 Arun District Local Plan.

3.0 PLANNING HISTORY

Past History

- 3.1 According to the planning history records for the site, Nyton House was granted consent for a change of use from a private dwelling to a Home for the Elderly in 1981. After this in the 1980's a series of planning applications and applications for listed building consent were approved for works of extension including the addition of a conservatory in 1989. Investment continued after this with a replacement lift approved in 2002 and in 2014 a single storey timber building for use as a garden office.

Recent History

- 3.2 In 2018, a Pre Application Enquiry was submitted to the Council for more extensive works of alteration, extension and new build construction at Nyton House. A copy of the Council's Pre Application response dated 29th June 2018 is attached as **Appendix 1**. It informed the internal alterations to Nyton House consented on the 24 January 2019 in accordance with application AL/100/18/PL and application for listed building consent AL/99/18/PL. It has also informed the proposed Dementia Building and works to the garden in this application.

The Proposed Works

- 3.3 The Pre Application response noted the existing kitchen garden had already been sub divided and used as private amenity space for other nearby properties at Wyncote, Nyton Gable and Nyton Farm Cottage. The location of the dementia building in the remaining part of the kitchen garden was on the whole, considered acceptable. However the proposed layout and size of the building was considered to potentially affect the setting of Nyton Cottage and officers advised further consideration should be given to this issue. The formation of a separate contained courtyard garden was suggested as a preference.
- 3.4 Compared to the building design at pre application stage, the application proposal uses a different pallette of materials to provide a better connection with the listed main house. Materials include brick, naturally finished timber and red zinc roofing. The footprint is largely the same within the kitchen garden although revisions to the design including a series of double pitched roofs and the creation of open space amenity areas better provide a sense of homely space for the residents and improve the setting of Nyton Cottage. More detail is provided in the Design and Access Statement of MHA.

4.0 RELEVANT PLANNING POLICIES

- 4.1 Relevant planning policy is set out in the adopted National Planning Policy Framework (February 2019), the adopted Arun District Local Plan Review 2018 and the Aldingbourne Parish Neighbourhood Development Plan. All are referred to below.

National Policy

- 4.2 The National Planning Policy Framework (NPPF) was revised in February 2019. It confirms (paragraph 8) that sustainable development includes a social objective which should allow development that reflects current and future needs and can support a community's health social and cultural well-being.
- 4.3 Through the application of policies in the NPPF and in Development Plans, paragraph 11 states that Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:
- approving development proposals that accord with an up to date development plan without delay; or
 - where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
 - the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 4.4 The NPPF encourages early engagement between applicants and the LPA with good quality pre application discussions (paragraph 39). The discussions should cover design quality throughout the evolution and assessment of individual proposals and early discussions about the design and style of emerging schemes will be important for clarifying expectations and reconciling local and commercial interests (paragraph 128).
- 4.5 Paragraph 92 states that decisions on applications should take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community.
- 4.6 Heritage policy is relevant to the proposal given that Nyton House is a grade II listed building. Listed buildings are designated heritage assets and paragraphs 193-195 of the NPPF explains

that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification. Substantial harm to, or the loss of a grade II listed building should be exceptional.

- 4.7 Where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use (paragraph 196).
- 4.8 At this stage would comment that Arun DC did not identify any substantial harm arising from the proposed works for the dementia building and works to the garden when they commented on them in the pre application enquiry. The location of the dementia building in the kitchen garden was on the whole, considered acceptable. Only the proposed layout and size of the building was considered to potentially affect the setting of Nyton Cottage and this has since been amended prior to the submission of the planning application.
- 4.9 In situations where less than substantial harm is caused to a heritage asset, the guidance is that this needs to be weighed against the benefits of the proposal. In the case of this application, the benefits are that it will help meet a pressing need for dementia care in the locality. It will assist wider the operational needs of the nursing home and ensure the business and the listed building both remain in optimum viable use for the future. In our view therefore, there is no heritage case for raising an objection to the proposed works.

Adopted 2018 Arun Local Plan

- 4.10 The Local Plan was adopted in July 2018. Policies of relevance to the application proposal are **HDM2** – Independent Living & Care Homes, **DSP1** – Design, **DDM1** – Aspects of form and design quality, **HERSP1** – Historic environment, **HERDM1** – Listed buildings, **ENVDM4** – Protection of trees, **QEDM1** – Noise pollution and **QEDM2** – Light pollution.
- 4.11 HDM2 is the only policy that applies to Care Homes. Having regard to the age profile of the District, the Council recognises the need to support the provision of continuing care facilities for the elderly which includes nursing homes, and specialised care units. The policy requirement for facilities to be located within a settlement policy boundary only applies to new developments so is not relevant to the Nyton House proposal which is an existing Care Home. In all other respects the **Policy HDM2** is wholly supportive of the proposed dementia unit which will extend and consolidate the provision of existing care at Nyton House.
- 4.12 Policy DSP1 and DDM1 deal with design and aspects of form and design quality respectively. The general approach to design is that development proposals should have been derived from a thorough site analysis and context appraisal and adherence to objectives informing sustainable design (inclusivity, adaptability, security, attractiveness, usability, health and

wellbeing, climate change mitigation and habitats). Policy DDM1 sets out complimentary design objectives with regard to the character of the site and surrounding area, appearance, attractiveness and impact of new buildings, innovation and adaptability, layout and scale. All new development will be expected to incorporate existing and new tree planting as an integral part of development proposals.

- 4.13 Policies HERSP1 and HERDM1 deal with the historic environment and listed buildings. They restate national policy on heritage matters confirming that designated heritage assets including listed buildings, structures and their settings will be given the highest level of protection and should be conserved and enhanced in a manner appropriate to their significance. Development likely to prejudice such assets, including their settings, will be refused.
- 4.14 There are no proposals to demolish any part of the listed Nyton House or change its use. Proposals affecting Listed Buildings will be required to:
- a) Preserve or enhance the historic character, qualities and special interest of the buildings;
 - b) Be necessary and not detrimental to the architectural and historical integrity and detailing of a Listed Building's exterior;
 - c) Protect the architectural and historical integrity and detailing of a Listed Building's interior;
 - d) Protect the special interest of buildings of architectural or historic interest; and
 - e) Protect, and where possible enhance the setting of the building.
- 4.15 All of the above considerations have been considered at pre application stage and, with the further amendments included in the application there is no conflict with either policy.
- 4.16 The requirements of ENVDM4 in respect of protection of tree have been met in full as the application is accompanied by a full tree survey and protection plan. The retained trees along with proposed new planting, preserves the setting of the listed building and provides an enhanced garden amenity area for the residents of the proposed dementia building.
- 4.17 The requirements QEDM1 on Noise pollution and QEDM2 on Light pollution have been fully considered and addressed in the Noise and Lighting Assessments prepared in support of the planning application. The requirements of policy WDM2 on flood are not relevant as the site is not in a flood zone. Policy WDM3 requires development to incorporate sustainable urban drainage systems and this has been addressed as explained in the Drainage Strategy.

Aldingbourne Parish Neighbourhood Plan

- 4.18 The Neighbourhood Plan for Aldingbourne Parish covers the period 2014-2034 and was 'made' in November 2016.
- 4.19 The Plan notes (paragraph LC1.1) that 22% of the local community are aged over 65 and 8.7% of people under 65 have a limiting long term illness. In addition it states that the

provision of services for the elderly and for those with disabilities is limited and not considered sufficient to meet the demands of the population. For this reason **Policy LC1** positively supports proposals for new, converted and extended independent living and care homes provided the design and scale of development are in keeping with the character of the location and that the impact on the amenity of surrounding residential properties is acceptable.

- 4.20 The Plan has identified a list of existing and proposed Buildings and Structures of Character at Schedule D and Schedule E. The properties on the list are subject to protection by Policy EH8. Nyton House is not included within either list.
- 4.21 Schedule F is a list of local flint walls which are considered important locally and are subject to Policy EH11. A wall associated with Manydown Cottage leading into the Nyton House boundary wall extending to Nyton House entrance is included in the list. The policy states that development proposals which would seek to remove, or replace the flint walls listed in the Schedule will not be supported and new development proposals will be required to provide flint walls and/or incorporate flint details into boundary treatments where appropriate. The proposed works have no impact on the wall around the entrance to Nyton House and the proposed works within the grounds of the house incorporate flint detailing within the garden courtyard. Overall, the application proposal is not in conflict with the Aldingbourne Parish Neighbourhood Plan.

5.0 ASSESSMENT OF PLANNING ISSUES

Need

- 5.1 It is common ground between the applicant and Arun District that a pressing need exists for Dementia Care in the area. The Council accepted the existence of need in connection with a 64 Bed Specialist Dementia Care Centre proposed by The Healthcare Management Trust on a site in Climping last year. In that application (LA Ref CM/16/18) the applicant stated that in terms of demand **there was a district wide need for 367 dementia Care Beds within Arun District by 2019**. The consultation response from West Sussex County Council attached as **Appendix 2** also stated that based on its own analysis, approximately 1070 persons were already receiving care and support from specialist residential dementia services in the District and with a projected increase of people over the age of 75, the need for care across all care types was projected to grow by an estimated 72% by 2034.
- 5.2 In the event, the Climping application was refused for other policy and development management reasons. However, the pressing and growing need for specialist dementia accommodation in the District remains.
- 5.3 The proposed Dementia Care Facility at Nyton House can help meet this need. The application has none of the shortcomings of the Climping proposal and would provide 10 additional bed spaces in the new Dementia building. The existing bed spaces in Nyton House would all be retained.
- 5.4 There is also a qualitative dimension to the proposed development as the design of the building has been informed by the latest research in dementia care to provide an environment that better manages the condition of the residents and provides better support for their families. It will also help future proof the business in terms of regulatory change through the provision of 100% en-suite bedrooms and additional communal spaces.

Heritage Considerations

- 5.5 Earlier sections of this Statement have explained that the proposed dementia ward is located within the grounds of Nyton House and will have an impact on the setting of the listed property. However, the response of the Council's heritage officer at pre application stage was that with the suggested amendments to the proposal, the impact was not considered to cause substantial harm to the heritage asset. It follows that where a development proposal leads to less than substantial harm, this should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 5.6 The public benefits can be summarised as follows:

- The proposal will introduce a further 10 purpose built dementia beds to Nyton House in addition the existing bed spaces in Nyton House.
- The new spaces will help contribute towards a pressing shortfall of 367 dementia spaces estimated to be required in Arun District by this year 2019.
- The development will consolidate the provision of care at an existing Nursing Home. Because of the nature of the condition, the proposed dementia ward is eminently suitable to provide private, secure and self-contained accommodation even for early on-set dementia.
- On the other hand the location and the accessibility of the facility will still allow residents the opportunity for supervised trips to local attractions where they will feel part of the local community.
- The expansion plans will provide qualitative improvements to the dementia care offer at Nyton House and provide a more secure future for the listed building itself.
- There will be direct employment benefits from the proposal. Nyton House currently employs 34 staff and all these jobs will be safeguarded. The works proposed in this application will create an additional 7 full time equivalent jobs or **41 jobs** total.

5.7 In our view, when weighed against the less than substantial harm the proposal causes to the setting of the listed building, the above planning benefits favours the grant of planning and listed building consent.

Compliance with Planning Policy

5.8 As explained in Section 4 of this statement earlier, the proposal is supported by Local Plan policies particularly HDM2 which deals with Independent Living and Care Homes. At the Parish level Aldingbourne Neighbourhood Plan Policy LC1 is most relevant.

i) Local Plan Policy HDM2

5.9 Local Plan **Policy HDM2** takes a permissive stance to new and extended care homes subject to meeting certain policy tests. All tests are met by the proposed works at Nyton House.

5.10 Test 1 requires new facilities to be within the built up area but this is not an absolute requirement for extensions to existing care homes. Test 2 says proposals should be easily accessible by foot or public transport to community and social facilities. However this patently ignores the particular nature of the dementia condition which requires private, secure and self-

contained accommodation. Whilst encouraging easy access by foot or public transport would be irresponsible for any dementia patient, the existing care home is still well located for supervised trips to local attractions where they will feel part of the local community. Tests 3 4 and 5 require the design to be easily adapted to the needs of the users, appropriate to its context and provide amenity space. The proposal is for a purpose built dementia ward, designed to fit its local context and amenity space is provided. Test 6 supports and encourages the continuation of a healthy active lifestyle. Within the limits of the condition, all residents will be encouraged to maintain healthy life styles through the usual day care activities and supervised trips. In our view, all tests are met.

ii) Neighbourhood Plan Policy LC1

- 5.11 **Policy LC1** positively supports proposals for new, converted and extended independent living and care homes provided the design and scale of development are in keeping with the character of the location and that the impact on the amenity of surrounding residential properties is acceptable. When the planning officers were consulted on the proposed dementia building at pre application stage, its location was on the whole considered to be acceptable. Its layout and size was considered to potentially affect the setting of Nyton Cottage, but with the further revisions to the scale and design of the building those concerns are overcome. The use of brick in the materials is also more in keeping with the adjacent converted estate buildings now used as private dwellings. No issues of overlooking or loss of residential amenity were raised in the pre application enquiry response. In our view, the proposal is entirely in accordance with Neighbourhood Plan Policy LC1.

6.0 CONCLUSION

- 6.1 The application is for detailed planning permission and listed building consent for the proposed construction of a new Dementia Ward comprising 10 No. ensuite bedrooms, lounge/dining area and works to a communal garden area on land at Nyton Care Home, Nyton Road, Westergate. It has been thoroughly justified in planning, heritage, environmental, transport and design terms in the supporting plans and information submitted in support of the application.
- 6.2 The application site is located on the north side of Nyton Road within the parish of Aldingbourne and on the west side of Westergate. Nyton House Care Home is grade II listed. For planning policy purposes the site is in flood zone 1 (least liable to flood), and the Nursing Home and its curtilage is previously developed land. It is located in defined open countryside outside the settlement policy boundary of Westergate as shown in the recently adopted 2018 Arun District Local Plan.
- 6.3 The proposed works have been informed by comments and advice of Arun District Council at Pre Application stage in 2018.
- 6.4 The Dementia building is of contemporary design but has been informed by the latest research in dementia care to provide an environment that better manages the condition of the residents and provides better support for their families. It will also help future proof the business in terms of regulatory change through the provision of 100% en-suite bedrooms and additional communal spaces.
- 6.5 With regards to heritage considerations the choice of materials including cladding, timber and flint reflects the use of materials in the surrounding buildings both within and immediately adjacent to the site. Red zinc has been selected for the roofing to ensure the new dementia wing maintains a dialogue in urban design terms with the adjacent listed building using a colour and texture that is complimentary without being a slavish copy. The Council's pre application response has confirmed the siting of the building within the kitchen garden is acceptable.
- 6.6 The Dementia building will provide 10 additional care home beds improving both the quantitative and qualitative offer of this specialist type of dementia care for the locality. 7 additional jobs will be created, providing 41 jobs at Nyton House in total. The extra beds will make a valuable contribution towards the **district wide need for 367 dementia Care Beds within Arun District by 2019**.
- 6.7 The proposals will help secure an optimum viable use for the Grade II listed Nyton House. The proposals avoid harm to the listed house and its setting which are designated heritage assets.

The proposals benefit from policy support in the adopted Arun Local Plan **Policy HDM2** and the Aldingbourne Neighbourhood Plan **Policy LC1**. The proposals cause no harm to surrounding residential amenity and there are no highway safety reasons for withholding planning permission. Parking and space standards are complied with.

- 6.8 In the absence of any other policy conflict or harm we therefore request that the application for planning permission and for listed building consent are both granted consent at the earliest opportunity.