

**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 to provide a 62 bedroom care home including car parking, landscaping, access and associated works. (Access, layout, appearance and scale to be determined). (Amended info recv'd 7/9/15 and 9/7/15). (Amended plan rec'd 17/08/2015).

**TYPE:** Outline

**APPLICANT:** Mr Mark Doodes  
On behalf of Montpelier Estates Ltd

**OFFICER:** Duncan Carty

**RECOMMENDATION: GRANT subject to conditions**

**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 application is a re-submission of the refused application SU/14/0865, which is currently at appeal. This was refused on a failure to provide sufficient survey information for protected species; the impact on sites of conservation importance i.e. the Thames Basin Heath Special Protection Area (THBSPA) and Site of Special Scientific Interest (SSSI); and, no monitoring mechanism for a travel plan. This application was acceptable in all other respects including the principle of development and its impact on local character, residential amenity and trees.
- 1.3 This application has been supported with sufficient ecological survey information and any required mitigation. In addition, no objections are now raised on SPA and highway safety grounds; matters which previously required to be secured by a legal agreement can be secured by condition. The current proposal has therefore overcome the previous reasons for refusal and as such is recommended for approval.

**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 prop

- 3.2 SU/05/1084 Erection of a 70 bedroom nursing home for the elderly with 20 extra care flats and a children's 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 the application due to the impact of the development on the Countryside beyond the Green Belt, harm to the rural character of the area and loss of mature trees).*

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

- 3.3 SU/14/0865 Of material relevance, outline application for the erection of a two storey building with accommodation in the roof to provide a 62 bedroom care home including car parking, landscaping, access and associated works.

*Refused permission in December 2014 due to: 1) a failure to provide sufficient survey information in relation to protected species; 2) the Council was 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); and, 3) no mechanism was provided to adequately monitor the travel plan leading to conditions prejudicial to highway safety.*

This application was acceptable in all other respects.

### 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). This is an identical proposal to refusal SU/14/0865.
- 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 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 resubmission a Transport Statement, Ecological Assessment, Arboricultural Report and Planning Statement have been submitted. Further details of sustainability and justification for the proposal were also submitted by email. Reference will be made to the submission, where applicable, in section 7 of this report.

## **5.0 CONSULTATION RESPONSES**

- 5.1 County Highway Authority            No objections.
- 5.2 Surrey Wildlife Trust        No objections.
- 5.3 Natural England                No objections.
- 5.4 Tree Officer                    No objections (verbal). Any formal comments will be reported to the Committee.
- 5.5 Lead Local Flood Authority    No comments received to date. Any formal comments will be reported to the Committee.

## **6.0 REPRESENTATION**

- 6.1 At the time of preparation of this report one letter of support has been received (making no specific comments) and none raising an objection.

## **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 the National Planning Policy Framework (NPPF) and Policies CP12, CP14, DM9, DM10 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. In addition, regard must be had to the Surrey County Council Travel Plan Good Practice Guide 2010, Circular 06/2005 and the Planning Practice Guidance.
- 7.2 The refused scheme SU/14/0865, being identical to the current proposal, is a material consideration in the assessment below. For completeness the officer's report for SU/14/0865 is therefore attached as Annex 2 to this agenda. The conclusions in this 2014 report relating to the principle for the development (paragraph 7.3 refers); impact on the character of the area (paragraph 7.4); and, impact on residential amenities (paragraph 7.5) equally apply to this submission and shall not be repeated in detail below given that there has been no change in site circumstances and policy. To assist, these conclusions are briefly summarised below:

- The social and economic benefits of the proposal weigh in favour of the proposal and it is considered that the principle for the development is accepted.
- 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.
- The site is a significant distance from the nearest residential properties and with the amount of landscaping (including trees) in between there would be no adverse impact on residential amenity.

7.3 Hence, the main issues to consider with this application are:

- The impact of the development on protected species and biodiversity; and,
- The impact of the development on highway safety (specifically in relation to the requirement for a monitoring contribution towards a travel plan).

In addition, since 2014 the Government has changed the drainage requirements for major developments and so this report will also address this issue.

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

7.4.1 The application site falls within a countryside location and is adjacent to woodland, with the potential to provide habitats for protected species. Unlike the refused application this submission has been supported by an ecological report with surveys for bats, badgers and reptiles. There was no badger activity uncovered at the site and bat activity was solely for commuting purposes (adjacent to the woodland to the north) only and there was no bat roosting activity at the derelict cottage and major trees (T23 and T69) which are due to be removed. A small reptile population was encountered on grassland close to the siting of the proposed care home.

7.4.2 The Surrey Wildlife Trust has advised that the survey work undertaken so far is sufficient for the Council to be able to grant permission, subject to the mitigation measures (principally for bats and reptiles) are undertaken during (and after) the construction phase. As such, subject to condition, no objection to the proposal is raised on these grounds and reason 1 for refusing SU/14/0865 has been overcome.

7.4.3 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. For refusal SU/14/0865 a legal agreement had been 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. Natural England has commented that these matters would need to be dealt with by a legal agreement or condition. In this case, and following the recent approval at 12 Streets Heath, West End (SU/14/0869), these matters can be reasonably controlled by condition instead of a legal agreement. No objections are therefore raised on these grounds and refusal reason 2 for refusing SU/14/0865 has been overcome.

7.4.4 As such, it is considered that the proposal is acceptable on ecological and SPA grounds, complying 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.

## **7.5 Impact on highway safety**

7.5.1 In relation to highway matters no objections were raised under in respect of the following:

- Access: The site access would require improved visibility so that a 2.4 by 100 metre visibility is provided to the site frontage, which can be secured by condition. This level of visibility is considered to be acceptable for the road speed on Guildford Road in front of the site.
- Parking: 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. 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.

The County Highway Authority has again reviewed the Transport Statement and considers no objection should be raised to the development.

7.5.2 Under SU/14/0865 it was explained that the site is in a unsustainable location of the site i.e. located about 500 metres from the nearest bus stop (on Deepcut Bridge Road) and about 1 kilometre from the nearest local centre (Frimley Green). The situation is exacerbated by 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 which limits opportunities for the use of other means of transport to and from the site than the motor car. To address this, the applicant proposes 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). To secure this a travel plan would be required by condition.

7.5.3 Whilst under SU/14/0865, a contribution towards the monitoring of a travel plan was requested, a recent court case has removed this requirement, and consequently no contribution has been requested by the County Highway Authority. Reason 3 for refusing SU/14/0865 is therefore no longer applicable and has been overcome.

7.5.4 It is therefore concluded that the development would be acceptable in terms of its impact on highway safety and parking capacity. No objections are therefore raised on such grounds, with the proposal complying with 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.

## **7.6 The impact of the development on drainage and flood risk**

7.6.1 This application site is within Flood Zone 1 and is not over 1 ha, and as such a Flood Risk Assessment was not required. However, given that this is a major development and given the requirement for all major development to design a sustainable drainage system into a scheme, where feasible, the applicant has submitted a drainage report. This report states that all surface water from the new development be discharged to the ground through suitable soakaway chambers or trenches, designed in accordance with SuDS techniques. With no foul sewers in the vicinity it is proposed to utilise an on-site treatment works suitably

sized for the development. In accordance with the statutory consultation requirements since April 2015, the Local Lead Flood Authority has been consulted and their comments are awaited. Subject to no adverse comments being received, no objections are raised on these grounds, with the proposal complying with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the NPPF.

## **8.0 ARTICLE 2(3) DEVELOPMENT MANAGEMENT PROCEDURE (AMENDMENT)**

**ORDER 20**

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. Sufficient survey information (and any required mitigation) has now been provided to fully take account of any protected species on the site and an objection is raised on these grounds. In addition, matters to limit the impact on highway safety and the SPA can be provided by condition (in place of a legal agreement) and no objections are also raised on these grounds. The application is therefore recommended for approval.

## **10.0 RECOMMENDATION**

GRANT subject to the following conditions:-

1. Approval of the details of the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

(a) Application for approval of the reserved matters shall be made to the Local Planning Authority within three years of the date of this permission.

(b) The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To prevent an accumulation of unimplemented planning permissions and to comply with Article 4 of the Town and Country Planning (General Development Procedure) Order 2010 (or any order revoking and re-enacting that Order) and Section 92(2) of the Town and Country Planning Act 1990 as amended by Section

51 (2) of the Planning and the Compulsory Purchase Act 2004.

2. No development shall take place until details and samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority. Materials to be agreed will include the proposed brick, tile, guttering and fenestration. Once approved, the development shall be carried out using only the agreed materials.

Reason: In the interests of visual amenities of the area and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

3. No development shall be occupied until the existing vehicular access onto Guildford Road has been modified and provided with visibility splays in accordance with Drawing No. 16072-01, and the visibility splays shall be kept clear of any obstruction between 0.6 and 2 metres above carriageway level in perpetuity.

Reason: In the interests of highway safety and to comply with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

4. The parking spaces shown on the approved plan shall be made available for use prior to the first occupation of the development and shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: To ensure the provision of on-site parking accommodation and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

5. Before the first occupation of the premises hereby approved, a Travel Plan, in accordance with the aims and objectives of the Surrey County Council "Travel Plan Good Practice Guide" July 2010, shall be submitted to and approved in writing by the Local Planning Authority. This shall be implemented in accordance with the details to be submitted and thereafter retained and/or developed to the satisfaction of the Local Planning Authority.

Reason: In the interests of providing sustainable modes of transport and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

6. No development, including any site clearance, shall take place until a Method of Construction Statement, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding
- (f) hours of construction
- (g) measures to prevent mud and spoil being deposited on the highway
- (h) an undertaking that there will be no burning on the site

has been submitted to and approved in writing by the Local Planning Authority.

Only the approved details shall be implemented during the construction period.

Reason: The condition above is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

7. No development shall take place until details of external lighting are to be submitted to the Local Planning Authority. Once approved the lighting shall be constructed in accordance with the approved details and implemented prior to first occupation of the development and thereafter retained in perpetuity. The details shall include full details of the lighting supports, posts or columns, a plan showing the location of the lights and full technical specification.

Reason: In the interests of nature conservation and to accord with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

8. The development hereby approved shall be undertaken in strict accordance with Parts 4.0 and 5.0 of the Protect Species Assessment by Ecological Planning (July 2015).

Reason: To maximise biodiversity opportunities for wildlife following completion of the development and to comply with Policy CP14 of the Core Strategy and Development Management Plan 2012 and the National Planning Policy Framework.

9. Prior to the first occupation of the development hereby approved, details of restrictions to the car park use shall be submitted to and approved, in writing, by the Local Planning Authority. The approved details shall be implemented and thereafter retained in perpetuity.

Reason: To ensure the integrity of the SPA is not harmed by the proposal in accordance with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012, Policy NRM6 of the South East Plan 2009 (as saved) and the National Planning Policy Framework.

10. The development hereby approved shall only be used as a Class C2 care home and be occupied solely by persons who are mentally and/or physically frail; have mobility problems; suffer from paralysis or partial paralysis; or are in the need for assistance with the normal activities of life. The building shall not be used for any other purpose within Class C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) or any other statutory instrument and notwithstanding any provisions either in force or enacted at a later date there shall be no permitted change of use.

In addition:

- there shall be no self-contained or staff accommodation within the approved development;
- there shall be no dogs or cats at the premises at any time (other than assisted



living dogs);

Reason: To ensure the integrity of the SPA is not harmed by the proposal in accordance with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012, Policy NRM6 of the South East Plan 2009 (as saved) and the National Planning Policy Framework.

11. The proposed development shall be built in accordance with the following approved plans: 257/F01/001 Rev. C, 257/F01/002 Rev. C, 257/F01/003 Rev. B, 257/F01/004 Rev. C and 257/F01/008 Rev. A received on 2 July 2015 and 257/F01/S02 Rev. G received on 17 August 2015 unless the prior written approval has been obtained from the Local Planning Authority.

Reason: For the avoidance of doubt and in the interest of proper planning and as advised in ID.17a of the Planning Practice Guidance.