

2017/0702

Reg Date 23/08/2017

Town

LOCATION: KINGS LODGE CARE HOME, 122 KINGS RIDE, CAMBERLEY, GU15 4LZ
PROPOSAL: Installation of dormers and rooflights, and conversion of roofspace to provide 18 bedrooms/en suites with associated accommodation and car parking.
TYPE: Full Planning Application
APPLICANT: Mr Banham
Court House Care Group
OFFICER: Duncan Carty

RECOMMENDATION: REFUSE

1.0 SUMMARY

- 1.1 This planning application relates to the installation of dormers and the conversion of the extended roofspace to provide further care home accommodation of 1,311 square metres, including 18 bedroom/en-suites in the roofspace of a 3,476 square metre, 64 bed two storey care home built under permission SU/15/0106, with associated accommodation and an amended car parking layout. The site is located on land at Whitehill Farm on the east side of Kings Ride located in the Countryside (beyond the Green Belt) close to the defined settlement of Camberley. The site lies very close to the Old Dean Common which forms part of the Thames Basin Heaths Special Protection Area (SPA).
- 1.2 The current proposal would be acceptable in terms of its impact upon residential amenity, highway safety, ecology, drainage and the SPA.
- 1.3 However, it is considered that the current proposal by reason of the increased activity generated by the proposal, would have an undesirable urbanising impact on its countryside character. The current proposal is recommended for refusal.

2.0 SITE DESCRIPTION

- 2.1 The application site is an irregularly shaped site, within which a care home development recently completed, falling within the Countryside (beyond the Green Belt). The application site has an area of about 6.3 hectares. The application site comprises an area predominantly of open grassland, with woodland to the north, east and south on land owned by the applicant. Part of this woodland, which falls predominantly outside the application site on land owned by the applicant, is protected by a Tree Preservation Order (TPO 07/86) and a portion is a Site of Nature Conservation Interest (SNCI).
- 2.2 To the east of the land owned by the applicant is the Old Dean Common which is a Site of Specific Scientific Interest (SSSI) within the Thames Basin Special Protection Area (SPA) both falling within the Countryside (beyond the Green Belt). Land to the south and immediately west of the land owned by the applicant falls within the settlement of Camberley. Housing formerly owned by the Ministry of Defence lies opposite the application site to the west, and to the north west of the application site. Residential properties in Woodlark Glade, Whitehill Close and College Close lie to the south of land

owned by the applicant. The site access is set over 200 metres from the junction of Kings Ride with College Ride and 750 metres from the junction with A30 London Road. A public footpath lies to the rear (east) boundary between land owned by the applicant and Old Dean Common.

3.0 RELEVANT HISTORY

The application site has an extensive planning history of which the following is most relevant:

- 3.1 SU/05/0028 Reserved matters application pursuant to planning permission SU/96/0494 as varied by planning permission SU/04/0731 for the erection of outdoor and indoor recreational facilities and associated parking area. Approved in December 2006.

This permission followed outline permission SU/96/0494 and a series of time limit extensions to that permission. This development remained extant until the construction of the care home (under SU/15/0106 below) because access works were constructed within the time limit to implement this permission. This would have provided a development of 1,365 square metres.
- 3.2 SU/11/0451 Erection of a 63 bedroom two storey residential care home and other associated development including landscaping, parking and access. Approved in April 2012. This would have provided a development of 3,085 square metres.
- 3.3 SU/15/0106 Erection of a 64 bedroom two storey residential care home and other associated development including landscaping, parking and access. Approved in May 2015 and recently completed providing a development of 3,476 square metres.
- 3.4 SU/16/0779 Erection of 4 no. blocks part two storey/part two storey with accommodation in the roof with balconies and roof gardens to provide 21 no two/three bedroom units and 20 no two bedroom units of extra care residential accommodation along with car, cycle and buggy parking, access and landscaping including footpath links. Refused in February 2017 due to its impact on countryside character, trees and the SPA; and is now subject to an appeal.
- 3.5 SU/17/0321 Variation of Condition 7 of planning permission SU/15/0106 to allow the provision of an alternative parking layout. This application is under consideration.
- 3.6 SU/17/0396 Erection of a maintenance equipment storage building and provision of a field gate access. This application is currently under consideration.

4.0 THE PROPOSAL

- 4.1 The current proposal is to install dormers and to convert the roofspace, at the third storey level, into 18 no. bedroom/en-suites with associated accommodation and parking. The proposal would provide 14no gable roofed dormers, each measuring 2.9 metres in maximum height, 3.2 metres in width and 6.3 metres in maximum depth, with the ridges set down 0.9 metres for the main ridge of the care home development. A total of 3no rooflights would also be provided. The proposal would not result in an increase in the height of the care home.
- 4.2 The proposal would also provide dining/lounge facilities, nurse stations, and office accommodation to support the care home use at the third storey level.
- 4.3 The proposal would provide a total of 1,311 square metres of new accommodation, representing an increase of 37.7% over the approved care home proposal under SU/15/0106.
- 4.4 The proposal would provide 32 car parking spaces in a reorganisation of the existing parking layout, which provided 27 car parking spaces. The majority of the spaces would be provided immediately to the front of the care home with some spaces provided adjacent to the access road.
- 4.5 In support of the application, the further documents have been submitted:
- Design and access statement;
 - Planning statement; and
 - Arboricultural method statement and tree protection plan.

5.0 CONSULTATION RESPONSES

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| 5.1 | County Highway Authority | No objections. | |
| 5.2 | Natural England | No comments received to date. | Any formal comments will be reported to the Committee. |
| 5.3 | Arboricultural Officer | No objections. | |
| 5.4 | Surrey Wildlife Trust | No comments received to date. | Any formal comments will be reported to the Committee. |

6.0 REPRESENTATION

At the time of preparation of this report, one representation in support, although raising concern about damage to the highway during construction, and 26 representations raising objections which raise the following objections:

- 6.1 Principle/countryside and character impact
- Comment in planning statement indicated that this application was submitted when roof void volume suggested that the proposal could be easily accommodated when it should have been more obvious from the outset [Officer comment: *Each application is determined on its own merits*]

- Development creep/piecemeal approach of developer from continuing submission of alternative schemes on the site [*Officer comment: Each application is determined on its own merits*]
- There are plenty of available accommodation elsewhere in the Borough [See Paragraph 7.3]
- Premature application with appeal for larger proposal (SU/16/0779) still under consideration by the Planning Inspectorate [*Officer comment: Each application is determined on its own merits. The Council is not in a position to not determine this application ahead of the determination of the appeal*]
- Existing building is large enough and any further development would be an overdevelopment [See Paragraph 7.4]
- Out of character – alien design and no three storey development in the area [See Paragraph 7.4]
- Increase in perceived size and bulk [See Paragraph 7.4]
- Balconies/terraces are out of character [See Paragraph 7.4]
- Use of existing premises [*Officer comment: The use of the premises is controlled by conditions and the legal agreement for the approved development*]
- Further tree felling operations despite TPO controls on the site [*Officer comment: All recent tree works have been undertaken under supervision and there is no current breaches from such works*]
- Doubling of the size of the originally approved development [See Paragraph 7.4]
- No demand for such facilities where national policy indicates that care support should be in the home [See Paragraph 7.3]
- Demand is predominantly for affordable care units which is not proposed [See Paragraph 7.3]
- Development should be seen against all other developments/proposals on the site (including machinery store/maintenance shed (under SU/17/0396) [*Officer comment: Each application is determined on its own merits*]

6.2 Residential amenity

- Light pollution [See Paragraph 7.5]
- Noise and disruption from construction and fit-out [*Officer comment: This would not be a reason to refuse this application*]
- Loss of privacy [See Paragraph 7.5]
- Impact on health [*Officer comment: This would not be a reason to refuse this application*]

6.3 Highway safety

- Increase in traffic [See Paragraph 7.6]
- Increase in staff and impact on traffic generation [See Paragraph 7.6]
- Level of on-street parking and increase [See Paragraph 7.6]
- Impact from increase HGV traffic and disruption from construction traffic [Officer comment: This would not be a reason to refuse this application]
- Damage to highway [Officer comment: This would not be a reason to refuse this application]
- Erroneous comment in planning statement indicating that Kings Ride is a one-sided street [Officer comment: This is noted]
- Increase in on-street parking during fit-out with no management of vehicles [Officer comment: This would not be a reason to refuse this application]
- Lack of parking will not encourage the use of other means of transport in reality [See Paragraph 7.6]
- Traffic measures for the approve development not in place [Officer comment: the Council is aware of this issue from previous complaints made to the Council's planning enforcement team. This matter is subject to the completion of a legal agreement with Surrey County Council which has delayed its provision]
- Indication that there is spare on-street capacity indicates that insufficient parking is proposed for the development [See Paragraph 7.6]

6.4 Ecology

- Impact on wildlife due to disruption [See Paragraph 7.7]
- Impact on SPA [See Paragraph 7.7]
- Impact of air-conditioning [See Paragraph 7.7]
- Impact of lighting on wildlife [See Paragraph 7.7]

6.5 Other matters

- Impact of extra bathrooms, etc. on drainage [See Paragraph 7.8]
- Local residents views have not been taken into consideration [Officer comment: Each application is determined on its own merits].

7.0 PLANNING CONSIDERATION

7.1 The application proposal is located within the defined Countryside (beyond the Green Belt) and forms a part of an SNCI and is very close to the SSSI/SPA. The proposal relates to the provision of an extra care residential development which is not CIL liable. Policies CP1, CP2, CP5, CP12, CP14, DM1, DM9, DM10, DM11 and DM14 of the Surrey Heath Borough Core Strategy and Development Management Policies 2012 (CSDMP); Policy NRM6 of the South East Plan 2009 (as saved) (SEP); Thames Basin Heath Special Protection Area SPD 2012; along with the National Planning Policy Framework (NPPF) and guidance in the Planning Practice Guidance (PPG) are relevant.

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

- background and the need for the development;
- the impact on the Countryside (beyond the Green Belt), character and trees;
- the impact on residential amenity;
- the impact on highway safety;
- the impact on biodiversity and the SPA; and
- the impact on drainage and flood risk.

7.3 Background and the need for the development

7.3.1 The current proposal follows the approval of a leisure development at this site (which related to the site allocation for such use in the local plan in 1994, then withdrawn in the 2000 local plan), which was replaced by a care home development in a similar position, with each development proposal larger in floorspace terms than the earlier development. It was considered that the size of the most recent care home development under SU/15/0106 was at the limits of acceptability. That development provided a site location plan tightly drawn to the works required for the development including a smaller rear garden/amenity area for residents, parking area to the front and access road, with the remainder of the site remaining within its original woodland/agricultural use. It was considered that any further development on this site would be harmful to the countryside.

7.3.2 The applicant has indicated that there is an unmet need for this type of development. However, whilst this need is noted, it is not considered that this would be a reason, in itself, to overcome the objections raised below.

7.4 Impact on the Countryside (beyond the Green Belt), character and trees

7.4.1 The current proposal would provide further Class C2 residential care development in the Countryside (beyond the Green Belt). Paragraph 17 of the NPPF sets out a series of key principles including the recognition of the intrinsic character and beauty of the countryside and the encouragement of the use of previously developed land, provided that it is not of high environmental value. Paragraph 58 of the NPPF indicates that development should respond to local character and be visually attractive as a result of good architecture and appropriate landscaping.

7.4.2 Policy CP1 of the CSDMP states that new development will come largely for the redevelopment of previously developed land in the western part of the Borough and development in the countryside which results in the coalescence of settlements will not be permitted. Policy CP2 of the CSDMP states that all land should be efficiently used within the context of its surroundings and respect and enhance the quality of the urban, rural, natural and historic environments. Policy DM9 indicates that development should respect and enhance the local, natural or historic character of the environment; be it in a rural or urban setting.

7.4.3 Paragraph 5.6 of the CSDMP indicates that:

"Inappropriate development within the Countryside will include proposals that cause harm to its intrinsic character and beauty, landscape diversity, heritage and wildlife. In considering proposals for development regard will be had to national guidance as appropriate."

7.4.4 The current proposal would provide a building design which takes its cues from the approved care home development, in terms of its design retaining the existing ridge height of this building. The dormers both individually and cumulatively would not greatly add to external built mass, the combined effect of these dormers and the introduction of activity at this (third storey) level which would be clearly visible but would not, in itself, result in significant further harm to the countryside character.

7.4.5 However, the current proposal would provide a significant (37.7%) increase in the amount of development on the site, and a significant (28%) increase in the number of bedrooms. The proposal would result in increased site activity, traffic movements and parking providing, an undesirable intensification and urbanisation of the site that combined with the quantum increase in development, would be harmful to the intrinsic rural character of the countryside. The application site, even with the approved care home development, retains its rural character and setting. However, the proposed development would have a greater impact, resulting in an adverse impact on this rural character.

7.4.6 The proposal includes alterations to the access road and car parking provision, including an intrusion in the root protection area of two retained trees. However, no objections are raised to the proposed level of intrusion by the Council's Arboricultural Officer because that level of intrusion is within the recommended levels set out in the British Standard.

7.4.7 An objection is therefore raised to the proposal on the countryside character with the proposal failing to comply, with Policies CP2 and DM9 of the CSDMP and the NPPF.

7.5 Impact on residential amenity

7.5.1 The proposal would provide a third floor of accommodation in the roof. The existing building is set about 95 metres from the nearest property in Woodlark Glade with woodland in between. This level of separation will ensure that no adverse significant impact will occur from the proposed building to the occupiers of nearby residential properties. The existing building is located over 100 metres from the residential properties in Kings Ride and this level of separation would limit any impact of the proposal on these properties

7.5.2 No objections are therefore raised on residential amenity, with the development complying, in this respect, with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

7.6 Impact on highway safety

- 7.6.1 The proposal would provide an increase in traffic generation and parking would be provided for 32 spaces, an increase over the 27 spaces provided for the original care home development (SU/15/0106) which is considered to be acceptable. The increased traffic generation will have an impact on traffic movements on Kings Ride but the transport statement considers that the proposed development would not have a significant impact on the operation of the local highway network, particularly during peak periods. The County Highway Authority has raised no objections to the proposal in relation to its impact on highway safety.
- 7.6.2 No objections are raised on highway safety grounds with the development complying with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the NPPF.

7.7 Impact on ecology and the SPA

- 7.7.1 Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 states that *"within locally designated sites [such as the SNCI], development will not be permitted unless it is necessary for on site management measures and can demonstrate no adverse impact to the integrity of the nature conservation interest. Development adjacent to locally designated sites [such as the current proposal] will not be permitted where it has an adverse impact on the integrity of the nature conservation interest."* The applicant had provided a biodiversity report in support of the care home scheme, for which an addendum has been provided
- 7.7.2 The application site lies close to, and within 400 metres of, the SPA. The Council has resisted proposals for residential (Class C3) development in such locations due to the impact of the recreational activity of future residents and their pets (i.e. dogs and cats) on the SPA. However, the approved care home (which falls within Class Cc) provides a residential institutional form of development controlled by a management company and with limitations on occupation to persons who at the time of admission 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. This was considered to be acceptable as it was demonstrated that there would not have an adverse impact on the integrity of the SPA.
- 7.7.3 The current proposal would provide similar accommodation (bedroom/en-suite accommodation only) as the approved care home development and would be accessed through the existing care home development. As such, it is considered that with limitations on occupation, by condition, no objections would be raised on these grounds.
- 7.7.4 It is noted that, with the exception of the increased parking provision, the proposal does not extend beyond the development envelope. As such, it would appear that on-site ecology would not be materially affected by the proposal. However, the comments of the Surrey Wildlife Trust are awaited. As such, and subject to any comments received by the Trust, no objections are raised to the proposal on SPA or ecology grounds with the proposal complying with Policy CP14 of the CSDMP and the NPPF.

7.8 Impact on drainage and flood risk

- 7.8.1 The application site falls within a Flood Zone 1 (low risk) as defined by the Environment Agency) and the proposal has been supported by a flood risk assessment. The assessment indicates that the development would be appropriately safe for its lifetime taking account of the vulnerability of its users, the development would not increase flood risk elsewhere. The application site lies adjacent to an area of wetland and close to a

watercourse, which are on land in the ownership of the applicant. However a surface water drainage scheme has been implemented for the approved care home and it is not envisaged that the proposal, in itself, would increase any such demand.

- 7.8.2 No objections are therefore raised on these grounds with the development 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 2012 WORKING IN A POSITIVE/PROACTIVE MANNER

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 the following:-

- 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 proposed development is considered to be acceptable in relation to its impact on residential amenity, highway safety, SPA/ biodiversity and drainage/flood risk. However an objection is raised to the proposal on countryside character grounds. The application is recommended for refusal.

10. RECOMMENDATION:

REFUSE for the following reasons:

1. The proposal by reason of the incremental increase in bedrooms and floor space, facilitated by the roof conversion and addition of dormer windows, together with the associated increase in site activity, traffic movements and parking would result in an adverse quantum of built form and an undesirable intensification and urbanisation of use that combined would be harmful to the intrinsic rural character of the countryside. The development would therefore fail to respect and improve the character and quality of the area and fail to comply with Policies CP1, CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012, and the National Planning Policy Framework.