
Appeal Decision

Site visit made on 27 February 2018

by Jonathon Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th April 2018

Appeal Ref: APP/W1715/W/17/3180617

Land to the rear of Blackthorn Health Centre, Satchell Lane, Hamble-Le-Rice SO31 4NQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Brackley Investments Ltd against the decision of Eastleigh Borough Council.
 - The application Ref F17/80218, dated 17 March 2017, was refused by notice dated 5 July 2017
 - The development proposed is a 2 storey 64 bed dementia care centre with associated car parking, access and landscaping.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. There is a difference between the applicant and Appellant's name. However, the applicant has confirmed the appeal can be made in the name indicated above. The Council's reason for refusal refers to the Bursledon/Hamble/Hound local gap which is slightly different from that indicated in the relevant policy. I have used that indicated within the policy as detailed below.

Main Issues

3. The main issues are (a) whether the proposal would accord with development plan policies that seek to restrict development outside a defined urban edge; the effect of the proposal on (b) the Bursledon/Hamble/Netley Abbey local gap and (c) the character and appearance of the area:

Reasons

Urban edge

4. Policy 1.CO of the Eastleigh Borough Local Plan Review (LPR) 2001-2011 (2006) states planning permission will not be granted for development outside the urban edge, unless it is for agricultural, forestry, recreation or public utility purposes. Criterion (iii) of policy 1.CO states planning permission will not be granted for development outside the urban edge unless it is essential for the provision of a public utility service or the appropriate extension of an existing education or health facility and it cannot be located within the urban edge.

5. The proposed dementia care centre would be a Class C2 residential care use outside the urban edge. It would be a specialised facility not directly connected physically, functionally or in terms of its management with the adjacent Blackthorn Health Centre. As such, it cannot be considered as an extension to an existing health facility and would be in conflict with LPR policy 1.CO.

Local Gap

6. LPR policy 3.CO states that planning permission will only be granted for appropriate development if it cannot be acceptably located elsewhere and it would not physically or visually diminish a local gap. The Appellant maintains that development cannot be located elsewhere on the basis of a Site Search Statement (SST) March 2017 and a Landscape and Visual Impact Assessment (LVIA) concludes little or no significant harmful effects upon the gap.
7. Nevertheless, the proposed two storey building split into two 'L' shaped wings joined together by a central building would result in substantial mass, height and scale. Additionally, there would be significant hard surfaced areas used for vehicle parking. The development would be considerably greater in building mass, height and footprint than the existing healthcare building and for all these reasons, it would result in considerable visual intrusion.
8. Accordingly, such an extent and size of development would adversely affect the function of the gap in protecting the identity of smaller settlements by reason of increased coalescence and would conflict with LPR policy 3.CO.

Character and appearance

9. The appeal site comprises part of an open grassed paddock with a tall conifer hedge behind and the site lies within countryside between the settlements of Bursledon, Netley Abbey and Hamble. Approximately one half of the site lies immediately behind the existing health centre whilst the other half extends out into the paddock. A number of residential properties, a substation and a farmhouse back onto the appeal site along the Hamble Lane/B3397.
10. To the north of the appeal site, there is Hound Corner Fruit Farm, with horticultural fields and paddocks behind whilst to the east, there is grazing land and a recreational ground, with Badnam Copse beyond. To the south, there is the Blackthorn Health Centre, the sports pitches of the Hamble School and the school building itself south of Satchell Lane. Hamble Lane/B3397 is the main vehicular route towards Netley and Hamble.
11. The landscape is characterised by buildings either sited individually or in groups, such as adjacent to the appeal site, within generally open flat fields and paddocks, with the River Hamble to the east. There are mostly boundary hedges along field and paddock edges and roads. There is a variety of building forms, uses and scales varying from the detached two storey dwellings to larger buildings such as the Health Centre and school. For all these reasons, there is a semi-urban open character and appearance to the area.
12. The two storey building has been articulated with differing shaped forms and materials designed to break up its mass. The site would be landscaped with garden areas to the south of the wings of the building and around the perimeter of the site especially where the development encroaches into the neighbouring paddock. However, the building would have a substantial

footprint spanning across most of the site, with little space to the sides where it is widest, and behind. Together with hard surfaced areas, the development would result in much of the site being covered with development which would result in a cramped layout. The neighbouring healthcare facility has extensive hard surfacing but the proposed appeal building would be substantially larger in built mass than the neighbouring health centre and additionally higher than this neighbouring building.

13. For all these reasons, it would fall considerably short of taking full and proper account of the context of the site. It would be dominating and imposing when seen against neighbouring buildings from Mursell Way and along Satchell Way. The opportunities for landscaping along the southern boundary of the site would be limited by reason of the small area allocated for planting and proximity of vehicle parking. In any case, the establishment of landscaping would take some time to become established effectively in terms of screening or filtering views, and during winter, development would be conspicuous given the mainly deciduous nature of any planting,
14. The LVIA concludes that the effect of the development on landscape character would have a low level of significance and in visual terms, the significance of the effect of the development would be major-moderate from footpaths on Satchell Lane and near the sewage works. The proposed landscaping along the southern and eastern boundaries of the site, includes mature trees. However, the scale and extent of the development would be substantial and there is a significant footpath along Satchell Lane. Accordingly, I consider that the significance of the effects would be greater than indicated.
15. For all these reasons, the development would harm the character and appearance of the surrounding area in conflict with policy 59.BE of the LPR.

Other matters

16. Carterwood Headline Planning Needs Assessment (PLA) identifies a need, taking into account planned proposals, of 142 beds within Borough and 293 beds within a five mile catchment of the appeal site. Dementia prevalence is rising quickly as people live longer and the PLA recognises further need into the future. There is support for the facility from Hampshire County Council's Adult Services, the Health Centre and attendees of public consultations. The facility would contribute significantly to the current deficiency by providing high quality care, meeting the 'Stirling' Gold standard in dementia care. For all these reasons, significant weight is attached to the need for these facilities.
17. The SST details a search for a suitable site based on the need for it to be of sufficient size to accommodate required accommodation and affordability given the operator's charitable status. From a number of sources, the SST identifies a total of 12 short listed sites but lacks detail on how other sites across the search area might have been considered taking into account criteria. Without a more comprehensive analysis, it is not possible to ascertain whether the appeal site is the only option within or close to the Appellant's catchment area. Amongst a comparative assessment of greenfield housing sites, the site was ranked 13 out of 41 sites for the emerging local plan but its ranking is limited by reason of being discounted in terms of being brought forward for possible development.

18. There have been two recent Secretary of State decisions at Boorley Green and Hamble Lane. Within the context of the proposed housing, LPR policies 1.CO. and 3.CO policies were found to be out-of-date in respect of housing land supply and the weight to be given to the policy conflicts were reduced. However, it has not been demonstrated that the LPR policies are inconsistent with the Framework in respect of this appeal proposal for care home provision.
19. The development would have good access to public transport and would result in significant employment opportunities. It would free-up market housing in the local area and provide opportunities for co-working between the centre and the adjacent health centre. The building would be constructed to a high standard of sustainable and dementia healthcare design. Such economic and social benefits would weigh in favour of the proposal.
20. Planning permission was granted for the Blackthorn Health Centre but it is a considerably smaller building than the appeal building. There have been care home facilities permitted at Otterbourne and Hedge End outside of the urban edge, including one within a local gap. However, both of these sites are adjacent to an urban edge, and not within such flat and open landscapes as that surrounding the appeal site. Therefore, there are significant differences to distinguish the appeal proposal from these developments and such cases demonstrate that every proposal has to be assessed on its individual planning merits.
21. The emerging Draft Local Plan was to replace the existing LPR and included a policy to replace Local Gaps with Countryside Gaps. The Council has decided to prepare another Local plan instead and although not formally withdrawn, very little weight can be given to this plan and its policies.

Planning balance

22. The development would be located in the countryside and local gap, and would conflict with LPR policies 1.CO and 3.CO. By reason of its considerable visual intrusion, it would harm the function of the gap in protecting the identity of surrounding settlements by reason of increased coalescence. Similarly, the visual intrusion would harm the character and appearance of the area and conflict with LPR policy 59.E.
23. Significant weight is attached to the need for care home accommodation for dementia. There would be economic and social benefits. However, the development's resulting mass, height, scale and extent would result in considerable and permanent harm to the local gap and the character and appearance of the area. Furthermore, there are significant concerns as to whether the appeal site is the only option for this care home facility. These factors outweigh the benefits set out above.
24. Accordingly, the proposal would be contrary to the development plan and there are no material considerations to outweigh the development plan conflict identified. A Unilateral Undertaking would secure contributions towards air quality monitoring, local highway works and public transport, including physical infrastructure. As there are substantive reasons to dismiss this appeal, I have no reason to comment further upon it.

Conclusion

25. For the reasons given above and having regard to all other matters raised, including support, I conclude that the appeal should be dismissed.

Jonathon Parsons

INSPECTOR