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07 May 2021

Dear Sir / Madam

RE:PP-09817004 Proposed External Alterations at Asher House, Third Avenue, Walton on the Naze, Essex, CO14 8JU

On behalf of our client, Elysium Healthcare Ltd, please find enclosed a planning application requesting external alterations to the vacant Asher House care home.

It is requested that this application be read in conjunction with an application that has been submitted concurrently to remove a historic legacy condition attached to permission TEN/406/87 which restricted the C2 use of the property to the care of the elderly specifically.

The following documents are submitted to accompany this application:

- Application form and certificates;
- Site Location Plan (Drawing No. 000);
- Existing Site Plan (Drawing No. 001);
- Existing Ground Floor Plan (Drawing No. 003 Rev P1);
- Existing First Floor Plan (Drawing No. 004 Rev P1);
- Existing Roof Plan (Drawing No. 006 Rev 1);
- Existing Principal Elevations (Drawing No. 010 Rev P1);
- Existing Side Elevation (Drawing No. 012 Rev P1);
- Existing Side Elevation (Drawing No. 013 Rev P1);
- Proposed Site Plan (Drawing No. 101 Rev P1);
- Proposed Ground Floor Plan (including car park reconfiguration) (Drawing No. 103 Rev P1);
- Proposed First Floor Plan (Drawing No. 104 Rev P1);
- Proposed Roof Plan (Drawing No. 106 Rev P1);
- Proposed Principal Elevations (Drawing No. 110 Rev P1);
- Proposed Side Elevation (Drawing No. 112 Rev P1);
- Proposed Side Elevation (Drawing No. 113 Rev P1);
- Elysium Supporting Statement; and
- Essex County Council Commissioning Support Letter.

The application has been submitted via the Planning Portal and the requisite fee of £234 paid online at the point of submission.

Site Description

The property comprises a detached, vacant residential care home (C2 use class) which is arranged over ground and first floor.

Currently, the property provides a total of 18 bedrooms, with 11 on the ground floor, many of which are en-suite, in addition to a wet room, kitchen, lounge, dining area and associated support facilities. The first floor comprises 7 bedrooms and a bathroom.

Externally, there is car parking to the apron frontage of the property for up to 10 vehicles set within a small, landscaped area. To the rear, the garden is laid to lawn with an outside seating and patio area. The rear boundaries of the site back onto residential dwellings, screened by a 2m close boarded timber fence, while to the south a hedge provides intermittent enclosure.

Asher House sites within a predominantly residential area approximately 1 mile from the centre of Walton on the Naze. Third Avenue leads to a cul-de-sac and comprises houses of varying style and age. The cul-de-sac forks at the end of Third Avenue, leading to two private dwellings and Asher House on the eastern side.

The property lies within Flood Zone 1 (low probability of flooding), is not listed and does not fall within a conservation area.

Planning History

The site has a longstanding and extensive planning history for residential institutional purposes (Class C2). The Council's online planning records commence from the mid-1990s.

The site was originally occupied in the 1950's as a children's home. In the 1980's two applications were submitted for alterations to the building to provide twelve sheltered accommodation units, a unit for the terminally ill and general alterations and extensions in connection with the conversion of the children's home to a nursing home for the elderly. It is understood that the first application expired without being implemented (TEN/261/84) and a subsequent renewal of the consent was approved in 1987 (TEN/406/87).

Application reference TEN/406/87 was approved on the 20 May 1987, subject to conditions, including a restriction on the occupancy of the building to particular individuals within C2 use. An application to remove this condition is submitted concurrently with this one in order to allow Elysium to operate from a fresh planning consent.

Since the 1987 consent, planning permission has been granted for numerous extensions and alterations to meet the requirements of the operator and C2 use of the site as summarised below:

- **20/00778/FUL:** Proposed change of use and conversion from care home to 4 residential units (3 ground floor and 1 first floor) containing a total of 18 bed sitting rooms (HMO) – Withdrawn 02.09.20.
- **11/00708/FUL:** Alterations and additions to provide 9 no. new bedrooms – Approved 25.08.11. Not implemented and since expired.

- **06/00136/FUL:** Design amendments to 05/01244/FUL to increase registration to 30 residents – Withdrawn 23.02.06.
- **05/01244/FUL:** Design amendments to 04/01793/FUL to provide 9 new bedrooms and support facilities – Approved 02.09.05.
- **04/01793/FUL:** Alterations and additions to provide 5 new bedrooms, bathroom, shower and WC, lounge and lift – Approved 08.11.04.
- **99/01729/FUL:** Proposed extension to form 3 single bedrooms, additional lounge space, office, assisted bathroom, assisted WC and lift – Approved 27.01.00.
- **96/00720/FUL:** Variation of condition 3 of 95/1288 from 22 to 24 residents – Approved 02.08.96.
- **95/01288/FUL:** Two storey extension and conservatory – Approved 13.12.95.

Notwithstanding the inclusion of the restriction relating to the type of occupant on the 1987 permission, it is apparent that the Council did not reimpose the same elderly care restriction on any later decisions. Elysium's occupation of the site therefore presents an ideal opportunity to reaffirm the C2 use of the property and create a new chapter in the planning use of the site, enabling the building to be brought back into productive use.

Introduction to the Applicant and Operator Statement

Elysium Healthcare launched in December 2016 and brought together strategic sites from the portfolio of Partnerships in Care and The Priory Group when they were sold by Arcadia Healthcare. Further acquisitions have enlarged the group giving a portfolio across mental health care, neurological care, education, children's services, and private patient services.

At the core of their operation is the importance placed upon the individual and ensuring that Elysium deliver evidence based personal care. This allows service users to move through 'pathways' of care as their condition improves. Furthermore, Elysium are committed to making relatives an active part in each person's recovery process with the aim of offering more independent living where this is possible.

What makes Elysium unique is the fact that it is a young, dynamic company with an enthusiasm for the delivery of individualised centred care. This is led and delivered by a management team with significant industry experience who bring knowledge, clinical expertise, quality services, good governance, and operational efficiency to all their services.

Elysium provides a range of specialist services to people with learning disabilities, autism and complex needs in both community-based services and hospital placements across England and Wales. They have five complex care units and 29 community-based services delivered through Elysium Care Partnerships.

Elysium's community-based services deliver specialist care that meets the 'Transforming Care Agenda' priorities and is tailored to the individual's needs, enabling people to lead independent, meaningful lives as active members of the community. Within the community-based services, support is provided for those who have profound and multiple learning

disabilities, autism and sensory communication difficulties, along with providing expert nursing care and support for people with complex needs and challenging behaviours.

These community-based services such as that proposed at Asher House, provide a robust, structured setting that provides transitional accommodation for those who are 'stepping down' from hospital or avoiding an inappropriate hospital admission. Typically, service users will move on from here to more independent settings such as supported living or alternatively some will be cared for longer term. 'Step-down' facilities offer the following benefits for service users:

- For those individuals who have been treated with higher levels of care outside of the area in which they are familiar with and away from family and friends, they can be placed in a setting which they are more accustomed to and with support close to hand which reduces the stress on both the individual and their families thereby aiding their recovery;
- Offers residents the opportunity to enhance and develop life skills, fostering their independence so that they have a greater chance of being able to cope with life in the community. In particular it allows individuals the opportunity to simulate community living, including preparing and making their meals, shopping and budgeting, laundry and maintaining their living spaces. The clinical team are on hand to identify any 'unmet needs' or issues that might not have presented in more of the structured environment that they have transferred from;
- 'Step-down' accommodation helps in the reduction of 'revolving door patients', where an individual is discharged back into the community when they are not quite ready and as a result will need to return at some later date having an adverse impact on the individual and additional financial cost to the health service;
- The provision of a step-down facility as part of the patient pathway enables Elysium to be more streamlined in the care that they offer and provides the opportunity to accelerate patient moves and ultimately reducing the time that patients need to spend in hospital.

In 2018 Elysium successfully developed two new community services in Barnsley in South Yorkshire and in Clipstone in Nottinghamshire. More recently, Q+A Planning secured planning permission for a similar facility for Elysium to operate a close care unit within Nottinghamshire. Construction activity is currently underway with a view to opening in late spring. These services are developed in partnership with local commissioners in the Local Authority and Clinical Commissioning Groups in line with Building the Right Support (Department of Health 2015) and Registering the Right Support (Care Quality Commissioner 2017) to meet the needs identified by the Transforming Care Programme for specialist complex care and support services in the community for people with learning disabilities and autism.

As a result of increased demand for facilities of this nature, Essex County Council (ECC) have specifically endorsed the proposals in writing, confirming that Elysium's occupation of Asher House aligns with their strategic direction for residential services. ECC are particularly comforted in Elysium's track record of providing similar successful services elsewhere within the UK. The clinical commissioner's letter of support is submitted as part of this application.

The facility at Asher House will be a registered care service for up to six people with autism and / or learning difficulties and will serve the local authority areas of around Essex.

Proposed Development

Planning permission is sought for external alterations to the property, incorporating reconfiguration of the car park. The existing care home is to be internally re-configured to create six single person apartments and communal spaces including lounge, dining area, kitchen, and laundry. The apartments consist of a lounge / diner and bedroom with en-suite wet room.

Single person apartments within a larger building, with communal facilities, allows personal centred care to be delivered more effectively and for people to experience living in their 'own home' whilst having access to peers and a range of facilities within the wider service. This environmental specification mirrors that of other developments elsewhere which have proved successful.

The service will be robust and adapted for people with learning disabilities, autism, sensory needs and challenging behaviour and will use assistive technology to support care and make the best use of resources.

The model provided will be Elysium's complex care model which incorporates the following elements:

- Services are deliberately small with low numbers of service users who live in their own apartments to ensure as ordinary living setting as possible;
- High staffing ratios;
- A focus on positive behavioural support, where every service user has a positive behaviour support plan working dynamically to encourage them to develop alternative behaviours, communicate their needs in different ways; and reduce the frequency of their challenging behaviours;
- Care and support are tailored to the individual developed in partnership with the service user, their MDT, family/carer and ICATT/other health professionals; and
- Plans are in place to aid communication, sensory needs and health issues to ensure appropriate clinical support as and when required.

Residents will receive holistic care and support from a site-specific team of nurses and care workers 24 hours a day (typically 18 on duty at any one time who will work 12-hour day / night-time shift patterns). The needs of the residents are far ranging, often requiring support with communication skills and self-care which will be agreed collaboratively with the individual, their families and health care commissioners.

Access to the property will be maintained as existing, with staff and visitors using the car parking area to the front of the building.

The building is appropriate for the needs of the residents given its longstanding C2 use class, located in a quiet residential location and close to open space which will provide a calming, low stimulus environment.

The proposed alterations to the site are of a minor nature and briefly comprise the following:

- External alterations to the building elevations including changes to various windows and doors around the building;
- Construction of new accessible ramp leading up to new entrance doors;
- Reconfigured car park providing space for 13 vehicles, including 1 accessible bay;
- Provision of cycle stand and bin store enclosure.

Full details are included on the submitted application drawings.

Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act confirms that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy advises that there is a presumption in favour of sustainable development and that development in accordance with the development plan should be granted without delay, unless material considerations indicate otherwise (NPPF, 2019 paragraph 11).

The development plan for the area comprises the Tendring District Local Plan adopted in 2007 and therefore significantly pre-dates the publication of the NPPF. As a result, the presumption in favour of sustainable development is invoked as set out at paragraph 11d) of the NPPF.

In response to the outdated development plan, the Council are currently engaged in preparing their emerging Local Plan. In partnership with Braintree and Colchester, 'Section 1' of the Local Plan was adopted in January 2021. Section 1 considers strategic cross-boundary policies and allocations holistically. Tendring specific policies and allocations will be set out in 'Section 2' which has recently been considered through a separate examination process that concluded in early March 2021.

Key development plan policies and guidance against which this application will be determined against are set out below.

Policy QL6 (Urban Regeneration Area) confirms that within identified regeneration areas, including Walton, permission will be granted for development that reinforces and enhances the function, character and appearance of the area and contributes towards regeneration and renewal. A particular focus will be the investment in social infrastructure and initiatives to improve vitality, social inclusion, and health.

Policy QL9 (Design of New Development) outlines that all new development should make a positive contribution to the quality of the local environment and protect or enhance local character. Alterations to existing buildings are required to be well designed and should maintain local character and distinctiveness.

Policy QL10 (Designing New Development to Meet Functional Needs) asserts that permission will be granted where the following criteria are met:

- Access to the site is practicable and the highway network will be able to safely accommodate any additional traffic;
- Circulation within the site and convenience of access to the development reflects the hierarchy of transport users;
- The design and layout maintains safe and convenient access for people with mobility impairments;

- The development contributes to community safety;
- Buildings are orientated to ensure adequate daylight, outlook and privacy; and
- Provision is made for functional needs, including vehicle and cycle parking.

Policy QL11 (Environmental Impacts and Compatibility of Uses) confirms that all new development should be compatible with surrounding land uses. The scale and nature of the development is required to be appropriate to the locality.

Policy COM1 (Access for All) states that the design and layout of new development should provide safe and convenient access for people of all abilities.

Policy COM5 (Residential Institutional Uses) confirms that applications for changes of use and extensions to existing residential institutions will be considered on their own merits subject to meeting other relevant policies and the following additional criteria:

- The site would not be located away from existing settlement development boundaries;
- The development would not lead to a clustering of similar uses;
- The development would not create or give rise to a significant material adverse impact on public safety;
- Sufficient external space for amenity is provided; and
- The extent and nature of any alterations or extensions which may be required should not result in the over development of the site.

Policy TR7 (Vehicle Parking at New Development) advises that outside town centres variations to the adopted car parking standards will be considered where local circumstances suggest this to be appropriate. In addition, new development should provide safe, convenient, and useable car parking for people with mobility impairments.

Relevant policies of the Tendring District Local Plan (Publication Draft, June 2017) are briefly outlined below. The status of these policies is considered to carry some weight given how advanced the Local Plan process is and that it has recently progressed through examination.

- Policy SP1 (Presumption in Favour of Sustainable Development);
- Policy HP1 (Improving Health and Wellbeing);
- Policy HP2 (Community Facilities); and
- Policy LP10 (Care, Independent Assisted Living).

Emerging Policy HP1 specifically outlines that the Council will work to improve the health and wellbeing of residents in Tendring by working with stakeholders on projects that provide better service integration, locating services where access can be improved, particularly for vulnerable groups and communities.

Emerging policy confirms that health services are considered important community facilities and accordingly under Policy HP2, the Council will work with the development industry and key partners to deliver a maintain a range of new facilities.

Under emerging Policy LP10, the Council will support the construction of high-quality care homes and extra care housing in sustainable locations, working specifically with Essex County Council and the NHS to promote improvements in the supply chain. Furthermore, the Council will be expected to support the provision of care homes and extra care housing within settlement development boundaries and within residential areas across the District.

Planning Assessment

Taking into account the national and development plan policy context outlined previously, we regard the key issues relevant to the determination of this application as follows:

- The principle of the development;
- Design and appearance;
- Amenity considerations; and
- Highways and Parking.

Principle of Development

The site comprises a former elderly care home that has been vacant for some time. This application proposes several external alterations, required as part of Elysium's unfettered ability to operate a new close care unit for up to six residents out of Asher House. The provision of a care home within such an environment is an entirely appropriate use and is encouraged with both adopted and emerging policy (COM5 and Draft LP10).

As previously described, this application is to be read in conjunction with a request to remove a historic condition restricting the use of the property to a particular group of people.

Local health facilities provide a valuable service for communities and the District Council expressly supports the provision of accommodation to meet specific needs, ensuring that future generations receive the highest quality of care. Policy COM5 acknowledges the Government's thrust relating to 'care in the community' and offering homes for people in a secure and safe environment for those with learning or behavioural difficulties.

The principle of the use is therefore clearly acceptable, and fully embodies the presumption in favour of sustainable development outlined at paragraph 11 of the NPPF. Consideration is directed to the details of the scheme.

Design and Appearance

As part of the development proposals, Elysium require several small scale works to the external elevations of the building in order to ensure that the new unit functions from both a healthcare and operational perspective. These interventions are considered minor and reflect the character of the existing building utilising materials to match. Internal reconfiguration is also required which does not require planning permission.

Furthermore, works are proposed to the external area to create safe outside amenity spaces that each of the residents can have access to at all times.

Amenity and Visual Impacts

Adopted policy advises that specialist housing will be permitted providing that the scale and intensity of use will not harm the character of the locality and will not cause an unacceptable reduction in the amenity of neighbouring occupiers.

The proposed facility is to be located within an existing building that is set back from the road enclosed by mature tree cover. Limited external alterations are proposed in order to enhance the residential amenity of the service users, and therefore there will be no adverse visual impact. It is considered that the occupation of the property by 6 adults with learning disabilities, together with their associated care staff, will not cause unacceptable disturbance for residents.

The former elderly care home is a large property with ample outside amenity space to the side and rear that is proposed to be utilised as part of the proposals, and therefore capable of accommodating the proposed use without undue harm to neighbours.

As has already been established, the principle of the proposed use in this area is acceptable. Indeed, a facility of this nature is best located in a residential area where individuals can be supported and integrated as part of the community.

Highway and Parking Considerations

The proposals include a reconfiguration of the sites existing parking arrangements, from 10 spaces to 13.

It is recognised that residential C2 institutions typically have the potential to accommodate large numbers of residents and employ large numbers of staff and receive visits from friends, family and associated medical and care professionals. Policy directs that such facilities are best located in accessible locations and ideally within the settlement boundaries of the District.

The care model described elsewhere within this statement is unique, and accordingly only a comparatively small number of service users will be resident at any one time (6). This should be viewed in the context of the former care home which had capacity for 18 residents, and planning permission was granted for a 9-bed extension which would have taken the resident total to 27. Residents will not have access to their own vehicle.

Notwithstanding, Elysium require a comparatively higher staff ratio of on average 3:1 this translates to a requirement to increase the car parking capacity to 13 spaces. Whilst it is recognised that this is marginally in excess of Essex's maximum applied parking standards, this is entirely driven by operational demand and the type of care facility that is proposed.

Moreover, it would be unreasonable to expect visitors to find alternative parking facilities elsewhere or disrupt the surrounding highway network by parking on-street. On balance, the proposed reconfigured parking is considered reasonable when viewed in the context of Policy TR7 which advocates discretion outside of main town centre and where local circumstances suggest this to be appropriate.

The submitted site plan illustrates that the reconfigured parking layout ensures safe and convenient access for all. In accordance with adopted standards, cycle parking facilities are proposed close to the building entrance (3 Sheffield cycle stands with capacity for 6 bicycles).

With regards to vehicular activity, this is unlikely to be significantly more than that of the traffic movements associated with its current permitted use. No alterations are proposed to the access into the site which will continue to be via Third Avenue.

The development is therefore in accordance with adopted policy TR7 and cannot be said to result in an unacceptable impact on highway safety sufficient to warrant refusal on highways grounds as set out within paragraph 109 of the NPPF.

Summary

Planning permission is sought for external alterations, required as part of Elysium's unfettered ability to operate a new close care unit for up to six residents out of Asher House. The provision of a care home within such an environment is an entirely appropriate use and is encouraged with both adopted and emerging policy (COM5 and Draft LP10).

The principle of C2 residential care in this location is longstanding and therefore Elysium's proposals are entirely appropriate and would constitute sustainable development in accordance with adopted national and local planning policies. The proposals would serve an identified healthcare need that will bring back into productive use a vacant building. Furthermore, planning policy COM5 and LP10 specifically supports the provision of healthcare and specialist accommodation.

The proposals should also be considered in the context of a specific, written endorsement by Essex County Council (ECC), confirming that Elysium's occupation of Asher House aligns with the County Council's strategic direction for residential services. ECC are particularly comforted in Elysium's track record of providing similar successful services elsewhere within the UK.

I trust that you have sufficient information in order to determine this application, however, please do not hesitate to contact me should you require anything further.

Yours sincerely



Tom Hallett
Associate

For and on behalf of
Q+A Planning Ltd