

SITE PLAN ATTACHED

**DUDBROOK HALL RESIDENTIAL HOME DUDBROOK ROAD NAVESTOCK
BRENTWOOD ESSEX CM14 5TQ**

PART DEMOLITION OF EXISTING BUILDING AND CONVERT INTO CHILDREN'S NURSERY (D1) WITH ANCILLARY FIRST FLOOR STAFF ACCOMMODATION (4 FLATS), CONSTRUCT INTERGENERATIONAL CARE CENTRE COMPRISING A NEW PURPOSE DESIGNED 62 BEDROOM CARE HOME WITH LAYOUT PARKING AND LANDSCAPING (REVISED APPLICATION)

APPLICATION NO: 20/00534/FUL

WARD	Brizes & Doddinghurst	8/13 WEEK DATE	24 July 2020
PARISH	Navestock	Extension of time	7 th September 2020
CASE OFFICER	Ms Tessa Outram		
Drawing no(s) relevant to this decision:	19404-TPL-PA01; 19404-TPL-PA02; 201-P5; 202-P5; 211-P4; 212-P4; A-761-CA-A-102-A; A-761-CA-A-103A; A-761-CA-A-104A; A-761-CA-A-105A; A-761-CA-A-201A; A-761-CA-A-202A; A05E; A067E; B-2641-100-A TOPOGRAPHICAL; A07E; A08B; A09A; A10B; A11A; A12B; A-761 OSA; Arbtech TPP 01 Rev D; Arbtech AIA 01 rev D;		

The application has been referred to the Committee at the request of Councillor Parker for the following reason(s):

- **Complies with planning policies**
- **The care home would be of huge benefit to the local committee**
- **A new building is the only way to protect residents from disruption with possible danger to health**
- **The need for a creche and carers accommodation is also a priority**

1. Proposals

The application site is in the Green Belt and a Special Landscape Area and comprises a rural site occupied by a former manor house known as Dudbrook Hall. Dudbrook Hall is a part 2/3 storey non-designated heritage asset (important building, though not listed) that was converted into a care home following the grant of planning permission in 1995 and is operated by St Michaels Homes Limited. The care home currently has 44 residential bedrooms.

The proposal is to demolish the later additions of Dudbrook Hall and convert the retained elements into a children's day nursery at ground floor accommodating up to 35 children. The first floor would be converted into 4 workers flats in connection with the operation of the care home and the second-floor area would be retained as ancillary office space for the management of the care home and nursery.

A new purpose built detached two storey care home comprising 62 residential beds is proposed to the rear of Dudbrook Hall extending into the undeveloped area of land to the west of the site. The development as a whole would be considered an inter-generational care centre that provides interaction between the care home residents and nursery children; which has been shown to improve the mental and physical wellbeing of the elderly and improve learning and social interaction of children.

The site would be landscaped with a mixture of soft planting and hard surfaces and parking for each of the uses would be provided; consisting of: 66 car parking spaces allocated to the care home, including 3 disabled bays and 15 spaces allocated to the Nursery, including 1 disabled bay. Cycle parking would also be provided at the care home entrance. The two existing vehicular accesses along Dudbrook Road would be reused and utilised.

2. Policy Context

Brentwood Replacement Local Plan 2005:

- Policy CP1 General Development Criteria
- Policy CP2 New Development and Sustainable Transport Choices
- Policy GB1 Green Belt: New Development
- Policy GB2 Green Belt: Development Criteria
- Policy H12 Residential Homes
- Policy T2 New Development and Highway Considerations
- Policy T5 Parking – General
- Policy C5 Retention and Provision of Landscaping and Natural Features in Development
- Policy C8 Special Landscape Areas

Emerging Local Development Plan (LDP) to 2033:

The Brentwood Replacement Local Plan 2005 remains the Development Plan and its policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the National Planning Policy Framework (NPPF). Due weight should be given to them, according to their degree of consistency with the NPPF - the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given.

The emerging Local Development Plan went through Pre-Submission (Publication Draft) Stage (Regulation 19) consultation early in 2019 with a further focused consultation,

following revisions to the detailed wording of some of the proposed housing allocations, ending in November 2019. At Ordinary Council in January 2020 the Council resolved to submit the plan to the Planning Inspectorate on behalf of the Secretary of State (Regulation 22). Submission of the Local Plan took place on Friday 14 February 2020. An Examination in Public may be held in late 2020, subject to timetabling by the Secretary of State. Provided the Inspector finds the plan to be sound, it is projected that it could be adopted by the Council in 2021. With regard to the impact on timeframes due to the current COVID-19 situation, Planning Inspectorate advice is that pre-hearing matters for submitted Local Plans can continue. At this stage public hearing sessions are not able to proceed but this will be kept under review with all options explored in order for them to take place as soon as possible.

As the emerging plan advances and objections become resolved, more weight can be applied to the policies within it. At this stage there are outstanding objections to be resolved, nevertheless, the Plan provides a good indication of the direction of travel in terms of aspirations for growth in the Borough and where development is likely to come forward through draft housing and employment allocations. While submission of the Local Plan is a further step in progress towards adoption, as the plan has yet to be inspected through an Examination in Public it is still considered that it currently has limited weight in the decision making process

National Policy

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)

3. Relevant History

- 17/00448/FUL: Orangery side extension -Application Permitted
- 19/01039/FUL: Part demolition of existing building and convert into Children's Nursery with ancillary first floor staff accommodation (4 flats), construct intergenerational Care Centre comprising a new purpose designed 62 bedroom Care Home with layout parking and landscaping -Application Withdrawn

4. Neighbour Responses

Where applications are subject to public consultation those comments are summarised below. The full version of each neighbour response can be viewed on the Council's website via Public Access at the following link:

<http://publicaccess.brentwood.gov.uk/online-applications/>

One neighbour representation letter was received that objected to the proposed development. The concerns arising from the objection letter included:

- Unidentified need for another care home within this part of the Green Belt
- Roads are too narrow to accommodate the increase in traffic – highway safety issues

- Increase in noise, pollution and difficulty exiting our lovely quiet lane.
- Disruption of peace and quiet from playground and intensification of development
- Disruption from construction to property and roads

5. Consultation Responses

- **Affinity Water-** Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Thames Water would advise that with regard to SURFACE WATER network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

- **Care Quality Commission-** Care Quality Commission (CQC) would expect that all providers plan services with regard to our document Guidance for providers on meeting the regulations. We are unable to comment or provide advice on premises until a provider applies for registration and therefore we are unable to comment on planning applications.
- **Independent Living/Extra Care-** No comments received at the time of writing this response
- **Essex Badger Protection Group-** Officer note: The badger is the most persecuted protected mammal in the UK and standing advice is that the location of any badger setts remains strictly confidential and is not published on public forums.

With regard to this proposal, the group raises no objection subject to precautionary measures.

- **Arboriculturalist-** A tree survey has been undertaken which has informed the production of an Arboricultural Impact Assessment and Method Statement. Of the 252 individual and 13 groups of trees recorded 6 Category B and 7 Category C individuals and 4 Category C groups will require removal to facilitate development. Most of these trees are not visible from beyond the grounds and form part of larger assemblages of trees. It is considered therefore that their removal would not have a significant impact and the indicative landscape scheme shows new trees being planted. The method statement is considered appropriate and shows how most trees would be unaffected by the proposal.

There are no objections to this scheme on arboricultural grounds subject to the works being carried out in accordance with the method statement. An LVIA has been provided which confirms that the landscape and visual effects of the scheme would be limited due to the extent of vegetation around the perimeter which

provides and effect screen. These conclusions are considered appropriate. The indicative landscape scheme is considered broadly acceptable. It is disappointing to see such a concentration of vehicle parking around the existing house which will detract from its setting. While the reinforced grass will provide some visual mitigation when not in use, vehicles will be a dominant feature.

- **Ecologist** - A suite of ecological surveys has been undertaken and confirm that no protected species were recorded; however the reports recommend appropriate precautionary measures and enhancement measures be adopted. An appropriate ecological method statement, which could form part of the CEMP, should be provided to, and approved by, the LPA prior to commencement. This can be conditioned. There are no objections to this scheme on ecology grounds subject to the above condition.
- **Highway Authority**- The documents accompanying the application, including detailed Planning and Transport Statements, have been duly considered. Although no site visit has been carried out due to the government's Covid-19 travel restrictions, site visits were completed when considering the previous application for this site (19/01039/FUL). Having reviewed the Transport Statement, a modest increase in daily trips could be expected at the site. However, given its existing use, the proposed parking arrangements complying with Brentwood Borough Council's adopted parking standards, and the accesses being improved to adhere to modern design standards, the Highway Authority would not wish to raise an objection to the site proposals.

Therefore, from a highway and transportation perspective, the impact of the proposal is acceptable to the Highway Authority subject to conditions [see full consultation response on public access].

- **Anglian Water Services Ltd**- No comments received at the time of writing this report.
- **Thames Water Development Planning**- Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided. Thames Water would advise that with regard to SURFACE WATER network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided. With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.
- **Essex & Suffolk Water**- No comments received at the time of writing this report.
- **Design and Conservation Officer**- Having assessed the submission, I advise Dudbrook Hall is not a building with statutory protection i.e. Designated Heritage Asset but has a rich history within the Borough. As an architect designed building it

has features of merit and is considered as a Non-Designated Heritage Asset by Built Heritage.

There are later accretions on this building, which as previously advised in my response to the recently withdrawn scheme, are considered incongruous and as such the proposals to enhance this building by way of their removal is supported. Having assessed the submission and taken into account the removal of the later accretions my primary concern and objection remains; the impact this proposed spread and scale of development would have on the setting of the non-designated heritage asset and the countryside would be harmful. Should there be special circumstances which allow for development in this Green Belt location, I advise the continuous overly elongated building is not supported, a series of courtyard designed forms would be more conducive to the living requirements of future occupants. The car dominated frontage and layout is a retrograde step in terms of setting and the relationship between the host historic building and new architecture is not cohesive. Given the proposals would have an adverse impact upon the significance of a non-designated heritage asset, the local planning authority should take a balanced judgement, having regard for the scale of harm identified and the significance of the heritage asset (Para.197 NPPF 2019).

- **Environment Agency-** No comments received at the time of writing this report.
- **ECC SUDS-** Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, a holding objection was made pending further information. Following the receipt of further information the team was reconsulted.

Additional Comments 08/07/2020: Having reviewed the Flood Risk Assessment, the associated documents, and the additional documents which accompanied the planning application, we **do not object** to the granting of planning permission subject to conditions.

- **Basildon Fire Station-** Access for Fire Service purposes has been considered in accordance with the Essex Act 1987 - Section 13 and the Building Regulations 2010. The proposal does not affect fire service access to existing premises in the vicinity and therefore in compliance with Section 13 (1)(b) of the Act. Fire service vehicular access will be expected to meet the requirements of the Building Regulations Approved Document B Volumes 1 & 2, Section B5 - 2019 (addressing both commercial and residential parts of the development) this will include provision of adequate vehicle turning facilities within the grounds of the premises; such arrangements do form part of the proposal but may require minor adjustment to the proposed landscaping to ensure compliance. Subject to the above conditions being confirmed / maintained the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority therefore has no objection to the application. Where any development includes flats, mixed use buildings or non-residential buildings further observations on access and facilities for the Fire Service will be considered at Building Regulation consultation stage. [For further building regulation requirements see full consultation response on public access]

- **Operational Services Manager-** No comments received at the time of writing this report.
- **Bats - Mrs S Jiggins-** No comments received at the time of writing this report.
- **Essex Wildlife Trust-** I can confirm that we have no objections to this development.
- **Environmental Health & Enforcement Manager-**

I would advise that there are no objections to the proposals for the Care Home element of the application, considered to be a suitable use for the existing building in this location. I have some concerns however about the proposed use of part of the premises as a Children's Nursery. The concerns for this use relate primarily to the proximity of adjacent residential accommodation and potential noise impact.

It is possible that the nursery provision would result in i) additional traffic to and from the premises, ii) possible noise disturbance from outside play areas associated with this use. There is an adjacent property marked as the *Coach House* on the location plan which abuts the site to the North and shares a boundary with the site.

It would appear that the two play areas would be associated with the use of the Nursery, one of which is near to the Coach House, whilst the other one is further away on the opposite side of the Nursery. I am aware from other similar uses that there is potential for disturbance as young (pre-school) children will be permitted and encouraged to utilise the external play areas in suitable weather as part of their daily activity.

In addition, staff and visitor car parking would be adjacent to the boundary with the Coach House. It is likely that the use of the Nursery would generate more traffic to and from the premises from children being picked up and dropped off and from increases in staff from the two uses, some of which will need to access the car park early in the morning or late at night.

It does not appear that these aspects have been covered by any assessment and it is therefore my concern that there may be an impact on the amenity of the adjacent property as described. In addition this is a particularly rural and peaceful location with little other traffic or background noise and therefore the impact of this proposal may be more noticeable as a result.

I would therefore wish to raise these issues as an objection to the proposal for the Nursery unless further information is provided to give assurance that residential amenity will be protected

- **Food Safety Officer –** Provided advisory notes regarding food hygiene.
- **Parish Council-** Whilst we have no objection to the basic planning proposal, we do have serious concerns regarding increased traffic in the vicinity of the site both during and after construction. Many of the roads are single track with either none or limited passing places, presenting a potential hazard to all highway users. As well

as walkers, the roads are frequented by horse riders plus a huge number of cyclists. We feel addressing this issue should be part of any acceptance of the planning proposal.

6. Summary of Issues

The starting point for determining a planning application is the Development Plan, in this case the Brentwood Replacement Local Plan 2005. Planning legislation states that applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant material considerations for determining this application are the National Planning Policy Framework 2019 (NPPF) and National Planning Practice Guidance (NPPG). Although individual policies in the Local Plan should not be read in isolation, the plan contains policies of particular relevance to this proposal which are listed in section 2 above.

Green Belt and Openness

The site is in the greenbelt which washes over the locality. This is shown on the map that accompanies the local plan. There is no proposal to remove the site from the greenbelt in the emerging LDP. The government attaches great importance to the greenbelt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Greenbelt is a spatial designation not a qualitative one, and the requirement to protect openness applies just as much to less attractive areas of greenbelt as to attractive countryside.

The proposal would result in the partial demolition of Dudbrook Hall and for the creation of a new building in the Green Belt to the west of the host building. Policies GB1 and GB2 relate to development in the Green Belt and are therefore relevant to the proposal. These policies are broadly compliant with the National Planning Policy Framework (NPPF), although the later document is a more up to date and concise statement of Green Belt policy. New buildings are inappropriate development in the greenbelt unless under one or more of seven exceptions list in paragraph 145 of the Framework. Potentially relevant to this proposal are the following:

(d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

(g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or*
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

At paragraph 146 other forms of development that are acceptable in principle include:

(d) the re-use of buildings provided that the buildings are of permanent and substantial construction; provided they preserve its openness and do not conflict with the purposes of including land within it;

Replacement Buildings

Paragraph 145(d) involves three elements – the replacement of a building, the replacement being in the same use and not being materially larger. With regard to the first issue, only part of Dudbrook Hall would be demolished; the majority of the building would be retained and reused. The proposed replacement development would include additional different uses. The other aspect of 145(d) involves a comparison of size between existing and proposed developments. The development would relocate the existing care home located in Dudbrook Hall, would introduce built development in different parts of the site and would be significantly and demonstrably larger than the care home it is replacing. As a result the proposed development would not comply with the criteria within exception (d) of paragraph 145 of the NPPF.

Previously Developed Land

The NPPF defines Previously Developed Land (PDL) as:

“Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.”

Taking this into account, the PDL on this site can only apply to the locations occupied by permanent structures and fixed surface infrastructure. The definition allows for the curtilage of the developed land, but this would not include the undeveloped land to the west of the site, proposed for the siting of the new purpose-built care home. This area of the site therefore cannot be considered previously developed land.

The new development on the site would consist of the creation of a significant new building comprising a 62 bed care home, whilst the removal of the later accretions of Dudbrook Hall would go a small way to reduce the existing built form on site, the size and scale of the new building would overwhelm any reduction.

Re-use of Buildings

The proposal would re-use the existing building of Dudbrook Hall and convert it into a nursery. Whilst the building is in need of refurbishment, it is in current use, of permanent and substantial construction and capable of conversion without significant structural

repair or rebuilding. This element of the proposed scheme when viewed singularly would not amount to an increase in size to Dudbrook Hall but would reduce its size through the removal of later additions. Consequently this small part of the proposal - the conversion and re-use of the building - would not have an additional impact on the openness of purposes of the Green Belt and is acceptable.

Openness and Purposes of the Green Belt

As set out in the NPPG (paragraph 001 ref ID 64-001-20190722), other factors that may be taken into account when considering the potential impact of development on openness are spatial and visual aspects. The applicant has indicated within the Landscape and Visual Impact Assessment (LVIA) that the new care home to the west would not be particularly visible within the surrounding landscape and would only conflict with one of the five purposes of the Green Belt; and as such its contribution to the purposes of the Green Belt are low. The NPPF is clear in that harm to the Green Belt should be afforded substantial weight. However, it is not merely a visual impact to be considered but the presence of buildings that is harmful to the openness of the Green Belt. In both visual and perceived terms, the openness of the Green Belt stems from the absence of development, particularly buildings. In terms of the site itself, the extension has been located in an area that partly masks its visual impact, in that it is surrounded by large mature trees and has been partially sunk into the ground level to reduce height. However the development would not be entirely screened and would be visible and noticeable from Dudbrook Road.

Massing models on page 23 of the Design and Access Statement (DAS) submitted, clearly demonstrate the additional scale and size of the proposed development, it is clear that the purpose built care home would result in the introduction of a building that is of a significant, mass, bulk, footprint, floor area and volume into an undeveloped area of land to the west of the site, devoid of any built structures or infrastructure. It is considered that the presence of the development itself in this location by way of its size and scale would harm the wider Green Belt due to its impact on the openness of the Green Belt and would urbanise the site as whole, leading to an encroachment of the countryside contrary to the purposes of the Green Belt.

In summary, the development is in conflict with local policy GB1, and GB2 and paragraphs 145 and 146 of the NPPF, would amount to significant and demonstrable harm to the openness of the Green Belt and conflict with the purposes of including land within the Green Belt. Accordingly, the development must be considered inappropriate development and is by definition harmful to the Green Belt and should not be approved except in very special circumstances, which clearly outweighs the harm to the green belt and any other harm resulting from the proposal. Other potential harmful aspects are considered below.

Impact on Heritage Asset

Dudbrook Hall is not a listed building but nonetheless it is an important local building of merit and is considered a Non-Designated Heritage Asset that contributes positively to the character of the surrounding area. It is identified as a building of local significance

within the emerging local list. A heritage statement has been submitted as part of the application submission.

The NPPF at paragraph 197 considers *“that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affected a non-designated heritage asset, a balanced judgment will be required having regard to the scale of any harm or loss and the significance of the heritage asset”*.

The proposed scheme would include the removal of the later additions to Dudbrook Hall which are considered incongruous by the Design and Conservation Officer (DCO) and would therefore serve to offer some enhancement to the building and to that extent improve the visual amenity of the historic countryside setting.

However the DCO has advised that even taking into account the removal of the later accretions, the impact on the Non-Designated Heritage Asset as a result of the size, scale and spread of the purpose built care home to the north is significant and would result in an adverse and harmful impact on Dudbrook Hall. Additionally, the car dominated frontage and layout would further detract from historic and rural setting.

In summary, the proposed development by way of its scale, design, size and layout would have an adverse impact upon the significance of a non-designated heritage asset and historic countryside setting, in conflict with core policy CP1 (viii) and paragraph 170 of the NPPF. Where harm is identified to a non-designated heritage asset; a balanced judgement, having regard for the scale of harm identified and the significance of the heritage asset (Para.197 NPPF 2019) is required and will be assessed in the concluding planning balance at the end of this report.

Design, character and appearance of the surrounding area and landscape

The application site is in a Special Landscape Area, in a rural countryside setting away from any defined settlements. The applicant has submitted a Landscape Visual Impact Assessment (LVIA) which has considered the special character area and identified key views, receptors, and visual changes as a result of the proposed development. A Design and Access Statement has also been submitted.

The proposed purpose care home comprises a significant two storey building, of an organic and continuous form. The building takes the form of a series of linked buildings with lower development in-between. The central body of the building would be 33 x 14 m wide, with two arms stretching out, both approximately 54 metres long, one to the northwest, the other to the southeast, the later would come within 9.5 metres of the highway. Eaves height is approximately 5.3 metres tall and the top of the roof reaches up to 10.2, 10.3 and 10.9 metres, with a chimney up to 13.25 metres high. The oversized and dominant roof is a function of the wide spans of the building, of 10 to 13 metres and the 35 degree roof pitch. The roofing materials are generically referred to as ‘black roof slates’ on the application form. The position of the building breaks out of what appears to be the original curtilage into an area of parkland beyond.

The layout is designed to accommodate communal areas centrally for ease of navigation and management; with the first floor reserved for dementia patients. Gardens and external areas would be provided for the amenities of the residents and nursery users and two external playgrounds for the nursery children are proposed. The central area of the site between the proposed care home building and converted Dudbrook Hall would be dominated by car parking and hard surfacing, some spaces consist of grasscrete to allow grass to grow through, though the mitigation achieved tends to be limited.

The NPPF at para (124 and 127) considers *'good design is a key aspect of sustainable development'*. Developments should also *'be sympathetic to local character and history including the built environment and landscape setting'*.

The DCO has advised that the elongated and continuous mass of built form is inappropriate within the historic and rural setting and a design that proposes a series of courtyard forms would be more appropriate to context. The car dominated frontage and layout, derived from the unsustainable and rural location of the site is also a *'retrograde step in terms of setting and the relationship between the host historic building and new architecture is not cohesive'*, representing two different developments within the same site context.

In terms of the visual appearance on the surrounding area and the landscape, the conclusions of the LVIA consider the *'effect on the character area as a whole would be minor, while the effect on the site and its immediate surroundings was assessed as Moderate adverse'*. It is acknowledged that parts of the site would not be immediately visible within the long view, as a result of its height, vegetation and tree coverage as demonstrated by appendix 2 of the LVIA. However, the new care home building and parking layout would be visible from the rear at 'viewpoint c', the main approach to the site from the east and at various points along Dudbrook Road including the secondary entrance which would reveal the central concentration of car parking. The LVIA states the care home building would be hidden behind Dudbrook Hall on the approach from the east and main entrance, however this is evidently not the case based on the CGI provided by the applicant – and reproduced on the cover of the Planning Statement. No other views of the proposed development have been submitted to demonstrate that this would be the case.

The LVIA continues to state in paragraph 12.6.3, that *'the adverse effects resulting from the introduction of a new building and additional car parking would be partially offset by improvements to the character and appearance of the existing historic property'*. As outlined by the DCO, the resultant development and new purpose built care home and urban car park layout would result in significant adverse harm to the non-designated heritage that would outweigh the more limited benefits of the removal of previous additions of Dudbrook Hall. Similarly, the Arboriculturalist and Landscape Officer has commented that the concentration of vehicle parking around the existing building of Dudbrook hall is disappointing and would detract from its setting. Additionally, the grasscrete proposed to some of the parking spaces would only provide limited visual mitigation when not in use, at any other time vehicles will be a dominant feature and

contribute to the over urbanisation of the site, to the detriment of the rural character and countryside setting.

Therefore, the claim in the LVIA that the development would have no significant residual or visual effects is not established or accepted and the resultant impact would not be outweighed by improvements to the impact on the non-designated heritage asset.

In summary, it has not been demonstrated that the proposed development can be acceptably accommodated in this location by way of its scale, design, size and layout which is incompatible within this rural location and with the surrounding development of Dudbrook Hall. The development would thereby result in an adverse impact upon the visual amenity of the area, special landscape area and the visual appearance of the site and amount to the urbanisation of the rural character and countryside setting, contrary to policies CP1 (i),(iii),(viii) and C5 of the local plan and chapters 12, 15 and 16 of the NPPF.

Sustainability

Paragraph 2 of the NPPF explains that the purpose of the planning system is to achieve sustainable development and as part of the planning balance consideration has to be given to the Environmental, Social and Economic objectives as outlined in paragraph 8 of the NPPF with all three needing to be satisfied to achieve sustainable development.

Policy H12 of the local development states “proposals including new buildings or a change of use for residential homes (nursing homes) within the built up area will only be permitted where the following criteria are met:

- i) the proposal would not result in the over concentration of residential homes in any individual street*
- ii) the proposal is within an established residential area and within close proximity to facilities such as shops, leisure and health care facilities and, where appropriate, employment and day centres.*

The site is in a rural and unsustainable location, distant from shops, leisure and health care facilities etc and directly adjacent another care home within the same ownership; Howard Lodge, in conflict with policy H12. Whilst the development would have some economic benefits such as generated additional jobs and social benefits such as an improvement to the existing facilities of elderly residents and promoting inter-generational care, the development would also result in a number of negative impacts.

The DCLG: Housing for Older People publication (2018) recommends that ensuring older people’s housing is within easy reach of local services, amenities and public transport links is critical. Whilst the existing use of the site is a care facility, the development proposed would intensify this use and create a secondary community use for a nursery. The development proposed would thereby result in the creation of an isolated community remote from nearby services for a vulnerable population (both the elderly and children are considered vulnerable groups).

The rural location of the site would also limit access to key facilities, amenities, services and public transport. For the vast majority of journeys, the only practical option would be by private vehicle usage contrary to the requirements of local policy CP2 and paragraphs 102 and 103 of the NPPF, which seek to exploit the opportunities for the use of sustainable transport modes and minimise the need to travel in rural areas. The retention of the existing shuttle bus service would only reduce private car travel by 15% as indicated within the Travel Plan and Planning Statement and there is no certainty that this service could be provided for the lifetime of the development, for example if funding ceases. As a result the site offers no realistic choice of public transport, there are minimal pedestrian footways or cycle routes, even if they would be practical modes of transport for the target groups. The increase in car usage would result in potential noise and disturbance to neighbouring residents and there are economic implications for parents, staff and visitors, which would be greater than the costs of accessing the site in a sustainable location.

In terms of the environment impacts, there are multiple negatives, including:

- the impact upon the Green Belt through inappropriate development and a loss of openness;
- poor design/layout/scale of development which would have an urbanising impact upon the area,
- a negative impact upon the countryside landscape,
- an unsustainable location with poor access to transport choice and likely private vehicle usage which is poor for the environment from increased carbon emissions,
- lead to increased traffic generation in rural location,
- result in a loss of existing vegetation and some trees
- disruption to ecology and protected species.

For these reasons stated above the proposed development amounts to the creation of community uses for vulnerable groups in a rural and unsustainable location with significant social and environmental implications and moderate economic implications and therefore cannot satisfy all three objectives of sustainable development. For this reason, the proposal is contrary to the fundamental aims of the NPPF and local policies CP2 and H12.

Other matters relating to sustainability

The current 'low weight' status of the emerging LDP does not provide a good basis for applying its other non site specific development management policies. This includes but is not limited to those in Chapter 5 'Resilient built environment', for example relating to energy and water efficiency above building regulation levels or low carbon on site energy generation. Once adopted comparable policies in the plan will have full weight. However, an application approved at this stage would not have to meet the higher standards proposed in the emerging LDP. The application documents do not indicate a greater level of energy or water efficiency, heating or cooling etc than applicable under the building regulations.

Impact on Neighbour Amenity

Policy CP1 (ii) and paragraph 127(f) of the NPPF seeks to safeguard residential amenity. The site only has one immediate residential neighbour that directly abuts the boundary to the north of the site; known as The Coach House. The Councils Environmental Health Officer (EHO) has raised no objection to the redevelopment of the care home on this site. However, objections have been raised in regard to the nursery element of the scheme through the conversion of Dudbrook Hall, as a result of the proximity of adjacent residential accommodation and the potential noise impact and disturbance generated from a nursery use.

The planning statement indicates the nursery has a capacity of 35 children, up to the age of five years old. The block plan shows two external play areas, one directly to the south of Dudbrook Hall and one located to west, adjacent to the new care home. The EHO considers that there is potential for noise and disturbance as a result of the layout and nursery use, as young (pre-school) children would be permitted and encouraged to utilise the external play areas in suitable weather as part of their daily activity. In addition, the DAS and drawings submitted indicate a proposed parking area for staff, directly adjacent to the neighbouring property. Whilst the disturbance from vehicles would be mitigated to a degree by the existing boundary brick wall, the disturbance by vehicles coming and going would be exacerbated by the intensification of the site compared to the existing situation and made worse by the quiet and rural location of the site, with low traffic movements and minimal background noise. No noise assessment has been submitted as part of the application submission and having reviewed the advice of the EHO officer, it is considered the proposed conversion to accommodate a nursery with external play areas and intensification of traffic movements would amount to material harm to the living conditions of neighbouring occupiers; sufficient to detract from expected peaceful and quiet enjoyment of the neighbouring residential property and countryside location, in conflict with policy CP1 (ii) and paragraph 127 of the NPPF.

Given the nature of the proposed development that reduces the quantum of built form from Dudbrook Hall and the position of the proposed care home to the west it is not considered the development would amount to any material impact to adjoining neighbours by way of an overbearing impact, loss of light or outlook.

In terms of overlooking, the conversion of Dudbrook Hall to comprise residential workers accommodation at first floor may present new direct overlooking and a loss of privacy to the neighbouring property of The Coach House. The closest first floor window of Dudbrook Hall serves a bedroom, which is no different to the existing situation, however a new window insertion is proposed which would allow this window to be obscure glazed; improving the situation. There is a greater distance between the two buildings when comparing the other first floor windows, which are proposed to serve a kitchen and living area; again this room is dual aspect and obscure glazing could mitigate any direct overlooking. However, the proposed development to Dudbrook Hall would not introduce any additional glazing that would increase or worsen the level of overlooking above that which already occurs between the buildings. There would be no increased overlooking from the second-floor ancillary office space. In summary, any potential

overlooking could be overcome by way of condition, but it is not considered to be materially worse than that already occurring from the existing situation.

The proposed development is sited a sufficient distance from neighbouring residential care home Howard Lodge, and therefore would not amount to any material harm to the living conditions of its residents.

Living Accommodation of Future Workers

As stated above, conditions for obscure glazing could mitigate any material harm to the workers accommodation at first floor. The units are small, but are only designed to serve 1 staff member on a temporary basis. Notwithstanding unit 2, which provides 3 bed spaces and a private balcony. Whilst only one unit is provided with a balcony, given the rural location and nature of the site, there is ample external space that can be utilised in this regard. The four units are therefore considered to be of an acceptable size and layout for workers accommodation, which are intended to be occupied on a temporary basis by various members of staff.

Highway and Parking Considerations

Detailed Planning and Transport Statements and a Travel Plan have been submitted as part of the application submission. The proposed scheme would provide 51 allocated parking spaces to the care home and 15 to the nursery; these include staff parking for both the uses and workers accommodation; additional 'blue badge' spaces and cycle parking are also proposed. The submission also notes the existing mini-bus service to the Brentwood Urban Area would continue for the new care home and child-care service.

The site is within a rural location and therefore the maximum parking provision is required for both uses on site, the surrounding road network also comprises narrow and single track country lanes. The intensification of the site would result in a modest increase in daily trips, the Highway Authority has however raised no objection to the scheme proposed. Given the existing use of the building, the proposed parking provision which comply with Brentwood Borough Council's adopted parking standards, and the accesses being improved to adhere to modern design standards. The proposal is therefore in accordance with the adopted parking standards and is not anticipated to have any detrimental impacts on highway safety in accordance with policy T2, T5 and CP1 (v).

Drainage

The application site is located in flood zone 1 and therefore the risk of flooding from fluvial or tidal sources is considered to be low. Using the Environment Agency's flood risk map, the risk of flooding from surface water is also considered to be low. A Flood Risk Assessment and Drainage Strategy by Stephen Wilson Partnership LTD was submitted as part of the application. After additional clarification was submitted to the LLFA regarding some elements, ECC SUDs officer consider the drainage proposals to be acceptable subject to conditions for a detailed surface water drainage scheme,

maintenance plan and log. Subject to such conditions the proposed development would not amount to increased issues of flood risk or drainage.

Trees and Ecology

An arboricultural survey was submitted as part of the application which included an Arboricultural Impact Assessment and Method Statement. Of the 252 individual and 13 groups of trees recorded, 6 Category B and 7 Category C individuals and 4 Category C groups would require removal to facilitate development. The Council's Arboriculturalist has commented that most of the trees that require removal are not visible from beyond the grounds and form part of larger assemblages of trees. It is considered therefore that their removal would not have a significant impact and the indicative landscape scheme shows new replacement trees being planted. The arboriculturalist has therefore raised no objections provided the development is carried out in accordance with the method statement to ensure the retained trees are not adversely affected during the construction process.

A preliminary Ecological Appraisal was submitted as part of the application, additionally a Pond and species specific surveys and a mitigation plan have been submitted. The Council's Ecologist has advised that the ecological surveys undertaken reveal no protected species on site; however for this scale of development mitigation measures which can be secured via condition, would be required to ensure no direct risk or harm will come to protected species both during the construction process and after the completion of the development. In addition, the Council's Ecologist has recommended a condition for a Construction Environmental Management Plan (CEMP) and ecological method statement, to ensure appropriate mitigation and enhancement of measures can be delivered as part of the development. Therefore, subject to conditions to ensure any identified harm can be adequately mitigated, there are no objections to the scheme on ecology grounds.

Other Matters

It is considered the neighbour objections have been covered within the above report. However, in regard to the objection concerning disruption during construction works. It is considered this would only be a temporary inconvenience, though given the scale of the proposal not for an insignificant period, but could be adequately mitigated through a condition for a construction management statement.

Very Special Circumstances and Public Benefits of the Development

As the development would be inappropriate development in the Green Belt, it is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 of the NPPF states that, when considering any planning application, local planning authorities '*should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations*'. It is therefore on the onus of the applicant

to demonstrate that very special circumstances exist to overcome the harm to the Green Belt and any other harm identified.

The NPPF does not provide guidance as to what can comprise 'very special circumstances', either singly or in combination. Some interpretation of very special circumstances has been provided by the Courts and this includes the rarity or uniqueness of a factor may make it very special, but it has also been held that the aggregation of commonplace factors could combine to create very special circumstances (i.e. 'very special' is not necessarily to be interpreted as the converse of 'commonplace'). However, the demonstration of very special circumstances is a 'high' test and the circumstances which are relied upon must be genuinely 'very special'. In considering whether 'very special circumstances' exist, factors put forward by an applicant which are generic or capable of being easily replicated, could be used again on different sites leading to a decrease in the openness of the Green Belt and therefore should not be accepted. The provisions of very special circumstances which are specific and not easily replicable may help to reduce the risk of such a precedent being created. Ultimately, whether any particular combination of factors amounts to very special circumstances will be a matter of planning judgment for the decision taker.

Furthermore, in order to overcome the harm to the Non-Designated Heritage Asset, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset and the other harm identified which includes:

- the unsustainability of the site resulting in economic, social and environmental implications;
- the adverse noise and disturbance to residents from an intensification of a rural site for a D1 use;
- the detrimental impact on the character and appearance of the area an rural and countryside setting by way of the design, size, scale and layout of the proposed development

The applicant has concluded within their planning statement that the development by definition is inappropriate development in the Green Belt, and sets out the applicant's case for very special circumstances under the following headings:

1. The shortcomings of the existing accommodation
2. The non-viability of refurbishment to provide 30-32 rooms within the existing building
3. The identified need for additional bedrooms within the catchment area
4. The lack of suitable alternative sites
5. The heritage benefits arising from the retention, refurbishment, and re-use of the retained elements of Dudbrook Hall
6. The contribution to the unmet demand for additional nursery spaces in the locality.
7. The significant benefits associated with intergenerational care provision

Assessment of matters claimed to be Very Special Circumstances:

1. Shortcomings of the Existing Accommodation

Paragraph 2.02 and 2.03 of the planning statement and submitted document titled 'Analysis of the Suitability of the Existing Care Home Building prepared by Carless & Adams' demonstrate a number of issues with the building and repairs that are required to bring it to acceptable standards in line with modern day care requirements. These include but are not limited to:

- Number of ramps/stairs to many different levels of the existing building.
- Bedroom sizes are too small to accommodate safe working practices, some rooms are unable to take certain care requirements i.e. hoist etc.
- Only 50% of bedrooms have en-suites none have shower facilities. 35% of these en-suites cannot take wheelchair users.
- Part of the east wing of the building has raising damp issues.
- Basement area prone to flooding / damp issues which effects our staff & plant rooms.
- Main roof requires total refurbishment.
- Only lift requires replacement (20 years old).
- Community space far too small with lounges and dining rooms overcrowded.
- Not suitable space for dementia residents – shared areas which is distressing for other residents
- Electrical issues around the building which make it difficult to work with, a total rewire required to the building to bring it up to current building safety standards.
- Inadequate heating system which needs total renewal.
- No sprinkler system.
- Laundry, kitchen and communal areas undersized and below guidelines

The planning statement and existing suitability report have referred to a number of standard floor area requirements for each of the areas such as bedrooms, en-suites, communal areas, kitchens and laundry facilities. However it is unclear where these figures have been generated from, it appears these are St Michaels Homes LTD (STMH) own standard and is not clear what the recommended sizes are in reference to county or the Care Quality Commission (CQC) guidelines, that would generate the scale and floor area required to bring the building to standard that can provide a good level of care. The LPA have sought for further clarification from CQC and ECC on STMH's standards. The CQC have commented that "*there are no set standard, but they need to be fit for purpose in terms of the care and support that a person needs can be delivered in that room*". The planning statement outlines that: '*CQC keep mentioning that the building is not fit for purpose*' however this claim is not supported by any evidence or

documentation from CQC within the submission. On this basis the information put forward by the applicant is taken at face value.

Notwithstanding the above, it is evident from the documentation submitted and having viewed the quality of the accommodation when conducting a site assessment that there is a clear need for improvements to Dudbrook Hall or that an extension to or a modernisation of the home would be required to improve the existing facilities and future proof the care that can be delivered to its residents. For this reason this very special circumstance is afforded **significant weight**.

2. Non-viability of refurbishment

The planning statement outlines *that “based on economies of scale, it is widely recognised that new care homes must accommodate a minimum of 60 beds to maintain viability”*. A report has been prepared by Knight Frank and submitted with the application which identifies that smaller care homes such as Dudbrook Hall fare significantly worse than modern purpose built care homes, and that care homes with 60-79 beds are prevailing, determined by the viability of developments, staff efficient layouts and better operational performance. The report titled *Analysis of the Suitability of the Existing Care Home Building* prepared by Carless & Adams (see paragraphs 14 – 16) indicates that the costs of refurbishment would be significant and that upgraded Dudbrook Hall to STMH standards would result in a reduction in bed spaces from 44 to 30/32 and would therefore be inviable and unrealistic.

Having assessed the information put forward, the viability justification is generalised and based on assumptions, no financial justification or site specific viability assessment or business case has been submitted for the development that would outline options such as a comparison between the cost of a new purpose built care home and the cost of the refurbishment and extension of the existing building to a size that can accommodate improved standards and potentially more beds, to become viable and meet predicted need. The supporting evidence is not clear as to why the development in the Green Belt needs to be of the scale proposed, which should consist of the minimum required and that which would result in the least harm. There may be other design approaches that might allow the provision of a similar size though in a less damaging format has not been assessed. It has not been established, demonstrated or viability tested whether the refurbishment and extension of Dudbrook Hall (that would improve facilities and provide more bed spaces), would not be viable option that would likely be a less harmful alternative than the proposed development.

As a result of the information put forward and in the absence of any option testing or detailed viability appraisal only **limited weight** can be given to this very special circumstance.

3. Identified Need of Existing Care Provision in the Borough

It is recognised that Brentwood, like the rest of the country, has an ageing population. The submitted information also provides sufficient evidence to demonstrate that care homes in Brentwood are operating at or near full capacity and an ageing population will lead to a projected increase in care home provision. The 2016 SHMA establishes a

need for 424 care home places over the emerging plan period within Brentwood. As outlined further below (heading 4 – Lack of Alternative Sites), the emerging plan also set outs the requirement for care homes as part of the overall delivery of some the emerging site allocations, which would go some way to meet the projected need but a shortfall would remain.

It is accepted that the increased number of beds that would be provided by the proposal at Dudbrook Hall would assist in providing additional care home beds in the area, particularly given the loss and closure of some of the boroughs existing care homes. The principle of increasing the supply of housing for the elderly through the development of a larger, viable care home with a good standard of living accommodation for elderly residents is therefore a valid and considerable public benefit. But for the Borough's specific needs to be met such increased accommodation would need to be suitable in all respects, including location and this application is not considered to be located in a suitable or sustainable location and would contribute to furthering the development of an isolated vulnerable community, which is remote from nearby services and therefore only **limited weight** can be afforded to this very special circumstance.

4. Lack Of Alternative Sites;

The applicant has prepared and submitted a report by Tanner and Tilley which considers whether there are alternative sites which could potentially accommodate the inter-generational care home within a 5 mile radius (the market catchment area) of the application site. The main findings of the report are as follows:

- None of the existing care homes within the 5-mile market catchment area of the site are capable of accommodating the quantum of development proposed at Dudbrook Hall.
- None of the alternative sites which were potentially suitable for accommodating future development of a multi-generational care home were able to offer a suitable, available, achievable alternative to Dudbrook Hall.
- The report concludes that Dudbrook Hall is the only site which is suitable, available and achievable for the development proposal.

The alternative site assessment is flawed for the following reasons.

As a result of the quantum of proposed development, the impact upon the openness of the Green Belt is significant and the site is fundamentally *unsuitable* for the proposed development, in this location by reason of its inappropriateness, unsustainable location and other identified harm to neighbouring residents and local character and historic setting.

The information does not present a 'very special circumstance' to the suitability of this site. The quantum of development proposed is not established and it has not been

demonstrated by the justification put forward that the 'scale and level' of development is required to ensure the long-term viability of the care home and health of its residents, especially in regard to the requirement for a purpose built nursery on site. For example, more sustainable sites within urban locations would not require an onsite nursery facility and therefore the quantum of development would be reduced. There are no other established reasons for developing this site to the level and scale proposed and given its isolated and remote location it is considered an unsustainable site that is not suitable for intensification.

Notwithstanding this; the report identified, nine brownfield sites within the catchment area as requiring further investigation into their suitability, though the report only comments on eight of them. This appears to be a desktop study using existing sources of information. Two of the sites are outside the borough. The reasons for the identified sites being discounted are largely down to their unavailability. This is not surprising as the identified sites that lie within the borough are all allocated for development within the emerging LDP and the promoters/landowners are likely to have their own development proposals in mind. The emerging local plan sets out the requirement for care homes as part of the overall delivery of some site allocations, including discounted sites put forward by the applicant. The Ford HQ and Council Depot sites, Land at Priests Lane and Land North of Shenfield (R03) under 'Amount and Type of Development for the Policy' set out that the sites could deliver between 40 and 60 bed care home schemes as part of the overall allocation. Whilst the emerging local plan is not adopted it is currently under examination and demonstrates the direction of the borough in terms of growth and where to place and meet housing need for both new development and residential institutions. Therefore, the applicant's argument that the sites are ruled out because they are not currently available also fails to justify the approval of an unsuitable and unsustainable care home in the Green Belt. The information provided does not add much to the understanding or justification of the proposal and is therefore afforded **limited weight**.

Heritage Benefits

The applicant considers the reuse and refurbishment of the non-designated heritage asset rather than its demolition is a material planning consideration and the demolition of its later additions will improve the appearance of the heritage asset.

In regard to the retention and re-use of the building, Dudbrook Hall is in use and is not a vacant, at risk or redundant building and therefore its demolition without the consent of the planning authority is very unlikely. Though it is not afforded any statutory protection, in order to redevelop or improve the site, planning permission would be required and if an application were to be submitted for the demolition and replacement of the heritage asset it would be resisted. The applicant's case in this regard is not a very special circumstance but application of local and national planning policy, the total loss of the non-designated heritage asset would be weighted significantly and therefore contrary to policy 197 of the NPPF and CP1 of the local plan; this VSC is therefore afforded **no weight**.

The Council's Design and Conservation Officer has stated within her consultation response that the later accretions upon the building are considered incongruous as

such the proposals to enhance this building by way of their removal is welcomed. However, she also comments that having weighed this benefit up in the heritage balance, 'primary concerns' and 'objection' remain; in that the impact this proposed spread and scale of development will have upon setting, both upon the non-designated heritage asset and the countryside is harmful.

As a result, the removal of the existing accretions is no basis to justify the increased and identified adverse harm to the historic and countryside setting of the non-designated heritage asset, by way of the creation of the new purpose built care home of the scale and design proposed. This very special circumstance is therefore afforded **very limited weight**.

Contribution to oversubscribed Child Care Provision

The Tanner and Tilley Care Needs Assessment also found that the childcare provision within the area, and specifically the five-mile radius from the site is often over-subscribed with extensive waiting lists being a common occurrence, with many providers operating at over 80% capacity.

The Care Needs Assessment concludes that there is an unmet demand for additional nursery places and that the development of the additional nursery would provide sustainable development and justification for the development of the nursery element of the proposal. Whilst a new nursery would contribute to childcare provision within the 5 mile radius of the site. The suitability and unsustainability of the site cannot be ignored and is not well suited to support a nursery within a rural and isolated location. The creation of a nursery and day care centre would result in an intensification and urbanisation of the site, that would also have multiple negatives to include potential noise and disturbance for neighbouring residents, poor access to transport choice and likely increase in private vehicle usage which is harmful for the environment and lead to increased traffic generation in a rural location. Furthermore, no assessment of whether alternative sites could meet this need and would be less harmful than that proposed with this application has been provided. Given the above, this very special circumstance is therefore afforded **limited weight**.

Intergenerational Care

The applicant has submitted a report titled: *'The next generation: how intergenerational interaction improves life chances for children and young people'* was published by 'United for All Ages', which outlines the significant benefits of inter-generational care linking care homes and nurseries. The report outlines the substantial benefits to children which include improvements in their literacy skills. In this regard children who regularly mix with older people see improvements to their language development, reading and social skills, something that is most easily achieved at "intergenerational care" centres. Furthermore, it is noted that by playing and reading with children, the elderly are less likely to suffer loneliness, while the children gain more opportunities for one-to-one reading and play time.

The benefits of providing inter-generational care are recognised, however there is no reason in principle why this service could not be provided at other care homes within the

borough and ones in more sustainable locations. The principle of such inter-generational schemes and developments is supported and would amount to a public benefit to the borough. However, it cannot alter the unsuitability of this site for this type of development, including its isolated and unsustainable location and distance to services and the negative impacts of a nursery in this location, outlined above. The Tanner and Tilly Care Needs Assessment Report identifies in paragraph 3.4 that inter-generational programmes are already provided by the care home but not as often as they would like 'largely due to management involved in arranging transport and extra staff' and impracticality of moving residents. It is acknowledged that a care home and nursery within the same site would improve this situation but is it not considered that it would outweigh the substantial harm to the Green Belt and other harm identified, particularly as these services can still be delivered to a degree without the requirement for a purpose built nursery that would have significant negative impacts, as outlined above. This very special circumstance is therefore only afforded **limited weight**.

Conclusion and Planning Balance

In summary, in reaching a conclusion, a judgement is required to compare the harm and benefits of the proposal. In this case there is substantial harm to the Green Belt with reference to inappropriate development – which the NPPF defines as harmful by definition - the loss of openness and encroachment into the countryside in conflict with the purposes of the Green Belt. Other harm resulting from the proposal has also been identified to include adverse harm to the historic and rural setting of a non-designated heritage asset, a detrimental impact to the countryside character and appearance of the surrounding area and special landscape area and detrimental harm to adjoining residents. The proposal also presents an unsustainable development within a rural and relatively isolated location, that detaches a vulnerable population from local services, resulting in negative social, economic and environmental consequences contrary to the primary aim the NPPF which seeks to promote and provide sustainable development; which is given significant weight.

In this weighing up process, the NPPF instructs that 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by the other considerations promoted by the applicant as Very Special Circumstances.

The table below provides a summary of the Very Special Circumstances and the weight that is attributed to them in assessing the planning balance for the whether the principle of the development is acceptable.

Harm	Weight	Factors Promoted as Very Special Circumstances	Weight
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Inappropriate Development	Substantial	Shortcomings of the Existing Accommodation	Significant
Reduction in the openness of the Green Belt and conflict with the purposes of the Green Belt	Substantial	Non-viability of refurbishment	Limited Weight
Impact on Non-Designated Heritage Asset	Moderate	Identified Need of Existing Care Provision in the Borough	Limited Weight
Design and Impact on Surrounding area and landscape	Significant	Lack of Alternative Sites	Limited Weight
Impact on Neighbour Amenity	Significant	Retention of Dudbrook Hall	No Weight
Unsustainable location for development	Significant	Improvements to Heritage Asset	Very Limited
		Contribution to oversubscribed Child Care Provision	Limited Weight
		Intergenerational Care	Limited Weight

The proposal does result in some public benefits, which include the provision of additional bed spaces in the borough and an improvement in the quality of the existing care accommodation. It would also contribute to the boroughs childcare provision and provide a facility to promote inter-generational care, which cumulatively are afforded weight in the planning balance.

However, taking into account all considerations and all identified harm and for the reasons explained above, the claimed Very Special Circumstances would not **clearly** outweigh the identified harm and therefore the proposal would not meet the threshold to allow inappropriate development in the green belt. There are no other material considerations identified which would outweigh the provisions of the Development Plan and the Framework. Accordingly, the development is in conflict with policy CP1, CP2,

GB1, GB2, H12, C5, and C8 of the Brentwood Replacement Local Plan and chapters 2, 9, 12, 13, 15 and 16 of the NPPF. The application is therefore recommended for refusal.

7. Recommendation

The Application be REFUSED for the following reasons:-

R1 The proposed development would constitute inappropriate development with reference to paragraph 145 of the NPPF and would therefore be by definition harmful to the Green Belt. The proposed development would harm the openness of the Green Belt and would fail to safeguard the countryside from encroachment. The identified harm to the Green Belt and any other harm is not clearly outweighed by very special circumstances or any other considerations. The proposed development is therefore contrary to policies GB1 and GB2 the local development plan and Chapter 13 of the NPPF.

R2 The proposal would create an isolated education and health-led community use at a site that is in an unsustainable location, distant from community services, essential support facilities and a choice of transport modes. As such the proposal would represent an unsustainable form of development in an unsustainable location, contrary to policies H12, CP2 and Chapter 2 and 9 of the NPPF.

R3 The proposed development by way of its design, scale, size and layout would result in an urbanisation of a rural site that would have an adverse impact upon the character and appearance of the site and surrounding rural countryside location and special landscape area and result in adverse harm to the historic rural setting of a Non-Designated Heritage Asset. The proposal is therefore contrary to policies CP1 (i), (iii), (viii), C5 and C8 of the local development plan and chapters 12, 15 and 16 of the NPPF and the guidance contained in PPG's National Design Guide.

R4 The proposed development would result in the intensification of a rural site leading to increase vehicle movement and unacceptable noise from the D1 use amounting to material harm to the amenity of neighbouring residential occupiers of The Coach House, contrary to local policy CP1 (ii) and paragraph 127(f) of the NPPF.

Informative(s)

1 INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, CP2, H12, C5, C8, T2, T5, GB1, GB2, National Planning Policy Framework (NPPF) 2019 and NPPG 2014.

2 INF20

The drawing numbers listed above are relevant to this decision

3 INF25

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development. Details of the pre-application service can be found on the Council's website at www.brentwood.gov.uk/preapplicationadvice

BACKGROUND DOCUMENTS

DECIDED: