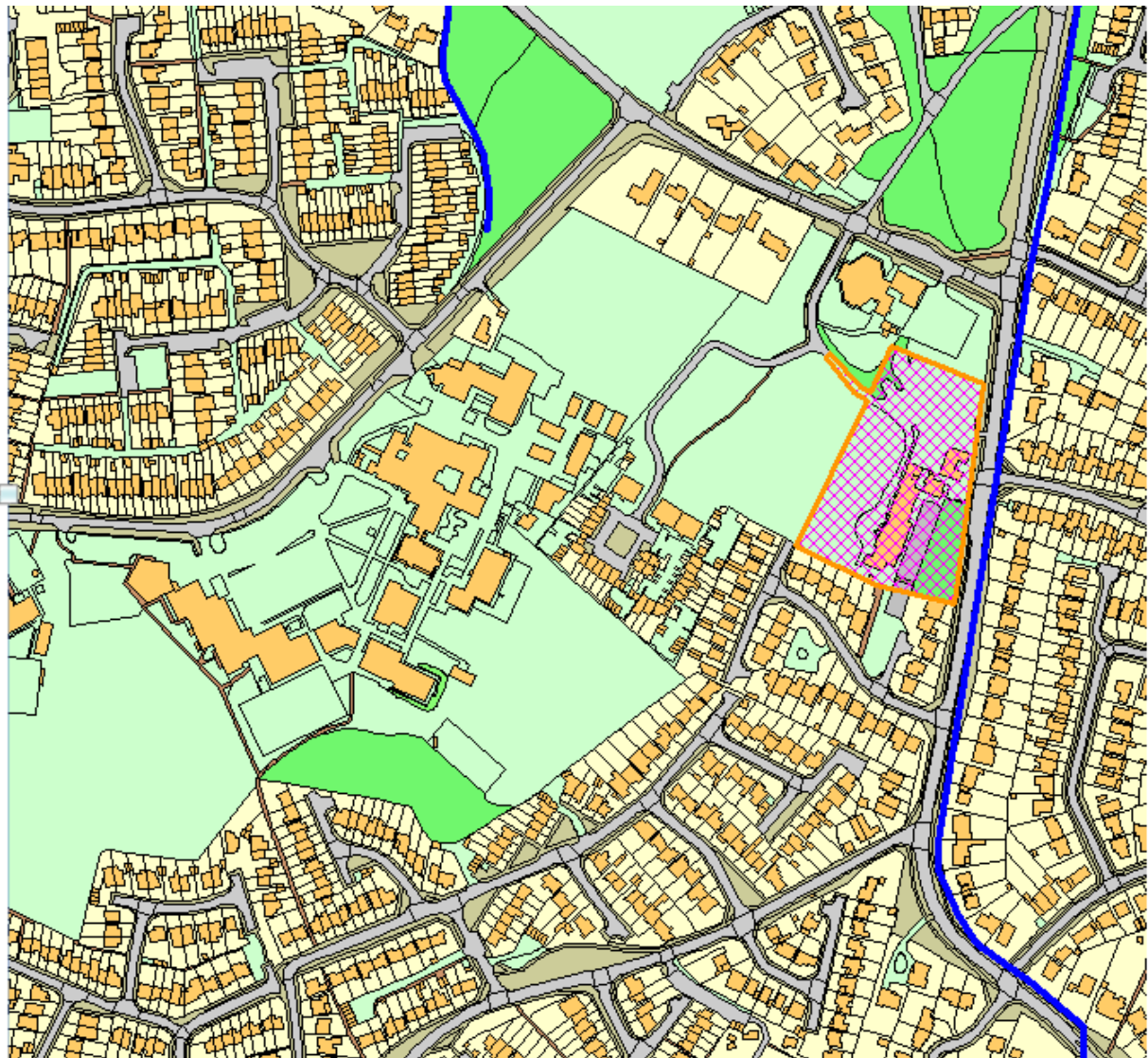


## COMMITTEE REPORT

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.