

6. FULL APPLICATION - CHANGE OF USE OF FORMER CARE FACILITY TO FORM 7 DWELLINGS INCLUDING DEMOLITION OF THE CENTRAL COMMUNAL BLOCK, EXTERNAL ALTERATIONS, LANDSCAPING AND OTHER WORKS AT GERNON MANOR HOUSE, BAKEWELL (NP/DDD/1225/1316, ALN)

APPLICANT: C13 ESTATES LIMITED

Summary

1. The application proposes the conversion of an existing (closed) care home to five open market dwellinghouses and two local needs affordable dwellinghouses.
2. The affordable units would meet an identified local need and would be of a size and type that would remain affordable .
3. The design details are acceptable and as amended the scheme would secure an acceptable level of residential amenity.
4. Highway and parking matters are adequately addressed and there is no justification to limit pedestrian access to and from The Avenue.
5. Impacts on trees are adequately mitigated as amended and flood risk and drainage considerations are addressed.
6. The application is recommended for conditional approval.

Site and Surroundings

7. Gernon Manor House is a currently closed care home within the town of Bakewell.
8. It is located on the Dagnall Gardens cul-de-sac, to the west of the A6, off which it is currently accessed. A further cul-de-sac, The Avenue, runs roughly parallel with Dagnall Gardens to the south of the application site, also accessed from the A6.
9. The buildings currently comprise a group of four single-storey pitched roof blocks. They were previously (until 2024), connected by flat-roofed links to form a single unit of accommodation, with a central pitched roof communal building. The central pitched roofed element and the flat-roofed connecting corridors have already been demolished (without the benefit of planning permission) and some internal works to alter the building have also taken place.
10. The property has residential neighbours to the side; to the immediate east and west of its boundaries, on Dagnall Gardens to the north-east, on The Avenue to the south and in the Hoyle Court building a short distance north west of the site.
11. A tall yew tree hedge bounds the southern edge of the application site, with a number of further trees present within the site.
12. Whilst the application property is not a historic building, the site lies within the Bakewell Conservation Area, the boundary of which tracks the southern and eastern boundaries of the site.
13. Much of the site and existing building is within Flood Zone 2.

Proposal

14. Change of use from C2 to C3 following demolition of central communal block of single storey former care facility and adaptation/conversion to create 7 bungalows. The proposals include:

- Change of use of the buildings within their shells. Three of the four blocks would be converted to semi-detached dwellings (Houses 1-6), and one to a detached dwelling (House 7).
- The dwellings in the north-eastern block (Houses 5 and 6) would be the affordable houses. As amended, Unit 5 would have three bedrooms and unit 6 would have two.
- One of the open market dwellings would have two bedrooms and the others three.
- Retrospective proposals for the demolition of the central communal block and replacement with a central parking, manoeuvring and landscaped area.
- External alterations to the buildings and creation of residential curtilages to each house.
- Vehicular access from Dagnall Gardens, splitting into two driveways, one to the north and one to a central courtyard.
- As amended, 13 off street parking spaces to be provided.
- Most trees proposed for retention (including the yew hedge on the southern boundary), except for a number of trees in poor condition or unsuitably close to the development.

RECOMMENDATION:

That the application be **APPROVED** subject to a section 106 agreement to restrict occupancy of Houses 5 and 6 to local needs and the following conditions:

1. 3-year implementation period.
2. Adopt amended plans.
3. Remove permitted development rights for alterations, extensions, outbuildings, gates, fences and walls, solar pv panels.
4. The development hereby approved shall not be occupied until the access, parking and turning facilities have been provided as shown on drawings.
5. Construction management plan to be submitted and approved.
6. Prior to commencement of any further demolition works or site works, or the arrival of any materials or machinery, tree protection fencing and ground protection to be installed and retained in accordance with Tree Protection Plan.
7. Prior to the commencement of any further demolition or site works - or the arrival of any materials or machinery on site - a pre-commencement meeting shall be held on site and attended by the developer's appointed arboricultural consultant and the site manager and foreman with overall responsibility for the progression of works. At this meeting the arboricultural consultant shall confirm that all tree protection measures have been installed in accordance with the approved Tree Protection Plan and that all of the approved arboricultural measures relating to works within trees' RPAs are fully understood. The development shall thereafter be carried out in accordance with all the stated requirements of the Arboricultural Report.

- 8. Yew trees T020 to T028 are to be reduced to a more compact size in a staged process carried out over no less than 3 years.**
- 9. No tree which is retained or planted under conditions of the permission shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development phase and thereafter within 10 years from the date of occupation of the building for its permitted use, other than in accordance with the approved plans and particulars or as may be permitted by prior approval in writing from the National Park Authority. Any such tree which is cut down, uprooted, destroyed, pruned, cut or damaged within that period shall be replaced with another of the same species at the same location and of minimum height 2.5 metres above ground level except where an alternative is approved in writing by the National Park Authority.**
- 10. All mitigation, compensation and enhancement measures detailed in Section 6. of the Preliminary Ecological Appraisal Report (September 2025) by JM Ecology to be conditioned and adhered to.**
- 11. All features to be provided in accordance with DSA drawing 1375 204 'Landscape Softworks: Ecological Enhancements Plan' prior to the buildings being brought into the approved use.**
- 12. External lighting scheme to be submitted and approved.**
- 13. Hard landscaping scheme to be submitted and approved. Boundary treatment to garden to east of House 5 (at the entrance to the site) to be a 1.2m traditional drystone (natural limestone) wall with half round natural gritstone coping stones, rather than a close boarded fence.**
- 14. Recommendations in para 4.1 of the submitted Sustainable Drainage Options Appraisal and Strategy to be fully implemented before any of the dwellings are first occupied and the maintenance schedule at para 4.2 to be enacted throughout the life of the development.**
- 15. Air source heat pumps to be installed and fully operational before each relevant property is first occupied. External unit to be painted out to match the colour of the adjacent stonework.**
- 16. Timber on porch canopies and close boarded boundary fencing to be painted or stained a muted, recessive colour at the time of erection.**
- 17. Details of final finish of all external timberwork to be submitted and approved. The finish shall be cream or a muted, recessive colour, not brown stain.**

Key Issues

- The principle of development, including the provision of open market housing and the loss of a community facility.
- Design and Appearance
- Impact of the development on the Bakewell Conservation Area.
- Highway and Access Issues.
- The impact of the development on the amenity of neighbouring properties.

- The impact of the development on protected species.
- Flood risk.
- Climate change mitigation.
- Tree Impacts.

Relevant Planning History

February 2025 – pre-application enquiry submitted with regard to revised scheme (PE\2025\ENQ\51838).

2024 – planning permission refused for change of use from c2 to c3 following demolition of central communal block of single storey former care facility and adaptation/conversion to create 7 bungalows (NP/DDD/0724/0755).

1998 – Renewal of temporary consent for use of staff dwelling as an office (granted temporarily)

1993 – Change of use from staff dwelling to office (granted temporarily)

1977 – 36 aged persons home and 2 staff dwellings and erection of garage (granted)

Consultations

15. Highway Authority – Based on the analysis of the information submitted and a review of Local and National policy the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.
16. Lead Local Flood Authority – Due to the team's current workload, Derbyshire LLFA are only responding to Major planning applications.
17. Town Council – *“Bakewell Town Council prefers that the development of the Gernon Manor site is designated as affordable homes for local elderly residents. If the developer is unable to provide seven such affordable homes, then the Town Council would reluctantly raise no objection to this proposal if and only if a minimum of two dwellings is designated as affordable homes and made available for purchase at the lowest possible cost to a social housing provider.”*
18. District Council Housing Enabler – The 2023 Bakewell Housing Needs survey found a need for 53 affordable dwellings. The provision of new affordable bungalows in Bakewell is greatly welcome. Given the profile of need it would be highly preferable for the affordable dwellings to compromise 1 x 2 bed and 1 x 3 bed rather than 2 x 3 beds.
19. Historic England – Not offering advice in this case.
20. Environment Agency – The development falls within flood zone 2 and therefore the Authority should apply national flood risk standing advice (FRSA) in this instance.
21. PDNPA Tree Officer – no objections to amended scheme subject to conditions to secure tree and ground protection and the ensure the yew trees are reduce in a staged process over 3 years.
22. Authority's Ecologist – no objections subject to conditions,

Representations

23. 6 letters of representation were received to the initial consultation. 2 object to the application, 3 make general comment and one is in support. Many of the representations express concern in relation to the provision of pedestrian access on to The Avenue. The planning considerations raised are summarised below (full comments are available on the application file).

- Concerns over intensification of use of The Avenue by pedestrian and vehicles as a result of the retention of two pedestrian gates.
- Mature yew hedgerow should be retained at a height of at least 2 metres.
- Request for secure boundary fencing.
- Priority should be given to the needs of the ageing population.
- Concerns over inaccuracy and contradictions within submitted plans and documents.
- Single aspect homes will not be high quality development.
- Overlooking to Dagnall House.
- Concerns about surfacing and management of communal areas.
- Use of timber cladding on buildings is inappropriate.
- Concerns about level of off-street parking provided.
- Concerns about over level of affordables provided (should be more).
- PD rights should be removed if permission granted.
- No evidence of rainwater harvesting considered.

24. Following a re-consultation (to neighbouring properties) following the receipt of amended plans and additional/amended information, 4 further letters of representation have been received. They mainly relate to the following points (again full comments are available on the application file):

- Remaining concerns that two pedestrian gates are still retained. The gates have been unused for many years and the access onto The Avenue serves no meaningful planning purpose. The gates would detract from residents' sense of security and privacy. Request that gates are removed and replaced with a solid boundary treatment.
- Concerns that timber fence abutting The Avenue is not robust enough.

25. One of the letters raises additional issues, the majority of which are in the list above from the original consultation. However in addition, the representation raises additional concerns about impact on tree T1, issues with regard to sustainable drainage, and the lack of disabled parking bays.

Main Policies

Relevant Core Strategy policies: GSP1, GSP3, DS1, L1, L2, L3, HC1, HC4, CC1

Relevant Development Management Plan policies: DMC3, DMC8, DMC12, DMC13, DMC14, DMT3, DMT8

National Planning Policy Framework

26. The National Planning Policy Framework (NPPF) is a material consideration. Development plan policies relevant to this application are up-to-date and in accordance with the NPPF and therefore should be given full weight in the determination of this application.

27. Paragraph 182 of the NPPF states: Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife

and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

28. Paragraph 173 goes states that development should only be allowed in areas at risk of flooding where, in the light of flood risk assessment, it can be demonstrated that the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment, that it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate, that any residual risk can be safely managed, and that safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

Assessment

Principle of Development

Loss of the existing care home use

29. The proposals represent the loss of a community facility. Where the proposed new use of such a facility is not another community use, as is the case here, policy HC4 requires evidence that the facility is no longer required, no longer viable, or available elsewhere in the settlement and policy DMS2 requires evidence of reasonable attempts to sell or let the services as a going concern.
30. In relation to the need and viability of the care home, the property is understood to have been disposed of by Derbyshire County Council by way of auction in 2022. The County Council cited dropping occupancy rates, the fact that there were enough local, suitable alternatives and the fact that the building was no longer fit for purpose within its reasons for closure. Although marketing information as a going concern has not been provided, the disposal by the County Council is strongly indicative of the property being no longer required for local care provision – or no longer viable to be operated as such. Furthermore it is noted that the Town Council has not objected to the proposals
31. Further, there are other care homes in and around Bakewell including Bakewell Cottage, Burton Closes, The Old Vicarage and Thornhill House. Whilst they may offer different provision to that which was offered at Gernon Manor House (this matter has not been explored by Officers), the care home subject to the current application has a lawful C2 use that would allow a range of different provisions to be provided from the site. Therefore, the proposal would meet the initial part of HC4 C.
32. The second part of HC4C requires that wherever possible, the new use must either meet another community need, or offer alternative benefit such as social housing. The proposal does include an element of affordable housing and so subject to an assessment of viability, the proposals can be considered in accordance with HC4C.

Proposed Housing Mix

33. Following the refusal of planning permission in 2024 for the conversion of the buildings to seven open market dwellings, this revised application proposes five units of open market housing and two affordable units to meet local needs. The site is previously developed land and therefore policies HC1 and DMH6 are relevant. These policies reflect national policy and guidance for housing in the National Parks stating that housing will not be permitted solely to meet open market demand to live in its sought-after environment.

34. DMH6 allows for the development of previously developed land within settlements for housing provided that, subject to viability, an element of the housing addresses local need for affordable housing and it conserves and enhances the valued character of the area.
35. At the pre-application stage, a viability appraisal was submitted to the Authority by the applicant. It concluded that it would be unviable for the scheme to deliver any affordable housing as part of the proposed development. At the Authority's request, that appraisal was subject to an independent review, which concluded instead that, in fact the scheme is capable of delivering 2 of the proposed 7 dwellings as affordable housing. As a result of this, the scheme as now submitted, includes the independent viability assessment and proposes the two affordable units that it recommends.
36. In conclusion, we are satisfied, that the level of affordable housing proposed has been informed by the independent viability appraisal and reflects the maximum reasonable provision that the development can viably support.

Whether the affordable housing will meet the identified local need

37. A Housing Needs Survey Report for Bakewell was published by the District Council in 2023. This found that there were 53 households in need that meet the Authority's local connection criteria. The predominant need was for one bed properties, but a need for 8 x 2-bed and 4 x 5 x 3-bed properties was also identified. Most households were interested in affordable housing for rent.
38. A large proportion of this need would be met by the scheme approved at committee in November 2025 for 42 houses at Yeld Close, but the application is still awaiting completion of the section 106 legal agreement and so the decision has not yet been issued. This decision therefore has to be based on the needs as evidenced in the 2023 survey. Another parish housing survey has just been completed, but at the time of writing the results are not available.
39. As submitted, the plans showed the two affordable units to both be 3-bed properties, but following discussions, and advice from the District Council Housing Enabler, amended plans have now been received showing one unit as a 3-bed and the other as a 2-bed, which more closely aligns with the identified need (and bearing in mind that 1-bed properties would not be feasible within the constraints of the existing built form of the units in question).
40. The agent has confirmed that the units will be 'affordable housing for rent' and that the applicant is currently actively seeking to engage with registered providers.
41. With regard to floorspace, the supporting text to DMH1 states that where applications propose to convert buildings to a local needs affordable home, the Authority will only permit them if the resulting floor space can be '*within or extremely close to those shown in policy DMH1.*' The proposed dwellings would have a gross internal floor area of approximately 105 sqm and 101 sqm respectively, which is just above the 97sqm maximum floor area size limit (for 5 bed spaces) set within policy DMH1, and which can be considered to be 'extremely close' in terms of the wording of the supporting text.
42. Finally the gardens to plots 5 and 6 are modest (but functional), such that overall plot sizes would not render the dwellings unaffordable.
43. In summary the dwellings are of a size and type that would meet an identified local need and that would remain affordable in perpetuity.

Design and appearance

44. The existing building is not a heritage asset and its scale, form and massing do not reflect the built tradition of the National Park or the character of the local area. It does include some traditional design elements – modestly sized openings, no significant fascia or bargeboards, stone (albeit artificial) surrounds to doors and windows – and is generally modestly designed.
45. As a scheme seeking to work with the existing building, the proposed design is broadly acceptable as it removes the connecting flat roofs and, in removing the central part of the building altogether, it provides several units that are of a simpler and more traditional form and massing than the previously existing building.
46. The proposals largely re-use existing openings, remove some recessed doorways, and add timber pitched-roofed porch canopies to some parts of the building. Whilst the latter are not traditional features, the overall impact is neutral. Some vertical timber (cedar) boarding would be used in flat roofed linking sections between the pitched-roofed elements of the buildings. Whilst timber is not a traditional building material in the National Park, on these small, discreet sections we consider that its use would not cause harm to the character of the wider Conservation Area .
47. The semi-detached units have been subdivided in such a way that they are single aspect dwellings. Discussions have taken place to explore whether the units could be subdivided differently so as to provide dual aspects, which would give improved outlook and amenity for the occupiers of the dwellings. However the applicant would like this element of the scheme to be determined as submitted, arguing that the benefits of single aspect is that the gardens can run the full length of the properties . On balance, whilst the two open market dwellings with a north-facing aspect in particular might experience sub-optimal internal light levels, the dwellings would still have a pleasant outlook onto open space and landscaping, and would benefit from good amenity in other respects. In the planning balance, we consider that the benefits of regenerating this brownfield site outweigh this minor constraint.
48. A soft landscaping scheme has been submitted with the application, including details of timber boundary fencing between the various plots, and details of boundary treatments around the site perimeter. Details of hard surfaces would need to be agreed by condition.
49. Overall, the development is concluded to be acceptable in general design terms in accordance with policies GSP3, L1, and DMC3.

Impact of the development on the Bakewell Conservation Area.

50. The application has not been accompanied by a heritage statement, as required by policies DMC5 and DMC8. However, given the nature and extent of development it is considered possible to make assessment of the impacts of the development upon the conservation area without this.
51. The care home is positioned just within the Conservation Area (CA) boundary. Whilst not a traditional building, its single storey height, low visibility in wider views due to topography and planting, and position amongst other single storey properties mean that its impact on the character and appearance of the CA is low.
52. The proposed development does not significantly change that impact. The breaking up of the single complex and removal of the flat roofed elements while a modest improvement to the form of the building itself have had a largely neutral impact upon the significance of the CA.

53. The development would also not significantly affect the setting of any other designated heritage asset. Overall, the development would conserve the significance of the CA, according with policies L3, DMC5 and DMC8.

Highway and Access Issues

54. The proposals alter the site layout to provide access and parking space for the proposed seven dwellings. Each property is allocated two spaces, except for House 6 (the 2-bed affordable unit), which would have one. This level of provision accords with adopted parking standards. There is no requirement within the Authority's car parking standards, for the provision of disabled parking bays within private residential developments.
55. During the course of the application, amended plans have been received which clarify that there would be no vehicular access from The Avenue, to the south.
56. However currently there are two pedestrian gates on the southern boundary of the site, which give access to The Avenue. Representations received say that these were locked shut and not used when the site was used as a care home. The plans show that these gates would be operational as part of the proposed development. Representations raise concerns regarding the increased use of the Avenue for visitors to the new dwellings if this arrangement proceeds, both on the basis that increased pedestrian use of The Avenue would cause harm to the amenity of existing residents and also because additional parking on The Avenue (which is a private road) would cause issues of congestion.
57. Firstly the fact that residents of or visitors to the development might walk past existing houses on The Avenue does not amount to unacceptable harm to privacy or living conditions. Public footways and pedestrian movement are common in residential areas. Planning guidance supports well-connected developments, as pedestrian permeability can encourage walking and improve accessibility.
58. Secondly as noted above, the site itself proposes adequate off-street parking provision for dwellings of this number and size, and the Highway Authority raise no concerns regarding the arrangement. Also the proposed access off Dagnall Gardens is logical and convenient. These factors reduce the likelihood of indiscriminate street parking. If there were any overspill visitor parking, then this is more likely to occur on Dagnall Gardens where there is unrestricted on street parking close to the entrance to the site. The potential for overspill parking onto The Avenue is considered speculative, and the fact that people 'might park there' does not constitute a robust basis for refusing planning permission or for the imposition of a condition to block up the two gates. The private ownership of The Avenue and any rights to use it are private legal matters and are not material planning considerations in determining this application.
59. Finally, although the gates do not appear to have been used more recently by the previous care home, there is no reason why, if the site continued to be used as a care home, that the gates could not be re-opened and used.
60. Consequently taking all of the above in the round, there is insufficient justification for the imposition of a condition to block up the gates and such a condition would not meet the tests.
61. Calculations regarding any increased intensity of use of the highway and associated impacts have not been provided. However, taking account of the movements of residents, staff, visitors, and support services comings and goings from the site, the proposed use as seven 2- and 3-bedroom dwellings is not likely to result in a significant increase in traffic movements when compared to the extant use of the site as a care

home. Further, the Highway Authority raise no objections to the proposals on these grounds.

62. Overall, and subject to conditions, the proposals do not give rise to objections on highway safety or amenity grounds, and accords with policies DMT3 and DMT8 in relation to the provision of safe access and adequate parking space.

The impact of the development on the amenity of neighbouring properties

63. The site currently has a lawful use as a care home, which has previously and could include residential accommodation, and there is no control over how the rooms within the building are used within the limitation of its lawful use. This existing situation is given significant weight in assessing any change to amenity impacts.
64. In general, the positions of doors and windows facing out of the site in any direction is unchanged by the proposals. Some of these are below the usual recommended separation distances, but that is an existing situation and, as noted above, the use of the spaces behind them is uncontrolled and could readily be occupied as sleeping or living areas. In that context, the development would not give rise to any significant additional loss of privacy to neighbouring properties.
65. The position of parking spaces would be changed from the existing situation, and in some cases be closer to neighbouring boundaries. However, this, and the wider domestic use of the site, would not be considered to give rise to unacceptable noise or other disturbance in this existing residential area, particularly when also giving weight to the noise and disturbance that could arise from the extant care home use.
66. We had some concerns about the relationship between some of facing windows of the proposed properties themselves as we considered that they would give rise to some privacy concerns. Following discussions, amended plans have now been received which have provided additional boundary treatments to resolve these issues
67. It is therefore concluded that the development would not result in any significant harm to the amenity of living conditions of occupants of the proposed development or neighbouring properties, and would accord with policies GSP3 and DMC3.

Tree impacts

68. There are several trees within the application site area and a Tree Survey has been submitted with the application. As submitted, the proposals sought to retain all of the trees, but the Authority's Tree Officer considered that this approach was unrealistic and unlikely to be viable in the long term. Following discussion, an amended Arboricultural Appraisal Report has been submitted which shows four trees to be removed. Three of those trees are in particularly poor condition and the other has outgrown its location. Three new native and trees are proposed together with several native shrubs.
69. The yew and holly hedge that is located across the southern boundary with The Avenue would be retained and cut back (over a phased 3-year period to ensure the trees will tolerate the works) to 3m in height. This will help to reduce shading to the adjacent units, while still retaining a satisfactory boundary to the site.
70. Representations have also raised concerns in particular with regard to Tree T1, a large Western Red Cedar, close to the entrance to the site. It is proposed to retain the tree but questions were raised about its canopy height from the ground and whether it would be damaged by vehicles accessing the site. The Authority's Tree Officer has responded to these concerns stating that this tree has heavily drooping soft foliage and so it would

be perfectly possible to prune it to 3 metres height above the driveway, without cutting any major branches and without causing significant harm to the tree.

71. As amended the Authority's Tree Officer now has no objections subject to conditions and the development is concluded to accord with policy DMC13 with regard to trees.

Ecology and BNG

72. The application is exempt from statutory requirements for BNG as the application is partly retrospective.
73. A Preliminary Ecological Appraisal Report was submitted with the application. It scored three of the buildings as having 'low' suitability for bats and the other had 'negligible' suitability. A subsequent Nocturnal Bat Survey Report has been submitted in support of the application. No emerging bats were seen during the surveys. The survey recommends habitat enhancements in the form of bat boxes, bird boxes and a hedgehog box. Subject to the recommendations within the report being secured by condition it can be concluded that the development would not result in harm to protected species in accordance with policies L2, DMC11 and DMC12.

Flood risk and Drainage

74. The site lies within Flood Zone 1 and 2 based on the Environment Agency's Flood Map for Planning. A Flood Risk Assessment (FRA) was submitted with the application and has been revised during the course of the application.
75. Based on Annex 3 of the NPPF, the proposed residential development falls within the category of 'more vulnerable'. As the site falls within Flood Zones 1 & 2, therefore, the proposed development is appropriate in this location without the requirement for the Exception Test. The Sequential Test is not required for conversion schemes.
76. Flood modelling has shown that the site is not at risk of river flooding in a 0.1% AEP event (i.e. a 1 in 100-year flood event).
77. Environment Agency maps show that there is a high likelihood of surface water flooding adjacent to the existing building to the west and surface water flood depths up to 0.6m are anticipated in a 1% AEP event. The FRA states that surface water flood mapping indicates that the presence of the existing building in the centre of the site is the cause of the deeper surface water flooding at the west, therefore, the proposed removal of this building is likely to reduce the depth of surface water flooding in this location. A topographical survey of the site shows that there is a consistent fall across the site from west to east as demonstrated by the absence of surface water flooding at the east of the site, therefore, it is clear that surface water would continue to flow off-site to the east following the removal of the central building. Ground levels in the proposed paved area in the centre of the site will be no higher than existing ground levels, therefore, there will be no impediment to surface water flows across the central part of the site.
78. A Sustainable Drainage Appraisal and Strategy (SDAS) report has been submitted during the course of the application. Foul and surface water both currently discharge to the mains sewer and foul water would continue to be disposed of through the mains. Based on existing and proposed impermeable surfacing, the SDAS suggests a 50% betterment to the existing surface water run-off rate, and recommends that this be achieved by the use of pervious paving within the parking areas. The final details and appearance of the paving can be secured by condition
79. In the absence of a consultation response from the Local Lead Flood Authority, we have no reasonable grounds to doubt the conclusions in these reports and therefore we are

reasonably satisfied that the development would not unacceptably increase flood risk or harmfully impact on the functionality of floodwater storage in accordance with policy CC5.

Climate change mitigation

- 80. Policy CC1 requires all new development to demonstrate how it would make the most sustainable use of land and resources and to set out how it would reduce the need for energy, use and supply it efficiently, and seek to use low carbon and renewable energy.
- 81. The submitted plans show the use of air source heat pumps to provide heating. Energy and water saving measures will be incorporated into the scheme. The re-use of existing buildings is inherently sustainable. Overall the proposals are considered to be in accordance with policy CC1.

Other Issues

Fall-back position

- 82. The property benefits from a Class C2 use and could be put to other uses without the need for planning permission. This use extends to residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres. It is noted that these uses represent a 'fall-back' position for the applicant. This does not weigh heavily either in favour or against the principle of the proposed development.

Conclusion

- 83. The conversion of the care home to five open market and two local needs dwellings accords with adopted housing and community use policies. The dwellings would meet an identified local need and would be of a size and type that would remain affordable
- 84. The design details are acceptable and as amended the scheme would secure an acceptable level of residential amenity to neighbouring properties and to the proposed dwellings themselves.
- 85. Highway and parking matters are adequately addressed and there is no justification to limit pedestrian access to and from The Avenue
- 86. Impacts on trees are adequately mitigated as amended and flood risk and drainage considerations are addressed.
- 87. Consequently, the development is in accordance with the development plan and there are no material considerations that would indicate that the application should be refused. The application is therefore recommended for conditional approval.

Human Rights

Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

Nil

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