

**LOCATION:** FORMER CHESWYCKS SCHOOL, GUILDFORD ROAD,  
FRIMLEY GREEN, CAMBERLEY, GU16 6PB

**PROPOSAL:** Outline Application for the erection of a two storey building with accommodation in the roof space to provide a 62 bedroom care home including car parking, landscaping, access and associated works (access, appearance, layout and scale to be determined.). (Amended plan & additional info rec'd 24/11/2014).

**TYPE:** Outline

**APPLICANT:** Mr Mark Doodes  
C/O Framptons Planning Ltd

**OFFICER:** Duncan Carty

## **RECOMMENDATION: REFUSE**

### **1.0 SUMMARY**

- 1.1 This outline application relates to provision of a 62 bedroom care home within the Countryside (beyond the Green Belt) to the east of Frimley Green. The site is located behind landscaping fronting Guildford Road, to the west of the Deepcut Bridge Road junction, on a former school site which was substantially burned down in 2007.
- 1.2 The current proposal is considered to be acceptable in terms of its impact on local character (including its countryside setting), residential amenity and trees. The current proposal is not CIL liable, relating to Class C2 development. The applicant is willing to enter into a legal agreement to secure controls to preclude the keeping of dogs (except those required for the care of patients, e.g. guide dogs) and cats at the site and occupancy limitations to limit the impact of the current proposal on the integrity of the Thames Basin Heaths Special Protection Area, as well as the provision of a monitoring fee. In addition, a monitoring fee for the required travel plan is required to be provided within the legal agreement.
- 1.3 However, the application has not been supported with sufficient survey information (and any required mitigation) to give certainty to the Council concerning the impact of the proposal on protected species. As such, an objection is raised on these grounds. In addition, a legal agreement (as indicated in Paragraph 1.2 above) has not been provided to date and so objections are also raised on SPA and highway safety grounds.

### **2.0 SITE DESCRIPTION**

- 2.1 The application site is located on the north side of Guildford Road to the west of the Deepcut Bridge Road junction. The site lies in the defined Countryside (beyond the Green Belt) to the east of the settlement of Frimley Green. Whilst the site measures 1.9 hectares in area, only a small proportion of the site is to be developed. Land to the north and east of the application site is owned by the applicant.
- 2.2 The only remaining building on the site is the former caretaker's dwelling located closer to the road. This building is in an advanced state of dereliction. All other former buildings on the site cleared following the fire in 2007. There is evidence of the extent of hardstanding

for these buildings, playgrounds, car parking, swimming pool accommodation, etc. and as such the site is defined as previously developed land. There are a number of mature trees on the site, including a tree belt between the car parking and siting of the main (former) school buildings and another belt to the site frontage. There is woodland to the north and east of the siting of the proposed building. There is a Tree Preservation Order on the site covering many of these trees.

### **3.0 RELEVANT HISTORY**

3.1 The application site has an extensive planning history as a school and the most recent proposals (to redevelop the site) are as follows:

- 3.2 SU/05/1084 Erection of a 70 bedroom nursing home for the elderly with 20 extra care flats and a childrens' nursery following the demolition of existing buildings. part two storey part three storey building to comprise a 91 bed nursing home (Class C2) to include refuse and cycle storage following demolition of existing.

*Non-determination appeal withdrawn in September 2006 but the Council would have refused with the following reason:*

*"The application proposes the erection of three buildings in the countryside following the demolition of existing community [i.e. school] buildings. The new buildings are of a much larger scale than those they would replace and are considered to be of poor quality design and appearance out of keeping with their rural surrounds. As such the proposal is considered to be detrimental to the openness of the Countryside beyond the Green Belt and harmful to the rural character of the area...Furthermore, the proposal includes the loss of five significant, mature A1 grade trees which contribute to the character of the site. The loss of these trees would be harmful to the character of this countryside location..."*

This development would have provided about 5,300 square metres of accommodation, a much larger scheme than the current proposal provided within three separate buildings located across the site.

### **4.0 THE PROPOSAL**

- 4.1 The outline application proposes the erection of a detached two storey building with accommodation in the roofspace to comprise a 62-bedroom care home with associated communal areas and facilities. Details of access, appearance, layout and scale are to be determined under this application (with details of landscaping to be a reserved matter for later determination, if this application were to be approved).
- 4.2 The proposed building would have a maximum height of 9.8 metres to the ridge with an eaves height of 5.6 metres. The building would be located towards the rear of the site and would have a broadly 'L' shaped footprint with landscaped communal gardens created abutting the building. The proposal would provide about 2,900 square metres of development (gfa) on the site.
- 4.3 The former school and associated buildings previously provided about 1,500 square metres of accommodation, partly in a two storey form. The proposal would consolidate the location of previous development on the site (to the siting of, and close to, the main school buildings) with hardstanding (associated with ancillary buildings, hardstanding areas including

playgrounds, access roads, car parks, tennis courts, swimming pools) and the caretaker's dwelling spread across the site being removed.

- 4.4 Access to the site would remain via the former access points onto Guildford Road which would lead to a parking and servicing area located to the front/side of the proposed building. 24 parking spaces are proposed.
- 4.5 In support of this application, a transport statement, ecological assessment, an arboricultural report and planning statement have been submitted to support the application. Further details of sustainability and justification for the proposal were also submitted by email. The applicant has explained the need for this form of development in their planning statement which will be referred to in the proposal assessment below.

## **5.0 CONSULTATION RESPONSES**

- 5.1 County Highway Authority            No objections.
- 5.2 Surrey Wildlife Trust        Advised that further survey work is required.
- 5.3 Natural England                No objections.
- 5.4 Tree Officer                    No objections (verbal). Any formal comments will be reported to the Committee.

## **6.0 REPRESENTATION**

- 6.1 At the time of preparation of this report 1 letter of objection has been received from the Mytchett, Frimley Green & Deepcut Society which raises the following issues:
- Improved access (such as a provision of a footpath/cycle path access) is required [see Paragraph 7.5]
  - Unlikely that people will arrive by public transport or cycle due to highway safety risk [see Paragraph 7.5]
- 6.2 There had also been 1 letter of comment received raising the following issues:
- Access arrangements will need to be carefully considered. This was an issue for former school [see Paragraph 7.5]
  - Unlikely that people will arrive by transport measures except by car due to road speed limit [see Paragraph 7.5]
  - Provision of a pathway could be provided to improve safety for walkers [see Paragraph 7.5]

## **7.0 PLANNING CONSIDERATION**

- 7.1 The application site is located within the Countryside (beyond the Green Belt) as identified by the Proposals Map. Accordingly Policies CP12, CP14, DM9 and DM11 of the Core Strategy and Development Management Policies 2012 and Policy NRM6 of the South East Plan 2009 (as saved) are relevant to the consideration of this application. The Surrey

County Council Travel Plan Good Practice Guide 2010, Circular 06/2005, the National Planning Policy Framework and the Planning Practice Guidance are also material considerations. The current proposal is not CIL liable, relating to Class C2 development.

7.2 It is considered that the main issues to be addressed by this application are:

- The principle for the development;
- The impact of the development on the character of the area and wider countryside;
- The impact of the development on the residential amenities;
- The level of parking and the impact of the development on highway safety; and
- The impact of the development on protected species and biodiversity.

### 7.3 The principle for the development

7.3.1 Paragraphs 6 and 7 of the NPPF confirm that the purpose of the planning system is to contribute to the achievement of sustainable development and that there are three dimensions to sustainable development: economic, social and environmental. These dimensions should contribute towards a strong responsive and competitive economy, support strong, vibrant and healthy communities and contribute to protecting and enhancing the natural (and built and historic) environment. There is a presumption in favour of sustainable development set out in the NPPF and an assessment must be made to assess the impact of the proposal on the three dimensions of sustainability.

7.3.2 The application site is previously developed land located within an area defined as Countryside (beyond the Green Belt). Paragraph 17 of the NPPF indicates the core planning principles which include recognising the intrinsic character and beauty of the countryside and supporting thriving communities within it; and encouraging the effective use of land by reusing land that has been previously developed (brownfield land).

7.3.3 National policy for development on previously developed land does not direct such development solely to sites within existing defined settlements but also to countryside locations (such as Green Belt). The re-use of previously developed land within countryside locations for care home purposes is considered to be more sustainable than other possible uses. Care home uses are relatively passive in terms of activity undertaken and are limited in terms of transport movements. The applicant has indicated in their planning statement that this site remains *"a wasted asset in terms of its potential to provide for the development needs of the [Borough]..."* There are clearly some environmental benefits for this proposal, but a further assessment of the impact of the proposal on the countryside is made in Paragraph 7.4 below.

7.3.4 The current proposal provides residential accommodation which is a principal aim of national policy. The planning statement for the application indicates that there remains a need for such residential development and that such a proposal would contribute towards meeting the social need *"imposed by an aging and increasingly dependent population...Indeed, the aging nature of the Surrey population, as recognised by [this Council's own research in the Core Strategy], concludes that demand is outstripping supply significantly."* The applicant has also confirmed in their planning statement that *"it is acknowledged that there is a threshold which a viable care home can be established (around 60 bedrooms). It is not feasible to provide the level of personal care and the quality of supporting accommodation*

*that is required by frail elderly residents in a significantly smaller care home. As such, this development is considered to represent the minimum amount of development to make the proposed re-development a viable proposition."* There is clearly a social benefit supporting this proposal.

7.3.5 The planning statement for this application indicates that the proposal would *"generate 80 new positions of employment. All but the very senior managerial staff will likely be recruited from the local area. Clearly being a new care facility, designed to address a proven latent demand in the locality, it is reasonable to assume that all such roles are new positions, not ones transferred or displaced from elsewhere in the country...This application can demonstrate it will create a wide range of part-time, flexible and full-time positions which are both skilled (HR, managerial, marketing, IT, etc.) some semi-skilled (care work, medical liaison, etc.) and some manual (cleaners, porters, gardeners, etc.) which will suit a range of individuals for whom a "9-5" role is neither desired nor suitable."* There is clearly an economic benefit supporting the proposal.

7.3.6 The social and economic benefits of the proposal are important material considerations which strongly weigh in favour of the proposal and it is considered that the principle for the development is accepted, subject to the assessment of the impact of the proposal on the environment (in particular its countryside location) as set out in Paragraph 7.4 below.

#### **7.4 The impact of the development on the character of the area and wider countryside**

7.4.1 The current proposal would provide a significant building in a countryside location where none currently exists and a building larger than the structures previously sited on this site. This resulting loss to openness would result in some harm to the countryside.

7.4.2 Whilst the site is previously developed land, it is beginning to be reclaimed by nature due to the lack of any activity on the site since the fire in 2007 (and resulting demolition and clearance works undertaken for safety reasons). However, elements of its former use are still clearly visible and detract from its countryside setting. The site remains in a poor condition and has an adverse impact on the rural character of the immediate area. The current proposal would remove the remains of the former use, bring the land back into active use with opportunities to improve the landscaping (trees, etc.) across a large part of the site to the benefit of the setting of the site. In addition, the proposed care home development would be set back on the site (without a street frontage) and would not be clearly visible from the road or the wider public domain.

7.4.3 The development requires the removal of a number of trees within the site, however, the Council's Arboricultural Officer has (verbally) raised no objection to this tree loss, which would not affect the best quality and most significant trees on the site, and advises that suitable replacement planting could ensure the tree cover of the site could be maintained. In this regard, there is clearly scope for further significant planting on this site. However, such details would be provided as a reserved matter, subject to a separate reserved matters application (if this outline application were to be approved).

7.4.4 Having regard to all of the above, it is considered that the development would have some limited harm to the openness of the countryside but would also result in other improvements to the visual character and the appearance of the countryside and, taking into consideration the social and economic benefits of the proposal set out in Paragraph 7.3 above, would on balance meet the relevant objectives of Policy DM9 of the Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

## **7.5 The impact of the development on the residential amenities**

7.5.1 The application site is some distance from any nearby residential properties (the nearest being Corry Hill set about 250 metres from the siting of the proposal), and with the amount of landscaping (including trees) in between, no adverse impact on residential amenity is envisaged with the proposal complying, in this respect, with Policy DM9 of the Core Strategy and Development Management Policies 2012.

## **7.6 The level of parking and the impact of the development on highway safety**

7.6.1 The transport statement provided by the applicant confirms that the proposal would provide a low level of traffic with a mini-bus service proposed for staff to reduce the use of the motor car further. Accommodation for service vehicles (such as refuse vehicles) is provided with parking to serve the development for visitors, including relatives (of residents), some staff and other professionals (such as doctors) who need to visit the development.

7.6.2 The application includes the provision of 24 car parking spaces; given that the occupants of the development are unlikely to own cars these spaces would be for staff and visitors. While the application indicates that there would be about 40 staff members these would operate in three shift patterns and would not all be on site at the same time. This level of provision is considered to be acceptable.

7.6.3 It is also noted that the application site is located in a relatively unsustainable location, located about 500 metres from the nearest bus stop (on Deepcut Bridge Road) and about 1 kilometre from the nearest local centre (Frimley Green). Noting the lack of a footway on this stretch of Guildford Road, the bends in the road close to the application site and the national speed limit applied on this road, opportunities for the use of other means of transport to and from the site than the motor car are limited. To address this, the applicant is to provide a shuttle mini-bus to ferry staff to and from the site and has provided details of a shuttle service between the site, Frimley and Farnborough (and stops in between). A travel plan would be required to bring forward the mechanism to limit the use of the motor car to the site and optimise the use of other modes of transport (particularly in this case the proposed mini-bus shuttle service).

7.6.4 The site access would require improved visibility so that a 2.4 by 100 metre visibility is provided to the site frontage. This level of visibility is considered to be acceptable for the road speed on Guildford Road in front of the site.

7.6.5 The County Highway Authority has reviewed the transport statement and considered the application and has advised that no objection should be raised to the development, subject to the provision of a £4,600 contribution towards the monitoring of a travel plan. Having regard to the above, it is concluded that the development would deliver an appropriate level of car parking and would not give rise to conditions prejudicial to highway safety, so long as the travel plan is provided. Without the contribution to facilitate the monitoring of a travel plan, an objection is raised on such grounds, with the proposal failing to meet the objectives of Policies CP11 and DM11 of the Core Strategy and Development Management Policies 2012, the National Planning Policy Framework and the objectives of the Surrey County Council Travel Plan Good Practice Guide 2010.

## **7.7 The impact of the development on protected species and biodiversity**

7.7.1 The application site, as indicated above, falls within a countryside location and adjacent to woodland, with the potential to provide habitats for protected species. The application has been supported by an ecological report which concludes that whilst the remaining building on the site (the former caretaker's dwelling) has a limited potential for bats, two trees to be removed have potential for use by roosting bats. A review of bat activity is proposed before

works commence. In addition, a reptile survey encountered a slow worm in the grounds and concluded that their presence is limited, a review is proposed before works commence. Work would also avoid the bird nesting season.

7.7.2 The Surrey Wildlife Trust has advised that the survey work undertaken so far has not been sufficient and further survey work is required (in relation to bats, badgers and reptiles) before the Council is able to grant permission. Under such circumstances, and on the basis that any meaningful surveys, that would be required, can only be undertaken in the spring/summer seasons, the Council is not in a position to support this application at this time with the level of uncertainty over the impact of the proposal on any protected species. *Circular 06/2005: Biodiversity and Geological Conservation* indicates that:

*"It is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all other material considerations may not have been addressed in making the decision."*

As such, an objection to the proposal is raised on these grounds.

7.7.3 The application site is partly located within 0.4km of the Thames Basin Heaths Special Protection Area and Natural England is currently advising the new residential development has the potential to adversely impact on the protected sites due to increase recreational pressure. In this instance the development proposes a care home which would fall within Use Class C2. A legal agreement is also required to preclude the keeping of cats and dogs (except those dogs required for the care of patients, e.g. guide dogs) to the site and occupancy limitations, such that the occupancy so that the care home accommodation shall not be occupied other than by persons who are mentally and/or physically frail, have mobility problems or suffer from partial or full paralysis or in need of assistance with the normal activities of daily life to limit the impact of the current proposal on the integrity of the Thames Basin Heaths Special Protection Area, along with a monitoring fee. To date, such a legal agreement has not been provided and an objection is raised to the proposal on these grounds.

7.7.4 As such, it is considered that the proposal is unacceptable on ecological and SPA grounds, failing to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012, Policy NRM6 of the South East Plan 2009 (as saved), the NPPF and advice in Circular 06/2005.

## **8.0 ARTICLE 2(3) DEVELOPMENT MANAGEMENT PROCEDURE (AMENDMENT) ORDER 2012 WORKING IN A POSITIVE/PROACTIVE MANNER**

8.1 In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of Paragraphs 186-187 of the NPPF. This included:

- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.

## **9.0 CONCLUSION**

- 9.1 The development proposed would be sympathetic to the character and the appearance of the area and would not impact on the amenities currently enjoyed by the occupants of the surrounding residential properties. However, sufficient survey information (and any required mitigation) has not been provided to fully take account of any protected species on the site and an objection is raised on these grounds. In addition, a legal agreement has not been completed to limit the impact on highway safety and the SPA and objections are also raised on these grounds. The application is therefore recommended for refusal.

## **10.0 RECOMMENDATION**

REFUSE for the following reason(s):-

1. The applicant has failed to provide sufficient survey information to ascertain the level of activity of protected species on the application site and what mitigation would be required to ensure that the development proposal does not harm these protected species. Therefore, in the absence of this information the Local Planning Authority is unable to satisfy itself that a grant of planning permission would not be in breach of the Conservation of Habitats and Species Regulations 2010 (which requires all public bodies to have regard to the requirements of the Habitats Directive in the exercises of their functions) and that the proposal would not conflict with ODPM Circular 06/2005, Policy CP14 of the Surrey Heath Core Strategy and the National Planning Policy Framework.
2. The Planning Authority, following an Appropriate Assessment and in the light of available information and the representations of Natural England, is unable to satisfy itself that the proposal (in combination with other projects) would not have an adverse effect on the integrity of the Thames Basin Heaths Special Protection Area (SPA) and the relevant Site of Specific Scientific Interest (SSSI). In this respect, significant concerns remain with regard to adverse effect on the integrity of the Special Protection Area in that there is likely to be an increase in dog walking, general recreational use and damage to the habitat and the protection of protected species within the protected areas. Accordingly, since the planning authority is not satisfied that Regulation 62 of the Conservation of Habitats and Species Regulation 2010 (The Habitats Regulation) applies in this case, it must refuse permission in accordance with Regulation 61 (5) of the Habitats Regulations and Article 6 (3) of Directive 92/43/EE. For the same reasons the proposal conflicts with guidance contained in Planning Policy Statement 9 (Biodiversity and Geological Conservation).
3. The proposed development would not provide a mechanism to adequately monitor the travel plan required to ensure that the development would limit the use of the motor car (and correspondingly promote the use of other transport modes) leading to conditions prejudicial to highway safety failing to comply with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012, Surrey County Council Travel Plan Good Practice Guide 2010 and the National Planning Policy Framework.