



**NOTICE OF MEETING**

<b>Meeting:</b>	<b>Planning Committee</b>
<b>Date and Time:</b>	<b>Wednesday 11 August 2021 7.00 pm</b>
<b>Place:</b>	<b>Council Chamber</b>
<b>Telephone Enquiries to:</b>	<b>Committee Services Committeeservices@hart.gov.uk</b>
<b>Members:</b>	<b>Ambler, Blewett, Cockarill, Delaney, Kennett, Oliver (Chairman), Quarterman, Radley, Southern, Wheale and Worlock</b>

Joint Chief Executive

CIVIC OFFICES, HARLINGTON WAY  
FLEET, HAMPSHIRE GU51 4AE

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**AGENDA**

**This Agenda and associated appendices are provided in electronic form only and are published on the Hart District Council Website.**

**Please download all papers through the Modern.Gov app before the meeting.**

- At the start of the meeting, the Lead Officer will confirm the Fire Evacuation Procedure.**
- The Chairman will announce that this meeting will be recorded and that anyone remaining at the meeting has provided their consent to any such recording.**

**1 MINUTES OF PREVIOUS MEETING (Pages 3 - 13)**

The Minutes of the meeting held on 14 July to be confirmed and signed as a correct record.

**2 APOLOGIES FOR ABSENCE**

To receive any apologies for absence from Members\*.

**\*Note:** Members are asked to email Committee Services in advance of the meeting as soon as they become aware they will be absent.

**3 DECLARATIONS OF INTEREST**

To declare disclosable pecuniary, and any other, interests\*.

**\*Note:** Members are asked to email Committee Services in advance of the meeting as soon as they become aware they may have an interest to declare.

**4 CHAIRMAN'S ANNOUNCEMENTS**

**5 DEVELOPMENT APPLICATIONS (Pages 14 - 19)**

To consider the planning reports from the Head of Place, and to accept updates via the Addendum.

**6 21/00777/OUT - CROWNFIELDS ODIHAM (Pages 20 - 60)**

**7 21/01145/FUL - YATELEY HALL (Pages 61 - 76)**

**Date of Publication: Tuesday, 3 August 2021**

## **PLANNING COMMITTEE**

**Date and Time:** Wednesday 14 July 2021 at 7.00 pm

**Place:** Council Chamber

**Present:**

Ambler, Blewett (7.13pm), Cockarill, Delaney, Kennett, Oliver (Chairman), Quarterman, Radley, Southern, Wheale and Worlock

**In attendance:**

**Officers:**

Mark Jaggard	Head of Place
Peter Lee	Planning Team Leader
Miguel Martinez	Principal Planner Officer
Tola.Otudeko	Shared Legal Services
Sabrina Cranny	Committee Services Officer

### **20 MINUTES OF PREVIOUS MEETING**

The Minutes of the meeting held on 9 June 2021 were confirmed and signed as a correct record.

### **21 APOLOGIES FOR ABSENCE**

None received.

### **22 DECLARATIONS OF INTEREST**

Councillor Quarterman declared an interest in Item 7 (20/02368/AMCON - Land Between Moulsham Lane And Broome Close Yateley) due to proximity to his property and so would withdraw.

### **23 CHAIRMAN'S ANNOUNCEMENTS**

Councillor Oliver to organise a date in September for the Planning Committee Working Group.

### **24 DEVELOPMENT APPLICATIONS**

Members accepted updates via the Addendum and considered the planning report from the Head of Place.

### **25 21/00403/FUL - 8 CROWNFIELDS, ODIHAM**

Construction of a three-bedroom dwelling with associated car parking and hard/soft landscaping.

*Councillor Blewett entered during this item.*

Members considered the application and discussed the following:

- The 1 metre gap between the proposal and No.8
- Loss of light
- Wheelie bin storage
- Looking cramped
- An additional car park space for No.8
- Possibly converting the two small windows into one large window in the north facing kitchen/dining area to gain more light.
- The use of air source heat pumps.
- Installing PV panels at build to minimise costs.
- Energy source type cannot be mandated.
- The local plan policy has been followed.

Members voted for an amendment to proposal condition 2 and the addition of two Informatives in respect of PV Panels and window openings in 8 Crownfields which was carried.

**DECISION - GRANT** as per Officer recommendation with a change to condition 2 to include sustainability measures as detailed in the correspondence with the applicant and the addition of two Informatives.

### **CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be fully implemented in accordance with the following plans/documents (including any mitigation/enhancement recommended therein): 058-PL-050 Rev. D (Proposed Site Plan), 058-PL-100 Rev. C (Proposed Floor Plans), 058PL-200 Rev. C (Proposed Elevations), 058-PL-201 Rev. C (Proposed Elevations); Design and Access Statement (dated February 2021) produced by Black Architecture Ltd and Sustainability Commitment email dated 06.07.2021 from Nicola Dale.

REASON: To ensure that the development is carried out in accordance with the approved details and In the interest of proper planning.

3. The development hereby approved shall not be commenced until details of a site construction method statement and management plan shall be submitted to and approved in writing by the Local Planning Authority and shall include but not limited to the following:

- i) Construction worker and visitor parking;

- ii) anticipated number, frequency and size of construction vehicles;
- iii) dust and Noise/Vibration mitigation measures;
- iv) dust suppression measures;
- v) Site security;
- vi) vehicle manoeuvring and turning;
- vii) locations for the loading/unloading and storage of plant, building materials and construction debris and contractors offices;
- viii) procedures for on-site contractors to deal with complaints from local residents;
- ix) measures to mitigate impacts on neighbouring highways; and
- x) details of wheel water spraying facilities;
- xi) Protection of pedestrian routes during construction Such details shall be fully implemented and retained for the duration of the works.

REASON: To protect the amenity of local residents, to ensure adequate highway and site safety in accordance with policies NBE11 and INF3 of the adopted Hart Local Plan - Strategy and Sites 2016-2032 and the NPPF 2019.

4. No development shall commence until a detailed surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to an approved in writing by the local planning authority. The scheme shall be fully implemented in accordance with the approved details before first occupation of the development.

REASON: In the interest of managing surface water flooding and to satisfy policy NBE5 of the Adopted Hart Local Plan - Strategy and Sites 2016-2032 and the NPPF 2019.

5. No development shall raise above slab level, until details of all external materials for the building hereby approved are submitted to and approved in writing by the Local Planning Authority. The details approved shall be fully implemented.

REASON: To ensure a high-quality external appearance of the buildings and to satisfy policy NBE9 of the adopted Hart Local Plan and Sites 2016-2032, saved local policy GEN1 of the Hart District Local Plan 1996-2006, policy 5 of the Odiham and North Warnborough Neighbourhood Plan 2014-2032 and the NPPF 2019.

6. A soft/hard landscape strategy and boundary treatment details shall be submitted to and approved in writing by the Local Planning Authority. The buildings hereby approved shall not be occupied until such strategy is fully implemented as approved. Soft landscape details shall include planting plans, written specifications require details of species, sizes, quantities of plants and implementation schedule of landscape proposals. Any trees or plants which, within a period of five years after approved completion, are removed, die or become, in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of similar species, size and number as originally approved.

REASON: To ensure the development is adequately landscaped in the interest of visual amenity and the character of the area as a whole in accordance with policies NBE2 and NBE9 of the adopted Hart Local Plan - Strategy and Sites 2016-2032, saved policies GEN1 of the Hart District Local Plan (Replacement) 1996-2006, policy 5 of the Odiham and North Warnborough Neighbourhood Plan 2014-2032 and the NPPF 2019.

7. Notwithstanding any information submitted with this application, details of the design/appearance of refuse/cycle storage shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation. The details approved shall be fully implemented.

REASON: In the interests of adequate refuse storage and servicing, in accordance with policy NBE9 of the adopted Hart Local Plan and Sites 2016-203, saved local policy GEN1 of the Hart District Local Plan 1996-2006 and the NPPF 2019.

8. The car parking area shall be fully completed and made available prior to the first occupation of the dwelling hereby approved. These vehicular facilities shall be retained for these purposes thereafter and access shall be maintained at all times to allow them to be used as such.

REASON: To ensure that the development is provided with adequate access, parking and turning areas in the interest of highway safety and to satisfy policy INF3 of the adopted Hart Local Plan and Sites 2016-2032, saved local policy GEN1 of the Hart District Council Local Plan (Replacement) 1996 - 2006 and the NPPF 2019.

9. Notwithstanding the information submitted with this application, the first-floor window located in the north facing side elevation of the dwelling hereby approved shall contain frosted glass (Pilkington Glass Level 3 or above, or equivalent) and be non-opening below a height of 1.7m which is measured upwards from the internal floor level it serves. The window shall be retained as such thereafter.

REASON: To protect residential amenity of neighbouring occupiers and to satisfy policy NBE9 of the adopted Hart Local Plan - Strategy and Sites 2016-2032 and saved policy GEN1 of the Hart District Council Local Plan (Replacement) 1996 - 2006.

10. No development, construction work or delivery of materials shall take place at the site except between 08:00 hours to 18:00 hours on weekdays or 08:00 to 13:00 hours Saturdays. No development, demolition/construction work or deliveries of materials shall take place on Sundays or Public Holidays.

REASON: To protect the residential amenity of adjoining/nearby residential occupiers and to satisfy policy NBE11 of the adopted Hart Local Plan and Sites

2016- 203, saved local policy GEN1 of the Hart District Local Plan 1996-2006 and the NPPF 2019.

11. The existing perimeter hedge along the boundaries of the site shall be retained and protected, except as altered by the approved plans, in accordance with British Standard 5837:2012 'Trees in Relation To Construction Recommendations' (or any subsequent revision) and shall be maintained at all times, until the completion of all building operations on the site.

REASON: To ensure the development is adequately landscaped in the interest of visual amenity and the character of the area as a whole in accordance with policies NBE2 and NBE9 of the adopted Hart Local Plan - Strategy and Sites 2016-2032, saved policies GEN1 of the Hart District Local Plan (Replacement) 1996-2006, policy 5 of the Odiham and North Warnborough Neighbourhood Plan 2014-2032 and the NPPF 2019.

12. A Visibility splay of 2m x 43m shall be provided for the car parking area hereby approved and retained for the lifetime of the development.

REASON: To ensure a safe access to /egress from the car parking spaces, in the interest of highway safety and to satisfy policy INF3 of the adopted Hart Local Plan and Sites 2016-2032, saved local policy GEN1 of the Hart District Council Local Plan (Replacement) 1996 - 2006 and the NPPF 2019.

## **INFORMATIVES**

1. The Council works positively and proactively on development proposals to deliver sustainable development in accordance with the NPPF. In this instance the applicant was advised of the necessary information needed to process the application and once received, the application was acceptable and no further engagement with the applicant was required

2. The applicant is encouraged to consider installing photovoltaic panels on the roof of the dwelling hereby approved.

3. The applicant is requested to discuss with the occupier of 8 Crownfields if they would wish to have works undertaken to increase the size of any window openings in the north and/or west elevation of the existing dwelling to increase light levels and if so the works should be undertaken as permitted development prior to first occupation of the new dwelling approved.

*Nicola Dale spoke for the application.*

## **26 20/02368/AMCON - LAND BETWEEN MOULSHAM LANE AND BROOME CLOSE, YATELEY**

Variation of Condition 2 attached to Planning Permission 17/02793/REM dated 05/04/2018 to allow the relocation of the proposed SANG car park.

*Councillor Quarterman left the meeting for the duration of this item.*

Members considered the application and discussed the following:

- Loss of privacy and overlooking to residential properties
- Noise disturbance
- Reducing the ground level in the car park and circular walk to agreed levels
- Providing adequate screening to car park and foot path
- Superfast broadband as a requirement

It was suggested that officers and members visit the site with Bellway to gain agreement on the levels ideally before the sub soil and topsoil is added to provide reassurance to members.

It was also suggested local members meet with Bellway to discuss landscaping and privacy enhancements for residents.

Members voted for an amendment to proposal conditions 2 and 7 which was carried.

**DECISION - GRANT** as per Officer recommendation, with the addition of an informative to review site levels before completion and an amendment to conditions 2 and 7 to review site planting and site levels.

## **CONDITIONS**

1 The development shall be carried out in accordance with the following approved plans and documents: Drawing Numbers: 021708-BEL-TV-01 Rev E (Presentation Planning Layout); 021708-BEL-TV-02 Rev E (Supporting Planning Layout); 021708-BEL-TV-03 Rev D (Storey Height Layout); 021708-BEL-TV-04 Rev D (Tenure Layout); 021708-BEL-TV-05 Rev D (Unit Type Layout); 021708-BEL-TV-06 (Location Plan); 021708-BEL-TV-07 Rev D (Character Area Layout); 021708-BEL-TV-08 Rev D (Materials Layout); 021708-SS01 (Street Scene 01); 021708-SS02 (Street Scene 02); 021708-SS03 Rev A (Street Scene 03); 021708-SS04 (Street Scene 04); 021708-H323-B-E1 (Housetype H323 - Elevations); 021708-H323-B-E2 (Housetype H323 - Elevations); 021708-H323-B-P1 (Housetype H323 - Floor Plans); 021708-H323-B-E3 (Housetype H323 - Elevations); 021708- H323-B-P2 (Housetype H323 - Floor Plans); 021708-H324-B-E1 (Housetype H324 - Elevations); 021708-H324-B-E2 (Housetype H324 - Elevations); 021708-H324-B-E3 (Housetype H324 - Elevations); 021708-H324-B-P1 (Housetype H324 - Floor Plans); 021708-H423-B-E1 (Housetype H423 - Elevations); 021708-H423-B-P1 (Housetype H423 - Floor Plans); 021708-H431-B-E1 (Housetype H431 - Elevations); 021708- H431-B-P1 (Housetype H431 - Floor Plans); 021708-H432-B-E1 (Housetype H432 - Elevations); 021708-H432-B-P1 (Housetype H432 - Floor Plans); 021708-H30-B-E1 (Housetype H30 - Elevations); 021708-H30-B-E2 (Housetype H30 - Elevations); 021708-H30-B-P1 (Housetype H30 - Floor Plans); 021708-H30-B-E3 (Housetype H30 - Elevations); 021708-H30-B-P2 (Housetype H30 - Floor Plans); 021708-H323-V-E1 (Housetype H323 - Elevations); 021708-H323-V-P1 (Housetype H323 - Floor Plans); 021708-H324-V-E1 (Housetype H324 - Elevations); 021708-H324-V-E2



(Housetype H324 - Elevations); 021708-H324-V-P1 (Housetype H324 - Floor Plans); 021708-H324-V-E3 (Housetype H324 - Elevations); 021708-H324-V-P2 (Housetype H324 - Floor Plans); 021708-H424-V-E1 (Housetype H424 - Elevations); 021708- H424-V-P1 (Housetype H424 - Floor Plans); 021708-H431-V-E1 (Housetype H431 - Elevations); 021708-H431-V-E2 (Housetype H431 - Elevations); 021708-H431- V-P1 (Housetype H431 - Floor Plans); 021708-H20-V-E1 (Housetype H20 - Elevations); 021708-H20-V-P1 (Housetype H20 - Floor Plans); 021708-H30-V-E1 (Housetype H30 - Elevations); 021708-H30-V-P1 (Housetype H30 - Floor Plans); 021708-H30-VE2 (Housetype H30 - Elevations); 021708-H30-V-P2 (Housetype H30 - Floor Plans); 021708-3BH-V-E1 (Housetype 3BH - Elevations); 021708-3BH-VP1 (Housetype 3BH- Floor Plans); 021708-B1-V-E1 (Apartment Block 1 - Elevations); 021708-B1-VE2 (Apartment Block 1 - Elevations); 021708-B1-V-P1 (Apartment Block 1 - Ground Floor Plan); 021708-B1-V-P2 (Apartment Block 1 - First Floor Plan); 021708-B1-V-P3 (Apartment Block 1 - Second Floor Plan); 021708-B2-V-E1 (Apartment Block 2 - Elevations); 021708-B2-V-E2 (Apartment Block 2 - Elevations); 021708-B2-V-P1 (Apartment Block 2 - Ground Floor Plan); 021708-B2-V-P2 (Apartment Block 2 - First Floor Plan); 021708-B2-V-P3 (Apartment Block 2 - Second Floor Plan); 021708- H222-W-E1 (Housetype H222 - Elevations); 021708-H222-W-P1 (Housetype H222 - Floor Plans); 021708-H322-W-E1 (Housetype H322 - Elevations); 021708-H322- WP1 (Housetype H322 - Floor Plans); 021708-H323-W-E1 (Housetype H323 - Elevations); 021708-H323-W-P1 (Housetype H323 - Floor Plans); 021708-H324-WE1 (Housetype H324 - Elevations); 021708-H324-W-P1 (Housetype H324 - Floor Plans); 021708-H421-W-E1 (Housetype H421 - Elevations); 021708- H421-W-P1 (Housetype H421 - Floor Plans); 021708-H423-W-E1 (Housetype H423 - Elevations); 021708- H423-W-P1 (Housetype H423 - Floor Plans); 021708-H423-WE2 (Housetype H423 - Elevations); 021708-H423-W-P2 (Housetype H423 - Floor Plans); 021708-H424-W-E1 (Housetype H424 - Elevations); 021708-H424-W-P1 (Housetype H424 - Floor Plans); 021708-H424-W-E2 (Housetype H424 - Elevations); 021708-H424-W-P2 (Housetype H424 - Floor Plans); 021708-H431-W-E1 (Housetype H431 - Elevations); 021708- H431-W-E2 (Housetype H431 - Elevations); 021708-H431-W-P1 (Housetype H431 - Floor Plans); 021708-H432-W-E1 (Housetype H432 - Elevations); 021708-H432-W-P1 (Housetype H432 - Floor Plans); 021708-H531-W-E1 (Housetype H531 - Elevations); 021708-H531-W-P1 (Housetype H531 - Floor Plans); 021708-H533-W-E1 (Housetype H533 - Elevations); 021708-H533-W-P1 (Housetype H533 - Floor Plans); 021708-H20-W-E1 (Housetype H20 - Elevations); 021708-H20-W-E2 (Housetype H20 - Elevations); 021708-H20-W-P1 (Housetype H20 - Floor Plans); 021708-H20-W-E3 (Housetype H20 - Elevations); 021708-H20-W-P2 (Housetype H20 - Floor Plans); 021708-3BH-WE1 (Housetype 3BH - Elevations); 021708-3BH-W-E2 (Housetype 3BH - Elevations); 021708-3BH-W-P1 (Housetype 3BH - Floor Plans); 021708-H222-L-E1 Rev A (Housetype H222 - Elevations); 021708-H222-L-E2 Rev A (Housetype H222 - Elevations); 021708-H222-L-P1 Rev A (Housetype H222 - Floor Plans); 021708- H322-L-E1 (Housetype H322 - Elevations); 021708-H322-L-P1 (Housetype H322 - Floor Plans); 021708-H323-L-E1 (Housetype H323 - Elevations); 021708- H323-L-P1 (Housetype H323 - Floor Plans); 021708-H324-L-E1 (Housetype H324 - Elevations); 021708-H324-L-P1 (Housetype H324 - Floor Plans); 021708-H326-L-E1 (Housetype H326 - Elevations); 021708-H326-

L-E2 (Housetype H326 - Elevations); 021708-H326- L-P1 (Housetype H326 - Floor Plans); 021708-H421-L-E1 (Housetype H421 - Elevations); 021708-H421-L-E2 (Housetype H421 - Elevations); 021708-H421-L-P1 (Housetype H421 - Floor Plans); 021708-H423-L-E1 (Housetype H423 - Elevations); 021708-H423-L-P1 (Housetype H423 - Floor Plans); 021708-H431-L-E1 (Housetype H431 - Elevations); 021708-H431-L-P1 (Housetype H431 - Floor Plans); 021708- H432- L-E1 (Housetype H432 - Elevations); 021708-H432-L-P1(Housetype H432 - Floor Plans); 021708-H20-L-E1 Rev A (Housetype H20 - Elevations); 021708-H20-LE2 Rev A (Housetype H20 - Elevations); 021708-H20-L-E3 Rev A (Housetype H20 - Elevations); 021708-H20-LP1 Rev A (Housetype H20 - Floor Plans); 021708-H20-L-E4 (Housetype H20 - Elevations); 021708-H20-L-P2 Rev A (Housetype H20 - Floor Plans); 021708-GAR01 (Garage Type 01 - Elevations & Plan); 021708-GAR02 (Garage Type 02 - Elevations & Plan); 021708-GAR03 (Garage Type 03 - Elevations & Plan); 021708-GAR04 (Garage Type 04 - Elevations & Plan); 021708-GAR05 (Garage Type 05 - Elevations & Plan); 021708-GAR06 (Garage Type 06 - Elevations & Plan); 021708-GAR07 (Garage Type 07 - Elevations & Plan); 021708-SUB01 (Sub Station - Elevations & Plan); 021708-SH01 (Cycle Shed - Elevations & Plan); 021708- BC01 (Bin & Cycle Store - Elevations & Plan); 021708-BS01 (Bin Store - Elevations & Plan); 021708-CS01 (Cycle Store - Elevations & Plan); 021708-CP01 (Carport Type 01 - Elevations & Plan); 021708-CP02 (Carport Type 02 - Elevations & Plan); 021708- CP03 (Carport Type 03 - Elevations & Plan); 5726:01 Rev Z (Engineering Layout Sheet 1); 6383.PP.3.0 Rev F (Landscape Masterplan); 6383.PP.4.0 Rev P (Planting Plan Overview); 6383.PP.4.1 Rev P (Planting Plan 1 of 9); 6383.PP.4.2 Rev P (Planting Plan 2 of 9); 6383.PP.4.3 Rev P (Planting Plan 3 of 9); 6383.PP.4.4 Rev P (Planting Plan 4 of 9); 6383.PP.4.5 Rev P (Planting Plan 5 of 9); 6383.PP.4.6 Rev P (Planting Plan 6 of 9); 6383.PP.4.7 Rev P (Planting Plan 7 of 9); 6383.PP.4.8 Rev P (Planting Plan 8 of 9); 6383.PP.4.9 Rev P (Planting Plan 9 of 9); 6383.PDP.6.0 Rev D (Pond Detail Plan); 171701- 001 Rev F (Internal Site Layout Arrangement); 171701- 002 Rev H (Swept Path Analysis); 171701-005 Rev E (Internal Pumping Station Arrangement); 171701-007 Rev A (Internal Site Layout - Fire Tender Path Analysis); 171701-008 Rev C (Highway Layout); 171701-800 Rev B (Bypass Channel Works); and 171701-801 Rev B (Bypass Channel and Offline Pond Earthworks)

Documents: Arboricultural Method Statement (Aspect, November 2017, ref: 9714\_AMS.001 Rev E); Construction Traffic Management Plan (Ardent, November 2017, ref: 171701- 02); Design and Access Statement (DHA, November 2017); Ecological Update Note (Ecology Solutions, November 2017, ref: 5627.EcoUpdate.dv2); Flood Risk Assessment Addendum (Ardent, November 2017, ref: 171700-03); Highway Technical Note (Ardent, November 2017, ref: 171701-05); Landscape Management Plan (Aspect, November 2017, ref: 6383.Land.Man.002.VF); Landscape and Visual Impact Assessment (Aspect, November 2017, ref: 6383.LVIA.003); Planning Statement (Savills, November 2017); and Transport Statement (Ardent, November 2017, ref: 171701-01)

REASON: To ensure that the development is carried out in accordance with the approved plans and particulars.

2 Notwithstanding the submitted details, prior to the carrying of the landscaping works around the SANG car park area approved as part of this application, a site meeting shall be held between the developer, officers and ward Members/Chairman of the Planning Committee to review the landscaping details.

Once approved, all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To ensure the development is appropriately landscaped in the interests of residential and visual amenity and to accord with the requirements of policy NBE2 of the Hart Local Plan (Strategy and Sites) 2032 and saved policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 and First Alterations to the Hart District Local Plan (Replacement) 1996-2006.

3 The external materials used in the approved shall be as detailed in planning application reference number 18/00960/CON, approved on 25.07.2018

REASON: To ensure satisfactory development in keeping with the character of the local area in accordance with the requirements of policy NBE9 of the Hart Local Plan (Strategy and Sites) 2032.

4 The means of enclosure utilised for the development shall be in accordance with the details approved under planning application reference number 18/00960/CON, dated 27.06.2018.

REASON: To ensure satisfactory development in the interests of residential and visual amenity in accordance with policy NBE9 of the Hart Local Plan (Strategy and Sites) 2032.

5 The development shall be provided with superfast broadband connectivity in accordance with the details approved under planning application reference number 18/00960/CON.

REASON: To comply with current Government guidance and the advice contained within the Hampshire County Council document 'Planning for Broadband: A Guide for Developers' and to accord with the requirements of policy INF6 of the Hart Local Plan (Strategy and Sites) 2032.

6 Notwithstanding the information shown on the approved Landscape Masterplan (drawing number 6383.PP.3.0 Rev F), the internal highway layout

shall be provided fully in accordance with the details shown on the approved drawing number 171701- 008 Rev C (Internal Highway Layout Review).

REASON: For the avoidance of doubt and to ensure a satisfactory internal layout for pedestrians and vehicle users in accordance with policies NBE9 and INF3 of the Hart Local Plan (Strategy and Sites) 2032 and saved policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 and First Alterations to the Hart District Local Plan (Replacement) 1996-2006.

7 Notwithstanding the submitted details, prior to the provision of subsoil and topsoil in association with the works to alter ground levels around the SANG car park area approved as part of this application, a site meeting shall be held between the developer, officers and ward Members/Chairman of the Planning Committee to review the site levels details.

The site levels around the relocated SANG car park hereby approved shall thereafter be reduced to those approved before the facility is first brought into use.

REASON: To accord with the terms of the application and in the interests of neighbouring amenity in accordance with policies NBE9 of the Hart Local Plan (Strategy and Sites) 2032 and saved policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 and First Alterations to the Hart District Local Plan (Replacement) 1996-2006.

8 Notwithstanding the details submitted, full details of the surfacing material to be used in the construction of the car park hereby approved, confirming that these will be porous or permeable or will drain to a permeable area, shall be submitted to and approved, in writing, by the Local Planning Authority, prior to the provision of the surfacing. Once approved the development shall be submitted in accordance with the submitted details. Reason: To prevent off-site flooding and to accord with the requirements of policy NBE5 of the Hart Local Plan 2032.

## **INFORMATIVES**

1 The Council works positively and proactively on development proposals to deliver sustainable development in accordance with the NPPF. In this instance: The applicant was advised of the necessary information needed to process the application and once received, the application was acceptable and no further engagement with the applicant was required.

2 The applicant is advised to make sure that the works hereby approved are carried out with due care and consideration to the amenities of adjacent properties and users of any nearby public highway or other rights of way. It is good practice to ensure that works audible at the boundary of the site are limited to be carried out between 8am and 6pm Monday to Friday, 8am and 12 noon on Saturdays with no working on Sunday and Bank Holidays. The storage of

materials and parking of operatives vehicles should be normally arranged on site.

3 Hart District Council has declared a Climate Emergency. This recognises the need to take urgent action to reduce both the emissions of the Council's own activities as a service provider but also those of the wider district. The applicant is encouraged to explore all opportunities for implementing the development approved by this permission in a way that minimises impact on climate change.

4 Ordinary watercourse would be required to relocate the dry ditch which is proposed to be filled in as part of this development. This is required as a separate permission to planning and further information can be found at:

<https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.hants.gov.uk%2Flandplanningandenvironment%2Fenvironment%2Fflooding%2Fchangewatercourse&data=04%7C01%7Cplanningadmin%40hart.gov.uk%7C89bb8928b2da4434400608d93ad41b12%7C437487d01c5f47b6bd4ea482ae3b011e%7C0%7C0%7C637605504925489582%7CUnknown%7CTWFpbGZsb3d8eyJWljoimC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C1000&sdata=7nwMFR C 1tETK9itqPAJZupcVaGoovjMI0uSSjy09Cqs%3D&reserved=0>

5 In order to address the requirements of conditions 2 and 7 a site meeting should be arranged as soon as practicable to facilitate discussions between the developer, officers and Ward Members/the Chairman of the Planning Committee to agreed final details of the proposed landscaping details and site levels around the SANG car park area approved as part of this application.

*Notes: Mr Peter Arthurs spoke against the application.  
Rob O'Carroll spoke for the application.*

**27 21/01336/HOU - 66 FERNDALE ROAD, CHURCH CROOKHAM, FLEET**

Conversion of loft to habitable accommodation to include the erection of one dormer window to front, one dormer window to side and one dormer window to rear.

This application was reported to the planning committee for consideration because a Hart District Officer is the applicant.

Members considered the application.

**DECISION – GRANT** as per Officer recommendation.

The meeting closed at 8.30 pm



**HEAD OF PLACE**  
**REPORT TO THE PLANNING COMMITTEE OF**  
**2021**

**1. INTRODUCTION**

This agenda considers planning applications submitted to the Council, as the Local Planning Authority, for determination

**2. STATUS OF OFFICER'S RECOMMENDATIONS AND COMMITTEE'S DECISIONS**

All information, advice, and recommendations contained in this agenda are understood to be correct at the time of preparation, which is approximately two weeks in advance of the Committee meeting. Because of the time constraints, some reports may have been prepared before the final date for consultee responses or neighbour comment. Where a recommendation is either altered or substantially amended between preparing the report and the Committee meeting or where additional information has been received, a separate "Planning Addendum" paper will be circulated at the meeting to assist Councillors. This paper will be available to members of the public.

**3. THE DEBATE AT THE MEETING**

The Chairman of the Committee will introduce the item to be discussed. A Planning Officer will then give a short presentation and, if applicable, public speaking will take place (see below). The Committee will then debate the application with the starting point being the officer recommendation.

**4. SITE VISITS**

A Panel of Members visits some sites on the day before the Committee meeting. This can be useful to assess the effect of the proposal on matters that are not clear from the plans or from the report. The Panel does not discuss the application or receive representations although applicants and Town/Parish Councils are advised of the arrangements. These are not public meetings. A summary of what was viewed is given on the Planning Addendum.

**5. THE COUNCIL'S APPROACH TO THE DETERMINATION OF PLANNING APPLICATIONS**

When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF).

It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. This means that any discussions with applicants and developers at both pre-application and application stage will be positively framed as both parties work together to find solutions to problems. This does not necessarily mean that development that is unacceptable in principle or which causes harm to an interest of acknowledged importance, will be allowed.

The development plan is the starting point for decision making. Proposals that accord with the development plan will be approved without delay. Development that conflicts with the development plan will be refused unless other material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date the Council will seek to grant permission unless material considerations indicate otherwise – taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Local Plan taken as a whole; or
- Specific policies in the development plan indicate that development should be restricted.

Unsatisfactory applications will however, be refused without discussion where:

- The proposal is unacceptable in principle and there are no clear material considerations that indicate otherwise; or
- A completely new design would be needed to overcome objections; or
- Clear pre-application advice has been given, but the applicant has not followed that advice; or
- No pre-application advice has been sought.

## **6. PLANNING POLICY**

The relevant development plans are:

- Hart Local Plan (Strategy and Sites) 2032, adopted April 2020
- Saved Policies from the Hart Local Plan (Replacement) 1996-2006 (updated 1st May 2020)
- Policy NRM6 (Thames Basin Heaths Special Protection Area) of the South East Plan (adopted May 2009)
- Hampshire, Portsmouth, Southampton, New Forest National Park and South Downs National Park Minerals and Waste Local Plan 2013
- 'Made' Neighbourhood Plans for the following Parishes: Crondall; Crookham Village; Dogmersfield; Fleet; Hartley Wintney; Hook; Odiham and North Warnborough; Rotherwick; Winchfield.

Although not necessarily specifically referred to in the Committee report, the relevant development plan will have been used as a background document and the relevant policies taken into account in the preparation of the report on each item.

## **7. THE NATIONAL PLANNING POLICY FRAMEWORK AND PLANNING PRACTICE GUIDANCE**

Government statements of planning policy are material considerations that must be taken into account in deciding planning applications. Where such statements indicate the weight that should be given to relevant considerations, decision-makers must have proper regard to them.

The Government has also published the Planning Practice Guidance which provides information on a number of topic areas. Again, these comments, where applicable, are a material consideration which need to be given due weight.

## **8. OTHER MATERIAL CONSIDERATIONS**

Material planning considerations must be genuine planning considerations, i.e. they must be related to the purpose of planning legislation, which is to regulate the development and use of land in the public interest. Relevant considerations will vary from circumstance to circumstance and from application to application.

Within or in the settings of Conservation Areas or where development affects a listed building or

its setting there are a number of statutory tests that must be given great weight in the decision making process. In no case does this prevent development rather than particular emphasis should be given to the significance of the heritage asset.

The Council will base its decisions on planning applications on planning grounds alone. It will not use its planning powers to secure objectives achievable under non-planning legislation, such as the Building Regulations or the Water Industries Act. The grant of planning permission does not remove the need for any other consents, nor does it imply that such consents will necessarily be forthcoming.

Matters that should not be taken into account are:

- loss of property value
- land and boundary disputes
- the impact of construction work
- need for development (save in certain defined circumstances)
- ownership of land or rights of way
- change to previous scheme
- or matters that are dealt with by other legislation, such as the Building Regulations (e.g. structural safety, fire risks, means of escape in the event of fire etc.). - The fact that a development may conflict with other legislation is not a reason to refuse planning permission or defer a decision. It is the applicant's responsibility to ensure compliance with all relevant legislation.
- loss of view
- matters covered by leases or covenants
- property maintenance issues
- the identity or personal characteristics of the applicant
- moral objections to development like public houses or betting shops
- competition between firms,

The Council will base its decisions on planning applications on planning grounds alone. It will not use its planning powers to secure objectives achievable under non-planning legislation, such as the Building Regulations or the Water Industries Act. The grant of planning permission does not remove the need for any other consents, nor does it imply that such consents will necessarily be forthcoming.

## **9. PLANNING CONDITIONS AND OBLIGATIONS**

When used properly, conditions can enhance the quality of development and enable development proposals to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects of the development. Planning conditions should only be imposed where they are:

- necessary;
- relevant to planning and;
- to the development to be permitted;
- enforceable;
- precise and;
- reasonable in all other respects.

It may be possible to overcome a planning objection to a development proposal equally well by imposing a condition on the planning permission or by entering into a planning obligation. In such cases the Council will use a condition rather than seeking to deal with the matter by means of a planning obligation.

Planning obligations mitigate the impact of unacceptable development to make it acceptable in planning terms. Obligations should meet the tests that they are:

- necessary to make the development acceptable in planning terms,
- directly related to the development, and
- fairly and reasonably related in scale and kind.

These tests are set out as statutory tests in the Community Infrastructure Levy Regulations



2010. There are also legal restrictions as to the number of planning obligations that can provide funds towards a particular item of infrastructure.

## 10. PLANNING APPEALS

If an application for planning permission is refused by the Council, or if it is granted with conditions, an appeal can be made to the Secretary of State against the decision, or the conditions. Reasons for refusal must be:

- Complete,
- Precise,
- Specific
- Relevant to the application, and
- Supported by substantiated evidence.

The Council is at risk of an award of costs against it if it behaves “unreasonably” with respect to the substance of the matter under appeal, for example, by unreasonably refusing or failing to determine planning applications, or by unreasonably defending appeals. Examples of this include:

- Preventing or delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations.
- Failure to produce evidence to substantiate each reason for refusal on appeal.
- Vague, generalised or inaccurate assertions about a proposal’s impact, which are unsupported by any objective analysis.
- Refusing planning permission on a planning ground capable of being dealt with by conditions risks an award of costs, where it is concluded that suitable conditions would enable the proposed development to go ahead.
- Acting contrary to, or not following, well-established case law
- Persisting in objections to a scheme or elements of a scheme which the Secretary of State or an Inspector has previously indicated to be acceptable.
- Not determining similar cases in a consistent manner
- Failing to grant a further planning permission for a scheme that is the subject of an extant or recently expired permission where there has been no material change in circumstances.
- Refusing to approve reserved matters when the objections relate to issues that should already have been considered at the outline stage.
- Imposing a condition that is not necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects, and thus does not comply with the guidance in the NPPF on planning conditions and obligations.
- Requiring that the appellant enter into a planning obligation which does not accord with the law or relevant national policy in the NPPF, on planning conditions and obligations.
- Refusing to enter into pre-application discussions, or to provide reasonably requested information, when a more helpful approach would probably have resulted in either the appeal being avoided altogether, or the issues to be considered being narrowed, thus reducing the expense associated with the appeal.
- Not reviewing their case promptly following the lodging of an appeal against refusal of planning permission (or non-determination), or an application to remove or vary one or more conditions, as part of sensible on-going case management.
- If the local planning authority grants planning permission on an identical application where the evidence base is unchanged and the scheme has not been amended in any way, they run the risk of a full award of costs for an abortive appeal which is subsequently withdrawn.

Statutory consultees (and this includes Parish Council’s) play an important role in the planning system: local authorities often give significant weight to the technical advice of the key statutory

consultees. Where the Council has relied on the advice of the statutory consultee in refusing an application, there is a clear expectation that the consultee in question will substantiate its advice at any appeal. Where the statutory consultee is a party to the appeal, they may be liable to an award of costs to or against them.

## **11. PROPRIETY**

Members of the Planning Committee are obliged to represent the interests of the **whole** community in planning matters and not simply their individual Wards. When determining planning applications, they must take into account planning considerations only. This can include views expressed on relevant planning matters. Local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission unless it is founded upon valid planning reasons.

## **12. PRIVATE INTERESTS**

The planning system does not exist to protect the private interests of one person against the activities of another, although private interests may coincide with the public interest in some cases. It can be difficult to distinguish between public and private interests, but this may be necessary on occasion. The basic question is not whether owners and occupiers of neighbouring properties would experience financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and buildings that ought to be protected in the public interest. Covenants or the maintenance/protection of private property are therefore not material planning consideration.

## **13. OTHER LEGISLATION**

Non-planning legislation may place statutory requirements on planning authorities or may set out controls that need to be taken into account (for example, environmental legislation, or water resources legislation). The Council, in exercising its functions, also must have regard to the general requirements of other legislation, in particular:

- The Human Rights Act 1998,
- The Equality Act 2010.

## **14. PUBLIC SPEAKING**

The Council has a public speaking scheme, which allows a representative of the relevant Parish Council, objectors and applicants to address the Planning Committee. Full details of the scheme are on the Council's website and are sent to all applicants and objectors where the scheme applies. Speaking is only available to those who have made representations within the relevant period or the applicant. It is not possible to arrange to speak to the Committee at the Committee meeting itself.

Speakers are limited to a total of three minutes each per item for the Parish Council, those speaking against the application and for the applicant/agent. Speakers are not permitted to ask questions of others or to join in the debate, although the Committee may ask questions of the speaker to clarify representations made or facts after they have spoken. For probity reasons associated with advance disclosure of information under the Access to Information Act, nobody will be allowed to circulate, show or display further material at, or just before, the Committee meeting.

## **15. LATE REPRESENTATIONS**

To make sure that all documentation is placed in the public domain and to ensure that the Planning Committee, applicants, objectors, and any other party has had a proper opportunity to consider further, or new representations no new additional information will be allowed to be submitted less than 48 hours before the Committee meeting, except where to correct an error of fact in the report. Copies of individual representations will not be circulated to Members.

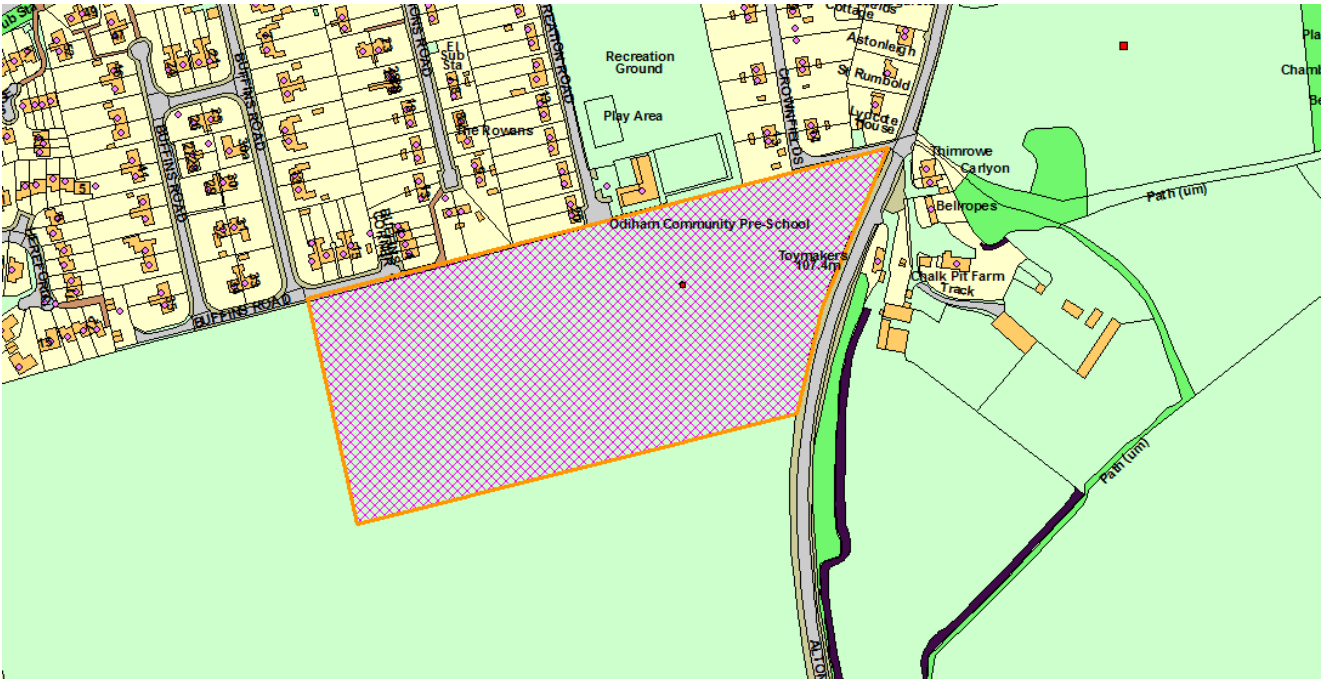
## 16. INSPECTION OF DRAWINGS

All drawings are available for inspection on the internet at [www.hart.gov.uk](http://www.hart.gov.uk)

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## COMMITTEE REPORT

APPLICATION NO.	21/00777/OUT
LOCATION	<b>Land On The West Sides Of Alton Road Odiham Hook Hampshire</b>
PROPOSAL	Erection of 60 bed care home and 30 dwellings (10 x 2 bed houses, 12 x 3 bed houses, 4 x 4+ bed houses and 4 x 2 bed flats) with associated parking and pedestrian and vehicular access
APPLICANT	Mr Michael Lucas, Aspire LPP
CONSULTATIONS EXPIRY	20 July 2021
APPLICATION EXPIRY	28 June 2021
WARD	Odiham
RECOMMENDATION	<p>A. That the Head of Place be delegated authority to GRANT planning permission subject to the completion of a Planning Obligation (S106) agreement to secure: affordable housing, self-build house, pre-school land with car park and financial contributions to Odiham Village Gateway Project, The Bridewell community building and secondary education AND subject to the following Conditions:</p> <p>OR</p> <p>B. If by 11.11.2020 the Planning Obligation has not been progressed to the satisfaction of the Head of Place then the Head of Place is delegated authority to REFUSE planning permission for the reasons identified in this report.</p>



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## **BACKGROUND**

This application is brought before the Planning Committee at the discretion of the Head of Place.

## **THE SITE**

The application site consists of open land to the west of Alton Road (B3349) and to the south of Buffins Road and Crownfields on the southern edge of Odiham. The site is referred to as 'Land next to Crownfields' in the Odiham and North Warnborough Neighbourhood Plan (ONWNP, 2017). The site has an area of 2.58 hectares (ha), is roughly rectangular in shape and comprises the northeast part of a large agricultural field. The site rises towards its east, south and west boundaries with the lowest part in the centre/north of the site. It does not contain any buildings or trees (other than those on the boundaries).

The site is bound by Alton Road to the east and Buffins Road (part of), Crownfields, Odiham Community Pre-school and the southern-most properties on Salmons Road and Recreation Road to the north. The north and east boundaries comprise hedgerows with some trees. Trees are more prevalent on the east boundary to Alton Road. The south and west site boundaries are less well defined as the remainder of the agricultural field lies beyond. There is currently no vehicular or formal public access into the site, although an informal track runs along the northern-most part of it.

The site is located on the southern edge of Odiham. To the north is a residential area, the pre-school and recreation ground. To the east, beyond Alton Road, are further residential dwellings and open areas. To the south and west is open countryside.

At its nearest points, the site is approximately 400m from Odiham Local Centre and associated facilities to the northeast, 300m from Robert May's School to the northwest and 500m from Buryfields Infant School to the east.

## **PROPOSAL**

The outline planning application seeks permission for the erection of a 60-bed care home and 30 dwellings (4 x 2 bed flats, 10 x 2 bed houses, 12 x 3 bed houses and 4 x 5 bed houses) with associated parking and pedestrian and vehicular access.

Full details of access, appearance, layout and scale are provided. Outline information in relation to landscaping is provided and this is the only 'reserved matter'.

The applicant is Aspire LLP who source, design, and develop care and residential properties. The applicant has advised that there is no named operator for the proposed care home at this stage.

The application is described in more detail in the relevant sections of this report but in summary it proposes a Class C2 use care home in a large building on the east part of the site and 30 Class C3 use dwellings on the west part of the site, 12 of these dwellings would be affordable homes. 0.25 ha of land in the central part of the site would be reserved for future pre-school use. A new footpath/cycle path would be provided along the northern boundary of the site with the main vehicular access from a new junction from Alton Road to the east. Parking, pockets of open space and landscaping would be provided within the development.

## **BACKGROUND TO THE APPLICATION AND PLANNING HISTORY**

There is relatively limited planning history for the site. Planning applications for housing on land incorporating the application site were refused and dismissed on appeal in the early 1960s. Planning permission was also refused for housing on land incorporating the application site in 1975.

A pre-application request was submitted by the applicant to Hart District Council in October 2018 (18/02283/PREAPP) but this was not progressed by the applicant.

Planning application 19/02257/OUT for a very similar development to that now proposed was refused on 26.11.2020. There were three reasons for refusal relating to inadequate provision for affordable housing and pre-school land and absence of sufficient information in relation to flood risk and drainage.

The application has been submitted following allocation of the site for: *“a mix of residential dwellings, a residential nursing care home (C2 use) and land for pre-school use”* in the ONWNP. The Odiham Settlement boundary was amended to incorporate this allocation and this settlement boundary is reflected in the Hart Local Plan (Strategy and Sites) 2032 (HLP32).

## **PLANNING POLICY**

The Development Plan for the site and relevant policies are as follows:

South East Plan (SEP):

Saved Policy NRM6 Thames Basin Heaths Special Protection Area

Hart Local Plan (Strategy and Sites) 2032 (HLP32):

SD1 Sustainable Development  
SS1 Spatial Strategy and Distribution of Growth  
H1 Housing Mix: Market Housing  
H2 Affordable Housing  
H4 Specialist and Supported Accommodation  
H6 Internal Space Standards for New Homes

NBE3 Thames Basin Heaths Special Protection Area  
NBE4 Biodiversity  
NBE5 Managing Flood Risk  
NBE7 Sustainable Water Use  
NBE8 Historic Environment  
NBE9 Design  
INF1 Infrastructure  
INF3 Transport  
INF4 Open Space, Sport and Recreation  
INF5 Community Facilities

The HLP32 identifies the site to fall within the Odiham Settlement Boundary. The site is outside of, but adjacent to, Odiham Conservation Area which is to the east.

Saved Policies from the Hart Local Plan (Replacement) 1996-2006 (HLP06):

GEN1 General Policy for Development  
CON8 Trees, Woodland & Hedgerows: Amenity Value

Odiham and North Warnborough Neighbourhood Plan (ONWNP, 2017):

1 Spatial Plan for the Parish  
2 Housing Development Sites  
4 Housing Mix  
5 General Design Principles  
6 Odiham Conservation Area  
12 The Natural Environment

The site is allocated for development for housing and a care home under Policy 2vii.

The following policy and guidance have also informed this assessment:

National Planning Policy Framework (NPPF, July 2021)  
Planning Practice Guidance (PPG)  
National Design Guide (NDG, Jan 2021)  
Building for a Healthy Life (BfHL, June 2020)  
Hart, Rushmoor and Surrey Heath Strategic Housing Market Assessment 2014-2032 (SHMA, 2016)  
Advice on the need for specialised accommodation for older people within Hart District as set out in the 2016 SHMA (NSAOP, June 2021)  
Odiham Conservation Area Character Appraisal and Management Proposals (OCACAMP, 2008)  
Hart District Council Parking Provision Interim Guidance (PPIG, 2008)



## CONSULTATION COMMENTS

### Consultee Comments

Summarised unless stated.

Odiham Parish Council (in full)

Objection.

i) Despite producing new plans the heights of both the care home and houses are still bulky and too high. OPC notes the steepness of the roof slopes and their heights which for the care home is shown as over 10 metres and the houses at 8.5 metres.

Although the design and access statement specifies only 2 storeys, in the plans there are full height windows shown in the roof of the care home which indicates the possibility for a third storey. Therefore, these plans do not meet the Neighbourhood Plan (NP) criteria in Policy 2 vii c and Policy 5 I and iii. The size and scale of the roofs are particularly noticeable on plots 17 to 20, 23 to 26 and 27 to 30. OPC requests that permitted development rights for developing roof spaces into extra rooms are removed for all buildings within the site.

ii) OPC notes that it is now proposed to excavate the land at the site of the care home to reduce its bulk. OPC requests that extensive excavation of the site is carried out along the whole northern edge of the site to lower all the roof heights to minimise the appearance of the development to the existing settlements to the north of the site.

iii) OPC is keen to work with the developer to agree the best use of the 0.25 hectare of land, as identified in the Neighbourhood Plan.

iv) OPC would like to investigate the possibility of this development providing additional parking and electric vehicle charging points through the S106 agreement.

v) OPC requests a traffic assessment for the proposed junction with 83349 and would like to see traffic calming measures on 83349 included in the 5106 agreement, eg village gateway scheme.

vi) OPC raises concerns on the capacity of the foul water network and extra demand on the North Warnborough pumping station.

vii) OPC asks Hart DC to review the format of the documents added to the online application and consider re-naming the documents to make it easier for residents to use the system.

## Natural England

Objection.

Further information required to determine impacts upon the Thames Basin Heaths Special Protection Area (SPA) and the scope for suitable mitigation.

As submitted, the application could have potential significant effects on the Hazeley Heath Site of Special Scientific Interest (SSSI), which forms part of the Thames Basin Heaths SPA. Natural England advise that this proposal is not currently in accordance with retained Policy NRM6 of the South East Plan, or the Hart Local Plan.

This development site lies mostly within the 5-7km SPA zone of influence. There is therefore potential for impacts to come from this proposal if the accommodation is occupied by mobile residents who may recreate on the SPA. It is not currently clear within the application, whether this development is making appropriate contributions to the necessary avoidance and mitigation measures, set out within the above strategies, or providing a bespoke mitigation solution.

## Local Highway Authority

No objection subject to conditions.

From a highway perspective this application is identical to application 19/00257/0UT for which the highway authority recommended no objection subject to conditions.

Details pertaining to vehicle trip generation, access arrangements, vehicle swept paths and car/cycle parking will remain unchanged and are acceptable.

The Hampshire County Council Travel Plan team have reiterated for the care home element that a number of points would need to be addressed before the travel plan can be formally signed off.

In summary the highway authority can provide a positive recommendation subject to the travel plan amendments being carried out. Construction method statement and access construction provision conditions recommended.

## Local Lead Flood Authority

No objection subject to conditions.

The information submitted by the applicant in support of this planning application indicates that surface water runoff from the application site will be managed through a soakaway and swales/filter strips (infiltration). This is acceptable in principle since the infiltration testing and groundwater monitoring carried out show that infiltration is feasible at the application site.

Considering that this is an application for outline planning permission, at this stage the information submitted by the applicant has addressed our concerns regarding surface water management and local flood risk. Therefore, the County Council as the Lead Local Flood Authority has no objection to the proposals subject to conditions requiring a detailed surface water drainage scheme and its maintenance.

#### HCC Children's Services

No objection. Planning contribution requested.

Discussions have taken place with Robert May's School as to the impact on the school of this development. In this instance HCC seeks a financial contribution limited to the improvement of

existing specialist facilities as follows: reconfiguration of ICT/Computing rooms to increase capacity by 32 workstations, including new desks, electrical and network cabling, flooring and computers. This ICT upgrade has been costed by competitive tender and the school seeks a contribution of £50,000 towards this essential upgrade.

#### HCC Countryside Planning

No objection. Public rights of way are unaffected by the proposals.

#### HCC Archaeology

No objection subject to conditions.

The proposed development site contains a series of cropmarks that likely represent prehistoric field systems and enclosures. These possibly indicate the remains of a later prehistoric settlement. The wider Odiham area is known to be rich in archaeological remains dating to the later prehistoric and Romano-British periods and it is therefore likely that previously unrecorded remains of these dates may survive within the development area. The site has not been previously developed and there are no known impacts that would have significantly affected below ground archaeological remains. As such, the site is likely to retain its archaeological potential.

Therefore, while there is no indication that archaeology presents an overriding concern, I would advise that the assessment, recording and reporting of any archaeological features affected by construction be secured through the attachment of suitable conditions to any planning consent that might be granted.

#### HDC Housing

No objection subject to legal agreement.

The 12 affordable housing units being offered will meet Hart's current planning policy.

A breakdown of the rented affordable and shared ownership housing has been provided which confirms alignment with Hart's requirement for a 65:35 split for affordable rented/shared ownership homes.

Housing is pleased to see that the mix of shared ownership home types requested under the previous application has been brought forward into this application, providing 2 x 3-bedroom houses (a semi-detached pair), and 2 x 2-bedroom houses.

The proposed housing mix for the rented affordable units is also satisfactory providing 4 x 2-bedroom flats, 2 x 2-bedroom houses and 2 x 3-bedroom houses.

It is recognised that the application meets Hart's Local Plan requirement for 15% of affordable units to be accessible by offering two affordable units as accessible homes in line with Part M4(2).

It is noted that the affordable homes offered look to maximise occupancy levels (i.e. 2-bedroom 4 person and 3-bedroom 5/6 person) and will meet the Nationally Described Space Standards.

Affordable housing should remain affordable in perpetuity. Rent levels should be set at an affordable level for families on low incomes and be within the Local Housing Allowance (LHA) rates for the Broad Market Rental Area (BMRA) where the homes are located, specifically the 3-bedroom homes should be capped at the local LHA level. Any service charges should also be kept to a minimum.

The affordable housing should be managed by one of the Registered Providers (RPs) on the Council's Approved RP list and there should be a nomination agreement in place between the Council and the RP for the affordable rented housing.

Comments on internal layouts also provided.

HDC Biodiversity Officer

No objection subject to conditions.

The site currently comprises part of an arable field with hedgerow/trees on the north and eastern boundaries and is located immediately south of a residential area. It is within a SSSI Risk Zone.

In accordance with national and local planning policy, the proposed development should incorporate features to enhance the biodiversity value of the site. Several recommendations for enhancement have been provided within the PEA Report which

are supported. An Environmental Management Plan (EMP) should be produced which shows how these will be incorporated within the design and managed in the future.

#### HDC Conservation Officer

No objection.

As stated previously, the site has already been allocated for the development proposed, however this will not come without the cost off some adverse change to the character and appearance of the conservation area. It is my opinion that the scheme would not conserve or enhance the setting of the conservation area.

#### HDC Environmental Health

No objection subject to conditions.

Generally satisfied with the Phase 1 desk study. The study has concluded that the site contamination risk is 'Low', however a professional watching brief will need to be maintained and condition recommended.

Conditions also requested in respect of hours of construction and construction management.

#### HDC Joint Waste Client Team

No objection but reservation and clarifications raised.

The proposed developments will be required to leave wheeled containers on the spine road running through the development for collection.

Reservations and clarifications raised:

- The JWCT requires clarification on whether the care home is a domestic site or a commercial site.
- Swept path - we require sight of a swept path to confirm that the 26-tonne can access Plots 8-9 and 27-30 and to confirm that the proposed turning heads are suitable.
- Bin store at Plots 27-30 – details of what the store must include provided.
- Plots 9-12 - bin collection point recommended.
- Waste collection strategy to confirm the proposed waste collection location for each property requested.

## HDC Tree Officer

No objection subject to conditions.

No objection subject to the conditioning of the Arboricultural Method Statement and Tree Protection Plan (Ref: PL002-300120). Tree Protection fencing to be installed prior to the commencement of any works on site.

## **Neighbour Representations**

A total of six neighbour representations objecting to the application have been received. The following material planning considerations are raised in the objections:

- Highway and pedestrian safety
- Design
- Impact on heritage assets
- Footpath/cycle connections
- Parking provision
- Loss of privacy
- Flood risk and drainage

The Odiham Society have also commented on the application and raised some concern regarding the three-storey appearance of the care home. Comments also made in respect of the proposed housing mix and landscaping scheme but recognising that the latter is a reserved matter.

## **ASSESSMENT**

The main planning considerations for the application comprise:

- Principle of development
- Housing tenure, mix and quality
- Design
- Impact on heritage assets
- Residential amenity
- Transport and parking
- Flood risk and drainage
- Trees and ecology
- Planning obligations
- Planning balance

## Principle of Development

The site is located within the Odiham settlement boundary as defined by the Hart DC Local Plan. The site is allocated for development for the provision of approximately 30 dwellings and a residential nursing care home in the Odiham and North Warnborough Neighbourhood Plan which forms part of the Development Plan.

The application proposes a 60-bed care home, 30 dwellings and 0.25 ha of pre-school land on the site which complies with the requirements of the site allocation.

The principle of development is therefore acceptable subject to consideration of all other material considerations.

## Housing Tenure, Mix and Quality

### Housing Tenure

The application proposes 30 new dwellings, 12 (40%) of which would be affordable dwellings to be provided on-site. The applicant has advised that the proposed tenure mix would be eight units for rent (65% of the affordable units) and four shared ownership units (35%). The proposed affordable housing mix is as below. This quantum and tenure split are in accordance with HLP32 Policy H2.

<b>Unit Size</b>	<b>Affordable Rent</b>	<b>Affordable Ownership</b>	<b>Total Affordable</b>
Two Bedroom	6	2	8
Three Bedroom	2	2	4
<b>Total</b>	<b>8 (67%)</b>	<b>4 (33%)</b>	<b>12</b>

Policy H2 also requires that affordable housing is mixed with market housing and of a size and type which meets the requirements of those in need (criteria a and b). ONWNP Policy 4iii seeks affordable housing in line with the relevant adopted HDC policy.

The proposed site plan shows the proposed affordable units clustered in the centre and northeast parts of the housing element of the site. They would be accessed from the spine road and two different cul-de-sacs also shared by market housing. The proposed affordable dwellings have been designed so that they are tenure blind and would not be distinguishable from the market houses; this is acceptable and complies with the policy requirements.

Two of the affordable units for rent will be wheelchair accessible and adaptable as per Building Regulations Part M4(2) standards as required by HLP32 Policy H2(d), these are the two ground floor flats (Plots 27 and 28).

There is no objection from the Council's Housing Team although it is noted that the affordable housing will need to be secured through a Section 106 legal agreement (S106) and subject to the following terms:

- Affordable housing remaining affordable in perpetuity;
- Rent levels being affordable for families on low incomes and within the LHA rates for BMRA rates for the area, specifically the three-bedroom homes should be capped at the local LHA level. Any service charges should also be kept to a minimum; and
- Affordable housing should be managed by one of the RPs on the Council's Approved RP list, and there should be a nomination agreement in place between the Council and the RP for the affordable rented housing.

The provision of the overall quantum and tenure split of the affordable housing would also need to be secured with a Planning Obligation.

The applicant has provided Draft S106 Heads of Terms with the application identifying a willingness to enter into such an agreement to secure the above.

For the above reasons, the affordable housing would, in principle, be appropriate in terms of quantity, tenure, location and appearance and would contribute to a mixed and balanced community as sought by the HLP32, the ONWNP and NPPF (para. 62). This is subject to completion of the necessary Planning Obligation.

### Housing Mix

The application proposes 18 market dwellings as 6 two bed (33%), 8 three bed (44%) and 4 five bed (22%) units.

In respect of the housing mix policies in the Development Plan there is a different mix specified in the Neighbourhood Plan and the Local Plan. However, the Local Plan is a more up-to-date document in respect of housing mix, and it is therefore considered to be appropriate to consider the development proposal against the requirements of Policy H1 of the Local Plan as Policy 4 of the Neighbourhood Plan could now be considered to be out-of-date.

HLP32 Policy H1 requires an appropriate mix of housing having regard to the most up to date evidence. It also supports the provision of specialist/supported accommodation where appropriate. The District wide housing mix sought derives from the SHMA (see below).



<b>Unit Size</b>	<b>Proposed</b>	<b>HLP32</b>
One Bedroom	0% (0)	7%
Two Bedroom	33% (6)	28%
Three Bedroom	44% (8)	44%
Four Bedroom +	22% (4)	21%

The application closely reflects the HLP32 requirement for all unit sizes but does not provide any one-bed market units.

However, HLP32 Policy H1 recognises that the appropriate mix for any given site will depend on site-specific circumstances (para. 126). The NPPF states that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (para. 61).

In this instance, the application site is in an edge of village location slightly more suited to larger units. The size of the housing area of the site and indicative capacity for 30 dwellings is also suited to the provision of larger units to make the most efficient use of the land. Notwithstanding, the proposed development does include 33% two bed units thereby responding to the need for younger and older people and single households (where a second bedroom may be required).

The application also proposes a self-build home on Plot 21, a two-bed chalet. Such provision is in accordance with HLP32 Policy H1d) which seeks 5% of plots for self and custom build homes on site of 20 or more dwellings. The provision of this unit can be secured as part of the necessary Planning Obligation.

With due regard to the prevailing planning policy and guidance and the site-specific circumstances, the proposed market housing mix meets the requirements and objectives of the HLP32.

Housing Quality

The design of the housing element of the application is considered in the relevant section of this report. However, all dwellings meet or exceed national spaces standards as required by HLP32 Policy H6.

Specialised Accommodation for Older People

The application proposes a 60-bed care home falling within Class C2 use. This would contain 60 individual en-suite bedrooms of between 22-30sqm in area. Communal facilities including a café, living and dining areas and a family room would be provided. There would be a two nursing stations on each floor. No staff accommodation (bedrooms) would be provided by staff facilities would include offices, changing areas and a staff room. The care home would be two floors with a total area of 3,000sqm GIA.

The applicant has advised that there is no identified operator of the proposed care home at this stage.

The HLP32 defines a care home as a residential setting where a number of people live, usually in single rooms, and have access to on-site care services. The PPG (para. 10, ref ID. 63-010-20190626) defines residential care homes and nursing homes as:

*“These have individual rooms within a residential building and provide a high level of care meeting all activities of daily living. They do not usually include support services for independent living. This type of housing can also include dementia care homes.”*

The NSAOP (para. 1.04) provides guidance on categories of specialist housing and accommodation for older people, including:

*“Residential care. Provides live-in accommodation, typically in en-suite rooms, with 24 hour-a-day supervised staffing for residents, who may need extra help and support with their personal care. For example, help with things such as washing, dressing, personal hygiene, medication, toileting, communication, feeding and mobility.*

*Nursing care. These provide 24-hour care and support, as with residential care, but with added nursing care and assistance for residents who require input from and supervision by a registered nurse, who is in situ to devise and monitor care plans and provide and administer treatment.”*

With due regard to the application submission and above definitions, the proposal is considered to be a care home/nursing home as defined in the PPG and a residential care and nursing care home as identified in the NSAOP. The applicant has confirmed that the proposed care home would fall within these categories. A planning condition is recommended to secure the proposed care home in this use.

It is important to note that the site is located within the settlement boundary and the ONWNP allocation (Policy 2vii) includes for a 60-bed care home.

The NSAOP provides advice to the Council on the need for specialised accommodation for older people within the District as further advice to the SHMA. It identifies a residual net need (at June 2021) of 58 residential care bedspaces and 232 nursing care bedspaces to 2035. The provision of 60 beds as proposed in the application would contribute to this need as supported by HLP32 Policies H1(c) and H4(a), as well as the ONWNP.

## **Pre-School Land**

ONWNP Policy 2vii (criteria e) requires 0.25 ha of land is to be provided within the site to enable the improvement of pre-school provision in the Parish. Such land is identified on the submitted proposed Site Plan (PL002 Rev E). The applicant's Draft S106 Heads of Terms identifies that this would be reserved for pre-school use.

Odiham Parish Council (OPC) advised that they were keen to work with the developer to agree the best use of this land. This is considered further below (Planning Obligations section).

The reservation of the use of the relevant land for a pre-school in the future and its interim use (as appropriate) would need to be secured by an appropriately worded S106 agreement. Subject to this, ONWNP Policy 2vii (criteria e) requiring the provision of 0.25ha or pre-school land would be satisfied.

## **Design**

The ONWNP site allocation (Policy 2vii) includes an indicative layout for the site as well as a number of policy requirements. Other key development plan design policies include HLP32 Policy NBE9, HLP06 Policy GEN1 and ONWNP Policy 5. The NPPF, NDC and BfHL provide further design policy and guidance respectively.

The applicant has submitted a Design and Access Statement which includes the proposed 'Design and Access Solution'.

The Local Planning Authorities assessment of the design is as follows:

### Layout

The proposed layout would follow that in the ONWNP in terms of general positioning of the care home, housing, pre-school land and access. The residential layout has evolved but key views would be respected, the houses would address the street and the concept of streets and residential courtyard clusters would be retained. A street hierarchy would be achieved through surfaces, widths and level changes, providing a balance between permeability and safety. The proposed care home (which is the largest building) would be positioned on a lower part of the site and also be set down. There is no built form within the identified 'important views' at ONWNP Policy 2vii. Pedestrian and cycle routes are prioritised and the site more permeable for these users by virtue of the east/west cycle and footpath at the north edge of the site and north/south connections to this from the residential clusters.

### Density

The number of dwellings proposed and size of the care home would be in accordance with the ONWNP (30 dwellings and 60 beds respectively). The greater density in the

north part of site is an appropriate response to site context as it adjoins the existing built-up area of Odiham on the north boundary.

### Building Heights

Building heights would be no more than two storeys as required by ONWNP Policy 2vii.

Some concern has been expressed by consultees and neighbours regarding the proposed heights of the dwellings. The general design approach has been to include relatively high-pitched roofs. The impact upon residential amenity is considered below. In design terms, the roofs generally extend down to the tops of first floor windows and a significant proportion would feature hipped ends, the latter assisting in reducing their bulk. Overall, the proposed dwellings would not appear unbalanced nor conflict with the ONWNP Policy 2vii building height requirement as identified above.

The proposed care home would be set down within the site as shown on the submitted visual and site sections. Thereby reducing its visual impact. The eaves height would be between 5.2-6.2m and ridge height a maximum 10m. The maximum height of the care home would be 113m AOD comparable to the proposed houses/flats which would be between 110-116.4m. The care home is two storeys and no use of the roof area is proposed. Roof level dormer windows shown on the east elevation would serve the first floor. A planning conditions could be imposed to prevent the future conversion of roof spaces to habitable accommodation.

### Appearance

The application proposes a mix of red facing and feature brickwork, white and cream render, brown, red and grey hanging and roof tiles. Roofs would be pitched, or part hipped. The use of materials and detailing has been considered in relation to a local pallet as identified in the Design and Access Statement, this leads to some visual interest in the street scenes whilst retaining continuity. General detailing would add interest without being 'fussy'.

The care home is necessarily a large building, particularly in this edge of village location. However, the building form, roof treatment and fenestration proposed would help to break up its massing and present a more domestic scale of development more in keeping with existing and proposed built form.

Further details of the materials and appearance of the proposed buildings would be required by condition in the event that the application was to be approved to ensure a high-quality design in terms of appearance (this is indicated on the street scene drawing but not on the proposed elevations).

There are some less successful elements such as an unusual arrangement to the garages to Plots 15-16 and Plots 23-26 and the appearance of the chalet bungalows which appear slightly out of keeping with other proposed properties.

However, overall, the proposed development is considered to have an acceptable appearance that would respect the character of the local area.

A detailed external lighting scheme could be secured by condition.

### Sustainability and Climate Change

The Council has declared a Climate Emergency and this is a material consideration in the determination of this application. The proposal is likely to have some impact on delivery of carbon reduction targets through the additional energy demand and emissions.

The applicant has sought to address the development's impact on climate change through the following measures:

- Orientation of buildings to be south or west facing as far as possible and efficient building fabric to improved performance over Building Regulations Part L requirements. The latter would result in an emissions reduction of 8.28%.
- Incorporation of solar photovoltaic (PV) panels with the development. This would be secured through a planning condition requiring that 20% of the development's energy demand (regulated and unregulated) would be met through PV panels.
- All homes to meet a water efficiency standard of 110 litres/person/day.
- An allowance of 40% on drainage calculations in the proposed drainage to take account of potentially more extreme weather as a result of climate change.
- Tree planting to aid carbon absorption (full details to be secured at reserved matters stages).
- Provision of 14 electric vehicle charging points (EVCP) that would also be capable of charging e-bikes.
- Pedestrian and cycle links within the site.
- Residential and care home travel plans to promote sustainable transport modes and reduce journeys by car.

The proposed development is considered to contain appropriate measures to address the climate change issue and is considered to comply with the requirements of Policy NBE9 in respect of this matter.

## Open Space

Small areas of open space would be provided adjacent to proposed Plots 12 and 23, including the provision of seating. These areas would be maintained by a management company. It is also recognised that the site is adjacent to a recreation ground which includes a play area, a pedestrian link to which would be provided.

The detailed design of the open space within the development would form part of a landscaping reserved matters submission in due course.

## Landscape

Landscaping is a reserved matter at this stage and outline information has been provided. Full details would be provided at a later stage through a future detailed reserved matters application. Existing hedgerows and trees would be retained apart from at the Alton Road access. Additional planting is proposed. The landscape plan (PL200) shows new planting on the south and west boundaries as sought in the site allocation. In response to the previous application, the Council's Landscape Officer stated that the landscape buffer should be 4.5-5m and this is applicable to the current application.

This proposed landscaping to the south and west boundaries of the site would need to be demonstrated to be a 'significant landscape buffer' at detailed landscaping stage as required by ONWNP Policy 2vii (criteria f) and sought by the Council's Landscape Officer. A landscape management plan would also be required to ensure that soft and hard landscape is properly managed and would retain its function.

New trees are proposed on the new streets with the proposed development. Details would need to be provided at reserved matters stage, but this positively responds to recent NPPF requirements in respect of tree-lined streets (para. 131).

The proposed development would not affect a public right of way and no objection has been raised by Hampshire Countryside Services.

## Design Conclusions

Overall, whilst the size and nature of the development on an agricultural greenfield site will inevitably change its character, the site is allocated for development and the proposed design follows the principles and design requirements of the site allocation in the ONWNP Policy 2vii. Further, and for the reasons given above and subject to planning conditions, the proposed development would achieve a high-quality design and positively contribute to the built form of Odiham as required by HLP32 Policy NBE9 and HLP06 Saved Policy GEN1, as well as conforming with the general design principles at ONWNP Policy 5 and achieving a well-designed place in accordance with the NPPF (Section 12) and design guidance.

In respect of climate change, the proposed measure to reduce the development's potential impact on climate change are in some case policy requirements and expectations for a development of this scale and nature. However, some measures such as the provision on EVCP and PV panels would go beyond development plan requirements and play a part in address the climate emergency.

### **Impact on Heritage Assets**

There are no designated heritage assets within the site boundary. Odiham Conservation Area (OCA) is located immediately to the east of the site boundary with Alton Road. The OCA contains two Grade II listed buildings to the east of the Alton Road: Toymakers (formerly Hill View) and Chalk Pit Cottages, approximately 15m and 30m to the east of the site boundary respectively.

The proposed development therefore has the potential to impact upon the settings of these heritage assets.

In considering whether to grant planning permission, the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires decision-makers to have special regard to the desirability of preserving the setting of listed buildings and to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

The NPPF states that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation (para. 193).

HLP32 Policies NBE8 and NBE9 reflect the provisions of the NPPF in requiring development to conserve or enhance heritage assets. ONWNP Policy 5 states that development affecting heritage assets shall respect the significance of the asset and demonstrate how local distinctiveness is reinforced. Policy 6 sets out criteria for development within the OCA and its setting.

The site lies adjacent to OCA Character Area 5 as identified in the OCACAMP, which also identifies the key characteristics of the CA. Identified key qualities of OCA Character Area 5 identified in the ONWNP (pg. 37) include: rural qualities on rising chalk downland; good views westwards over open fields westwards from Alton Road, and banks of trees making an important contribution. The ONWNP also identifies the chalk downland setting of the OCA (pg. 8) and that the landscape setting of the OCA is notable for its variety. To the south, the long views over surrounding fields particularly from Alton Road are noted (pg. 21).

There is an 'important view' directly northwest across the application site from in front of Toymakers identified in the OCACAMP Townscape Appraisal Map. There is a further important view southeast from the northwest corner of the recreation ground on

Recreation Road to which the rising ground within the application site forms the backdrop.

The ONWNP makes reference to a number of interesting historic buildings surviving at the entrance to Character Area 5 (pg. 37).

The applicant has stated that the proposed development will not cause harm to the settings of Toymakers or Chalk Pitt Cottages but that 'less than substantial harm' to the setting of OCA may arise.

Whilst the Council's Conservation Officer (CO) has raised concerns that the proposal would not, in their opinion, conserve or enhance the setting of the OCA and have also advised that they do not consider that the impact on the heritage assets affected will be neutral or benign, the development relates to an allocated development site which has been through the required Neighbourhood Plan making process and has been subject to consideration by a Neighbourhood Plan Independent Examiner. The impact of the proposed development on adjacent heritage assets was considered as part of the process but was not considered to be sufficient to weigh against the decision to allocate the site for development purposes. The Examiner commented that:

*"I am satisfied that the principle of the residential development of the site meets the basic conditions. The site has the ability to sit comfortably against the existing residential development to its north and can be sensitively incorporated into the wider landscape. The disposition of land uses as shown on the indicative layout is entirely appropriate."*

The development site is only located in close proximity to the conservation area along its eastern boundary where it is separated from the conservation area by Alton Road and a well-established landscape buffer comprising of trees and hedgerows. The built development proposed in the eastern part of the site comprises the care home, but this would be set back around 40m from the boundary of the conservation area at its nearest point.

The HCC Archaeologist has advised that the wider Odiham area is known to be rich in archaeological remains and that the application site, which is previously undeveloped, may feature unrecorded remains. No objection is raised subject to appropriately worded conditions requiring a written scheme of investigation, archaeological mitigation and recording.

Overall, it is considered that the proposal would not have any adverse impact on the character or appearance of the Odiham Conservation Area, would not harm the setting or appearance of the nearby listed buildings Chalk Pitt Cottages or Toymakers nor would it adversely impact on archaeology, subject to appropriate conditions. As such, the proposal is considered to accord with the requirements of HLP32 Policy NBE8 and Policy 6 of the ONWNP in heritage terms.



## Residential Amenity

The site is adjacent to existing residential properties at the south end of Crownfields, Recreation Road, Salmons Road and Buffins Corner. The ground level rises to the south of these properties into the site. There are residential properties located to the east of Alton Road opposite the northeast corner of the site.

HLP Saved Policy GEN1 requires development to avoid any material loss of amenity to adjoining uses nor cause material loss of amenity to adjoining residential uses through loss of privacy, overlooking or the creation of shared facilities. The NPPF requires a high standard of amenity for existing and future users (para, 127)

The respective distances (nearest) and relationships to the above properties are considered below.

- 20 Recreation Road – approximately 20m from the rear/side corner to proposed Plots 27-30. This relationship is shown on the submitted Street Scenes drawing (PL024).
- 11-12 Salmons Road – approximately 35m from the rear to the side elevation of proposed Plot 17. Plot 17 would feature one first floor window to a non-habitable room on this facing elevation.
- 4 Buffins Corner – approximately 20.5m from the front/side corner to the side/rear corner of proposed Plot 11. There are no proposed windows on the north (side) elevation of Plot 11. This relationship is shown on the submitted Additional Proposed Sections drawing (PL026).
- 15-18 Buffins Road – approximately 23m from the side elevation of proposed Plot 10. This relationship is shown on the submitted Section Thro' Proposed Footpath drawing (PL025 Rev A). There are no proposed windows on the north (side) elevation of Plot 10.

All of the above relationships would include the proposed footpath and existing and proposed soft landscaping between the respective existing and proposed properties. Further, the building relationships and above distances are not dissimilar to those in the existing residential neighbourhood in which the properties are located.

An image of the proposed development from the junction of Buffins Road/Buffins Corner has been submitted that shows how the upper parts of the proposed dwellings would be visible over soft landscaping.

On the above basis, whilst there will be a change in outlook to the above properties and those nearby but further from the site, this would not result in a material loss of amenity to them.

The properties at 13-14 Crownfields, Lycote House and those to the east of Alton Road would be between approximately 40m (the nearest part of 13 Crownfields) and 85m from the proposed care home. As identified in the design section of this assessment,

the care home would be set down within the site. Given the respective separation distances, levels and building heights, the proposed development would not result in any material loss of amenity to these properties.

Furthermore, the application site is allocated for development and should be efficiently used.

No objection has been received from the Council's Environmental Health Officer subject to conditions relating to contamination (if found), construction hours and a construction management plan. A construction management plan is also sought by the Local Highway Authority and should be provided to minimise temporary adverse impacts on residential amenity.

For the reasons identified above, the proposed development would not result in a material loss of amenity to neighbouring residential properties and meets the requirements of HLP06 Saved Policy GEN1 and the NPPF (para. 127(f)) in this regard.

### **Highways, Servicing and Parking**

The proposed development would be accessed from a new priority junction on Alton Road. The new access road would extend westwards into the site providing access to the proposed care home and then to the residential area with a reduced road hierarchy comprising a residential road, cul-de-sacs and home zone areas. New footpaths would be provided to the north of the main access/residential road and north/south through the site. A new east/west footpath would be provided on the north edge of the development.

The proposed vehicular access location is in accordance with ONWNP Policy 2vii (criteria b) which states the vehicular access to the site should be from Alton Road only.

The Local Highway Authority (LHA), Hampshire County Council, have raised no objection. The LHA have confirmed that, in highways terms, the application is identical to the previous application (19/00257/OUT) to which the LHA advised that they were satisfied that a priority junction is appropriate for the development. This would be subject to a Section 278 Agreement to construct the access.

The LHA have also previously confirmed that the access to the proposed care home within the site is satisfactory subject to a S278 design check. Some outstanding issues with the submitted travel plan have been identified by the LHA, but they conclude a positive recommendation subject to amendments to the travel plan and conditions. The design check and travel plan could reasonably be conditioned in this instance and the recommended LHA conditions requiring a construction method statement and the site access to be provided for construction purposes would also be reasonable.

The LHA have also previously noted the proposed extension of the 30mph speed limit but advised that the police would object to this. There is no objection to the application in the absence of this 30mph speed limit extension.

The NPPF (para. 109) is clear that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. No such adverse impacts have been identified. The proposal also complies with HLP32 Policy INF3 in this regard.

The applicant has advised that the proposed care home would be served by a commercial waste collection service. The Council's Joint Waste Client Team (JWCT) has raised some concerns regarding the residential (Class C3 element) of the proposal. The submitted Transport Assessment includes tracking plans for a refuse vehicle demonstrating access to all residential plots. Detailed comments are made in respect of the proposed refuse store for Plots 27-30. This is shown on Refuse and Cycle Store drawing PL030 Rev A which shows opening outward doors as requested by the JWCT. Details requested by the JWCT in respect of lighting, level access and width of pathways can reasonably be secured as part of a detailed waste collection strategy secured by condition.

In terms of vehicular parking, the PPIG requires 84 car parking spaces for the 30 dwellings proposed based on the size of the dwellings and that the site is in Parking Zone 2. A total of 94 spaces are proposed for the dwellings (including six visitor spaces) in convenient locations within garages or adjacent to dwellings as shown on the Site Plan Showing Parking Allocation drawing PL202. Cycle parking is required at two spaces per dwelling and would be provided at this level in garages and bike storage sheds.

The PPIG requires one vehicular space per four residents plus 0.5 spaces per FTE staff for the care home. Cycle parking is required at one space per six staff. The proposed 60 bed care homes would generate a need for 15 resident spaces. The applicant has stated that a maximum of 23 employees would be on site at any one time, resulting in a requirement for 11.5 spaces.

The application includes provision for 30 spaces (including x2 disabled), a delivery space and pick-up/drop-off area. A cycle store for twelve bikes would be provided.

The submitted travel plan outlines a number of measures that would seek to promote sustainable modes of transport and reduce dependency on private car use.

The site is located between 400-700m from Odiham Local Centre which would provide a walkable or cyclable option for some residents. The site is approximately 300m from Robert May's Secondary School and adjacent to a recreation ground.

In this instance with due regard to the accessibility of the site and subject a condition requiring a travel plan, the proposed vehicular and cycle parking for the residential and care home elements of the proposal is in accordance with the quantum sought in the PPIG and provides appropriate, sufficient and adequate parking as required by HLP32 Policies INF3 and NBE9(f) and HLP06 Saved Policy GEN(vii).

The ONWNP allocation of the site (Policy 2vii, criteria d) requires that a car parking/drop-off area together with bicycle parking be provided within the site to serve, via pedestrian access only, the existing pre-school building in Recreation Road. The proposed site plan shows a ten-space car park within the pre-school land, but concern is raised regarding the absence of a drop-off area or bicycle parking, contrary to the above policy. Furthermore, the absence of a drop-off area may lead to the new residential road leading to proposed Plots 27-30 being used for this purpose. Odiham Parish Council have also stated that a larger car park is required. In response, the applicant has advised that a 13-space car park can be provided.

The car park would be located on the pre-school land, the provision of which would need to be secured by legal agreement. The provision of car park to serve existing and potential future pre-school provision is part of the site's allocation, supported in principle by the Parish Council and Local Planning Authority. Whilst the specific policy requirements of ONWNP Policy 2vii in relation to a drop-off area (or explanation as to how the proposed parking would negate the need for drop-off parking) together with bicycle parking have not been met, the detailed design of the car park would need to form part of the required planning obligation.

ONWNP Policy 2vii (criteria i) requires a footpath for pedestrians and cyclists along the northern boundary of the site between Alton Road and Firs Lane. The proposed site plan (PL203 Rev E) shows a footpath and cycle path along the northern boundary of the site from Alton Road to its west boundary. The detailed design of this path could reasonably be conditioned.

ONWNP Policy 2vii (criteria j) requires a footpath for pedestrians and cyclists alongside Firs Lane, from its junction with Alton Road to the public open space at Hereford Close, to provide a pedestrian route between RAF Odiham to Robert May's School. As a footpath has already been provided alongside Firs Lane there is no outstanding requirement for this to be provided within this application.

The proposed development is therefore considered to be acceptable in terms of highways, servicing and parking matters and the proposal would accord with the requirements of HLP32 Policies NBE9 and INF3.

### **Flood Risk and Drainage**

The site is with Flood Zone 1 (the lowest risk area) and is not in a causal flooding area, surface water indicative flood problem area or groundwater flooding indicative flood problem area.

The site extends to 2.58ha and a Flood Risk Assessment and Drainage Strategy Report have been submitted. It is proposed that surface water runoff would be managed through infiltration and foul water to the existing public sewer.

One of the reasons for refusal in respect of the previous application at the site was due to it not having been demonstrated that the proposed infiltration was feasible. In this instance, infiltration testing results have been provided.

The Local Lead Flood Authority (LLFA, Hampshire County Council) has raised no objection subject to planning conditions requiring a detailed surface water drainage strategy based on the principles within the submitted Drainage Strategy Report and drainage strategy maintenance plan.

No objection has been raised by Thames Water. The Council's Drainage Engineer has raised no objection in relation to surface water flooding and ground water flooding but advised that should advise on the surface water drainage strategy. No objection has been raised by the Council's Flood Risk Management Officer.

The site is in a low floor risk area and a feasible drainage strategy has been proposed. Subject to the conditions recommended by the LLFA, flood risk will be managed such that over its lifetime, the development would not increase the risk of flooding elsewhere and will be safe from flooding as required by HLP32 Policy NBE5, ONWNP Policy 12 and the NPPF (para. 163).

### **Ecology and Trees**

The application proposes new hedgerows, native planting, bird and bat boxes and a bat corridor on the north and west boundaries. A biodiversity metric has been submitted that confirms that the development would deliver a net gain for biodiversity.

The Council's Biodiversity Officer has raised no objection to the application subject to the recommendations in the submitted Preliminary Ecological Appraisal being implemented and provision of an environmental management plan. These could reasonably be conditioned. The Biodiversity Officer would also be consulted on any future reserved matters application in relation to landscaping.

Subject to the recommended condition, the application would conserve and enhance biodiversity as required by HLP32 Policy NBE4 and the NPPF (para. 170).

The submitted Arboricultural Method Statement identifies a maximum of seven trees to be removed. Six category U dead/dying Ash trees would be felled. A category C hawthorn tree would also be felled to accommodate the proposed site access from Alton Road. Existing perimeter trees would be retained and protected where required during construction. Landscaping is a reserved matter, but additional tree planting is proposed within the site, principally on south and west boundaries and on street frontages. Full details would be provided at reserved matters stage.

No objection has been raised by the Council's Tree Officer subject to development taking place in accordance with the Arboricultural Method Statement which includes

Tree Protection Plan. This can be secured by condition. The Tree Officer would be consulted on any future reserved matters application in relation to landscaping.

Subject to the recommended conditions, the application would not adversely impact upon trees and complies with HLP32 Policy NBE9 and HLP06 Policy CON8 in this regard.

### **Planning Obligation**

As identified in the relevant sections of this report, a planning obligation will be required to secure the affordable housing and self-build dwelling in accordance with HLP32 Policies H1 and H2.

The ONWNP allocation at Policy 2viii (criteria e) requires 0.25 ha of land to be provided within the site to enable the improvement of pre-school provision in the Parish, this is included within the application proposal. This is reflective of a key 'Goal and Objective' of the ONWNP which is to ensure an adequate supply of pre-school places in the Parish (paras. 2.2 and 4.10-4.13).

As identified above, the ONWP requires a car park/drop-off area to serve the pre-school and the principle of a car park for pre-school use is agreed. A 36-space car park is sought by OPC to serve existing and future pre-school use. OPC have advised that the existing pre-school adjacent to the site are seeking to increase numbers, but current numbers are restricted due to parking limits. The existing pre-school is served by a ten-space car park and there is a future aspiration to extend the pre-school into this existing car park.

The applicant has indicated a 10-space car park within the pre-school land on the application site. Following discussions with officers and OPC, the applicant has indicated that they are willing to provide a car park of 13 spaces.

The LPA do have some concerns that a 36-space car park that would fill the majority of the pre-school land would not contribute to good place-making or the promotion of sustainable modes of transport. Notwithstanding this, it is recognised that parking is a necessary and important part of pre-school provision and additional parking is required as part of the site's allocation. It is recommended that a car park of not less than 20 spaces is provided on the pre-school land within the application site. This would reflect the initial proposal for a ten-space car park plus re-providing the ten-space car park serving the existing pre-school; this will allow the existing car park to be used for a future expansion of the pre-school if needed. The detailed design of the car park should form part of the planning obligation. It should be well landscaped. The planning obligation will also need to cover future ownership and maintenance of the pre-school land.

The provision of 30 new dwellings and a 60-bed care home would have the potential to impact upon existing infrastructure and/or create demand for existing infrastructure.

Consideration has been given to potential infrastructure requirements and any necessary planning contributions. This is with due regard to relevant development plan policies and guidance and representations made, most notably from OPC and Hampshire County Council Children’s Services Department as the Local Education Authority (LEA).

The provision of any off-site infrastructure or financial contribution must meet the requirements of the Community Infrastructure Regulations 2010 (as amended) (Regulation 122) and NPPF (para. 56). These are that they are:

- Necessary to make the development acceptable in planning terms
- Directly related to the development.
- Fairly and reasonably related in scale and kind to the development.

HLP32 Policy INF1 states: *"Where required to make otherwise unacceptable development acceptable, development proposals must make appropriate provision for infrastructure, on and off-site, and/or through financial contributions to off-site provision."*

The key overarching tests is that any contribution is necessary to make otherwise unacceptable development acceptable.

During consideration of the application, requests for contributions have been received as below:

<b>Project and Source</b>	<b>LPA Comments</b>
<p>OPC - Odiham Village Gateway Scheme</p> <p>Contribution sought for the provision of two gates on the approach to Odiham on the B3349 to notified motorists of the upcoming village and to reduce speed.</p> <p>Maximum of £4,000 (£2,000 per gate)</p>	<p>The proposed development would introduce a new junction and additional traffic onto the B3349. It is the only major development site on this approach and, as such, would be directly related to the proposals. The gates would be on the approach to Odiham from the B3349 and the provision of two gates (one on each side of the road) on this approach (only) is fairly and reasonably related to the scale and kind of the development which the LHA have identified as generating approximately 20-25 vehicle movements in network peaks.</p> <p>The ONWNP (paras. 4.6-4.9) identifies traffic management as an aim and objective, stating that although traffic signage should be kept to a minimum, it should be located as the extremities/entrances to the village.</p> <p>The application has confirmed a willingness to provide this contribution.</p>

<p>OPC – The Bridewell</p> <p>Contribution sought towards the improvement of this community building.</p> <p>£40,000 towards toilets</p>	<p>The Bridewell has recently been acquired by OPC as a community building but requires works to become more accessible and usable. OPC have identified additional toilet provision and a lift as required improvements. Additional toilet provision has been costed at £40,000.</p> <p>In response, the applicant has queried whether this level of contribution is proportionate to the proposed development. A contribution of £5,000 is offered towards improvements to the Bridewell.</p> <p>The proposed housing and care home would introduce new residents to Odiham and place an additional demand upon community services. A contribution towards community facilities is therefore necessary and directly related to the development. At this stage, a contribution of £40,000 has not been demonstrated to be fairly and reasonably related in scale and kind to the development. However, the application site is the largest of those allocated in the ONWNP such that a significant contribution would be anticipated.</p> <p>The principle of a contribution to The Bridewell is therefore agreed and it is recommended that the final level of contribution is discussed and agreed between the applicant, OPC and officers.</p>
<p>LEA - Secondary Education</p> <p>Robert Mays School</p> <p>£50,000 towards reconfiguration of ICT/computing rooms</p>	<p>The LEA have advised that the housing element of the proposed development would generate an estimated 6.3 additional secondary school children. The application site is approximately 300m from Robert May’s School and the development would place additional demand on the school’s facilities such that a contribution to secondary education facilities is necessary and directly related to the development.</p> <p>The LEA, in discussion with the School, have identified a requirement for improvements to ICT/computing facilities to assist with the School’s digital strategy. The intention is to increase capacity to 32 workstations which</p>



	<p>requires new desks, electrical and network cabling, flooring and computers. This has been costed at £50,221.21 for alterations to building and fixtures.</p> <p>The application site is the largest of those allocated in the ONWNP such that a significant contribution would be anticipated to secondary education. A specific and costed project has been identified by the School and a contribution of £50,000 towards this project from a development of 30 new dwellings is fairly and reasonably related in scale and kind to the development.</p> <p>The application has confirmed a willingness to provide this contribution.</p>
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**Other Planning Considerations**

Impact on the Thames Basin Heath Special Protection Area

The site is outside of the Thames Basin Heath Special Protection (TBHSPA) 5km zone of influence but between 5-7km from the TBHSPA. HLP32 Policy NBE3 states that residential development of over 50 net new dwellings in this area may be required to provide mitigation measures. In this instance, 30 net new dwellings are proposed. The Habitats Regulations Assessment that was prepared for the ONWNP concluded that impacts from the residential nursing care home can be reasonably excluded in terms of any impact on the fragile habitat of the TBHSPA (ONWNP para. 3.25). This conclusion would also be in line with HLP32 Policy NBE3 and with the Avoidance Strategy in respect of the potential impact that care homes would have on the TBHSPA.

As identified in this report, the proposed care home is proposed as a residential care and nursing home, and this would be secured by planning condition.

Given the above, the proposed development would not have any adverse effect on the TBHSPA in accordance with SEP Saved Policy NRM6 and HLP32 Policies NBE3 and NBE4.

Safeguarding

The site is located close to RAF Odiham and the Ministry of Defence (MoD) have therefore been consulted. No response has been received.

In response to the previous application, the MoD raised no objection subject to conditions relating to the design of infiltration features and swales to reduce the

potential for attracting hazardous birds, a bird hazard management plan and a construction management strategy including details of any tall equipment and lighting. Such conditions would reasonably relate to the current application and are recommended.

### Equality Impact

The Council has a responsibility to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. The Public Sector Equality Duty under the Equality Act 2010 identifies 'age' as a 'protected characteristic'. The proposed care home would provide accommodation for older persons and the application raises no adverse equality impact issues.

### **Planning Balance**

The provision of 30 dwellings, including affordable housing if secured, would make a contribution to the Council's housing land supply and this would support the NPPF objective of significantly boosting the supply of homes (para. 59). This is a planning and public benefit that is a significant benefit but would be given moderate weight at this time. This is because the Council can demonstrate a very robust 10.2-year housing land supply (HDC Five Year Housing Land Supply from 1 April 2020, published September 2020) and a 241% housing delivery rate (Government Housing Delivery Test: 2019 measurement, published 13.02.2020).

The provision of a self-build plot would also be a significant benefit, given the limited supply of such provision that has been secured since the adoption of the HLP32 and the demand which is indicated through the Council's Self Build & Custom Housebuilding Register.

The provision of a 60-bed care home providing specialist C2 accommodation for the needs of groups with specific housing requirements is supported by the NPPF (paras. 59 and 61). The HLP32 recognises that there is likely to be a very substantial increase in the number of older people residing within the District over the plan period. This planning and public benefit is given significant weight.

The provision of land for future pre-school use would also be a planning and public benefit. The provision of the above would also contribute to the aims and objectives of the ONWNP.

There would also be economic benefits to the local economy during the construction (temporary jobs and spending) and operational phases (employment within the care home and spending in the local economy).

Whilst the development would introduce built form on to what is currently open agricultural greenfield land, the site has been allocated as a development site through

the Neighbourhood Plan process and the appropriate balancing exercise was undertaken as part of that process.

The proposed development would not result in any harm to the designated heritage assets comprising of the OCA, the two listed buildings located on the opposite side of Alton Road from the application site and any archaeological remains which may be present at the site.

## **CONCLUSION AND RECOMMENDATION**

Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (Planning and Compulsory Purchase Act 2004 38(6) and NPPF paras. 2 and 47).

The application has been assessed against the development plan and relevant material considerations. The proposed development would be in substantial accordance with the development plan as a whole and would respond appropriately to the site's allocation in the ONWNP. It would also bring a number of public and planning benefits and, subject to completion of the necessary legal agreement and planning conditions, is recommended for approval.

### **Recommendation:**

**A. That the Head of Place be delegated authority to GRANT planning permission subject to the completion of a Planning Obligation (S106) agreement to secure: affordable housing, self-build house, pre-school land with car park and financial contributions to Odiham Village Gateway Project, The Bridewell community building and secondary education AND subject to the following Conditions:**

## **PLANNING CONDITIONS**

### 1 Reserved Matters

No development shall commence before approval of the details of landscaping of the site (hereinafter called the "reserved matter") has been obtained from the Local Planning Authority in writing.

Application for approval of the reserved matter shall be made to the Local Planning Authority before the expiration of 3 years from the date of this planning permission.

The development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved whichever is the sooner.

#### Reason

To comply with Section 92 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

### 2 Approved Plans

The development hereby approved shall be carried out in accordance with the following plans and documents:

Location Plan 18/068 PL001  
Site Plan PL002 Rev E  
Site Plan Showing Unit Designations PL201  
Site Plan Showing Parking Allocation PL202  
Site Plan Showing Road Hierarchy & Walking/Cycling Routes PL203  
Site Plan Showing with Ridge Heights PL002 Rev E  
Plans & Elevations Plot 1 PL003 Rev B  
Plans & Elevations Plot 2 PL004 Rev B  
Plans & Elevations Plots 3-4 PL005 Rev B  
Plans & Elevations Plot 5 PL006 Rev B  
Plans & Elevations Plot 6 PL007 Rev B  
Plans & Elevations Plot 7 PL008 Rev B  
Plans & Elevations Plot 8 PL009 Rev B  
Plans & Elevations Plot 9 PL010 Rev B  
Plans & Elevations Plot 10 PL011 Rev B  
Plans & Elevations Plot 11 PL012 Rev B  
Plans & Elevations Plot 12 PL013 Rev B  
Plans & Elevations Plots 13-14 PL014 Rev C  
Plans & Elevations Plots 15-16 PL015 Rev C  
Plans & Elevations Plots 17-20 PL016 Rev C  
Plans & Elevations Plot 21 PL017 Rev B  
Plans & Elevations Plot 22 PL018 Rev B

Plans & Elevations Plots 23-26 PL023 Rev A  
Plans & Elevations Plots 27-30 PL019 Rev B  
Proposed Care Home Floor Plans PL020 Rev B  
Proposed Care Home Elevations Sheet 1 of 2 PL021 Rev B  
Proposed Care Home Elevations Sheet 2 of 2 PL022 Rev B  
Street Scenes PL024  
Sections Thro' Proposed Footpath PL025 Rev A  
Additional Proposed Sections PL026  
Refuse and Cycle Store Details PL030 Rev A  
Landscape Plan PL200 Rev A

Planning, Design and Access Statement (Aspire, March 2021)  
Proposed Materials Schedule  
Affordable Housing Statement (Aspire, March 2021)  
Schedule of Accommodation  
Transport Statement (RPG, Feb 2021)  
Residential Travel Plan (RGP, Jan 2020)  
Climate Change Statement (Aspire, July 2021)  
Energy Statement (Therm Energy, April 2019)  
Flood Risks Assessment (Patrick Parsons, July 2019)  
Drainage Strategy Report (Patrick Parsons, July 2019)  
Soil Infiltration Testing (Jomas, 01.04.2021)  
Desk Study/Preliminary Risk Assessment Report (Jomas, 10.04.2019)  
Preliminary Ecological Appraisal (David Archer Associates, Jan 2020)  
Preliminary Ecological Appraisal Update (David Archer Associates, 25.01.2021)  
Preliminary Ecological Appraisal Response to Ecology Officer Comments (David Archer Associates, 14.05.2021)  
Breeding Bird Survey Report (David Archer Associates, Aug 2019)  
Arboricultural Method Statement (David Archer Associates, Jan 2020)

#### Reason

To ensure that the development is carried out in accordance with the approved plans.

### 3 Construction Management Plan

No development shall commence until a Construction Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Plan shall include details of:

- a) A programme of construction works
- b) Methods and phasing for construction works
- c) Contractor parking
- d) Arrangements for deliveries associated with all works
- e) Access and egress arrangements for any plant and machinery
- f) Locations of any temporary site buildings, compounds, construction material and plant storage areas

g) Protection of pedestrian routes during construction

The development shall take place in accordance with the approved Construction Management Plan.

Reason

To protect the amenity of nearby residential occupiers and to satisfy Hart District Local Plan (Replacement) 1996-2006 Saved Policy GEN1.

4 Surface Water Management Plan

No development shall commence until a detailed Surface Water Drainage Scheme for the site, based on the principles within the approved Drainage Strategy Report (Patrick Parsons, July 2019), has been submitted to, and approved in writing by, the Local Planning Authority. The Scheme shall include details of

- a) A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment.
- b) Detailed drainage layout drawings at an identified scale indicating catchment areas, referenced drainage features, manhole cover and invert levels and pipe diameters, lengths and gradients.
- c) Detailed hydraulic calculations for all rainfall events, including the listed below. The hydraulic calculations should take into account the connectivity of the entire drainage features including the discharge location. The results should include design and simulation criteria, network design and result tables, manholes schedule tables and summary of critical result by maximum level during the 1 in 1, 1 in 30 and 1 in 100 (plus an allowance for climate change) rainfall events. The drainage features should have the same reference that the submitted drainage layout.
- d) Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
- e) Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

The development shall take plan in accordance with the approved Surface Water Drainage Scheme.

Reason

To ensure that the proposed development would not increase the risk of flooding elsewhere, be safe from flooding and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy NBE5 and Odiham and North Warnborough Neighbourhood Plan Policy 12.

5 Archaeology

No development shall commence until an Archaeological Written Scheme of Investigation has been submitted to, and approved in writing by, the Local Planning Authority. The Scheme shall include details of

- a) A programme of archaeological assessment. The assessment should take the form of trial trenches located across the proposed development area to ensure that any archaeological remains encountered within the site are recognised, characterised and recorded.
- b) A programme of archaeological mitigation of impact, based on the results of the trial trenching.

The development shall take place in accordance with the approved Archaeological Written Scheme of Investigation.

Following completion of archaeological fieldwork, a report will be produced in accordance with an approved programme submitted by the developer, and approved in writing by the Local Planning Authority, setting out and securing appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.

Reason: To assess the extent, nature and date of any archaeological deposits, to mitigate the effect of the works associated with the development, to ensure that information regarding these heritage assets is preserved by record for future generations, to contribute to our knowledge and understanding of our past and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy NBE8.

## 6 Materials

Notwithstanding Condition 2, no above ground works shall take place until full details of proposed external materials to be used on the buildings and hard surfaces hereby approved have been submitted to, and approved in writing by, the Local Planning Authority. The details shall include materials details and elevations and plans showing where the proposed materials will be used. The development shall take place in accordance with the approved materials details.

Reason

To ensure a high-quality appearance and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy NBE9, Hart District Local Plan (Replacement) 1996-2006 Saved Policy GEN1 and Odiham and North Warnborough Neighbourhood Plan Policy 5.

## 7 Environmental and Ecological Management Plan

No above ground works shall take place until an Environmental and Ecological Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Plan will provide details of how the recommendations for enhancement within the approved Preliminary Ecological Appraisal (David Archer Associates, Jan 2020) will be incorporated into the development. The development shall

take plan in accordance with the approved Environmental and Ecological Management Plan.

Reason

To deliver ecological enhancements and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy NBE4 and Odiham and North Warnborough Neighbourhood Plan Policy 12.

### 8 Photovoltaic Panels

No above ground works shall take place until full details of the proposed photovoltaic panel have been submitted to, and approved in writing by, the Local Planning Authority. The details shall include their design, location(s) and how they will deliver a minimum of 20% of the development's energy demand (regulated and upregulated). The development shall take plan in accordance with the approved details.

Reason

To reduce the impact of the development on climate change and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy NBE9 and Odiham and North Warnborough Neighbourhood Plan Policies 5 and 12.

### 9 Surface Water Drainage System Maintenance

No part of the development shall be occupied until details of the maintenance arrangements for the surface water drainage system have been submitted to, and approved in writing by, the Local Planning Authority. The details shall include: maintenance schedules for each drainage feature type and ownership and details of protection measures. The development shall take plan in accordance with the approved details.

Reason

To ensure that the proposed development would not increase the risk of flooding elsewhere, be safe from flooding and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy NBE5 and Odiham and North Warnborough Neighbourhood Plan Policy 12.

### 10 Waste Collection Strategy

No part of the development shall be occupied until a Waste Collection Strategy has been submitted to, and approved in writing, by the Local Planning Authority. The development shall take place in accordance with the approved Strategy.

Reason

To ensure that adequate refuse storage is provided, satisfactory collection arrangements are in place and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policies NBE9 and INF3.



## 11 Care Home Travel Plan

The care home hereby approved shall not be occupied until a Care Home Travel Plan has been submitted to, and approved in writing, by the Local Planning Authority. The development shall take place in accordance with the approved Plan.

### Reason

To promote sustainable transport and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy INF3.

## 12 Contamination Watching Brief

During construction, in the event that contamination not previously identified is found to be present, development on that part of the development shall be stopped immediately and details of the contamination shall be reported immediately in writing to the Local Planning Authority.

Development shall not re-start until the following details have been submitted to, and approved in writing by, the Local Planning Authority:

- a) A scheme outlining a site investigation and risk assessments designed to assess the nature and extent of any contamination on the site.
- b) A written report of the findings to include: a description of the extent, scale and nature of contamination, an assessment of all potential risks to known receptors, an update of the conceptual site model (devised in the desktop study), identification of all pollutant linkages and, unless otherwise agreed in writing by the Local Planning Authority, and identified as unnecessary in the written report, an appraisal of remediation options and proposal of the preferred option(s) identified as appropriate for the type of contamination found on site and (unless otherwise first agreed in writing by the Local Planning Authority).
- c) A detailed remediation scheme designed to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment. The scheme should include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and a verification plan outlining details of the data to be collected in order to demonstrate the completion of the remediation works and any arrangements for the continued monitoring of identified pollutant linkages;

Before any part of the development is occupied or used and, a verification report demonstrating the effectiveness of the remediation works carried out and a completion certificate confirming that the approved remediation scheme has been implemented in

full in that development phase shall be submitted to, and approved in writing by, the Local Planning Authority.

The above site works, details and certification submitted shall be in accordance with the approved scheme and undertaken by a competent person in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

#### Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy NBE11.

#### 13 Arboricultural Method Statement Compliance

The development shall take place in accordance with the recommendations and measure in the approved Arboricultural Method Statement (David Archer Associates, Jan 2020).

#### Reason

To protect existing trees and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy NBE9 and Hart District Local Plan (Replacement) 1996-2006 Saved Policy CON8.

#### 14 Energy Assessment Compliance

The development shall take place in accordance with the measures in the approved Energy Statement (Therm Energy, April 2019). For the avoidance of doubt, this includes the emissions reductions at Table 3 of the Statement.

#### Reason

To reduce the impact of the development on climate change and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy NBE9 and Odiham and North Warnborough Neighbourhood Plan Policies 5 and 12.

#### 15 Sustainable Water Use

All new dwellings within the development must meet the water efficiency standard of 110 litres/person/day.

#### Reason

To reduce water demand in to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy NBE7.

## 16 Provision and Maintenance of Vehicular and Cycle Parking

The approved parking facilities for vehicles (including electric vehicle changing points) and cycles for the approved dwellings and care home as identified on drawing no. Site Plan Showing Parking Allocation PL202 shall be provided prior to occupation of any part of the development, or in accordance with any phasing programme subsequently agreed with the Local Planning Authority, and shall not be used for any purpose other than the parking of vehicles and cycles and access shall be maintained at all times to allow them to be used as such.

### Reason

To ensure that the development is provided with adequate parking to prevent the likelihood of on-street car parking and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policies NBE9 and INF3, Hart District Local Plan (Replacement) 1996-2006 Saved Policy GEN1 and North Warnborough Neighbourhood Plan Policy 5.

## 17 Care Home Use

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any order revoking and re-enacting that Order with or without modification, the care home hereby approved shall only be used as a residential care home and nursing home within Class C2 Residential Institutions of the Town and Country Planning (Use Classes) Order 1987 (as amended).

### Reason

To ensure that the development is carried out in accordance with the assessments and to satisfy North Warnborough Neighbourhood Plan Policy 2(vii).

## 18 No Accommodation at Second Floor Level

Notwithstanding Schedule 2, Part 1, Class AA and Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting this Order with or without modification) no upward extensions or enlargements of the dwellinghouses hereby approved consisting of additions or alterations to their roofs shall be carried out without the prior written approval of the Local Planning Authority.

### Reason

In order to protect the character and appearance of the Odiham Conservation Area, to ensure that the development is carried out in accordance with the submitted assessments and to satisfy North Warnborough Neighbourhood Plan Policy 2(vii).

## 19 Construction Hours

No development, working on the site or delivery of materials shall take place at the site except between 07:30 hours to 18:00 hours weekdays or 08:00 to 13:00 hours

Saturdays. No development, working on the site or delivery of materials shall take place on Sundays, Bank Holidays or Public Holidays.

Reason

To protect the amenity of nearby residential occupiers and to satisfy Saved Policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006.

**OR**

**B. If by 11.11.2020 the Planning Obligation has not been progressed to the satisfaction of the Head of Place then the Head of Place is delegated authority to REFUSE planning permission for the following reasons:**

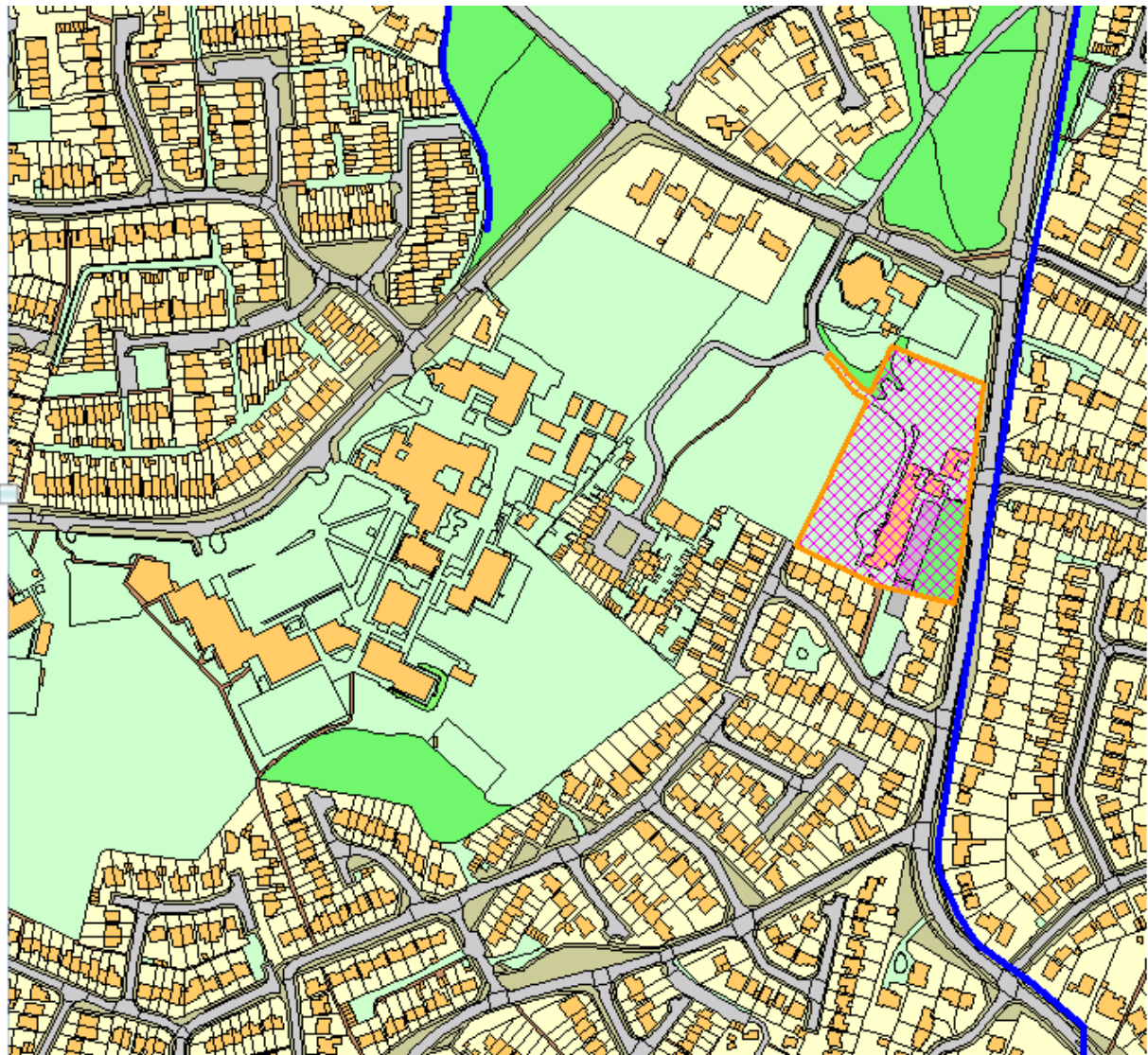
1 The proposed development does not make adequate provision for the provision of affordable housing. As such, the proposal is contrary to Policy H2 of the Hart Local Plan (Strategy and Sites) 2032, Policy 4 of the Odiham and North Warnborough Neighbourhood Plan and the aims of the National Planning Policy Framework.

2 The proposed development does not make adequate provision for the provision of pre-school land. As such, the proposal is contrary to Policy 2vii (criteria e) of the Odiham and North Warnborough Neighbourhood Plan.

3 The proposed development does not make adequate provision for the provision of infrastructure, including community infrastructure, local highway/transportation mitigation and environmental enhancements. As such, the proposal is contrary to Policy INF1 of the Hart Local Plan (Strategy and Sites) 2032.

## COMMITTEE REPORT

APPLICATION NO.	21/01145/FUL
LOCATION	<b>Yateley Hall Firgrove Road Yateley GU46 6HJ</b>
PROPOSAL	Change of use from an office (Land Use Class E – formerly B1a) to a school (Land Use Class F1 – formerly D1), cycle storage and associated new hard landscaping in parking areas.
APPLICANT	Ms Moorby
CONSULTATIONS EXPIRY	16 July 2021
APPLICATION EXPIRY	30 July 2021
WARD	Yateley West
RECOMMENDATION	<b>Grant, subject to planning conditions.</b>



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## **BACKGROUND**

This application been referred to the Planning Committee for determination at the discretion of the Head of Place.

## **SITE DESCRIPTION**

The application site is located to the west of Firgrove Road. Yateley Hall is a Grade II\* listed building, and the site also contains other buildings (the Cottage and the Coach House). The last lawful use of the site was as offices but the business occupying the premises vacated them in mid-2020.

The site (with an area of 1.2ha) extends up to the Ha-Ha and is accessed via a residential road to the Calcott Park Estate, past St Swithun's Church, Firgrove Road. It is located within the settlement of Yateley, in the Yateley Green Conservation Area.

The nearest neighbouring residential properties are those located in Wisteria Lane and Calcott Park. The existing car park is located adjacent to the Cottage and the Coach House. An ornamental pond with garden is located to the east of the Hall fronting Hall Lane and to the rear (west) is the parkland and Ha-Ha with its long views across Calcott Park towards School Lane.

## **PROPOSAL**

Planning permission is sought for the change of use of the application site from office (falling into Use Class E – formerly B1a) to a school (falling into Use Class F1).

No external or internal alterations to the buildings are proposed. The only external works (to the grounds) that are proposed are the installation of cycle parking (Sheffield style stands) and car parking re-arrangements to provide two disabled spaces and the marking of the spaces on the ground.

Note: The application form states there would be new hard standing, however the applicant has confirmed in writing that no new hardstanding would be installed.

## **RELEVANT PLANNING HISTORY**

14/00437/FUL – Granted, 30.04.2014

Change of use of buildings from vacant office space (Class B1) to nursing home (Class C2) for up to 38 residents; associated alterations to grounds including new railings and gates and new hard landscaping.

14/00438/LBC – Granted, 11.04.2014

Hydraulic and platform lifts, provision of a laundry and caretaker's flat and a catering kitchen for residents.

12/01318/MAJOR – Granted, 11.10.2012

Change of use of buildings from vacant office space (Class B1) to residential school (Class C2) with ancillary element of day school provision; associated alterations to grounds including new railings and gates and new hard and soft landscaping.

12/01317/LBC – Granted, 11.10.2012

Internal alterations including removal of modern partitions, insertion of new partitions, insertion of new en-suite facilities and insertion of glazed entrance screen.

88/16393/FUL – Granted, 04.12.1991

Change of use of former school to Class B1 (office use) including first floor extensions, conversion of carriage house known as Drive Cottage to garaging plus parking in ground. Erection of 53 dwellings, plus garaging.

## **CONSULTEES RESPONSES**

### Yateley Town Council

Objection.

Insufficient information for Members to be able to be in a position to support this application. In particular, more information is required on:

- Children's safeguarding in relation to the lack of fence within the application and, should a fence be erected, how the ha-ha on the boundary will be protected.
- How access to the car park will be made.
- Managing the increased volume of school and work traffic and to complete a further traffic survey in normal traffic conditions.

### Hampshire County Council (Highways)

No objection (summary)

- The applicant has provided an additional transport note in response to my initial consultee letter. This note now includes a PICADY junction assessment of the Calcott Park / Firgrove Rd junction as was requested. Traffic counts were undertaken on the 22 April 2021 and it has been previously agreed that the observed counts would be uplifted by a growth factor based on Department for Transport (DfT) data for that date and pre pandemic counts which has occurred.
- The junction modelling results demonstrate that the assessed junctions will operate within capacity with the development traffic added. This is an acceptable approach to highways development planning.
- Having regard to the above Hampshire County Council highways development planning would now be able to provide a positive recommendation to the planning authority.

### Hampshire County Council (Local Lead Flooding Authority)

No objection, subject to a condition(summary)

- Investigation of existing drainage system up to its outfall with the intention to re-use existing connection. Any required improvement to the system should be carried out. Evidence of agreement from asset owner to re-using existing connections for surface water disposals should be submitted to the LPA.

### County Archaeologist

No objection

### Conservation/Listed Buildings Officer (Internal)

No objection in principle on heritage grounds (summary).

- The 'in principle' support on heritage grounds for this use is wholly dependent on what changes (development) is included in this application to facilitate the change of use proposed.
- I agree that the use appears to be a viable one and a fairly benign one in terms of impact
- If any works or development are considered by the applicant to be fundamental to their ability to utilise the building for the change of use being sought, then realistically these elements should form part of a more comprehensive, up front, submission.
- I am of the opinion that the development proposed to provide 12 cycle racks will not have a detrimental impact on the setting or the listed buildings or the Local List RPG. I highly recommend that a condition is applied to secure, as a reserved matter, precise details of the Sheffield Style bicycle racks.
- I am of the opinion that the development proposed to provide two disabled spaces will not have a detrimental impact on the setting or the listed buildings or the Locally Listed RPG.
- I have also considered the impact of the development proposed on the significance of the conservation area and again I am of the opinion that, in heritage terms, the impact of the development proposed would be benign and would not adversely affect either its character or its appearance.

### Historic England

- We do not wish to offer any comments. Seek the views of your specialist conservation advisers.

### Environment Agency Thames Area

- We regret that Thames Area Sustainable Places is unable to provide a detailed response to this application at this time. We are currently only providing bespoke responses to the highest risk cases.
- Development proposals should be safe for the lifetime of the development and should not increase flood risk to surrounding areas in line with NPPF paragraphs 160 and 163.

### Drainage (Internal)

No objection.

- Hampshire County Council should comment on this application as the Lead Local Flooding Authority. The proposed development is a change of use and does not include any external alteration to the existing buildings and therefore it is unlikely that surface water flows and flood risk would be altered or increased.

### Tree Officer (Internal)

No objection.

### Hampshire County Council (Education Officer)

No response received.



## Environmental Health (Internal)

### No objection. (summary)

- The submitted Noise Impact Assessment by Sound Barrier Solutions Limited dated 28th June 2021 notes that the application involved is a change of use of the buildings to a school only. No physical alterations to the buildings, including new plant, are proposed as part of the change of use application.
- The nearest residents' homes and their gardens are located along Wistaria Lane and represent the worst-case scenario. An ambient noise survey was undertaken at Yateley Hall from 15:00 on 22nd June to 14:00 on 24th June 2021 close to the rear garden boundary of 30 Wistaria Lane.
- Assumptions made for the software model as detailed in the section about Simulating Break-Time Noise are reasonable and are corroborated based on observations made as part of the noise survey at Hurst Lodge School.
- In terms of cumulative noise impact, all results indicate a barely perceptible change with minor expected impact, and this corresponds with the lowest observed adverse effect level. In terms of the impact of façade specific and garden specific noise levels, these are all predicted to be below the thresholds of 45dB(A) LAeq,1hr and 50dB(A) LAeq,1hr derived from BS8233:2014.
- As the report has carefully considered the worst-case assumptions, I consider that provided the school external areas (both the front lawn and tarmac area) are managed effectively and in accordance with the numbers indicated in the report then any impacts will be low.
- I would only recommend that the internal noise levels within the premises could meet the BB93: acoustic design of schools - performance standards. Please note this would not be a condition, however, there could be an informative.

## **NEIGHBOUR COMMENTS**

The statutory requirements for publicity, as set out in the DMPO 2015 (as amended) are in this case the display of a site notice and a press advert. The Council's SCI has now been amended so that we are only required to carry out the statutory publicity requirements. The 21-day public consultation expired on 28.05.2021. At the time of writing the officer's report, 97 public representations had been received. 65 of them in support of the proposal, 29 in objection and 3 neutral representations. The summary of grounds of objection are below.

- Additional traffic is excessive (drop -off and pick-up times)
- There is already a large comprehensive, junior, infants' school and 2 nurseries nearby.
- Narrow access to Yateley Hall needs improving.
- The access road forks, which can cause a danger of collision at busy times.
- Parking around the park should not be used by anyone attending the school.
- Noise pollution arising from cars and attendees.
- Limited length of footpath on the entry road to Calcott Park makes it necessary for pedestrians to walk in the road, it is an accident waiting to happen.
- Alternative access route into the site is required to reduce traffic using Calcott Park.
- Proposal may result in lack of privacy and security for Calcott Park residents.

- Conversion of Yateley Hall into a school would cause significant disruption with heavy lorries and deliveries.
- Grounds within the Hall seem small for children to get fresh air at break/lunch time, any plans to use Calcott Park?
- There is no fencing from the Hall to the parkland to restrain pupils from wandering at break times.
- Junction from Firgrove Road into Calcott Park and Hall has proven to be a tricky negotiation with a dangerous bend.
- Old residents from Calcott Park drive, walk and even use wheelchairs down the main entrance, which is now a concern.
- Most comments in favour are from non-Yateley residents.
- Loss of privacy
- Limited car parking in the area.
- Recent traffic monitoring was conducted, the data is flawed and deceitfully misleading.
- Yateley Hall offers no sports field, no hall facilities, no playground and lack of security.
- There is no need for this school in this area.
- Proposed transport solutions are pure speculation.
- Use of the Hall for a school would make it impossible, at peak times, to get in/out of Calcott Park development.
- Traffic survey undertaken during Easter school holidays and national lockdown.
- Children walk to school and cross the entrance to Calcott Park each morning; the increase of traffic would be a safety risk.
- Safeguarding of children at the school.
- Travel plan mentions 106 students will be attending, yet the government website states that there are currently 250 pupils. Is the plan to start with 106 pupils and then move the rest over at a later date?
- No positive impact to the local community, school is privately funded and is transferring jobs rather than creating them.

## **CONSIDERATIONS**

1. Planning Policy.
2. Principle of Development.
3. Change of use.
4. Heritage Assets.
5. Impacts on neighbouring amenity.
6. Drainage/flooding.
7. Highways/Transport.
8. Climate Change and Equality.
9. Planning Balance

### **1. PLANNING POLICY**

The relevant plan for Hart District is the Hart Local Plan: Strategy and Sites 2016-2032 (HLP32), the saved policies of the Hart District Local Plan (Replacement) 1996-2006 (DLP06). The adopted and saved policies are up-to-date and consistent with the NPPF (2021).

It is noted that the Yateley, Darby Green and Frogmore Neighbourhood Plan 2020-2032 is in draft form, therefore it is not yet part of the Development Plan, but it is a material consideration as the application site falls within the neighbourhood area.

## Hart Local Plan - Strategy and Sites 2016-2032 (HLP32)

SD1 - Sustainable Development  
SS1 - Spatial Strategy and Distribution of Growth  
ED2 - Safeguarding Employment Land and Premises (B-use Classes)  
NBE2 - Landscape  
NBE5 - Managing Flood Risk  
NBE8 - Historic Environment  
NBE9 - Design  
NBE11 - Pollution  
INF3 – Transport  
INF5 – Community Facilities

## Saved Policies of the Hart District Council Local Plan (Replacement) 1996 - 2006 (HLP06)

GEN1 - General Policy for Development  
GEN2 - General Policy for Changes of Use  
CON8 - Trees, Woodland & Hedgerows: Amenity Value  
URB19 - Yateley Conservation Areas

## Draft Yateley, Darby Green and Frogmore Neighbourhood Plan 2020-2032 (YDFNP)

Policy YDFNP1 - Sustainable Development  
Policy YDFNP2 – Limiting Climate Change  
Policy YDFNP6 – Development Affecting Conservation Areas  
Policy YDFNP9 – Flood Risk  
Policy YDFNP10 – Community Facilities  
Policy YDFNP15 – Promoting Active Travel

### Other relevant material considerations

National Planning Policy Framework 2021 (NPPF)  
Planning Practice Guidance (PPG)  
Section 66(1) and 72 of the Planning (Listed Building and Conservation Areas) Act 1990  
Yateley Green Conservation Area Character Appraisal and Management Proposals (2011)  
Parking Provision Interim Guidance (2008)

## 2. PRINCIPLE OF DEVELOPMENT

The application site is located within the urban settlement boundary of Yateley as defined by the HLP32. Policy SD1 is a general policy that states that when considering planning applications, the Council will apply the presumption in favour of sustainable development; this policy mirrors the requirements of the NPPF.

Saved policy GEN2 of the HLP06 allows changes of use of buildings provided that neither the proposed conversion nor its access and servicing arrangements are detrimental to the character or setting of the building or adjoining buildings. The building should be of permanent and substantial construction and capable of conversion without major or complete reconstruction.

The proposal therefore being within a settlement boundary and making use of an existing permanent building without affecting its fabric would comply with the above requirements. However, the loss of the existing office use of the site is also a consideration to determine acceptability in principle.

The site was last in a lawful employment use. The proposal must be assessed against adopted policy ED2. The site is not identified in the Development Plan as a “designated employment site”.

Policy ED2 provides for changes of use or redevelopment of land or buildings on undesignated employment sites. It indicates that they would only be supported if it can be demonstrated that:

- a) market signals indicate that the premises/site are unlikely to be utilised for employment use; or
- b) the site is not appropriate for the continuation of its employment use due to a significant detriment to the environment or amenity of the area.}

This submission is accompanied by a marketing summary. The property was placed on the market in November 2019 for let or for sale and was listed on websites (Campbell Gordon – Commercial Estate Agents, Rightmove and Costar – Commercial Property Search Website).

The marketing campaign lasted 16 months and the applicant was the only party interested in taking the lease of the premises. Over the period of the marketing campaign only 10 leasehold applicants had requirements which matched the size and location characteristics of the building. Of those 10 only 1 (other than the prospective tenant) proceeded to view the building but did not progress towards taking a lease because the configuration was decided to be too fragmented to occupy the site in the fashion of a modern office. No approaches were received to purchase the property for occupation as an office building.

The re-use of the subject site/buildings is also within the spirit of paragraph 123 of the NPPF 2021 which states that Local Planning Authorities (LPA) should take,

*‘a positive approach for alternative uses of land which is currently developed but not allocated for a specific purpose in the plans. LPA should support proposals that make effective use of sites that provide community services such as schools...’*

Therefore, given the robust marketing that has been carried out and the lack of viable interests in the premises, Planning Officers are satisfied that the policy requirements have been complied with. On this basis the principle of development would not conflict with the requirements of policy ED2 of the adopted HLP32 and the loss of the office employment use on the site is not objected to. It should be noted that the proposed school use is a form of employment albeit not the traditional office type use.

### 3. PROPOSED LAND USE

Policy INF5 of the HLP32 allows for the provision of new community facilities or the improvement of existing facilities, where they enhance the sustainability of communities. It states that new community facilities will be permitted where (relevant criteria below):

- They are sustainably located and accessible by sustainable transport modes;
- They will not result in an adverse impact on the use of existing facilities within the local area.

The NPPF (2021) paragraph 95a requires LPA to give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications.

Policy YDFNP10 of the emerging Neighbourhood Plan supports the provision of community facilities that accord with other policies of the neighbourhood plan as long as they do not pose unacceptable impacts to neighbouring residential amenity and the highway network.

The proposed use of the site as a school would be regarded, in planning terms, as a community facility. The location of the site is within the settlement boundary and at a 7-minute walk from the village centre. There are bus routes running along Hall Lane and also along Reading Road in the village centre. Thus, the site is sustainably located.

The proposal would not affect other similar community facilities in the locality despite the area having a good provision of educational facilities. The assessment on residential amenity and highways is undertaken in subsequent subheadings within this report.

It should also be noted that the site was in educational use prior to 1991 before the use of the land was changed to offices. The Council, in 2012, also granted planning permission for change of use from vacant offices to provide a residential school with an ancillary element of day school provision. These facts provide an indication that the land use proposed has previously taken place on the land and has been considered to be a suitable land use for the subject site and its location.

Therefore, in land use terms, the proposal would be acceptable and in compliance with policy INF5 of the HLP32, NPPF objectives and policy YDFNP10 of the emerging Neighbourhood Plan.

#### 4. HERITAGE ASSETS

Adopted Policy NBE8 states that development proposals should conserve or enhance heritage assets and their settings, taking account of their significance.

Paragraph 190 of the NPPF states that LPA's should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

The Yateley Green Conservation Area Character Appraisal identifies Yateley Hall as the most important historic building in the Conservation Area which sits in a significant historic park and garden. Furthermore, one of the negative features / issues clearly stated in the Character Appraisal is the '*continued vacancy of the Hall, and the urgent need to find a new beneficial use for it before it starts to deteriorate*' which appears to be a re-occurring situation with this site.

The proposal would bring the existing Grade II\* Listed building into use, which is a positive element of the proposal for the preservation of the heritage asset. The submission states that no internal/ external alterations would be carried out to the building, which is another positive aspect towards the preservation of the heritage asset.

In terms of the Yateley Green Conservation Area, the change of use proposed would not have any impact on the character and appearance of the Conservation Area either.

The Council's Conservation Officer has raised no objection to the proposal based on the fact that the operational development proposed is limited to the provision of a bicycle rack and the provision of two disabled parking spaces, which would not represent any material

harm to heritage assets. However, a planning condition would be suggested to request details of these elements of the proposal to ensure that appropriate materials and appearance are utilised/achieved.

Furthermore, the applicant has agreed to install 2 dual electric charging points in the car parking area. These features would also be at a distance from the heritage asset and there are opportunities for a discreet installation of the equipment. This would be the subject of a planning condition to ensure a suitable location within the car parking area.

The proposed development therefore would be in compliance with policy NBE8 and NBE9 of the HLP32, saved policy GEN1 of the HLP06, the NPPF and policy YDFNP6 of the emerging YDFNP.

## 5. IMPACTS ON NEIGHBOURING AMENITY

Policy NBE11 supports development that does not give rise to, or would be subject to, unacceptable levels of pollution (e.g. noise)

Saved policy GEN1 supports development that, among other requirements, cause no material loss of amenity to adjoining properties.

NPPF 2021 paragraph 130 advises that planning decisions should ensure that developments achieve a high standard of amenity for existing and future users that do not undermine community's quality of life.

Some of the public representations received raised concerns about potential impacts from the proposal as a result of noise, loss of privacy and security.

There have also been concerns raised about the fact that the application site does not feature a boundary fence along the eastern boundary of the site, which adjoins the green areas surrounding Calcott Park.

In terms of noise, the application was accompanied by a technical report dealing with noise. The report considers the location of the closest properties located along Wistaria Lane as the worst-case scenario. Computer noise modelling was used to produce a calibrated model of the Break-time noise sources, and to predict the specific and ambient noise levels in the gardens and at the most exposed ground and first floor facades of properties on Wistaria Lane during break-time at Yateley Hall.

The report describes the phased break-time period between 12:30pm-13:30pm daily. 60 older pupils would use part of the lawn area to the west of the site, however as each pupil will only have 35 minutes of break-time, it is estimated that the maximum number on the lawn at any time would be a maximum of 40 pupils. The remaining younger pupils will have break-times on the tarmac area between the Coach House and the Cottage.

The Environmental Health Officer has advised that the report has carefully considered the worst-case assumptions. It considers that provided the school external areas (both the front lawn and tarmac area) are managed effectively and in accordance with the numbers indicated in the report, noise impacts would be low. As such no concerns are raised in terms of noise pollution.

Furthermore, in terms of loss of privacy and security for adjoining occupiers, the proposed use of the subject site as a school, would not have any impact on privacy/security of adjoining properties. The nearest residential properties in Wistaria Lane feature dense

hedging/trees along the shared boundary and therefore the use of the grounds by pupils during break time would not impact on these adjoining properties in any way, the pupils themselves are required to be in secured grounds. Also existing limited views between buildings at first floor level is an existing situation, regardless of the use of the building. Hence, no concerns are raised in these respects.

Lastly, with regards to the lack of fencing along the eastern boundary of the site and concerns that pupils would leave the application site to wander in the surroundings, the information submitted states that the school would use ribbons/rope to demarcate the play area, so pupils are able to visualise the boundary and, along with 4 supervisors at break times, students understand and abide by the colour ribbon/rope system in place. It has also been stated that there are intentions to use planting to create a soft boundary (in the long term) to ensure that children have a safe/secure environment.

Therefore, no material impacts to residential amenity of adjoining properties are anticipated and the proposal would comply with the objectives of policy NBE11 of the HLP32, saved policy GEN1 of the HLP06 and paragraph 130 of the NPPF in these respects.

## 6. DRAINAGE/ FLOODING

Adopted policy NBE5 (Managing Flood Risk) sets out five criteria when development would be permitted, in this case the applicable criteria are:

- Over its lifetime it would not increase the risk of flooding elsewhere and will be safe from flooding;
- If located within an area at risk from any source of flooding, now and in the future, it is supported by a site-specific flood risk assessment and complies fully with national policy including the sequential and exceptions tests where necessary;
- Within Causal Areas (as defined in the SFRA) all development takes opportunities to reduce the causes and impacts of flooding;

Flood mapping indicates that the application site falls within Flood Zones 1, 2 and 3. The change of use proposed, in flooding terms, would result in the flooding classification of the site changing from 'less vulnerable' to 'more vulnerable' as per information contained in the NPPF 2021.

The development proposal was accompanied by a Flood Risk Assessment; however it should be noted the proposal would neither change existing site levels nor is any drainage infrastructure proposed. The statement demonstrates that a safe dry access route can be achieved from the development outside the 1 in 100-year flood level and that finished floor levels would be at least 300mm above the 1 in 100-year plus climate change level.

The Environment Agency (EA) was consulted on this application and responded stating that they are unable to provide a detailed response on this application as they are focusing on providing bespoke responses to highest risk cases. This implies that despite the change of use proposed on the subject site being classified as 'more vulnerable' in the NPPF 2021, it would not be one of those highest risk cases that the EA is focusing on.

Also, the Local Lead Flooding Authority raised no objection to the proposal acknowledging that the proposal was unlikely to change surface water flows within the site. They, however, suggested a condition for the applicant to investigate existing drainage system to undertake improvements. Planning Officers consider unreasonable the imposition of such a condition, the reason being that the development does not propose any alteration to the

current conditions of the site, nor any drainage infrastructure within or outside the site. The current use on the building could accommodate a similar or higher number of office workers making use of the same drainage infrastructure on the site.

It is also worth mentioning that the planning history of the site demonstrates that two previous planning permissions for changes of use, one for a residential school and the other for a care home, were accepted on flooding grounds. The flooding considerations of these proposals remain the same as no operational development is proposed.

Thus, given the above, the proposal subject to this application is acceptable and in compliance with objectives of policy NBE5 of the HLP32, the NPPF and policy YDFNP9 of the emerging YDFNP.

## 7. HIGHWAYS/TRANSPORT

Adopted policy INF3 states that development should promote the use of sustainable transport modes prioritising walking and cycling, improve accessibility to services and support the transition to a low carbon future.

Saved policy GEN1 supports development that do not give rise to traffic flows on the surrounding road network, which would cause material detriment to the amenities of nearby properties and settlements or to highway safety.

NPPF 2021 paragraph 111 advises that Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

This application attracted a high level of public concerns with regards to traffic generation and highway safety along the access road. The submission was supported by a Transport Statement (TS) that has been assessed by the Local Highway Authority (LHA).

The TS mentions that adjoining highways were visited on 6<sup>th</sup> April 2021 to establish local highway conditions. However, the LHA has confirmed that traffic levels during April 2021 are unlikely to be representative of the expected traffic generation in future months or years.

The LHA has stated that the proposal would generate a net increase of 179 vehicle trips in the AM peak hour (0800-0900 hrs) over the office use. Nevertheless, the LHA considered that the methodology used to determine vehicle trips from the proposal was acceptable. The applicant was requested to undertake a junction assessment at Calcott Park/Firgrove Road to ensure that it would operate within capacity at the morning peak time.

The junction assessment at Calcott Park/Firgrove Road was undertaken, using information from a count survey carried out on 22<sup>nd</sup> April 2021 at peak times. Since the numbers are not representative of normal traffic conditions as a result of on-going COVID pandemic travel restrictions, the applicant and the LHA agreed that a growth factor (based on Department for Transport data) should be applied to uplift the survey data to achieve pre-COVID traffic levels.

The junction assessment was undertaken using the uplifted survey data (2021 based scenario) and a scenario adding the traffic generation of the development proposed. The assessment results indicated that the Calcott Park/Firgrove Road junction would operate within capacity in both scenarios (pre/post development). The impact of the development



on the junction would result in imperceptible increases in queues. The LHA accepted the results and are satisfied that the development would not result in severe impacts to the highway network.

The LHA has not raised concerns in terms of pedestrian infrastructure/crossings or highway safety along Calcott Park, Firgrove Road or other adjoining highways. Therefore, the proposed change of use would be acceptable on highway grounds. The submission was accompanied by a school travel plan, which was also made available to the LHA, and no concerns were raised in this respect.

On this basis, therefore, the proposed change of use is in accordance with the objectives of policy INF3 of the HLP32, saved policy GEN1 of the HLP06 and paragraph 111 of the NPPF 2021.

## 8. CLIMATE CHANGE AND EQUALITY

On 29.04.2021 Hart District Council agreed a motion which declared a Climate Emergency in the Hart District.

HLP32 policy NBE9 requires developments to be resilient and aims to reduce energy requirements through carbon reduction and incorporation of energy generating technologies, where appropriate.

In this instance the proposal does not involve any operational development (i.e. construction of buildings or extensions). The land use proposed would make use of the Grade II\* listed building as it stands without any modification to the fabric or infrastructure it contains. Also, the fact that the existing building is a heritage asset of importance, the incorporation of green technologies would be likely to have an impact on the character/appearance and significance of this Grade II\* Listed Building.

The fact that this heritage asset would be reused by the applicant, rather than finding a different site and build a new building(s) for the school, would greatly contribute towards sustainability objectives. Historic England's approach to climate change seeks to look at how re-using existing historic building stock, rather than rebuilding, would help meet ambitious carbon targets. Re-using the historic building stock also saves energy and carbon dioxide through better maintenance, management and simple energy efficiency measures in the daily operations/activities within the buildings.

In terms of Equality, The Equality Act 2010 legally protects people from discrimination in society. It replaced previous anti-discrimination laws (Sex Discrimination Act 1975; Race Relations Act 1976 and Disability Discrimination Act 1995) with one single Act. The public sector Equality Duty came into force on 05.04.2011 In Section 149 of the Equality Act. It means that public bodies have to consider all individuals when carrying out their day-to-day work in shaping policy and delivering services.

Due regard is given to the aims of the general Equality Duty when considering applications and reaching planning decisions in particular the aims of eliminating unlawful discrimination, advancing equality of opportunity, and fostering good relations between those who share a protected characteristic and those who do not share it.

The use of the site as a school by the applicant, would allow an independent co-educational day school to operate on site and fulfil educational needs to all its pupils of which a proportion require extra support for special educational needs and/or disabilities. The assessment and recommendation to grant permission for this application would not

result in any unlawful discrimination.

## 9. PLANNING BALANCE

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. An important material consideration is subsection d) of Paragraph 11 of the NPPF, wherein the 'tilted balance' would apply if the adopted development plan has no relevant policies or relevant policies are out of date.

The LPA has carefully considered the character/appearance and significance of the Heritage Asset, great weight has been given to the heritage asset's conservation, as per the requirements of paragraph 199 of the NPPF 2021.

In this case, it has been identified by the Council's officers that no harm to the heritage asset or its significance would arise from the change of use proposed. Therefore, the heritage balancing exercise required by the NPPF is not engaged as it is only applicable when a development proposal leads to harm to the significance of the heritage asset.

It is, nonetheless, important to note the public benefits which would arise from this proposal, they are as follows:

- Social benefits would arise as a result of the provision of an educational facility in the district;
- Economic benefits attracted, from any additional employment generated (in addition to the employment that would be transferred into the district), are limited in nature and resulting in additional expenditure in the local economy following occupation.
- Environmental benefits arising would be as a result of re-using an existing PDL site in the settlement, which would contribute to the preservation and management of the historic buildings.

The delivery of educational establishments is an important social objective set out in paragraphs 95a and 123 of the NPPF 2021 which each state, respectively:

*'It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:*

*give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications.'*

*'LPA should take a positive approach for alternative uses of land which is currently developed but not allocated for a specific purpose in the plans. LPA should support proposals that make effective use of sites that provide community services such as schools...'*

Therefore, the social benefits arising from this proposal are substantial and the Council as the decision taker should attribute these benefits significant weight in the consideration of this application.

The dis-benefits identified and discussed above are:

- Loss of employment use in an undesignated site.
- Increase in vehicular trips at school drop-off and pick up times.

Whilst the loss of employment use is a disbenefit in this case, it should be noted that the LPA has sites designated for such purposes for the Plan Period and therefore this undesignated site would not have a material effect on the employment provision of the district.

With regards to the increase of vehicular trips at certain times of the day, whilst undesirable, the LHA has not raised concerns on highway safety grounds or the capacity of the network.

Therefore, the weight attributed to the disbenefits of the scheme are very limited and the benefits identified would significantly outweigh them and as such this application is recommended for a conditional approval.

## **CONCLUSION**

This application must be determined in accordance with the policies of the development plan unless any material planning considerations indicate otherwise.

The proposal is acceptable in principle and would introduce a use that would not only benefit the community but would also bring back into use a vacant Grade II\* listed building. The change of land use proposed would not result in any intervention to the historic fabric of the buildings and as such their character and significance would not be affected.

The external works proposed involving the installation of cycle racks and reconfiguration of car parking spaces (including the provision of two additional disabled bays) would not cause harm to the setting of the Listed Building or the parkland surrounding it. No material impacts are anticipated in terms of neighbouring amenity, flooding nor highways.

In this case the proposed development would comply with the relevant policies of the HLP32, saved policies of the HLP06, the NPPF 2021 and policies of the emerging YDFNP, as such a conditional approval is recommended.

## **RECOMMENDATION – Grant, subject to planning conditions.**

### **CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be fully implemented in accordance with the following plans/documents (including any mitigation/enhancement recommended therein):

Plans:

PA-YH-002 Rev. A (Proposed Site Layout), PA-YH-003 (Yateley Hall Ground and

First Floor Plans), PA-YH-004 (Yateley Hall Second Floor Plans), PA-YH-005 (Cottage Floor Plans), PA-YH-006 (Coach House Floor Plans)

Documents:

Planning Statement produced by Woolf Bond Planning LLP (April 2021), Heritage Statement produced by Cogent Heritage (April 2021), Flood Risk Statement Rev. A produced by Charles & Associates (April 2021), Noise Impact Assessment Version 00 produced by Sound Barrier Solutions (June 2021), Transport Statement Rev. A Transport Technical Note (dated June 2021) and School Travel Plan Rev. A, all produced by Charles & Associates (April 2021), Yateley Hall Room Number Schedule (existing and proposed) and Campbell-Gordon Marketing Summary.

REASON: To ensure that the development is carried out in accordance with the approved details and in the interest of proper planning.

3. Notwithstanding any information hereby submitted, details of the cycle parking provision shall be submitted to and approved in writing by the Local Planning Authority within two months of the date of this planning permission. The details as approved shall be fully implemented.

REASON: In the interest of sustainable modes of travel, in accordance with policy INF3 of the adopted Hart Local Plan - Strategy and Sites 2016-2032 and the NPPF.

4. Details of the two Electric Vehicle Charging Points, their location and their installation shall be submitted to and approved in writing by the Local Planning Authority within six months of the date of this approval. The details shall be fully implemented as approved and fully operational by October 2022.

REASON: In the interest of sustainable modes of transport, in accordance with policy NBE9 and INF3 of the adopted Hart Local Plan - Strategy and Sites 2016-2032 and the NPPF.

## **INFORMATIVES**

- 1 The Council works positively and proactively on development proposals to deliver sustainable development in accordance with the NPPF. In this instance, the applicant was advised of the necessary information needed to process the application and once received, further engagement with the applicant was required and the application was subsequently acceptable.