

TOWN AND COUNTRY PLANNING ACT 1990

REFUSAL OF PLANNING PERMISSION

Applicant:	Pegasus Life	Application No:	16/0872/MFUL
Address:	Mr Mick Marran Royal Court Church Green Kings Worthy Winchester SO23 7TW	Date of Registration:	11 April 2016
Agent:	Tibbalds	Date of Decision:	9 December 2016
Address:	Mr Matt Shillito 19 Maltings Place 169 Tower Bridge Road London SE1 3JB		
Proposal:	The construction of an assisted living community for older people comprising extra care units, staff accommodation and communal facilities, including a kitchen, restaurant/bar/cafe, a well-being suite comprising gym, treatment rooms and pool, a communal lounge and storage facilities; car parking for residents, visitors and staff of the assisted living community; comprehensive landscaping comprising communal and private spaces; and associated groundworks.		
Location:	Council Offices Knowle Sidmouth EX10 8HL		

The Council hereby refuses permission to carry out the development described in the application and the plans attached thereto for the following reasons :

1. The proposed development by virtue of its scale, height, bulk and massing would have an overly dominant impact on the public gardens and parkland adjacent to the site and the streetscene of Knowle Drive. Furthermore the development would be visually overbearing and lead to a significant loss of light and privacy to neighbouring properties. As a consequence the proposed development is considered to be an overdevelopment of the site contrary to the requirements of Strategy 6 - Development within Built-Up Area Boundaries , Strategy 48 - Local Distinctiveness in the Built Environment and Policy D1 - Design and Local Distinctiveness of the adopted East Devon Local Plan.
2. The proposed development purports to be a C2 (extra care facility) with no affordable housing being provided as part of the proposal. It is however considered based on the submitted details, case law and available guidance that the proposed units would constitute separate residential dwellings within the C3 use class under the Use Classes

Order 1987 (as amended). It is considered that the proposed development is required to make provision for affordable housing and no mechanism has been provided to enable such provision to be secured. The proposed development is therefore contrary to the requirements of Strategy 34 - District Wide Affordable Housing Provision Targets of the adopted East Devon Local Plan.

3. The proposed development in respect of Building E, by virtue of its scale, height, mass and bulk, its positioning close to the listed summerhouse, and the resulting loss of the existing terraces and associated landscaping, would be harmful to the setting of the heritage asset. It is considered that although alternatives have been considered and the public benefits made clear these would not outweigh the identified harm and that the development would therefore be contrary to the requirements of Strategy 26 - Development at Sidmouth, Strategy 48 - Local Distinctiveness in the Built Environment and Policy EN9 - Development Affecting a Designated Heritage Asset.

NOTE FOR APPLICANT

Informative:

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 in determining this application, East Devon District Council has worked proactively and positively with the applicant to attempt to resolve the planning concerns the Council has with the application. However, the applicant was unable to satisfy the key policy tests in the submission and as such the application has been refused.

The plans relating to this application are listed below:

LL532-100-1119 (R1)	Sections	08.08.16
584_P_312 (P)B	Proposed Elevation	08.08.16
584-P-110 (P)A	Sections	08.08.16
584-P-300(P)C	Proposed Elevation	08.08.16
584-P-301(P)C	Proposed Elevation	08.08.16
584-P-302(P)B	Proposed Elevation	08.08.16
LL532-100-1120	Sections	08.08.16
LL532-100-1121	Sections	08.08.16
LL532-100-1340	Combined Plans	08.08.16
LL532-100-1316	Other Plans	03.05.16
LL532-100-1111	Sections	04.05.16
LL532-100-1112	Sections	04.05.16

LL532-100-1113	Sections	04.05.16
LL532-100-1114	Sections	04.05.16
LL532-100-1115	Sections	04.05.16
LL532-100-1116	Sections	04.05.16
LL532-100-1117	Sections	04.05.16
LL532-100-1118	Sections	04.05.16
584-P-112	Sections	04.05.16
584-P-200	Proposed Floor Plans	04.05.16
584-P-201	Proposed Floor Plans	04.05.16
584-P-202	Proposed Floor Plans	03.05.16
584-P-203	Proposed Floor Plans	04.05.16
584-P-204	Proposed Floor Plans	04.05.16
584-P-205	Proposed roof plans	04.05.16
584-P-307	Proposed Combined Plans	04.05.16
584-P-308	Proposed Combined Plans	04.05.16
584-P-309	Street Scene	04.05.16
LL532-100-1313	Location Plan	04.05.16
584_P_310 (P) A	Proposed Elevation	05.12.16
584_P_313	Proposed Elevation	05.12.16
584-P-100(P)B	Proposed roof plans	27.10.16
584-P-101(P)B	Proposed Site Plan	27.10.16
584-P-102(P)C	Proposed Site Plan	27.10.16
584-P-103(P)C	Proposed Site Plan	27.10.16
584-P-104(P)C	Proposed Site Plan	27.10.16
584-P-105(P)B	Proposed Site Plan	27.10.16

584-P-106(P)B	Proposed roof plans	27.10.16
584-P-210(P)A	Proposed Floor Plans	27.10.16
584-P-211(P)B	Proposed Floor Plans	27.10.16
584-P-212(P)C	Proposed Floor Plans	27.10.16
584-P-213(P)A	Proposed Floor Plans	27.10.16
584-P-214(P)B	Proposed Floor Plans	27.10.16
584-P-215(P)B	Proposed Floor Plans	27.10.16
584-P-216(P)A	Proposed roof plans	27.10.16
584-P-311(P)B	Proposed Elevation	27.10.16
LL532-100-0001 R2	Landscaping	27.10.16
LL532-100-0021 R2	Landscaping	27.10.16
LL532-100-0041 R1	Other Plans	27.10.16
LL532-100-0071 R1	Landscaping	27.10.16
LL532-100-0075 R1	Landscaping	27.10.16
LL532-100-1123	Sections	27.10.16
LL532-100-1122	Sections	27.10.16
584_P_316 (P)A	Proposed Elevation	27.10.16
584_P_314 (P)A	Proposed Elevation	27.10.16
584_P_315	Proposed Elevation	27.10.16



Service Lead - Planning Strategy & Development Management

Please refer to the accompanying notes which form part of this decision notice.

