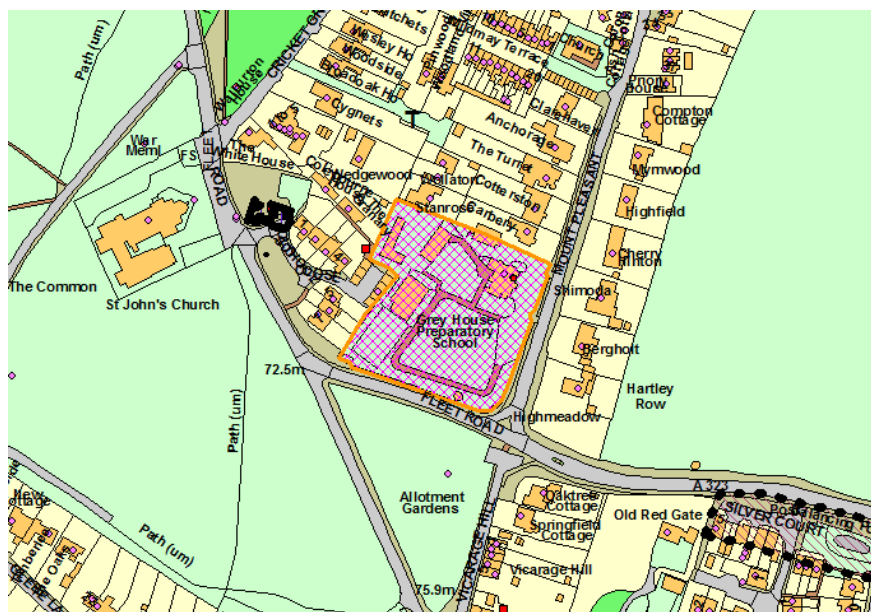


## COMMITTEE REPORT

### ITEM NUMBER:

APPLICATION NO.	21/00630/FUL
LOCATION	<b>Grey House, Mount Pleasant, Hartley Wintney, Hook RG27 8PW</b>
PROPOSAL	Demolition of existing buildings and erection of a 65-bed care home (Class C2 use), x4 two bed care dwellings (Class C3 use) and associated landscaping, parking, altered access and ancillary development
APPLICANT	Mr John Bell
CONSULTATIONS EXPIRY	14 December 2021
APPLICATION EXPIRY	21 June 2021
WARD	Hartley Wintney
RECOMMENDATION	<p>That the Head of Place be authorised delegated authority to <b>GRANT</b> planning permission subject to the satisfactory completion of a Unilateral Legal Agreement to:</p> <ul style="list-style-type: none"> <li>• Bind the development to the allocation of private Suitable Alternative Natural Greenspace (SANG) and to secure the Strategic Access Management and Monitoring (SAMM) financial contribution in respect of the Thames Basin Heaths Special Protection Area.</li> <li>• To secure Natural England's TBHSPA mitigation requirement of no pets being permitted</li> <li>• The travel plan being complied with</li> </ul>



## **BACKGROUND**

This application has been referred to the Planning Committee due to the number of public representations received.

## **SITE**

The site comprises the Grey House School, Mount Pleasant, Hartley Wintney. The School and nursery have closed.

The school building is of traditional appearance, with an area of hardstanding leading from the highway. The site includes playing fields/grassed areas, a hardstanding sports pitch and several school buildings.

The site is enclosed by fencing and mature trees and bound by residential properties to the north, east and west, and allotments to the south. The site is approximately 300m to the south of Hartley Wintney High Street.

The site falls within Flood Zone 1 which presents low flooding risk from rivers. Some small amount of the northern portion of the site is designated a Indicative Flood Problem Area (IFPA).

The site is within the Hartley Wintney Conservation Area (HWCA) which is itself subject to an Article 4 direction that seeks to protect traditional building features and boundary treatments.

The site is outside of the Thames Basin Heaths Special Protection Area (TBHSPA) 400m exclusion zone, but within the 400m to 5km zone of influence.

## **PROPOSAL**

Planning permission is sought for the demolition of the Grey House School, associated buildings, and the erection of a 65-bed care home (Class C2 use) and 4 two bed care dwellings (Class C3 use). It includes associated landscaping, parking, altered access and ancillary development.

The proposed care home represents the majority of the built form and is located in the southern and central portion of the site area. It is 3 storeys in height, but the 2nd floor is contained within the roof level. The roof form is complex, feature sloping roof and hip ends, gable ends and dormer windows.

The four proposed dwellings, found in the northern corner of the site boundary, are two storeys in height, with living accommodation within the roof. They are of a traditional form, with front feature gables to the front. The accommodation in the roof is accessible via stairs or a lift.

A majority of the parking provisions is found along the northern and eastern boundaries, with landscaping around the perimeter of the site, including the retention of mature trees.

Current buildings on the site would be demolished to allow for the development described above.

## **RELEVANT PLANNING HISTORY**

49/00441/H - CHANGE OF USE OF GREY HOUSE AS A SCHOOL - Granted 08.12.1949

53/01179/H - ERECTION OF BUNGALOW - Granted 12.03.1953

61/04225/H - ERECTION OF PREFABRICATED CLASSROOM - Granted 20.04.1961

00/00853/CONAC - Demolition of residential building - Granted 01.08.2000

01/00086/FUL - New Sports Hall AMENDED PLANS - Small Extension to S.W Elevation.  
Removal of External Door To NW Elevation - Granted 08.05.2001

01/00274/FUL - Replace dangerous existing glasshouse with aluminium substitute in similar style, maintaining character - Granted 17.04.2001

07/01787/FUL - Erection of new sports hall - Granted 20.12.2007

08/00688/AMCON - Variation of condition 3 of planning permission 07/01787/FUL to allow use of new sports hall to 22.30 hours for school related activities only - Refused 15.05.2008

12/01614/AMCON - Application to vary condition 3 of planning permission 07/01787/FUL for the erection of new sports hall - Granted 16.11.2012

15/01141/FUL - Demolition of existing dining hall & erection of replacement dining hall on existing footprint - Granted 24.09.2015

19/00781/PREAPP - Redeveloping a site for a retirement scheme of 50 apartments with care in Class C2 use - Opinion Issued 16.07.2019

20/00330/FUL - Demolition of the existing Grey House School and ancillary buildings and erection of 22 new extra care apartments and a 25-bed care home with associated landscaping and parking - Withdrawn 20.07.2020

## **RELEVANT PLANNING POLICY**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

The relevant adopted Development Plan for the District includes the Hart Local Plan (Strategy & Sites) 2032 (HLP32), the saved policies of the Hart District Local Plan (Replacement) 1996-2006 (HLP06), the saved policies of the South East Plan (2026), the Hartley Wintney Neighbourhood Plan. Adopted and saved policies are up-to-date and consistent with the NPPF (2021).

### **Hart Local Plan (Strategy & Sites) 2032 (HLP32):**

Policy SD1 - Sustainable Development

Policy SS1 - Spatial Strategy and Distribution of Growth

Policy H1 - Housing Mix

Policy H4 - Specialist and Supported Accommodation

Policy H6 - Internal Space Standards for New Homes

Policy NBE3 - Thames Basin Heaths Special Protection Area

Policy NBE4 - Biodiversity

Policy NBE5 - Managing Flood Risk

Policy NBE8 - Historic Environment  
Policy NBE9 - Design  
Policy NBE10 - Renewable and Low Carbon Energy  
Policy NBE11 - Pollution  
Policy INF3 - Transport  
Policy INF5 - Community Infrastructure

Hart District Local Plan (Replacement) 1996-2006 'saved' policies (HLP06):

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

Saved Policy from the South East Plan 2006 - 2026:

Policy NRM6 - Thames Basin Heaths Special Protection Area

Hartley Wintney Neighbourhood Plan 2017-2032 (HWNP):

Policy 2 - Design Guide  
Policy 5 - Conservation Areas  
Policy 6 - Control of Artificial Lighting  
Policy 8 - Cycleways and Footpaths

Other relevant planning policy documents:

National Planning Policy Framework 2021 (NPPF)  
Planning Practice Guidance (PPG)  
National Design Guidance (NDG)  
Section 66(1) and 72 of the Planning (Listed Building and Conservation Areas) Act 1990  
Technical Housing Standards - nationally described space standard (DCLG 2015)  
BRE Report - Site layout planning for daylight and sunlight: a guide to good practice (2011)  
Hartley Wintney Conservation Area Character Appraisal and Management Proposals (2008)  
Hartley Wintney Design Guide 92018  
Hart Technical Advice Note - Daylight and Sunlight: The 45- and 25-Degree Guideline  
Parking Provision Interim Guidance (2008)

## **CONSULTEES RESPONSES**

### **Hartley Wintney Parish Council**

No Objection with Comments ' Councillors examined the revised documents on the Hart planning portal at their meeting on 8th November 2021. We were pleased to note a further reduction in the height of the ridge line around the southern corner of the building on both the Fleet Road and the Mount Pleasant elevations. The extension to the area of rendering facing onto Mount Pleasant enables a more natural line of continuation along that side of the building. It is hoped that the developers will commit to the level of soft landscaping as shown in their Proposed Landscaping Site Plan on the Hart website which will further achieve a less imposing and more sympathetic appearance than was initially proposed. It is good to see that the developer has listened and reacted to the comments and opinions of the neighbouring residents as well as those of the Parish Council.

One remaining reservation concerns the drainage and water management on which we do not profess to have sufficient technical knowledge. We would therefore ask that planning permission shall be withheld until such time as Hampshire's Flood and Water Management Engineer is satisfied as to the measures to be taken to establish a satisfactory drainage strategy for the site.

We would also ask that should planning permission be granted, that the developer is required to abide by the guidance of the Considerate Constructors' Scheme in terms of their building management plan. Mount Pleasant is a quiet residential road, and we ask that specific hours of work should be conditioned rather than simply suggested.

#### **HCC - County Archaeologist**

No issues raised due to low archaeological potential.

#### **HCC – Highways**

Objection concerning inadequate swept path drawings, visibility splays and travel plan. Since receipt of this objection clarity regarding the permitted turns when accessing or egressing the site have been clarified, and the swept path and visibility splays agreed by HCCHA as satisfactory. Condition concerning Travel Plan to be included.

#### **HCC – Lead Local Flood Authority**

No objection following receipt of Groundwater Monitoring and Drainage Assessment revised Flood Risk Statement. Conditions recommended concerning:

- Drainage System construction
- Long term maintenance arrangements for surface water drainage system

#### **Natural England**

No objection subject to appropriate conditions controlling the use of the care home would be restricted to that of a C2 nursing care home and appropriate SANG and SAMM contributions are secured for the 4 residential dwellings.

#### **Thames Water Property Services**

No objection based on information provided, as surface water will not be discharged to the public network and existing foul sewer network has sufficient capacity to accommodate the proposed foul water discharge from the proposed development.

#### **Conservation Officer (Internal)**

By way of summary, the Hart Conservation Officer has objected on the following grounds:

- Grey House is a positive building within the vicinity of other positive buildings, within a conservation area.
- Grey House positively contributes to the character of its local built environment.
- Grey House has communal heritage value owing to its history and use.
- Therefore, there is a strong objection to the total loss of Grey House, and it would result in 'less than substantial harm' to the designated heritage asset (the Conservation Area).
- There is a lack of justification as to why the building cannot be repurposed.
- The decision taker must take into consideration the requirements of paragraphs 197 and 201 of the NPPF, and then to balance the harm caused to the conservation area and non-designated heritage asset against paragraph 193.
- There are conflicts with Hartley Witney Neighbourhood Plan Policy 5 as well as the Protected Views expressed within.
- Expression that the impact of the demolition of a positive building within a conservation area would have a permanent negative effect on the significance of the conservation area.
- Demolition of the existing building would be of negative consequence in terms of Climate Change matters.

#### **Drainage Officer (Internal)**

No objection or comments, guided by Hampshire County Council as the Lead Local Flood Authority.

#### **Ecology (Internal)**

No objection subject to all the recommendations contained within the Preliminary Ecological Assessment Report 'PEA Report (Corylus Ecology, September 2021)' being implemented under licensing as necessary.

#### **Environmental Health Officer (Internal)**

Objection regarding lack of information concerning noise and pollutions, especially during construction. Conditions pertaining to the following matters suggested if approval is considered:

- Timing of construction or demolition.
- Submission of a Construction Environmental Management Plan prior to commencement of construction activity.
- Prior to commencement of construction a scheme for controlling extraction and treatment of fumes and odours generated from cooking undertaken on the premises should be submitted
- Land contamination issues should be reported and if discovered, remediation plans should be submitted to and approved by the LPA
- Prior to commencement of construction a Traffic Noise Protection Scheme shall be

submitted.

- Prior to installation of any fixed plant or acoustic design a Proposed Plant and Noise Mitigation' plan shall be submitted.

### **Housing (Internal)**

No comment.

### **Landscape Architect (Internal)**

Objects, summarised as:

- There exists a positive character in that of the existing building in generous grounds.
- Impact of the proposed landscape changes and altered experience along Fleet Road.
- The scale and massing of the proposals do not promote or reflect the distinctive qualities of their surroundings.
- The layout of the proposals, the length and multiple articulations of the elevations, along with the extensive footprint, do not reflect nor reinforce the locally distinct townscape, but would detract from it.

### **Streetcare Officer (Internal)**

No objection or comments as it relates to a commercial premises.

### **Tree Officer (Internal)**

No objection subject to:

- An Arboricultural Method Statement or construction method statement on any new service runs and connections into the site and how they will be installed.
- A Landscape Master Plan.

## **NEIGHBOUR COMMENTS**

The statutory requirements for publicity, as set out in the DMPO 2015 (as amended) are in this case the notification of the adjoining properties and site notice or press advert is required. 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 29.04.2021. At the time of writing the Committee report there were 53 residents that submitted representations in objection to the proposal, with 8 of those residents at times representing two persons. Some of these 53 residents submitted letters of objections multiple times, which are taken as a single objection for each of them for the purpose of presenting a count.

Revised plans were submitted by the applicant in August 2020 and a refreshed public consultation expired on 17.09.2021.

Minor revisions concerning the elevations and additional details matters of drainage, ecology and highways were received from the applicant between October 2020 and

January 2021.

The summary of representations received is below which include comments received from Hartley Wintney Heritage Society:

- Revision of scheme from pre-application, to withdrawn to present not significant.
- Objections on grounds of inconsistencies or errors within the application and clarity of submission.
- Objection regarding increased number of units.
- Comparisons to existing developments and sites within the Hart District Council area.
- Sustainability of development.
- Scale of development within quiet area.
- Overdevelopment of the site.
- Objections that the site does not meet a proven need for residential care in the district.
- Concerns regarding 24-hour staffing of development and potential impact on neighbour amenity from such.
- Concerns that the Drainage Statement and Flood Risk Assessment information is insufficient for purpose or inaccurate.
- Noise and light pollution arising from proposed dwellings.
- Size, layout and density of buildings proposed.
- Proximity of large building to Mount Pleasant and discord with architecture and character of existing buildings.
- Proportion of site given over to hard landscaping.
- Reduction in quantity of greenery present within the site area.
- Potential loss of screening provided by trees.
- Insufficient landscaping and proposed hedges.
- Harm to heritage assets by proximity and harm to Conservation Area character.
- Loss of building of Positive Value in Conservation Area.
- That the existing building should be retained either entirely or in some way recycled.
- Arrangement of services within the building and proximity to dwellings.
- Loss of privacy, introduction of overlooking.
- Effect on distinctive views contained within Neighbourhood Plan.



- Visibility from Fleet Road.
- Representation of existing mature greenery and trees within plan documents.
- Impact on existing services including phone, power and internet.
- Expression of insufficient broadband connections for the proposal and the neighbouring properties.
- Concerns regarding impact on current sewerage system.
- Impact from increased traffic generation.
- Concerns regarding compounded impact on infrastructure when viewed in conjunction with existing developments.
- Proximity of parking to residential properties.
- Concerns of insufficient parking for staff required.
- Concerns regarding inadequate public transport links.
- Potential safety hazard from forced turning right of vehicles exiting the site.
- Light pollution arising from the development.
- Noise pollution arising from the development during construction and in use.
- Concerns regarding odours from the development including bin store.
- Concern regarding construction method and safety.
- Concern regarding retention or enhancement of existing site levels.
- Attention drawn to existing pathways around the village and their present state and that they are not suitable for persons with a disability or impairment.
- Potential damage to cricket green due to additional vehicles.
- Concerns regarding provision of care for residents.
- Queries concerning SANG/SAMM contributions.

## **CONSIDERATIONS**

### **Assessment**

1. Principle of Development
2. Heritage Impacts, Design, and Character
3. Residential Accommodation and NDSS
4. Impacts upon Amenity
5. Highways, Access and Parking
6. Flood Risk and Drainage

7. Ecology, Trees and Landscaping
8. Thames Basin Heaths Special Protection Area
9. Climate Change and Equality
10. Planning Balance

## **1. Principle of Development**

The application site is located within the urban settlement boundary of Hartley Wintney as defined by the HLP32.

Policy SD1 sets out that 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. It seeks to secure development that improves the economic, social and environmental conditions in the area in accordance with the Development Plan and Neighbourhood plans that form a part of it.

Policy SS1 sets out that development will be focused within the defined settlement boundaries as well as on previously developed land. The policy goes on to set out the Council's Housing requirement and indicate that this will in part be delivered through development or redevelopment within settlement boundaries. The supporting text makes it clear that some of the Council's housing requirements will be delivered through windfall sites such as the application site.

NPPF Paragraph 62 expresses that the type and tenure of housing for different groups should be assessed and reflected in planning policies, including housing for older people and people with disabilities within the listed groups.

The four residential properties of Class C3 use, as they fall within the Hartley Wintney Settlement Boundary per HLP32 Policy SS1, would be acceptable in principle subject to compliance with the Development Plan, Hartley Wintney Neighbourhood Plan and the NPPF.

Policy H4 of the HLP32 supports the provision of specialised/supported accommodation that meets the needs of older persons or other requiring specialised care on sites within settlement boundaries.

The application proposes a 65-bed care home falling within Class C2 use as part of its proposal. This would contain 65 individual en-suite bedrooms. Communal facilities include various lounges, dayspaces, dining spaces, hair salon, library and a café bistro on the ground floor. There would also be a nursing station on each floor. No staff accommodation (bedrooms) would be provided. Staff facilities would include offices, kitchens, changing areas/lockers, meeting rooms, training room and staff room. The care home would be three-storeys, with the top storey being accommodation within the roof.

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 Planning Practice Guidance 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 would, largely be for a care home as defined within the PPG and nursing care home as identified in the NSAOP. A planning condition would be included as part of any permission granted by the council to secure the proposed care home in this use.

The NSAOP provided advice to the Council on the need for specialised accommodation for older people within the District to supplement earlier evidence contained within the SHMA. It identifies a residual net need (at June 2021) of 232 nursing care bedspaces to 2035. The provision of 65 beds as proposed in the application would contribute to this need as supported by HLP32 Policies H1(c) and H4(a).

The acceptability of the principle of development, in this case, also depends on policy INF5 which seeks provision and improvements of existing community facilities. This policy only allows the loss of community facilities in certain circumstances where it is demonstrated that:

- i. a suitable replacement facility of a similar or improved nature is provided that meets the needs of the local population or its current and intended users; or
- ii. the existing premises are no longer required or viable.

Policy INF5 regards schools as community facilities. In policy terms, this proposal would involve the loss of a community use of a school. The school in question has not been in operation since approximately December 2018 due to a reduction in student uptake.

The applicant has detailed the recent history of the school's operation and eventual closure in support of the application with respect of the loss of school use on this site. Whilst not a Market or Viability Assessment, it is considered that the events and details outlined are accurate and that school provision in the local vicinity is sufficient in the absence of Grey House being used as a school. Additional supporting evidence, such as the closure of additional schools in the vicinity due to oversupply, is also included.

The planning statement confirms that attempts were made to sell the site to other operators of schools but were unsuccessful and no interest could be found in the ongoing use of the site as a school. A choice was made by the landowner to pursue the use of the site as a care home or retirement home site.

It should also be noted that the other requirement for the loss of the school is a replacement facility of a similar or improved nature provided that it meets the needs of the local population or its current and intended users. The provision of a care home in this instance would be a facility that would comply with such a requirement, as there is a district need of such facilities and this specific need is identified within the Hartley Wintney Neighbourhood Plan.

Therefore, in consideration of all of the policy examination above, the principle of development is acceptable, however the ultimate acceptability of the proposal would depend on compliance with all other planning policy objectives.

## **2. Heritage Impacts, Design, and Character**

Policy NBE8 of the HLP32 and Policy 5 of the HWNP32 require development proposals to conserve or enhance heritage assets and their settings, taking account of their significance. Within Policy 5 of the HWNP32 new development proposals are supported where they take account of the key elements of the character or appearance of the relevant conservation area as set out in its Conservation Area Character Appraisal.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in exercise of its functions under the Planning Acts, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 states that with respect to any buildings or other land within a conservation area, in the exercise of relevant functions under the planning Acts, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

NPPF (2021) Para 197. In determining applications, local planning authorities should take account of:

- (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- (c) the desirability of new development making a positive contribution to local character and distinctiveness.

Policy NBE8 states that development proposals should conserve or enhance heritage assets and their settings, taking account of their significance. Proposals that would affect a designated or non-designated heritage asset must be supported by a heritage statement (proportionate to the importance of the heritage asset and the potential impact of the proposal) that demonstrates a thorough understanding of the significance of the heritage asset and its setting, identifies the nature and level of potential impacts on the significance of the heritage asset, and sets out how the findings of the assessment has informed the proposal in order to avoid harm in the first instance, or minimise or mitigate harm to the significance of the asset. Proposals which would lead to the loss of, or harm to, the significance of a heritage asset and/or its setting, will not be permitted unless they meet the relevant tests and assessment factors specified in the National Planning Policy Framework.

Paragraph 195 of the NPPF 2021 states that Local Planning Authorities 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.

HLP32 Policy NBE9 and saved policy GEN1 of the HLP06 seek to ensure that development achieves a high-quality design and that it would positively contribute to the overall character of the area.

The NPPF 2021 (para. 130) also reinforces the need to promote good design in

developments and states that decisions should ensure that developments will:

- function well and add to the overall quality of the area not just for the short term but over the lifetime of the development.
- are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and
- are sympathetic to local character ..., including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).

Policy 2 of the HWNP32 requires the design and appearance of development to be informed by the Parish Design Guide. This states that proposals should be proportionate in terms of layout, and character, use external materials which complement the existing materials of the area. The design guide also advises that where possible and appropriate developments should use traditional or vernacular style buildings which follow local distinctiveness through their siting, local materials and styles.

The site falls within the Hartley Wintney Conservation Area (CA). There are Listed Buildings within the vicinity, but the proposal is unlikely to impact their setting directly by virtue of the distances involved. However, the proposal is considered within the context of its impact on the Conservation Area itself which is a designated heritage asset.

In terms of impacts to the CA, the northern section of the site falls within Character Area 3 (Causeway Green and Cricket Green) as set out in the Hartley Wintney Conservation Area Character Appraisal (HWCA). Grey House is identified as a Positive Building within this assessment. The map of this character area also identifies that a majority of the buildings along the west side of Mount Pleasant, to the north of the application site, are positive buildings, as being non-designated heritage assets.

The HWCA provides no description of the Grey House building outside of its designation as a positive building, but the Conservation Officer (CO) provided a description within their comments submitted on 10.05.2021:

"The house is a large, fine example of an Edwardian private residence, constructed in 1903. It was constructed for the Pool family by Pool and Sons, who are a local, well known building firm, responsible for much of the new development within the area for the latter half of the C19 and the early part of the C20. Formed in 1851, Pool and Sons are noted for a number of their C19 and early C20 commissions within the district, some of which are now statutory listed.

The Grey House has architectural interest, as it is a high-quality Edwardian building with strong Arts and Crafts influence and Tudorbethan characteristics. It is overall an attractive building, located in a prominent position at the corner of Mount Pleasant and the main road between Hartley Wintney and Fleet. Due to its positioning within its plot of land, it is most visible from Mount Pleasant, where it and the complementary stable block contribute in a highly positive way to the street scene."

The CO also notes that the Grey House has communal heritage value owing to its history and use, that the impact of the demolition of a positive building within a conservation area would have a permanent negative effect on the significance of the conservation area and that the repurposing or reuse of the building has not been adequately explored. The CO has also raised criticism regarding the design not seeking to retain or re-purpose existing buildings.

The CO also describes the immediate area of Mount Pleasant:

"This area of Mount Pleasant contains detached early C20 buildings within the same building line, set back within their plots of land, with larger gardens. Although the corner plot occupied by the Grey House is larger than that of its contemporary neighbours, its layout and the relationship between the built form and amenity space accords with the prevailing character of the adjacent plots. The Grey House terminates the row, and as it differs in appearance to its neighbours, it contributes to the local distinctiveness of the area and adds interest to the local built environment, contributing positively to the group in which it sits."

The CO's comments concerning the lack of intent to retain the existing building or to repurpose it are noted. These are considered against the applicant's justification within their submission concerning health and safety, fire safety, levels and the degree to which the building would be fit for purpose considering the proposed use. As previously addressed within the principle of development section of this report, it is not considered that the continued use of the Grey House or wider site as a school would be deemed the optimal viable use and that the site being utilised for a care home facility is considered appropriate under the HLP32 INF5, HWNP and the NPPF. This is considered within the planning balance section of this report.

It is not disputed that the demolition of Grey House results in the loss of a positive building that contributes to the character and significance of the Conservation Area in question. It is considered that the loss of Grey House would only be materially impactful to the immediate local area of Mount Pleasant and that it is not considered a highly valued building within the wider context of the Conservation Area. It would however still amount to a diminishment of the historic and architectural significance of the designated heritage asset.

The removal of the modern outbuildings and school infrastructure, which does not positively contribute to the Conservation Area, is considered positive, as is the retention of the Stable building.

It is considered that the demolition of the Grey House and associated outbuildings and infrastructure would result in less than substantial harm to the significance of a designated heritage asset. This harm will be weighed against the public benefits of the proposal (NPPF para. 196) in the planning balance section of this report.

Representations received on the application have raised concerns about the scale and architectural design of the proposed development, how it relates to neighbouring buildings, the proximity of it to various dwellings and the site arrangement and context.

The Hartley Wintney Parish Council expressed objections to the scheme first submitted under this application but following two revisions to the care home elevations retracted their objection, expressing that they would hope the applicant will commit to the level of soft landscaping shown in their Proposed Landscaping Site Plan.

The Landscape Architect objected on the grounds that the layout, elevations and footprint do not reflect or reinforce the distinct townscape and would detract from it.

The North East Hampshire Design Review Panel made comments on the original submission (Superseded Plans uploaded 03/03/2021). They expressed they were struck by the fact that the major building occupies the centre of the site, thereby dominating road frontages but that this was a logical layout given the brief and that the retention of trees was likely to soften this. The architectural vocabulary was described as that of a 'Late

Victorian idiom' but that it had been executed with some skill. Expressions of concern as to the architectural features, such as the proposed corner turret, quantity of rendering and glazed entrance bay were raised, as well as that of material detailing. The residential units were described as bland.

The main body of the care home building is three storeys in height, with the third storey featuring within the roof level. Windows on this third storey are mostly found on the south-east and south-west facing elevations, with a third storey window set back within the courtyard on the north-west elevation. The architectural approach features pitched roofs with a combination of hip and gable ends, chimney stacks, roof dormers and a turret design in the south-east corner.

It is noted that a number of objections were raised concerning the building being three storeys in height. It is considered that there are a number of examples of three storey buildings, with the upper storey being within the roof space, in the local vicinity and that Grey House itself would be counted among these examples which is itself three storeys. It is noted that the scale proposed, along with the set back of the building being approximately 17m from the pavement, its siting and footprint would provide a larger development than the existing Grey House and associated buildings, despite Grey House being set back just 15m. There would be a heightened degree of visual impact, as the proposed building would inevitably look larger than the dwellings surrounding it, however the massing of the building in of itself is not considered to be harmful to visual amenity or the character of the streetscene by virtue of its setting back and varied elevational design. There is a pattern of continuous built form along Mount Pleasant, including dwellings with generous floor to ceiling heights and pitched roofs, such that it is not considered that the scale of the proposal would be discordant when considered within the street itself. the Appropriate landscaping secured through a landscaping masterplan would soften the impact arising from the scale of the proposed care home.

In terms of design and appearance, the building is proposed with a semi-contemporary material palette which will somewhat differ from the housing found in the immediate surroundings, but the architectural language is clearly intended to evoke the period architecture of the area. The proposed care home varied elevations, with differing depths, gables and window patterns all contribute positively to achieving a development proposal that avoids homogenous, duplicated, design to instead provide a well-balanced assortment of elevations around the care home.

It is considered that the design of the care home proposed is regarded as a suitable approach to development of the site in regard to scale, design and character in this location. The proposed architecture reflects the period/Edwardian character of Mount Pleasant and the Conservation area in terms of its form, architectural features and detailing. Whilst being of a more contemporary design, by virtue of its modern construction, and that some visual difference between the proposed care home and that of the existing architectural language of the street would occur, it is not considered that it would be discordant to such a degree that it would result in significant harm to the Conservation Area.

Given the heightened need for sensitive design in this area, it is considered that a condition that seeks details of material choice and large-scale plans of windows, doors etc. would be warranted.

The elevations fronting Mount Pleasant and Fleet Road have been designed with visual relief in terms of depth, features and roofscape, avoiding the appearance of an 'apartment block'. There would be some visual difference between the proposed care home and that

of the existing architectural language of the street, but the planning system does not seek to replicate one style of design or building material only.

The design of the care dwellings, erroneously referred to as 'bungalows' within the submission, are simpler in appearance but do take cues from architectural features visible within Mount Pleasant. It is considered that the front gable does constitute a large quantity of brickwork, but that the proposed brick detailing and soft landscaping to the front, including the area between the two built forms, will sufficiently relieve this impression. The setting back of the bungalows within the corner of the site minimises their presence and potential impact on the character of the street and the conservation area, but they would not be considered discordant or incongruent with other bungalow or roof space type dwellings within the vicinity. In a similar manner to that of the care home, material details would be required by condition.

The layout of the site is considered to respect the established pattern of setback-built form with Mount Pleasant and would be of a similar distance to that of the existing Grey House from the pavement. Vehicular access at the proposed location is sensible and avoids conflict with neighbouring properties by virtue of the proposed ingress and egress constrictions that are discussed later in this report. Whilst there exists a fair degree of hardscape surfaces to provide adequate parking, this is offset by the inclusion of soft landscaping around the site and separating the development from Mount Pleasant and Fleet Road.

Additionally, between the tree cover, small depression in the land, its setting back from the positive buildings to the north along Mount Pleasant Way and any enhancement from a conditioned Landscape Masterplan the impact of new development within a conservation area would be reduced. The proposed layout of the site is considered to emphasise the importance of soft landscaping which in part mitigates the introduction of additional built form over that which exists in this part of the Conservation Area. It is considered that the care home proposed, with landscaping and suitable materials, appropriately responds to and is sensitive to the setting of surrounding buildings and the character and appearance of the area as a whole.

It is considered that the proposal's scale, design and character would be in accordance with the objectives of adopted policies NBE9 of the HLP32, saved policy GEN1 of the HLP06, Policy 2 of the HWNP32 and the aims of the NPPF (2021).

The loss of a positive building within a conservation area is considered against Policies NBE8 and NBE9 of the HLP32, saved policy GEN1 of the HLP06, Policy 5 of the HWNP32 and the aims of the NPPF 2021 in heritage respects with the planning balance section of this report.

### **3. Residential Accommodation and NDSS**

The Council has adopted the Nationally Described Space Standards for dwellings in the HLP32. The space standards set out the minimum gross internal floor areas for dwellings as well as requiring certain minimum sizes of bedrooms. The proposed dwellings would comply with these minimum standards.

The dwellings proposed, as two storey dwellings, provide for reduced mobility by inclusion of wider circulatory space, bathrooms and a lift to the 1st floor.

The proposed residential development is of a minor scale. The NPPF acknowledges that all housing delivery should contribute to meet housing needs. There is a genuine



expectation that windfall sites, particularly brownfield sites such as this, may contribute to meet housing needs of the District.

The proposal is compliant with Policies H1 and H6 of the HLP32 and the aims of the NPPF 2021 in these respects.

#### **4. Impacts Upon Amenity**

Policy NBE11 of the HLP32 supports development which does not give rise to, or would not be subject to, unacceptable levels of pollution. Saved policy GEN1 of the HLP06 supports development that, amongst other requirements, causes no material loss of amenity to adjacent properties.

Paragraph 130 of the NPPF 2021 advises that planning decisions should ensure that developments achieve a high standard of amenity for existing and future users and also do not undermine quality of life for communities.

The site is surrounded by residential development and consideration of the potential impacts on neighbouring amenity is important. A number of concerns were expressed by neighbouring residents concerning impacts on amenity in terms of privacy, daylight, noise, odour and overbearing impact.

It has previously been highlighted that the proposal sits within a depression in the landscape, which has been observed on site.

The south-west corner of the proposed care home would be approximately 9 metres from the rear garden of number 5 Old School Close and 23.5 metres from the rear wall of the dwelling at its closest point. No windows are proposed in the north-west elevation above ground floor at this location. The closest window above ground floor is present on the 1st floor of the setback north-west elevation of the care home. This window is approximately 38 metres from the rear garden of 5 Old School Close and 48 metres from the rear wall of said dwelling. With consideration of the distances involved it is not considered that any impact in terms of privacy or overlooking would occur as a product of the proposal for 5 Old School Close and this is considered the same for 4, 6 and 7 Old School Close by virtue of their increased distance from the care home element in question. There would be some minor loss in early morning winter light for the same properties, but this would be minimal due to the aforementioned distances.

The rear of the proposed residential units upper floor windows in the north of the proposed site are approximately 13 metres from the garden of the residential property 'The Granary' and approximately 22 metres from the rear wall of the same dwelling. The rear wall of No. 4 Old School Close is of a similar distance. The residential property 'Wedgewood' sits further than these distances and behind tree coverage outside of the site. The dormer windows in question are 3.55 metres above the ground level and reach a maximum height of 4.85 metres above ground. There would be some minor impact in terms of amenity in regard to privacy and sunlight, but given the anticipated residents of the proposed dwellings, the distances involved, and the singular window of each dwelling proposed on this rear elevation it would be minimal.

The rear window of the most northerly bungalow would be set back behind the building line of the residential property 'Stanrose' and is not anticipated to have a material impact in terms of amenity.

There are no windows within the roof space of the 2nd floor within the north-east facing

elevation. The closest window is present on the 1st floor and is 1 of 5 windows on this elevation. The closest window is approximately 23 metres away from the rear garden boundary of the residential dwelling 'Carbery', with distances increasing up to 26 metres for 3 of the windows. A similar distance to the rear garden of the residential property 'Stanrose' is observed for the window on the north-western most corner of 27 metres. The rear wall of 'Carbery' is approximately 28 metres away from the closest window of the same elevation of the care home. It is noted that the existing Grey House's windows on the north-east facing elevation are closer to the properties in question. Accordingly, considering the distances involved and the existing built form it is considered that impacts in terms of privacy, overlooking or daylight to these properties arising from the development would be less than that which exists.

There are 7 windows proposed within the roof space of the 2nd floor on the south-east facing elevation of the care home, fronting Mount Pleasant. The closest window to the pavement boundary of Mount Pleasant would be 19 metres away. The closest 2nd floor window to the following residential properties is noted:

- 'Shimoda' front elevation: approximately 45 metres.
- 'Bergholt' front elevation: approximately 44 metres.
- 'Highmeadow' front elevation: approximately 44 metres.

1st floor windows are approximately 2 metres closer to the residential properties 'Shimoda' and 'Bergholt'.

Given the distances involved, the existing mature greenery and trees and that which would be secured by a condition requiring an approved Landscape Masterplan it is considered that no substantial impact in terms of privacy, overlooking or daylight to these properties would arise from the proposed development.

Concerns regarding impacts of privacy arising from the use of the Café/Bistro occupying the south most corner of the site are noted. Conditioning the hours of use of this facility such that no use during unsociable hours would be deemed reasonable. Additionally, it would be reasonable to control the potential use and users of the Café/Bistro via a S106 legal agreement. Given the distances mentioned above, existing mature greenery and trees and that which would be secured by a condition requiring an approved Landscape Masterplan it is considered that no substantial impact in terms of privacy, overlooking or daylight would occur from the daily use of such a facility.

Concerns regarding the proposed parking and proximity to neighbouring boundaries has been highlighted. Whilst it is acknowledged that the arrival, parking and departure of vehicles would constitute an increase in the vehicular noise over that which was previously experienced, it is considered that the general arrangement of the site, in situating the built form of the care home away from the residential properties to the north, warrants their positioning in preserving and avoiding impacts in terms of privacy and overlooking. Delivery vehicles and other larger vehicles that would have a greater material impact on neighbouring amenity would be controlled through a condition attached to any planning approval.

The Environmental Health Officer has assessed the proposed development and has deemed it likely that it would be impacted by traffic noise associated with the use of the A323, specifying that external spaces, balcony areas, bedrooms and day spaces on the southern façade may suffer from unacceptable acoustic conditions. Accordingly, and in the absence of full information addressing such concerns, conditions to the following effect will be included as part of any planning condition grant:

- Controls regarding the timing of construction or demolition.
- Construction Environmental Management Plan submitted prior to commencement of construction activity.
- Prior to commencement of construction a scheme for controlling extraction and treatment of fumes and odours generated from cooking undertaken on the premises should be submitted.
- Land contamination issues should be reported and if discovered, remediation plans should be submitted to and approved by the LPA.
- Prior to commencement of construction a Traffic Noise Protection Scheme shall be submitted.
- Prior to installation of any fixed plant or acoustic design a Proposed Plant and Noise Mitigation' plan shall be submitted.

Although not highlighted by the Environmental Health Officer, the Hartley Wintney Neighbourhood Plan Policy 6 - Control of Artificial Lighting seeks to address the potential impact from light spill and light pollution from existing and proposed development. In the absence of a full assessment, it is deemed sensible that a Lighting Impact Assessment that seeks to minimise such impact and where necessary introduces mitigation methods that reduce the impact of the development should be required to be submitted for approval.

With the conditions outlined in the section above and the assessment undertaken, it is considered that no demonstrable harm would arise to the residential amenity of the existing adjoining properties and that the residential amenity of future residents can be ensured through careful detailing.

Neighbouring residential impacts arising from the proposal would not be unacceptable, and as such the proposal following adherence to attached conditions would be considered to be in compliance with Policies of the HLP32, HLP06 the HWNP and also the aims of the NPPF 2021 in this regard.

## **5. Highways, Access and Parking**

Policy INF3 of the HLP32 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 of the HLP06 supports developments 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.

Paragraph 111 of the NPPF 2021 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.

Hampshire County Council in their role as Local Highway Authority was consulted on this application and initially expressed an objection regarding highway safety, specifying the lack of adequate visibility splays and swept path drawings, as well as an inadequate Travel Plan. Concerns regarding traffic cutting through Mount Pleasant and the Cricket Green area were also highlighted by the authority.

The entrance design has been revised to intentionally preclude right-turn-in and left-turn-out movements, in order to meet the concerns and wishes of the Parish Council. This was then clarified with the HCCLHA and the submitted visibility splays and swept path drawings were agreed as acceptable.

It is considered that the Travel Plan can be secured by condition to be agreed prior to the care home coming into use and that it would be reasonable to secure it being complied with via a S106 legal agreement, which will cover other matters contained within this report. No concern was raised as a result of traffic generation arising from the site. It is considered therefore that there are no outstanding concerns regarding matters of Highways safety or residual cumulative impacts on the road network arising from the development.

In terms of car parking provision, Hart's Interim Guidance (2008) indicates a maximum provision of 45 car parking spaces for the care home. The car parking provision proposed by this scheme would be 30 spaces and two of these would be disabled bays. It is important to note that the figure in the Guidance is a maximum provision. There would additionally be two spaces for each 2-bedroom residential dwelling, immediately in front of the properties. The applicant has submitted a Transport Technical Note that explores and justifies the provision on-site parking provision and concludes this would be a suitable level of provision when taking into account the maximum expected Full Time Employees, the maximum staff on site at any one time, the impact of shift changeovers and visitor capacity. It is considered that this analysis is robust and that the parking provision within the site for the purpose of its intended use would be sufficient.

With regards to refuse collection, the Joint Waste Service has been consulted and confirmed that they have no comments on the site as it is a commercial premise with no impact on the domestic waste collection service. However, the 4 care home units may be required, despite the submitted waste vehicle swept path drawings, to leave bins by the entrance of the site for collection unless they are in some way serviced by the wider refuse management of the site. It is considered therefore that these details along with a refuse management plan could be secured via a planning condition.

Concerns have been expressed by local residents concerning the noise and prevalence of delivery vehicles outside of sociable hours. A standard condition controlling the hours of deliveries to the site would be attached to any grant of permission by the Council.

The proposed development would not result in unacceptable impacts on highway safety or significant cumulative impacts on the highway network as set out within the NPPF 2021. On-site car parking provision for the development proposed would also be adequate. As such, subject to planning conditions securing details of waste management, the proposal would comply with Policies NBE9 and INF3 of the HLP32, Policy 2 of the HWNP and the aims of the NPPF 2021 in this respect.

## **6. Flood Risk and Drainage**

Policy NBE5 (Managing Flood Risk) of the HLP32 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 Zone 1 which has the

lowest risk of fluvial flooding, The proposal was accompanied by drainage information to address surface water management which has been analysed by the Hampshire County Council Lead Local Flood Authority (HCCLLFA) who has raised no objection following the submission of additional details concerning Groundwater Monitoring and an updated Drainage Assessment. They have recommended planning conditions be imposed concerning compliance with the Drainage Assessment and that details for the long-term maintenance arrangements for the surface water drainage system be submitted for approval by the Local Planning Authority, which will be included as part of any grant of planning permission by the Council. The Council's Drainage Officer stated that due to the size of the development they would be guided by the HCCLLFA.

Subject to planning conditions recommended by the HCCLLFA, the application is acceptable and in compliance with the objectives of Policy NBE5 and NBE9 of the HLP32, and the aims of the NPPF 2021 in this regard.

## **7. Ecology, Trees and Landscaping**

With regards to biodiversity, Policy NBE4 of the HLP32 states that: 'In order to conserve and enhance biodiversity, new development will be permitted provided:

- a) It will not have an adverse effect on the integrity of an international, national or locally designated sites.
- b) It does not result in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.
- c) opportunities to protect and enhance biodiversity and contribute to wildlife and habitat connectivity are taken where possible, including the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations. All development proposals will be expected to avoid negative impacts on existing biodiversity and provide a net gain where possible'.

The Council's Ecologist raised an initial objection to the proposal as although a full bat emergence survey report was submitted, the submission lacked a Preliminary Ecological Appraisal that would inform the Council as to the current biodiversity present on site. However, it was undertaken and provided over the course of the consideration of the application, alongside additional species-specific surveys that were required. The Ecologist is satisfied with the surveys and PEA submitted, stating that subject to compliance with the recommendations contained within and a Biodiversity Net Gain Scheme being submitted for review and approval by the LPA they would have no objection. This Biodiversity Net Gain will be secured through condition.

With regards to trees, saved policy CON8 states that where development is proposed which would affect trees, woodlands or hedgerows of significant landscape or amenity value planning permission will only be granted if these features are shown to be capable of being retained in the longer term or if removal is necessary new planting is undertaken to maintain the value of these features. Planning conditions may be imposed to require the planting of new trees or hedgerows to replace those lost.

The Council's Tree Officer is satisfied with the submitted arboricultural information and has requested that it is implemented to ensure the proposal is policy compliant, controlled via condition. They specify that they would recommend that further information should be provided prior to commencement of works on site through either an updated Arboricultural

Method Statement or construction method statement to ensure retained trees and their roots are not damaged. In addition to the aforementioned Landscape Master Plan, this would be secured by condition attached to any grant of planning permission by the council.

The proposal, therefore, would be policy compliant in respect of ecology, trees and landscaping subject to planning conditions.

## **8. Thames Basin Heath Special Protection Area**

Policy NBE3 of the HLP32 seeks to protect the Thames Basin Heaths Special Protection Area (SPA). South East policy NRM6 requires adequate measures to avoid or mitigate any potential adverse effects on the Special Protection Area (SPA). The Habitats Regulations 2017 (as amended) and The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 require Local Planning Authorities (as the Competent Authority) to consider the potential impact that a development may have on a European Protected Site. In this case this relates to the Thames Basin Heaths Special Protection Area (TBHSPA).

The TBHSPA is a network of heathland sites which are designated for their ability to provide a habitat for the internationally important bird species of woodlark, nightjar and Dartford warbler. The area is designated as a result of the Birds Directive and the European Habitats Directive and protected in the UK under the provisions set out in the Habitats Regulations. These bird species are particularly subject to disturbance from walkers, dog walkers and cat predation because they nest on or near the ground.

Policy NBE3 of the HLP32 and saved policy NRM6 of the South-East Plan 2009, make clear that when considering development proposals for residential or similar forms of development, there is an 'exclusion zone' set at 400m linear distance from the TBHSPA boundary. Permission will not be granted for development that results in a net increase in residential units within this zone unless it can be demonstrated through an Appropriate Assessment that there will be no adverse effect on the integrity of the TBHSPA.

The application site falls within the 5km zone of influence around the TBHSPA. The proposal therefore requires an Appropriate Assessment to ensure that additional residential occupiers would not affect the integrity of the TBHSPA.

Natural England have expressed that mitigation measures are required for the care home, and these would be secured via condition attached to any grant of permission by the council. The condition will require that:

- The use of property is to be restricted to C2 nursing care home.
- The care home shall not be occupied other than by persons of limited mobility who require full time nursing care and/or those who require high dependency dementia care. Persons of limited mobility shall be defined as persons whose physical condition prevents the walking beyond 400m. Such a physical condition shall first be verified by the Care Home Operator by means of referral from a General Practitioner prior to the occupation of the Care Home by any potential resident.
- No residential staff accommodation will be provided on site and rooms will be for single occupancy.
- Car parking will be restricted exclusively to staff and visitors.

Natural England also specified that they would expect:

- A covenant will prevent the keeping of pets on the premises (with the exception of assisted living dogs).

This can be secured via a Unilateral Legal Agreement that also addresses the Travel Plan and matters below.

The 4 residential dwellings would require the use of mitigation in the form of contributions to Site of Alternative Natural Greenspace (SANG). Following a resolution to grant, it is envisaged the applicant will secure access to SANG either through the LPA or privately, together with a Strategic Access Management and Monitoring (SAMM) payment.

## **9. Climate Change and Equality**

On 29th April 2021 Hart District Council agreed a motion which declared a Climate Emergency in Hart District. Policy NBE9 of the HLP32 requires proposals to demonstrate that they would:

- i) reduce energy consumption through sustainable approaches to building design and layout, such as through the use of low-impact materials and high energy efficiency; and
- j) they incorporate renewable or low carbon energy technologies, where appropriate.

The application was accompanied by a Sustainability Statement (SS) which confirms that the development would adopt sustainable approaches to construction. The dwellings would be constructed with an approach to Energy Efficiency. The SS includes proposals to make use of low energy lamps and automatic controls, minimal seasonal efficiency of boiler plant, inverter driven pumps and fan motors and the suggestion that the use of Gas fired boilers and hot water with Micro Combined Heating and Power Units. The SS confirms that this proposal would result in carbon emission savings of 8.5% (21 metric tonnes CO2 per year) compared with not utilising said Low and Zero Carbon (LZC) technology. No other LZC technology is identified as suitable for the purpose or nature of the site.

A condition requiring the submission of full details concerning the recommendations of the Sustainability Statement for Local Planning Authority agreement prior to commencement is considered appropriate to include on any planning permission the council grants.

The application involves the demolition of an existing building of some size, which will have an impact in terms of climate change by virtue of both its loss and material disposal. This is considered within the planning balance section of this report.

With regard to equality, the Council has a duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics and those who do not under the Equalities Act.

The only matter for equality concerns the removal of the existing building, Grey House, which is a building which is not considered readily accessible with that of a development, by virtue of its design and of its intended use, will be. In this regard it can be considered that the proposal is beneficial in promoting equality and unlawful discrimination by enhancing accessibility.

## **10. Planning Balance**

Section 70(2) of the Town and Country Planning Act 1990 ("TCPA 1990") provides that the

decision-maker shall have regard to the provisions of the development plan, so far as material to the application. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

It is important to note the public benefits which would arise from this proposal, and these are summarised as follows:

- Social benefits would arise from the provision of much needed specialised care facilities in the form of a 65-bed care home within the district.
- Social benefits would arise as a result of the housing provision the proposal would make to the housing stock of the District, albeit only a small contribution.
- Economic benefits attracted by the proposal would be employment and local expenditure during the construction of the development and post-occupation.
- Equality benefits in replacing an inaccessible building with buildings that would be accessible.

The dis-benefits identified are summarised as follows:

- The loss of a positive building, within a conservation area.
- The impact in terms of climate change by demolishing an existing building.
- The amenities for occupiers of neighbouring dwellings of the site would be affected as a result of the temporary construction works.

The Development Plan Policies and the NPPF require that sustainable development be approved without delay. The application proposal complies with the requirements of the principal housing policies of the Development Plan and the site is considered to be suitable for a residential development as it is within a settlement boundary. The provision of additional housing is a clear benefit, and this development would help meet that need through the delivery of a windfall brownfield site which the NPPF emphasises should be re-developed to meet future development needs.

The proposal would deliver significant public benefits as a result of the specialised accommodation for older people provision and modest to substantial economic benefits, which would all materially weigh in favour of the proposal. There is an identified need for housing of this type and development of this type is supported by NPPF Par. 62, HLP32 Policy H4 and identified as needed within the HWNP.

The proposal would constitute economic benefits including local expenditure during its construction and post-occupation. It would also offer employment opportunities in the local area.

The proposal would replace an inaccessible building with a building that would be accessible, thereby promoting equality and unlawful discrimination by enhancing accessibility.

The proposal would involve the loss of a positive building with a conservation area. However, the building itself is not a designated heritage asset and its significance within



the conservation area is restricted to its immediate locale. It is considered that this would constitute less than substantial harm to the designated heritage asset.

The proposal would have an impact in terms of climate change resulting from the demolition of an existing building as opposed to its reuse or repurposing which would potentially, in part, avoid the need for the degree of new construction proposed.

There would be an impact on the amenity of neighbouring properties being affected as a result of the temporary construction works, but it is considered that pre-commencement conditions concerning noise and methods of construction will minimise this impact.

It is considered that the design of the proposed development is acceptable and there would be no unacceptable impacts on neighbouring amenity. Suitable levels of parking provision are proposed and there would be no adverse impact on highway safety. The proposal would also comply with the requirements of the Development Plan in terms of flooding, ecology, trees and the Habitats Regulations in relation to the TBHSPA, subject to a legal agreement or otherwise.

As such this application is recommended for approval subject to conditions, which are subject to agreement with the applicant and may be altered in advance of planning committee, who will be properly updated.

## **Recommendation**

That the Head of Place be authorised delegated authority to GRANT planning permission subject to the satisfactory completion of a Unilateral Legal Agreement to:

- Bind the development to the allocation of private Suitable Alternative Natural Greenspace (SANG) and to secure the Strategic Access Management and Monitoring (SAMM) financial contribution in respect of the Thames Basin Heaths Special Protection Area.
- To secure ~cat clause of NE to be added~
- The travel plan being complied with
- To agree the usage and ancillary nature of Café/Bistro

## **CONDITIONS**

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

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prioritise delivery of housing given the limited supply of SANG capacity, in accordance with policy NBE3 of the Hart Local Plan - Strategy & Sites 2032, saved policy NRM6 of the South East Plan and Thames Basin Heath Delivery Framework (2009).

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

9-1 REVC 22MAR21 - Site Location Plan 00-3 REV J - PROPOSED GROUND FLOOR PLAN 004 REV K - PROPOSED FIRST FLOOR PLAN 005 REV K - PROPOSED SECOND FLOOR PLAN (27) 1 REV C PROPOSED ROOF PLAN 211 REV L - PROPOSED SOUTH EAST AND WEST ELEVATIONS 213 REV L - PROPOSED SOUTH WEST ELEVATIONS 21-2 REV I - PROPOSED NE AND NW ELEVATIONS 21-5 REV C - PROPOSED CARE UNITS ELEVATIONS 00-6 REVG - PROPOSED CARE BUNGALOW FLOOR PLANS 90-2 REV - PROPOSED BIN STORE 9-16 REV A - PROPOSED

ENTRANCE VEHICLE TRACKING - VISION LINE 27JAN22 9-7 REV B - PROPOSED  
ENTRANCE VEHICLE TRACKING - LARGE REFUSE 27JAN22 9-8 REV A - PROPOSED  
ENTRANCE VEHICLE TRACKING - EMERGENCY VEHICLE (AMBULANCE) 9-9 REV A -  
PROPOSED ENTRANCE VEHICLE TRACKING - EMERGENCY VEHICLE (FIRE)

Transport Statement PN. 69039 (Feb 2021) Transport Technical Note PN. 69039 (June 2021) Sustainability Statement Report (JNH/20-039) PLANNING STATEMENT LETTER (7th June 2021) BAT EMERGENCE REPORT (September 2021) UPDATED PRELIMINARY ECOLOGICAL APPRAISAL REPORT (September 2021) TREE PROTECTION PLAN 19295-3 ARBORICULTURAL ASSESSMENT - METHOD STATEMENT 19295-AA2-PB (January 2021) DRAINAGE ASSESSMENT AND FLOOD RISK STATEMENT - (November 2021) DRAINAGE ASSESSMENT AND FRA 1 THROUGH 5 (Uploaded 03/03/2021)

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

3 In order to mitigate the adverse effects upon the Thames Basin Heath Special Protection Area and make the development acceptable in respect of compliance with the Development Plan, the following mitigation measures are required for the care home:

- The use of the property is to be restricted to C2 nursing care home.
- The care home shall not be occupied other than by persons of limited mobility who require full time nursing care and/or those who require high dependency dementia care. Persons of limited mobility shall be defined as persons whose physical condition prevents the walking beyond 400m. Such a physical condition shall first be verified by the Care Home Operator by means of referral from a General Practitioner prior to the occupation of the Care Home by any potential resident.
- No residential staff accommodation will be provided on site and rooms will be for single occupancy.
- Car parking will be restricted exclusively to staff and visitors.

Reason: To protect the special qualities of the Thames Basin Heath Special Protection Area through appropriate mitigation by controlling the use and occupiers of the care home and to comply with policy NBE3 of the Hart Local Plan - Strategy & Sites 2032, saved policy NRM6 of the South East Plan and Thames Basin Heath Delivery Framework (2009).

4 Prior to the commencement of construction activity including site clearance, demolition or ground-works, a Construction Environment Management Plan (CEMP) shall be submitted to the Local Planning Authority for approval. The CEMP shall detail the significant risks posed to amenity from the emission of noise, vibration, light and dust and set out the mitigation measures to be employed to control such emissions and mitigate the effects of such emissions on neighbouring land uses. The CEMP shall include the following detail:

- a. Arrangements for the parking of vehicles for site operatives and visitors.
- b. Arrangements and locations used for loading, unloading of plant and materials to and from site.
- c. The arrangements for the erection and maintenance of hoarding to the site boundary.
- d. Mitigation measures to be used for the control of dust emission.
- e. Mitigation measures to be used to prevent illumination of neighbouring land or glare to neighbouring occupiers
- f. Arrangements for the control of noise and vibration emission. This shall include a specific method of work including noise mitigation to be employed for the carrying out of (piling operations).

- g. Arrangements for keeping public roads and access routes free from dirt and dust.
- h. A scheme for the storage and disposal of waste, providing maximum recycling opportunity.
- i. Monitoring arrangements for assessing the emission of noise, vibration and dust and assessing the adequacy of any mitigation measures.
- j. Arrangements for community liaison, notification and complaint handling. Unless otherwise agreed by the Local Planning Authority, construction activity shall only take place in accordance with the approved CEMP.

Reason: To protect the amenities of the area and neighbouring properties, and to Policy NBE11 of the Hart Local Plan - Strategy & Sites 2032 and saved Policy GEN1 of the Hart Local Plan 2006.

5 Before the development hereby approved is commenced, a landscape masterplan and landscape management plan, including a maintenance schedule and a written undertaking including proposals for the long-term management of landscape areas has been submitted to and approved in writing by the Local Planning Authority. The subsequent maintenance shall be implemented in accordance with the approved details. The buildings hereby approved shall not be occupied until such strategy is fully implemented as approved.

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 provision of amenity afforded by appropriate landscaping and to ensure high quality design within a conservation area in and to satisfy Policy NBE2, NBE8, NBE9 of the Hart Local Plan - Strategy & Sites 2032 and saved policies GEN1 and CON8 of the Hart Local Plan 2006, and the National Planning Policy Framework (2021)

6 Before the development hereby approved is commenced, details of the boundary treatment for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully completed before the development hereby permitted is first occupied.

Reason: In the interests of amenity and in order to preserve the appearance of the locality, to satisfy Policy NBE9 of the Hart Local Plan - Strategy & Sites 2032 and saved Policy GEN1 of the Hart Local Plan 2006.

7 Before the development hereby approved is commenced, a scheme of ecological mitigation measures as set out in the PEA Ecological Impact Assessment but not limited to the provision of bird boxes shall be submitted to and agreed in writing by the Local Planning Authority. The mitigation measures shall be implemented in accordance with the approved details.

Reason: To avoid unnecessary harm to the local ecology, to satisfy Policy NBE4 of the Hart Local Plan - Strategy & Sites 2032 and to achieve net biodiversity gain.

8 No development shall take place until an arboricultural method statement or construction method statement that outlines any new service runs and connections into the site and how they will be installed using trenchless technology such as thrust bore, to ensure retained trees and their roots are not damaged, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure existing trees adjoining the site are not damaged, in the interest of the visual amenity and setting of the area in accordance with policy NBE2 of the adopted Hart Local Plan - Strategy & Sites 2032, saved policies GEN1 and CON8 of the Hart District Local Plan (Replacement) 1996-2006, and the NPPF 2019.

9 Before the development hereby approved is commenced, a scheme of sustainability measures such as those set out in the Sustainability Statement Report (JNH/20-039) shall be submitted to and agreed in writing by the Local Planning Authority. The measures shall be implemented in accordance with the approved details.

Reason: In order to encourage sustainable construction, a low carbon economy and to address the impacts of climate change and to satisfy Policy NBE10 of the Hart Local Plan - Strategy & Sites 2032 and the National Planning Policy Framework (2021).

10 Prior to the commencement of development, a scheme for management of waste, waste storage and waste removal within the premises should be submitted to the local planning authority for approval. The approved scheme shall be implemented prior to first occupation and thereafter maintained.

Reason: To protect the amenities of the area and neighbouring properties, to ensure proper disposal of waste, and to satisfy Policy NBE11 of the Hart Local Plan - Strategy & Sites 2032 and saved Policy GEN1 of the Hart Local Plan 2006.

11 Prior to the commencement of development, a scheme for the extraction and treatment of fumes and odours generated from cooking undertaken on the premises should be submitted to the local planning authority for approval. The approved scheme shall be implemented prior to first occupation and thereafter maintained.

Reason: To protect the amenities of the area and neighbouring properties, and to satisfy Policy NBE11 of the Hart Local Plan - Strategy & Sites 2032 and saved Policy GEN1 of the Hart Local Plan 2006.

12 No development shall take place until details of any external lighting, including hours of operation, have been submitted to and approved in writing by the Local Planning Authority. The equipment shall only be installed, operated and maintained in accordance with the approved scheme.

Reason To protect the amenities of the area and to satisfy Policy NBE11 of the Hart Local Plan - Strategy & Sites 2032, saved Policy GEN1 of the Hart Local Plan 2006 and Hartley Wintney Neighbourhood Plan Policy 6.

13 Prior to the commencement of construction, a scheme for protecting future occupants from traffic noise shall be submitted to the Local Planning Authority for approval. The scheme shall include provision of sufficient sound insulation and a suitable system of ventilation so as to ensure internal sound levels within all habitable rooms do not exceed:

- a. 35dB LAeq,16hours (07:00-23:00) within bedrooms and communal lounges; and
- b. 30dB LAeq,8hours (23:00-07:00) within bedrooms; and
- c. a level of 45dB LA[F]max on more than 10 occasions during a typical night (23:00-07:00) within bedrooms.

Where these internal sound levels cannot be achieved with open windows, an alternative ventilation system shall be provided sufficient to provide adequate ventilation, prevent summer overheating and deliver acceptable internal acoustic conditions whilst in operation.

The approved scheme shall be implemented prior to the first residential occupation of the buildings and thereafter shall be maintained.

Reason: To protect the amenities of the area and neighbouring properties, and to satisfy Policy NBE11 of the Hart Local Plan - Strategy & Sites 2032 and saved Policy GEN1 of the Hart Local Plan 2006.

14 No above ground construction shall take place until details and samples of all external surface materials, including bricks, roof tiles, rainwater goods, windows and doors have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with approved details.

All works shall be undertaken in accordance with the approved details.

Reason: In the interest of achieving high quality design within a conservation area, in accordance with Policy NBE8, NBE9 of the Hart Local Plan (Strategy & Sites) 2032 and the National Planning Policy Framework (2021)

15 Notwithstanding the submitted information, prior to their installation, large scale details and samples of windows, doors, rooflights and details of the roof proposed shall be submitted to, and approved in writing by, the Local Planning Authority. All works shall be undertaken in accordance with the approved details.

Reason: In the interest of achieving high quality design within a conservation area, in accordance with Policy NBE8, NBE9 of the Hart Local Plan (Strategy & Sites) 2032 and the National Planning Policy Framework (2021)

16 Prior to the installation of any fixed plant or equipment an acoustic design shall be submitted to the Local Planning Authority for approval, setting out the proposed plant and noise mitigation measures to be implemented to protect the amenity of neighbouring properties.

Reason: To protect the amenities of the area and neighbouring properties, and to satisfy Policy NBE11 of the Hart Local Plan - Strategy & Sites 2032 and saved Policy GEN1 of the Hart Local Plan 2006.

17 Prior to first occupation of the development hereby permitted a final Travel Plan shall be submitted to and approved in writing by the Local Planning Authority and its recommendations fully implemented thereafter. Any amendments to the Travel Plan shall be agreed in writing beforehand by the Local Planning Authority

Reason: To secure sustainable modes of transport in accordance with Policy INF3 of the Hart Local Plan - Strategy & Sites 2032.

18 Details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings. The submitted details shall include:

- a. Maintenance schedules for each drainage feature type and ownership.
- b. Details of protection measures.

Reason: In the interest of ensuring the longevity of flood risk and drainage mitigation and management systems and to satisfy Policy NBE5 of the Hart Local Plan - Strategy & Sites 2032.

19 The drainage system shall be constructed in accordance with the Drainage Assessment and Flood Risk Statement ref: CRM.1741.001.HY.R.002.E. Any changes to the approved documentation must be submitted to and approved in writing by Local Planning Authority and Lead Local Flood Authority.

Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations.

Reason: In the interest of managing matters of flood risk and drainage properly and to satisfy Policy NBE5 of the Hart Local Plan - Strategy & Sites 2032.

20 The details and measures outlined within Arboricultural Method Statement reference 19295-AA2-PB and the Tree Protection Plan reference 19295-3 produced by Barrell Tree Consultancy (dated 27/01/21) shall be carried out in their entirety.

Existing trees along to the boundaries of the site shall not be lopped or felled and the ground within the root protection areas of these trees shall not be altered or otherwise affected in any way. Trees, hedgerows and groups of mature shrubs adjacent/close to the site shall be retained and protected 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 existing trees adjoining the site are not damaged, in the interest of the visual amenity and setting of the area in accordance with policy NBE2 of the adopted Hart Local Plan - Strategy & Sites 2032, saved policies GEN1 and CON8 of the Hart District Local Plan (Replacement) 1996-2006, and the NPPF 2019.

21 No construction or demolition activity shall be carried out and no construction related deliveries shall occur, taken at or dispatched from the site except between the hours of 7:30 hours and 18:00 hours on Monday to Friday and 08:00 hours and 13:00 hours on Saturday except in the case of Bank or Public Holidays when no such activities or deliveries shall take place. No such activities or deliveries shall take place on Sundays.

Reason: To protect the amenities of the area and neighbouring properties, and to satisfy Policy NBE11 of the Hart Local Plan - Strategy & Sites 2032 and saved Policy GEN1 of the Hart Local Plan 2006.

22 Should any land contamination or unexpected ground conditions be identified during the course of development then ground works shall cease, and the Environmental Health Department shall be notified so that any required remediation can be approved in writing before implementation.

Reason: In the interest of avoiding environmental damage due to unanticipated Land Contamination.

23 Deliveries to the site shall only take place between the hours of 08:00 and 20:00 hours. All deliveries shall be loaded / unloaded before 20:30 hours.

Reason: To protect neighbour amenity and to satisfy policy NBE11 of the Hart Local Plan – Strategy & Sites 2032 and saved Policy GEN1 of the Hart Local Plan 2006.

24 The 'Bistro/Café' area denoted on the approved plans, shall not operate outside of the hours of 0800hrs-1800hrs Monday to Saturday and 0800hrs-1700hrs Sundays/Bank

holidays and be made available to the residents of the care home and visitors to the residents only.

Reason: In the interests of neighbouring amenity in accordance with adopted policy NBE11 of the Hart Local Plan (Strategy & Sites) 2032 and saved policies GEN1 and GEN6 of the Hart District Council Local Plan (Replacement) 1996 - 2006 and the NPPF.

25 The approved cycle storage facilities shall not be used for any purpose other than the storage of cycles. The approved parking facilities for vehicles shall not be used for any purpose other than the parking of motorised vehicles and access shall be maintained at all times to allow them to be used as such. Both parking and cycling facilities will be retained in their approved state.

Reason: To ensure that the development is provided with adequate parking and cycle storage, to prevent the likelihood of on-street car parking and to satisfy Policy INF3 of the Hart Local Plan - Strategy & Sites 2032 and saved policy GEN1 of the Hart Local Plan 2006.

## INFORMATIVES

1 The applicant is advised that under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017, bats are a protected species, and it is illegal to intentionally or recklessly damage, disturb or destroy a bat or its habitat. If any evidence of bats is found on site, Natural England must be informed and a licence for development obtained from them prior to works continuing. For further information go to [www.naturalengland.org.uk](http://www.naturalengland.org.uk)

2 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.

3 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.

4 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 operative's vehicles should be normally arranged on site.





