

<b>LOCATION:</b>	Kings Lodge Care Home, 122 Kings Ride, Camberley, Surrey, GU15 4LZ,
<b>PROPOSAL:</b>	Erection of 2 no two storey buildings with accommodation in the roof and a roof terrace to provide a 24 bedroom specialist early onset dementia nursing home and a 40 bedroom reablement and respite centre together with associated car parking (including amendments to the existing parking layout), access arrangements and landscaping.
<b>TYPE:</b>	Full Planning Application
<b>APPLICANT:</b>	Max Banham
<b>OFFICER:</b>	Duncan Carty

This application has been reported to the Planning Applications Committee because it relates to a major development (providing over 1,000 square metres of floorspace).

## **RECOMMENDATION: REFUSE**

### **1.0 SUMMARY**

- 1.1 This planning application relates to the erection of two blocks of development in the form of two storey buildings (known as Zones 1 and 2) with accommodation in the roof, to provide, in total, 64 bedroom/ care accommodation for early on-set dementia and a re-enablement centre and associated development. Zone 1 is located close to the front of the site with Zone 2 towards the rear of the site. The site is within the Countryside (beyond the Green Belt) on the east side of Kings Ride and to the north of the settlement of Camberley. The site lies close to the Thames Basin Heaths Special Protection Area (SPA).
- 1.2 The development is in addition to the 64 bedroom existing care home and an approved roof extension which could provide a further 18 bedrooms to the care home, (under 17/0702) granted on appeal. A larger development of four blocks of care accommodation (41 no two/three bedroom units) was dismissed on appeal in 2020 and this is a material consideration (under 16/0779).
- 1.3 The application proposal, is similar to the appeal proposal, it is considered to be acceptable in terms of its impact on highway safety and parking capacity, ecology, Thames Basin Heaths Special Protection Area and flood risk/drainage. However, part of the proposal, the reablement centre (Zone 2), would have an adverse impact on local character and the countryside setting. It is not considered that any community/health benefits from the proposal would outweigh this harm. As such, the proposal is recommended for refusal.

### **2.0 SITE DESCRIPTION**

- 2.1 The application site is an irregular shaped site within the grounds of a care home located in the Countryside (beyond the Green Belt) north of Camberley. The care home has an E-shape in plan form with three front and rear facing gables measuring 10.4 metres in

maximum height, and 75 metres in width with a depth ranging between 17.5 and 45 metres. The care home is centrally located on the plot, with a setback of about 90 metres from the front boundary of the site and a minimum of 80 metres from the rear boundary.

- 2.2 The site lies on the east side of Kings Ride and has an area of about 6.3 hectares. The application site includes an area of open grassland to the rear, with woodland to the north, east and south on land owned by the applicant. Part of this woodland is protected by a Tree Preservation Order (TPO 07/86) and a portion of the east part of the site is designated as a Site of Nature Conservation Interest (SNCI). The site was formerly known as Whitehill Farm.
- 2.3 To the east of the site is the Old Dean Common which is a Site of Specific Scientific Interest (SSSI) within the Thames Basin Heaths Special Protection Area (SPA), both falling within the Countryside (beyond the Green Belt). Land to the south and immediate west lies within the settlement of Camberley. Housing formerly owned by the Ministry of Defence lies opposite the application site. Residential properties in Woodlands Glade, Whitehall Close and College Close lie to the south, all within the settlement of Camberley. The site access is set over 200 metres from the junction of Kings Ride with College Ride and over 750 metres from the junction with A30 London Road. A public footpath lies to the rear (east) boundary with the Old Dean Common beyond.

### 3.0 RELEVANT HISTORY

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

- 3.1 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 but not implemented.*
- 3.2 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 built.*
- 3.3 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 footpaths links  
*Refused in February 2017 on the impact of the built form on character (including its countryside setting) and trees, impact on the SPA and protected species (reptiles).*  
*The subsequent appeal was dismissed in February 2020. The appeal was dismissed on the grounds of its impact on local character (including its countryside setting) and the SPA.*  
It is acknowledged that this appeal proposal comprised two elements which were to be located in a similar location to the two elements of the current proposal. However, the form and use of this development is materially different, see below [The appeal decision for this proposal (and for 17/0202 below) is attached at Annex A].
- 3.4 17/0702 Installation of dormers and rooflights, and conversion of roofspace to provide 18 bedrooms/en-suites with associated accommodation and car parking  
*Refused in November 2017 and subsequent appeal allowed in February 2020 but not implemented to date.*

## 4.0 THE PROPOSAL

- 4.1 The current proposal relates to the erection of two blocks of development in the form of a two storey building with accommodation in the roof to provide 64 bedroom/en-suites of care accommodation for early on-set dementia and a reablement centre. The proposed buildings would provide pitched roofs over to a height of about 9.6 metres with some crown roof elements (with the flat roof elements providing photovoltaic panels). Both buildings would provide a series of dormers in the roof (in a similar manner to the additional accommodation provided under 17/0202).
- 4.2 The first block of development (Zone 1) would be located to the front and towards the south flank of the existing care home, with its front elevation facing north (and its side elevation facing Kings Ride). This would provide an early on-set dementia centre providing 24 bedroom/en-suites and providing associated accommodation including a wellness centre, kitchen and living/dining room, gym/exercise facility, sensory room, utility room, nurse stations, assisted bathrooms and WC's and assessment room. This building would be roughly rectangular in footprint measuring 60.6 metres in depth and ranging between 14-16.8 metres in width, with a maximum height of 9.6 metres. This building would be set back about 20 metres from the front boundary (with Kings Ride) and 16.4 metres in front of the existing care home.
- 4.3 The second block of development (Zone 2) would be located to the rear of the care home site. This building would provide a reablement centre, for people with acquired brain injuries (ABI) and brain-related disorders, providing 40 bedroom/en-suites and providing associated accommodation including a doctor's surgery with consulting rooms, therapy suite, kitchen and living/dining room, and residents' suite. This building would be roughly T-shaped in plan form and would measure 48.7 metres in depth with a width ranging between 13.5 and 32.6 metres, with a maximum height of 10 metres. The building would be located about 15.4 metres from the rear boundary (with the publicly used footpath) and 16.4 metres from the rear (north) corner of the existing care home.
- 4.4 The proposal would provide extended parking facilities to provide a total of 64 car parking spaces for the development distributed around the existing and proposed buildings, using the existing access onto Kings Ride. This compares with 27 spaces for the existing care home and 31 spaces proposed for the extended care home (as allowed on appeal under 17/0702). A previously provided pedestrian access to the site is to be removed.
- 4.5 The sustainability and energy statement has indicated that the proposal would provide a fabric first approach to construction and provide solar photovoltaic panels to the roof (including south facing slopes).
- 4.6 The appeal proposal under 16/0779 was, as indicated above, a larger proposal than the current scheme. The appeal proposal was arranged in four buildings in two locations roughly the same as the current proposal. Zone 1 would have provided development within two buildings with a combined L-shaped development plan form with the rear part of one block facing Kings Ride. Zone 2 would have provided, also within two buildings, a combined U-shaped development in plan form. A comparison of the two schemes, providing maximum dimensions, is set out in the table below:

	<b>Appeal scheme 16/0779</b>	<b>Current proposal</b>
<b>Zone 1</b>		
Height	11.7 metres	9.6 metres
Width	48 metres	16.8 metres
Depth	67 metres	60.6 metres
Floorspace	2,492 square metres	2,282 square metres
<b>Zone 2</b>		
Height	10.6 metres	10.0 metres
Width	64.5 metres	32.6 metres

Depth	60.4 metres	48.7 metres
Floorspace	3,220 square metres	2,927 square metres

The significant changes are that the reduction in the width of the development to the rear (from 64.5 to 45 metres) and the front (from 48 to 17 metres). The overall development would provide 5,209 square metres of accommodation. This compares with 5,712 square metres for the appeal scheme under 16/0779.

4.7 This planning application has been supported by the following:

- Design and Access Statement;
- Drainage Statement;
- Preliminary Ecological Appraisal (with Reptile Mitigation Strategy, Badger Method Statement, Breeding Birds Survey and Biodiversity Net Gain Assessment);
- Landscape and Ecological Management Plan (and Construction Ecological Management Plan);
- Shadow Habitats Regulations Assessment;
- Transport Assessment and Travel Plan;
- Needs Assessment;
- Arboricultural Report; and
- Sustainability and energy statement.

The officer report below makes references to these documents, where applicable.

## 5.0 CONSULTATION RESPONSES

- 5.1 County Highway Authority No objections [*Comments provided as Annex B*]
- 5.2 Local Lead Flood Authority No objections
- 5.3 Archaeology Officer Awaiting comments to revised report. An update will be provided.
- 5.4 Council's Arboricultural Officer Raises concerns about impact on trees and level of tree cover.
- 5.5 Surrey Wildlife Trust No objections
- 5.6 Natural England No objections, subject to conditions to mitigate impact on the SPA including limitations on occupancy/use.
- 5.7 Thames Water No objections.
- 5.8 Urban Design Consultant No objections.
- 5.9 NHS Frimley Integrated Care Board (ICB) An objection is raised on the basis that there is no demonstrated need for this development in the local area and that the proposal could result in an increase of care needs in the local area.
- 5.10 SCC Adult Social Care Group (ASC) A need for the proposal has not been demonstrated.

## 6.0 REPRESENTATIONS

- 6.1 There were 19 notification letters originally sent to neighbouring properties on 20 May 2021, and notified in the press on 23 November 2022, and 38 representations of support (none of which make any specific comments) and 22 representations, including an objection from the

Upper Gordon Road Surgery, received raising an objection, raising the following objections:

Principle and need [See section 7.2]

- No demand for further care space
- The care home has never achieved a 100% uptake
- Substantially larger than average proportion of care homes within the Borough
- Failure to comply/conflict with national and local policies
- Inappropriate development
- Impact on primary and social care services
- Impact of vulnerable residents on existing NHS services

Character and trees [See section 7.3]

- Overdevelopment of site (more than doubling the size of development on the site)
- Unsightly development clearly visible from Kings Ride
- Development much closer to Kings Ride than existing development and more visible, especially in winter after leaf drop
- Proximity of development to trees
- Scale/height of development/too large/monolithic
- Prominent (dominant) and represent hard features in the streetscene
- Reduce the existing open/spacious/verdant character and woodland vista of the site
- No buildings of this scale in Kings Ride
- High density of development
- Destruction of beautiful surroundings
- Width, height and uniform appearance would not make a positive contribution towards built environment
- Historic loss of and damage to trees

Residential Amenity [See section 7.4]

- Impact on residential amenity
- Loss of privacy and invasion of space, overlooking
- Increase in light pollution (over and above such pollution from the existing care home) including increased emergency vehicle visits at night
- Intensification of use (car park, comings and goings, etc.)
- Noise pollution and impact on quiet residential area
- Close to adjoining properties

Highway safety and parking capacity [See section 7.5]

- Increase in traffic
- Inadequate access

- Lack of highway visibility at site access (no clear line of sight)
- Highway safety, as raised in previous proposals, with residents parking in Kings Ride making it effectively a single track lane
- Traffic calming measures (chicanes) (provided by care home development) have created further pressure on traffic and are an inconvenience
- Increased dangers to pedestrians and cyclists who use Barossa Common
- Lack of/insufficient parking, resulting in overspill onto Kings Ride increasing traffic safety risk
- Poor construction traffic parking (during construction of original care home)
- Increased accident risk

Thames Basin Heath Special Protection Area and ecology [See sections 7.6 & 7.7]

- Impact on badger setts
- Impact on wildlife (owls, deer)
- Impact on the integrity of the SPA (and the protected low/ground nesting birds)
- Visitors and staff more likely to visit SPA

Other matters

- Development by stealth which makes a mockery of development process [*Officer comment: This application is determined on its own merits*]
- Impact on local community [*Officer comment: This is not further addressed in the objection*]
- Overnight accommodation [*Officer comment: This is addressed in the report below*]
- Development already at an “optimum” level of development for the site [*Officer comment: This is addressed in the report below*]
- Could expand further in future/“creeping” development [*Officer comment: This application is determined on its own merits*]
- Future conversion into (Class C3) residential use [*Officer comment: This would require separate planning permission*]
- “Gerrymandering” from support for this application [*Officer comment: This is not further addressed in the objection*]
- Continual process of repeated submissions [See section 7.5]
- Refer back to earlier appeal decision/does not address the issues raising in the dismissed appeal [*Officer comment: This is addressed in the report below*]
- Affect local geology [*Officer comment: This is not further addressed in the objection*]
- General dislike of proposal [*Officer comment: This is not further addressed in the objection*]
- Insufficient information provided with application [*Officer comment: The application submission provides sufficient information to determine this application*]

6.2 The representations in support made these comments:

- Support the proposal so long as no trees are taken down

## **7.0 PLANNING CONSIDERATION**

7.1 The application site lies in the Countryside (beyond the Green Belt) close to the

settlement of Camberley. The appeal decision for 16/0779 is a material consideration for this proposal noting the similarities with appeal scheme and that there has been no material change in policy since that appeal decision was issued in 2020. The application is considered against the relevant policies, which are Policies CP1, CP2, CP5, CP6, CP9, CP11, CP14, DM9, DM10, DM11, DM13, DM16 and DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); Policy NRM6 of the South East Plan 2009 (as saved) (SEP); and the National Planning Policy Framework (NPPF); as well as advice within the Surrey Heath Residential Design Guide 2017 (RDG); Western Urban Area Character SPD 2012 (WUAC); Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2019 (AAS); and the National Design Guide. Reference to the NHS/SCC Joint Health and Social Care Dementia Strategy for Surrey 2022 to 2027 (DS) is also made. The main issues to be addressed in the consideration of this application are:

- Principle and need for the development;
- Impact on character and trees;
- Impact on residential amenity;
- Impact on highways safety and parking capacity;
- Impact on the Thames Basin Heaths Special Protection Area
- Impact on ecology; and
- Impact on flood risk and drainage.

## **7.2 Principle and need for the development**

- 7.2.1 Paragraphs 7 and 8 of the NPPF indicate that the purpose of the planning system is to contribute to the achievement of sustainable development and that there are three overarching objectives to achieve sustainable development: these are the economic, social and environment objectives. The social objective seeks to support strong, vibrant and healthy communities, by ensuring the provision of a range of housing to meet the needs of present and future generations and including the support of communities health, social and cultural well-being.
- 7.2.2 Paragraph 11 of the NPPF indicates that decisions should apply a presumption in favour of sustainable development. For decision taking this means that approving development proposals that accord with an up-to-date development plan without delay or, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, apply the policies in the NPPF granting permission unless the application of policies within the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the application or the adverse impact of doing so would significantly and demonstrably outweigh the benefits (i.e. the planning balance) against the policies in the NPPF taken as a whole.
- 7.2.3 Policy DM14 of the CSDMP indicates that the Council would seek to identify opportunities to enhance and improve community facilities within the Borough, whether through the provision of co-located or new facilities. Paragraph 62 of the NPPF indicates that the type and tenure of housing needed for different groups, including older people and people with disabilities, should be assessed and reflected in policies. In terms of the need for this development, an assessment on what facilities the proposal would provide and any knock-on benefits and disbenefits this would have on the care provision in the local area.
- 7.2.4 The current proposal relates to the provision of a respite centre. A needs assessment has been provided by the applicant, in relation to the respite centre. This assessment indicates that complex needs arise from acquired brain injuries, Huntington's disease, epilepsy, cerebral palsy, multiple sclerosis and movement disorders. Respite centres are integral to the care delivered in short term or long term care home placements. The response that a registered care home designed to high standards and adopting leading edge practice in the delivery of services is more far-reaching than meeting fundamental needs for care. It can respond to problems arising from isolation in ways that care delivered to a person at home cannot.

- 7.2.5 The applicant has indicated that there is a need for effective care and support for people with complex needs is a top priority at national level and that there is currently an under provision of accommodation to support people with complex needs and this will assist in increasing provision in the local area.
- 7.2.6 The applicant has confirmed that 10% of the existing care home has been provided from ICB referrals and that they would seek to provide a minimum 10% provision for the new development from referrals (and that this could be secured by legal agreement, if needed). The applicant has indicated that the provision of doctor surgery facilities within the development would support local GP services and they have indicated that the development would reduce the need for GP home visits (including accident and emergency services), and manage the continuity of care by discharging into the community in a step down manner. The catchment for referrals would expand beyond the ICB area (from other boroughs or districts and counties).
- 7.2.7 The SCC Adult Social Care Group has indicated that whilst there is likely to be an increase in early on-set dementia, they remain unconvinced that there is the need for the provision on this early on-set dementia centre, with most people supported in their own homes. Those with a learning disability would normally be housed in a supported accommodation service. The priority for people discharged from hospital, or recovering from a medical crisis at home, would be to provide support at home. The commissioning of reablement-focused care and support in a residential care setting (as a step down from hospital) has been limited. They consider that a dedicated setting is not required, noting the general distribution of care homes, in the local area.
- 7.2.8 The NHS Frimley Integrated Care Board (ICB), formerly the Care Commissioning Group (CCG), has indicated that there is no such need in the local area for this accommodation, as indicated in the DS. The DS confirms that there is not a local need for early on-set dementia with a dedicated young on set diagnosis service and daytime activity service in Surrey Heath. Surrey Heath has the highest proportion of care homes in Surrey and some of these represent facilities, for example, used for acquired brain injuries. It raises concerns that the facility could increase demand for care provision which may be required as people leave the proposed facility. This would put a strain on these local facilities. In addition, receiving those from a wider catchment beyond the ICB area (and borough/county boundaries) would add to the strain on local services. The Upper Gordon Road Surgery, the doctor's surgery which serves the existing care home, has raised an objection on the strain they consider would occur to the operation of their practice. They have indicated that caring for care home residents is extremely complex and time consuming and would need further doctor employment for which they are unable to recruit.
- 7.2.9 Paragraphs 7.2.4 – 7.2.8 above shows that there no identifiable need for either the early on-set dementia facility or the reablement centre. This is materially different to the 2016 appeal scheme whereby the Inspector acknowledged at paragraph 41 (see Annex A) that was '*...an undisputed need for the accommodation concerned.*' At paragraph 41 and as part of the planning balance the Inspector also had regard to the fact that at that date the Council was unable to demonstrate a 5 year supply of deliverable housing sites. This is no longer the case as the Council can demonstrate 7.2 years. The Inspector then concluded at paragraph 42 that these benefits (nor any other benefits) did not override or outweigh the harm to the SPA, of which he afforded significant weight to, nor the harm to the countryside.
- 7.2.10 Given that no such benefits exist with this scheme with the need for this type and amount of use not proven, in the officer's opinion, in principle this proposal should not be supported. However, in terms of the planning balance, it is first necessary to ascertain the degree of harm to the countryside and the SPA compared with the appeal proposal. The following paragraphs undertake this assessment.



### **7.3 Impact on character and trees**

- 7.3.1 Policy CP1 of the CSDMP indicates that new development will come forward largely from redevelopment of previously developed land in the western part of the Borough. Development in the countryside (beyond the Green Belt) should not result in the coalescence of settlements. Policy DM9 of the CSDMP indicates that development will be acceptable where it respects and enhances the local character of the environment and protects trees and vegetation worthy of retention and provide high quality hard and soft landscaping where appropriate.
- 7.3.2 The site is located within the defined countryside. However, the location is peripheral to the settlement, providing open, spacious and verdant characteristics. Even with the existing care home, it was considered that the site has a strong rural character, which sets it apart from the settlement further south (and opposite). The Inspector in his assessment of the appeal scheme concentrated upon the effect of the appeal proposal from public views including Kings Ride, the footpath at the rear and, to a lesser degree, for visitors to the site [Paras 8-13 of the appeal decision].
- 7.3.3 Concerns about the design of the proposed buildings were raised during the appeal for 16/0779 but the Inspector made no specific objections to the design, especially the range of roof types (flat/pitch) and amount of dormers. However, it is noted that the design of the current scheme provides improvements to that scheme, with pitched roofs for all elevations (partly around crown roofs) but with dormers remaining. This also more closely reflects the approved design for the roof extension for the care home (under the allowed appeal for 17/07072). The scale of development was also assessed and it is noted that whilst the general heights of the proposal, when compared with the appeal scheme under 16/0779 are broadly similar, the footprints are significantly reduced.
- 7.3.4 As indicated in the table within paragraph 4.6 above, the proposal would have a reduced impact from the appeal scheme. The Inspector for the appeal scheme 16/0779 took the view that the amount of development proposed would have an adverse effect when viewed from the public domain. For the development in Zone 1, the Inspector considered that the height and massing across the front of the site, with a proportion of the rear elevation facing Kings Ride, would have an adverse visual impact on the character. Similarly for Zone 2, the amount of development extending much closer to the rear boundary would impact on this character.
- 7.3.5 The development in Zone 1 would be significantly reduced in width when viewed from Kings Ride, with landscaping in front reducing the impact further. Whilst it is noted that front elevation, facing the car park, would be more visible, it is considered that this element of the proposal is a significant improvement over the appeal scheme.
- 7.3.6 The development in Zone 2 would be located close to the rear boundary of the site (and footpath). Whilst there would be a visible reduction in the width of the development in this location, it is clear that this element of the proposal would still have an adverse effect upon the local rural character although much reduced compared with the appeal scheme. It is the acknowledged need for this element of the development (the reablement centre as set out in section 7.2 above) which is not fully established and this does not weigh sufficiently in support of this scheme.
- 7.3.7 The Council's Urban Design Consultant (UDC) has advised that she broadly supports the revised scheme but note that detailing for Zone 1 could be improved to be more respectful of its location between the existing care home and residential properties in Kings Ride. In respect of Building 2, the UDC indicates that landscaping and boundary treatments need to be reviewed. It is considered that these matters could be dealt with by condition.
- 7.3.8 The Council's Arboricultural Officer considers that there is likely to be an impact on trees at the edge of the woodland from the siting of the building for Zone 1 and to the long term

health of a veteran Oak tree which will be affected by the new access road around the north west (front) corner of the existing care home. However, these matters were considered under the appeal scheme (which has no greater impact on trees than the current proposal) and for which objections on these grounds were not supported on appeal at that time. There is also concern raised by the Council's Arboricultural Officer about the general tree cover over the site and a landscaping scheme would be needed to provide assurances over tree cover across the site. It is considered that a landscaping proposal could be provided by condition if minded to approve. It is therefore considered that no objections be raised for the impact of the proposal on trees.

- 7.3.9 As such, harm to the local character (and countryside) from the proposed reablement centre (in Zone 2) would occur from this development. Whilst noticeable improvements against the appeal scheme are acknowledged, the need for this development (the reablement centre as indicated in section 7.2 above) is not an overriding benefit to outweigh this harm. An objection on these grounds is raised with the proposal failing to comply with Policies CP1, CP2 and DM9 of the CSDMP and the NPPF.

#### **7.4 Impact on residential amenity**

- 7.4.1 Policy DM9 of the CSDMP indicates that development will be acceptable where it respects the amenities of the occupiers of neighbouring properties and uses.
- 7.4.2 The nearest residential properties are on the west side of Kings Ride opposite the application site. The side elevation of the proposed dementia centre would be located about 40 metres from the front wall of these dwellings. This level of separation would not result in material harm to the residential amenity of the occupiers of these properties. In addition, the level of landscaping to the front, would reduce any impact further.
- 7.4.3 The proposed development would provide some amenity to the front of Zone 1 and around Zone 2. However, the proposed buildings lies within extensive grounds, and a formal garden space, to the rear of the care home, can be shared with the existing care home. In addition, the nature of the mobility of the residents would limit the need for amenity space provision. Taking all of this into consideration, it is considered that the level of amenity space for future residents would be acceptable.
- 7.4.4 As such, the proposal is considered to be acceptable complying with Policy DM9 of the CSDMP.

#### **7.5 Impact on highway safety and parking capacity**

- 7.5.1 Policy DM11 of the CADMP requires development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce and mitigate such impacts to acceptable levels can be implemented. All development should ensure safe and well-designed vehicular access and egress and layouts which consider the needs and accessibility of all highway users including cyclists and pedestrians. Policy CP11 of the CSDNMP requires development to comply with parking standards.
- 7.5.2 The provision is for 64 car spaces in total for this development which relates to a potential total of 146 bedrooms, which equates to one car space per 2.3 bedrooms. The maximum standard is for one car space per 2 residents. Due to the level of care expected for each resident, no car parking would be available for future residents and the users will be staff and visitors. Kings Ride suffers from higher on-street parking provision due to the lack of on-plot parking in this location. The traffic statement from the applicant has advised that with the number of employees (69) and an overall estimation that this level of parking is acceptable for this type of provision, parking is not likely to overspill onto local roads.
- 7.5.3 The traffic statement indicates that the current proposal would result in an increase in two-way vehicle trips of 12 during the weekday morning peak and 12 during the weekday evening peak. It is considered that this level of traffic activity can be safely accommodated on the local road network.

- 7.5.4 The County Highway Authority has raised no objections, subject to conditions, indicating that a travel plan is needed to maximise the proportion of trips to the site using sustainable modes. The CHA is satisfied that the site location allows for a fair proportion of staff travel to the site by means other than the car but the travel plan would facilitate and promote non-car travel.
- 7.5.5 In a similar a manner to the appeal scheme, no objections are raised on these grounds. As such, the proposal is considered to be acceptable on parking capacity and highway safety grounds with the proposal complying with Policies CP11 and DM11 of the CSDMP and the NPPF.

## **7.6 Impact on the Thames Basin Heaths Special Protection Area**

- 7.6.1 Policy CP14 of the CSDMP indicates that development will only be granted where the Council is satisfied that the proposal will not give rise to a likely significant adverse effect upon the integrity of the Thames Basin Heath Special Protection Area (SPA). No (net) residential development will be permitted within 400 metres of the SPA. Paragraph 3.3 of the AAP indicates that development for residential institutions will be considered on a case-by-case basis and in reaching a decision how the development is occupied and used will be considered. Residential institutions with permanent residents, such as care/nursing homes, the likely activity levels of the residents will be taken into account in assessing whether the development is likely to give rise to a significant impact on the SPA.
- 7.6.2 The proposed accommodation would provide bedroom/en-suite accommodation only and a level of care is required for residents within the dementia centre and the reablement centre. This contrasts with the appeal scheme for apartments where, although a level of care was proposed, a higher level of independence was expected. Whilst the reablement centre will work on the rehabilitation for residents between a hospital setting and returning to their homes, a level of care is expected and monitoring so that these occupiers are largely retained within this setting. With limitations on occupancy, it is considered that the proposal would not have an adverse effect on the integrity of the SPA. Natural England has raised no objections to the proposal on these grounds.
- 7.6.3 As such, the proposal is considered to be acceptable in terms of its impact on the SPA complying with Policy CP14 of the CSDMP, Policy NRM6 of the SEP, the NPPF and advice in the AAS.

## **7.7 Impact on ecology**

- 7.7.1 Policy CP14 of the CSDMP requires development to conserve and enhance biodiversity with new opportunities for habitat creation and protection will be explored in particular on biodiversity opportunity areas. Development that results in harm to or loss of features of interest for biodiversity will not be permitted. It is noted that the part of this site, not within the part of the site to be developed, lies within an SNCI.
- 7.7.2 The application site has previously been the subject of ecological evaluations and mitigation during the development of the original care home development (under 15/0106). That development included the provision of a reptile translocation scheme and the development proposals have avoided these areas. There have historically been a main badger sett on the site. It is also understood that the site currently has good populations of common lizards and slow worms. It is also noted that through the appeal for 16/0779, the Inspector raised no objections to the proposal on ecology grounds.
- 7.7.3 The current proposal would increase the built form across the site and an updated ecological report and associated reports have been provided. The reptile and badger mitigation strategies include a translocation of reptiles from the developable part of the site, which would be relocated off-site and monitored over five years, and closure/destruction of two sett entrances, which have been inactive during surveys, under Licence from Natural England. These approaches are supported by Surrey Wildlife Trust. The Construction Ecological Management Plan controls the construction processes to

protect wildlife. The biodiversity net gain assessment acknowledges the loss of habitats from the development but this is compensated by habitat improvements (provision of scrub, removal of invasive species (e.g. rhododendron) within the site. Overall a net gain would be provided of 1.9% which is considered by the Surrey Wildlife Trust to be acceptable.

- 7.7.4 As such, no objections are raised on ecology grounds with the proposal complying with Policies CP14 of the CSDMP and the NPPF.

## **7.8 Impact on flood risk and drainage**

- 7.8.1 Policy DM10 of the CSDMP indicates that development within flood risk zones 2 and 3 (medium and high risk), or on sites of 1 hectare or more, will not be supported unless it can be demonstrated that, through a Flood Risk Assessment, that the proposal would, where practicable, reduce risk both to and from the development or at least be risk neutral and, where risks are identified flood resilient and resistant design and appropriate mitigation and adaptation can be implemented so that the level of risk is reduced to acceptable levels, and that the form of development is compatible with the level of risk. Development will be expected to reduce the volume and rate of surface water run-off through the incorporation of appropriately designed Sustainable Drainage Systems (SuDS) at an appropriate level to the scale and type of development.

- 7.8.2 The site lies within Zone 1 (low flood risk) but in a shallow vale with ditches and watercourses running through it. The provided drainage strategy includes the use of porous paving in car parks, attenuation crates within car park areas (to hold back water during extreme weather events), integrating the existing surface water arrangements for the existing care home with the proposals. The outflow for Zone 1 would join the surface water network in Kings Ride and a drainage ditch/watercourse for Zone 2 at the rear. These arrangements are accepted by the LLFA.

- 7.8.3 No objections are raised on drainage and flood risk grounds with the proposal complying with Policy DM10 of the CSDMP and the NPPF.

## **7.9 Other matters**

- 7.9.1 Policy CP2 of the CSDMP requires development to contribute towards carbon dioxide emission reductions increase capacity for renewable and low carbon energy methods. The proposal would provide sustainability benefits including the provision of photovoltaic panels on the roof (to be provided by condition). No objections are therefore raised on these grounds.

- 7.9.2 Policy DM17 of the CSDMP requires development on sites of 0.4 hectares or over to undertake an assessment of the potential archaeological significance of the site. The applicant has provided an archaeology report. However, the County archaeological Officer has indicated that no objections be raised to the proposal on these grounds.

## **8.0 POSITIVE/PROACTIVE WORKING**

- 8.1 In assessing this application, officers have worked with the applicant in a positive, creative and proactive manner consistent with the requirements of paragraphs 38-41 of the NPPF. This included 1 or more of 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.
  - c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
  - d) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

## **9.0 CONCLUSION**

- 9.1 No objections are raised to the proposal on highway safety and parking capacity, ecology, Thames Basin Heaths Special Protection Area and flood risk/drainage grounds. It is also acknowledged that the proposal marks a material reduction to the scheme dismissed on appeal (under 16/0779). However, the current proposal is also considered to be harmful to local character and its countryside setting. Under the planning balance under Paragraph 11 of the NPPF, any benefits to health/community would not outweigh this harm. The application is recommended for refusal.

## **10.0 RECOMMENDATION**

REFUSE for the following reason:

1. The applicant has failed to demonstrate to the satisfaction of the Local Planning Authority that there is a need for the early on-set dementia facility (Zone 1) and the reablement centre (Zone 2). Furthermore, the proposed reablement centre, Zone 2 on the amended site plan (Drawing No A151010/AL(9)901 Rev C), by reason of its height, mass, significant increase in floorspace and spread of development would give rise to a quantum of built form which would have a harmful urbanising impact on the openness and intrinsic rural character of the countryside and would have an adverse visual impact from views from the public footpath at the rear. In the absence, therefore, of the need for this type and amount of housing, and no other identifiable benefits, the proposal would not represent sustainable development and would be contrary to the National Planning Policy Framework and Policies CP1, CP2, DM9 and DM14 of the Surrey Heath Core Strategy and Development Management Policies 2012