



Appeal Decision

Hearing date 22 August 2023

Site visit made on 22 August 2023

by Timothy C King BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 December 2023

Appeal Ref: APP/N1730/W/23/3319799

Silverlea, Cove Road, Fleet, Hants GU51 2RR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Frontier Estates (Shef) Ltd against the decision of Hart District Council.
 - The application Ref 22/02520/FUL, dated 1 November 2022, was refused by notice dated 8 February 2023.
 - The development proposed is described as '*Redevelopment of site to provide a 70 Bed care home (use class C2) including access, parking, landscaping and other associated works, following demolition of existing dwellings*'.
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This decision is issued in accordance with section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 10 November 2023.

Decision

1. The appeal is allowed and planning permission is granted for the erection of a 70 Bed care home (use class C2) including access, parking, landscaping and other associated works, following demolition of existing dwellings at Silverlea, Cove Road, Fleet, Hants GU51 2RR, in accordance with the terms of the application ref 22/02520/FUL, dated 1 November 2022, and the plans submitted with it, and subject to the conditions set out in the attached Schedule.

Preliminary Matters

2. The Statement of Common Ground Council indicated that, subject to the imposition of conditions, the objections raised regarding, ecological improvements and the absence of an energy strategy would be satisfied.
3. The Tree Preservation Order (TPO) covering the appeal site, which was in place at the time of the Hearing, was finally confirmed on 11 October.

Main Issues

4. Given that the Council now considers that three of the original reasons for refusal can be addressed by the imposition of suitably worded conditions the main issues in this appeal are:

- 1) the effect of the proposed development on the character and appearance of the surrounding area, with particular regard to the proposed building's size and scale, and also the proposed loss of trees to facilitate the development.
- 2) the effect of the proposal on the living conditions of neighbouring occupiers;
- 3) the effect of the proposal on the Council's housing stock, with particular regard to the loss of three bungalows and their potential suitability for future occupants with limited or impaired mobility; and
- 4) the effect of the proposal on highway safety.

Reasons

Character and appearance

5. The appeal site comprises three detached bungalows, named from east to west, Silverlea, Konniki and Southwood, their substantial curtilages, along with a strip of land under the ownership of Hampshire County Council, the local highway authority. Cove Road is a classified highway, and forms part of the A3013. On this straight stretch of road, only the north side is developed with a number of dwellings scattered at low density, west of the site towards the approach to the centre of Fleet itself. The opposite side of Cove Road is railway land, with woodland beyond.
6. The site lies just within the settlement of Fleet, with its eastern boundary marking the boundary of the open countryside beyond, and its western limit being the boundary with Woodside, a two-storey dwelling which like the three said bungalows is set deep within its plot.
7. The proposal would involve the demolition of the three bungalows and the subsequent erection of a substantially sized care home, accommodating 70 beds. Access would be from Cove Road, and certain alterations are proposed to the highway at this point. 70 bedrooms with ensuite bathrooms for the elderly with associated amenity facilities, car parking and external landscaping, including private residents' gardens.
8. Roughly 50% of the proposed building's width, that section running westwards from the site's mid-point would accommodate two-storeys, but with a relatively low ridge height. The higher section of the building, has a third storey in its roofspace and therefore its roof is significantly deeper. This half of the building is L-shaped with its perpendicular wing running deep into the site.
9. The Hart Local Plan (Strategy and Sites) 2032 (HLP) was adopted in 2020. Policy H4 thereto says that proposals for specialist and supported accommodation that meets the needs of older persons or others requiring specialist care will be permitted on sites within settlement boundaries. The intended use of the land is therefore acceptable in principle.
10. The Council has not objected to the proposed building's architectural design but, instead, has concerns as to the extent of its footprint and, as a consequence, the building's size and scale. This, it is said, would fail to reinforce the prevailing pattern of development and would erode the visual landscape and rural character. The appellant considers otherwise, in that the building would be contemporary in appearance, yet domestically scaled.

11. From my site visit I am not convinced that the surrounding area can be considered as characteristically rural. Although I acknowledge that the boundary of the settlement is that of the eastern limit of the appeal site the general feel on the north side of Cove Road, as one travels westwards, is of relatively low density residential development. A modern housing estate also exists to the rear of the site.
12. The proposed building would be comfortably distanced from its boundaries, some 9.3m to the common boundary with Woodside, a two-storey dwelling, and 3.1m to the eastern boundary with the land surrounding the pumping station.
13. The north-western wing has been limited in height to 1.5 storeys to be in proportion with to the neighbouring western properties. The rest of the proposed development has also been limited to a height of 2.5 storeys to be in proportion with the properties to the north of the site. From walking along Cove Road and looking northwards beyond the site I note that there is a localised variation in building heights.
14. The appellant says that the proposed building's façades have been designed to respect the local architectural context, introducing elements to break down the overall mass of the building. The elevations have been articulated to ensure a domestic scale through differing roof heights and projections to create visual interest. The external façade materials will be a mix of red multi brick, slate effect tiles, timber framing and glazed elements. Fixed planters have also been introduced to multiple terraces and elevations, providing cost-effective structures that supports plant growth as the building matures into its surroundings.
15. Further, the appellant says that the care home, both internally and externally, has been designed with the different needs of the residents in mind, and its design is seen to be in excess of current Care Quality Commission expectations.
16. As the main entrance to the building would be south facing it would be accessible directly from the main car parking and directly visible upon entrance into the site. Parking provision would comprise 24 car parking spaces to the including 2 dedicated spaces for disabled parking, and an ambulance bay. A further dedicated delivery area is provided adjacent to the service core.
17. The building would incorporate the use of varying eaves and ridge heights to create elevational rhythm and this would have the effect of reducing the building's massing. A variety of external materials would be used with stepped facades.
18. In terms of tree loss the scheme would necessitate the removal of 44 out of 75 trees identified throughout the appeal site, one of which (T3) is a street tree, outside the existing curtilage of Silverlea, which has been categorised by the appellant's arboricultural survey, as a poor quality and mis-shaped oak with ivy growth around its trunk. Of the other 43 specimens trees, most are set well into the site, many close to the rear boundary with the dwellings' rear gardens in Forest Dean beyond.
19. Some 35% of these are poor quality 'U' category trees, 63% are 'C' category. Category 'C' trees are classified as low quality with a limited life expectancy , or

- young trees with a stem diameter below 150mm. Only two specimens are classified as Category 'B' trees which are seen as specimens of moderate quality with a life expectancy of at least 20 years.
20. I acknowledge that the removal of low height vegetation and certain mature trees would allow some direct views into the site, certainly more than is currently possible due the bungalows' front boundary enclosures. However, it is intended from the landscaping details shown on drawing no 100A that new trees will be planted towards the front of the site, west of the access point, and a new native hedge would form a continuous vegetated boundary beyond a line of existing mature trees. A significant degree of planting is proposed to enhance the development and, as mentioned, only one street tree is scheduled for removal.
21. The Council makes reference to Hart's Urban Design and Density Study (HUCDS) which says that new development should be of a similar scale, form and use as the existing buildings and plots, thereby preserving layouts and densities. Whilst I acknowledge and understand the rationale here it is not clear how care homes such as this would, on this basis and criteria, ever satisfactorily integrate within its surroundings. Instead, I must balance this with the fact that form is required to follow function, and vice versa.
22. In this particular case I consider that the building would be of a high quality design with its appearance and scale appropriate to its contextual setting. Unlike the Council I do not consider that it would be of an overwhelming scale. Along with the intended landscaping and new planting I am satisfied that the development would be an acceptable form of development, and would not be inconsistent with the advice in paragraphs 130, 131 and 174b of National Planning Policy Framework (the Framework).
23. Accordingly, I conclude that the proposed development would not be harmful to the character and appearance of the surrounding area, and there would be no material conflict with HLP policies NBE2 and NBE9, policy GEN1 of the Hart District Local Plan (HDLP) and policy 10 of the Fleet Neighbourhood Plan 2018-2032 (NP).

Living conditions

24. A series of residential dwellings exist beyond the appeal site to the north, and Woodside sits beyond the common boundary with the site to the west.
25. Although the new building would be considerably deeper than Woodside, the new building's flank elevation is distanced some 9m from the common boundary and, moreover, approximately 20m from the dwelling's main rear elevation.
26. The building's north western rear projection would be distanced some 41m from the south facing elevation of the nearest house in Forest Dean, and the facing elevations of the two dwellings directly positioned ahead of the building's main rear projection would be to approximate distances of 19m and 26m. Notwithstanding this separation privacy would be safeguarded due to the retention of a number of trees close to the rear boundary with the Forest Dean gardens.
27. Accordingly, I do not accept that the development would have a detrimentally overbearing development on the neighbouring residential occupiers. Their

living conditions would be safeguarded and the proposal would not be in material conflict with the aims of HLP policy NBE9, HDLP policy GEN1 and NP policy 10. Similarly, it would be consistent with the advice within paragraph 130 of the Framework.

Housing stock

28. NP policy 11 relates to the safeguarding of the Council's building stock for people of limited mobility including people with disabilities and older residents. Accordingly, the policy says that proposals that result in the loss of houses especially suited to occupation by older people and/or people with limited mobility will not be supported.
29. Whilst bearing this in mind I am also mindful that, in this particular instance, the three bungalows at issue are relatively large properties, set in substantial plots, and are not necessarily the type of property which the policy is reasonably aimed at.
30. I must also observe relevant advice within the Framework which, in paragraph 119, says that planning decisions should promote an effective use of land in meeting the need for homes. Whilst ensuring the safeguarding of the environment, paragraph 120 goes on to say that the development of under-utilised land and buildings, where the land could be used more effectively, should be promoted and supported.
31. I consider this to be a case in point and although the proposal is, on the face of it, at odds with the said policy's objectives, I must conclude here that the loss of the bungalows involved, due to both their substantial curtilages and floorspace, would not compromise the policy itself. Accordingly, I regard this as an example where each case should be determined on its own individual circumstances along with its particular planning merits and/or impacts.

Highway safety

32. On this main issue the Council's original objections have seemingly been resolved and narrowed down considerably. The agreed Statement of Common Ground confirms this.
33. At the outset, Hampshire County Council, the local highway authority (LHA) had considered the proposal to be unacceptable as, due to the fact that Cove Road is a classified 'A' road, this would materially hinder the safety and function of the road network.
34. The speed limit along Cove Road is 40mph, which would normally require detailed site measurement access visibility splays of 2.4m x 120m according to the Design Manual for Roads and Bridges (DMRB) standards based on the posted speed limit in the absence of observed speed data.
35. A single vehicular crossover is proposed as shown on drawing no ITB 18095-GA-031A. A proposed hard strip will reduce the operational width of Cove Road to a minimum of 6.4m. The appellant says that the required minimum visibility splays (2.4m x 144m and 2.4m x 149m) are achievable without the removal of additional trees along Cove Road, although the LHA is not fully convinced.
36. The LHA still has concerns as to whether there is sufficient visibility at the proposed site access to enable emerging and oncoming vehicles to see one

- another. Adequate visibility will be provided based on observed 85th percentile vehicle speeds and suitable forward visibility to a right turning vehicle will be achievable.
37. The access will also need to be constructed in accordance with ESCC specifications with all works carried out by an approved contractor by way of an agreement under s278 of the Highways Act.
 38. Both main parties agree that the proposed parking area would enable, cars, ambulances and light goods vehicles (LGVs) to enter the site, turn around, and exit in forward gear.
 39. The Council has raised concerns whether two HGVs would be able to pass by way of Cove Road being slightly reduced in width. In response, the appellant remarked that, although the width of the carriageway would be slightly reduced to 6.2m, this would aid a reduction in vehicle speeds, and without impeding larger vehicles.
 40. I note that a turning head adjacent to the entrance would provide turning for refuse collection vehicles or smaller service vehicles while a designated parking bay will be provided for ambulances.
 41. A Staff Travel Plan (STP), produced by specialist consultants, has been accepted by the Council. This aims to promote sustainable travel modes for staff and visitors through reducing the need for travel by private car; providing non-car mode travel options for local journeys; and influencing modal choice. The main aims are to reduce the number of single occupancy car journeys to the site, and also to improve accessibility to the site by non-car modes of transport. It is estimated that such measures would then reduce the number of vehicle trips.
 42. A Travel Plan Co-ordinator (TPC) would be appointed prior to the first occupation of the care home and would be in place for five years. The TPC will oversee the implementation of the proposed measures and a suggested timetable for the implementation of these measures has already been put forward. A monitoring strategy is proposed, involving the issue of travel surveys to all staff and a review of the results against targets. The results would be provided to the Council on request so that progress can be gauged.
 43. Paragraph 111 of the Framework says that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network.
 44. In the circumstances, and from the evidence I was presented with at the Hearing I am satisfied, on balance, that the scheme is workable and standards can be achieved to this end. The conditions imposed relating to highway matters should allow for the development to be implemented, accordingly. I therefore conclude that the proposal would not be in material conflict with the aims and requirements of HLP policy INF3, HDLP policy GEN1. Accordingly, I am satisfied that the proposal is consistent with the relevant advice in paragraph 110 of the Framework.

Other Considerations

Effects on the Special Protection Area

45. The appeal site lies within 2km of the Thames Basins Heath Special Protection Area (SPA), which is an area identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds. New residential development in such areas is subject to control, with mitigation strategies to off-set any harm put in place.
46. Natural England, a consultee, raised an objection as the original submission did not contain any information as to whether the development would result in negative impacts on the SPA nor were any mitigation measures put forward.
47. Both main parties have agreed that, subject to a suitably worded condition, the proposal would not have a detrimental impact on the SPA.
48. The Council also accepts the findings of an Ecological Impact Assessment and a DEFRA Metric 3.1, submitted during the appeal process, which confirms that the proposal would provide for a gain of 0.31 Habitat units and an overall gain of 0.30 Hedgerow Units to provide a net gain of 99.45% Hedgerow units.
49. Having made an assessment on the likely impacts I consider that subject to appropriate mitigation there would be no adverse effects on the said Special Areas of Protection. Appropriate measures are being required through the relevant planning condition.
50. In the circumstances, subject to the observance I agree with the above findings and, on this basis, the objection raised in Reason for Refusal no 6 is satisfied and in accordance with the objectives of NP policy 11.

Surface water drainage

51. I have had regard to the letter received from Hampshire County Council, dated 3 August 2023, and have amended the relevant condition agreed between the main parties, accordingly. This approach should satisfy the requirements of HLP policy NBE5 and NP policy 10.

Need

52. The Council takes the view that, on the basis of up-to-date information the need for care homes in the Hart District Council area has been met up to 2032, and that only 50 more bedspaces will be needed between 2030 and 2035.
53. The appellant takes the opposite view; firstly, that on a national basis due to the significant growth in the elderly demographic, there is a critical need for additional housing for older people who can no longer live independently. Further, care homes also unblock delayed discharges from hospital to alleviate the crisis in the NHS.
54. The appellant has made representations indicating that, in June 2021, Hart District Council commissioned an update to the advice that informed the Council's Strategic Housing Market Assessment and the Local Plan. The report, written by the Housing Learning and Improvement Network (Housing LIN), entitled '*Advice on the need or specialised accommodation for older people within the Hart District as set out in the 2016 SHMA*' was commissioned to determine

whether the previous need assessment for care home beds included in the SHMA remained robust.

55. The Housing LIN report suggests that prevalence rates for care beds have reduced in line with increases in alternative forms of accommodation. However, the appellant makes the point that the existing provision of beds in the Hart District Council area is significantly below the CIPF comparator average and the average for England. Moreover, the appellant makes the point that the Council has chosen to fully accept the findings of the report without taking into consideration the advice from Housing LIN or the most recent Hampshire County Council's Adult Social Care strategy.
56. The Housing LIN report provides a desktop review only and identifies its own limitations in terms of the assessment of existing supply and local prevalence rate review. The report suggests that the Council should ideally produce a new evidence base of the accommodation and care needs of its elderly residents.

Representations from Interested Parties

57. I have had due regard to the many representations made by interested parties and, in particular, the various grounds of objection. I have largely covered these points in my reasoning and I must again stress that, following refusing planning permission, the Council then decided that a number of issues, including those raised by interested parties, could be satisfied by way of the imposition of conditions.
58. Although I have taken into account the concerns of local persons these do not outweigh the benefits of what I consider to be a justifiable development for the various reasons I have highlighted.

Planning Balance

59. I have found that the proposed building and its external features would not be harmful to the character and appearance of the surrounding area. It appears to me that significant efforts have been taken to retain boundary trees where possible to retain biodiversity.
60. Neither do I consider that the living conditions of neighbouring occupiers would be unduly harmed given the physical relationships that would result between the proposed building and properties beyond the appeal site, nor would policy NP11 be compromised. On balance, I consider that the highway safety implications of the scheme and measures of mitigation have been largely agreed by the main parties, and observance of the conditions imposed – in particular condition 18 – which will be to the satisfaction of the local highway authority – would provide sufficient safeguards.
61. Given the significant benefits involved I am satisfied that the proposed scheme is an acceptable form of development in its contextual setting.

Conclusion and Conditions

62. For the above reasons, and having had regard to all matters raised, I conclude that the appeal should succeed.
63. In terms of conditions, apart from the standard time limit requirements and the implementation of the development in accordance with the approved plans I

have had regard to the government's planning practice guidance and also the suggested conditions agreed at the Hearing. I am satisfied that these are all reasonable and necessary in the circumstances.

64. Three conditions are imposed relating to the construction phase of the development, with a number of separate highway related conditions given the requirement for adequate site visibility splays, speed reducing measures, the stopping-up of the existing accesses and the implementation of the Travel Plan.
65. A condition requiring both an updated Arboricultural Methodology Statement and Tree Protection plan is required given the need to protect the various trees earmarked for protection. Conditions are also imposed relating to biodiversity matters and the requirement for a full landscaping scheme to be submitted for written approval.
66. Conditions are also imposed requiring for a noise assessment report to be submitted for subsequent written approval, along with conditions relating to external lighting and fumes/odour emissions. A waste and recycling management scheme is required along with conditions relating to surface water drainage measures and energy efficiency measures. A condition relating to the location of utility services is included to ensure a satisfactory appearance, as is a condition requiring details of external materials to be submitted for written approval.

Timothy C King

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan – drawing no 4530-WRD-XX-ZZ-DR-A-0504 Revision P01;
Site Block Plan – drawing no 4530-WRD-XX-ZZ-DR-A-0502 Revision P06;
Proposed Site Plan – drawing number 4530-WRD-XX-ZZ-DR-A- 0500 Revision P014; Proposed Ground Floor Plan – drawing no 4530-WRD-XX-00-DR-A- 0200 Revision P06; Proposed North and East Elevations – drawing no 4530-WRD-XX-ZZ-DR-A-0300 Revision P07; Proposed South and West Elevations – drawing no 4530-WRD-XX- ZZ-DR-A-0301 P07; Proposed First Floor Plan – drawing no 4530-WRD-XX-01-DR-A- 0201 Revision P07; Proposed Second Floor Plan – drawing no 4530-WRD-XX-02-DR-A- 0202 Revision P07.
- 3) No development shall take place (including site preparation, demolition or groundworks), until a Construction Traffic Management Plan (CTMP) has been submitted to, and approved in writing by, the Local Planning Authority that demonstrates safe and coordinated systems of work affecting or likely to affect the public highway and or all motorised and or non-motorised highway users. The Statement shall include details comprising, but not limited to:
 - Means of direct access (temporary or permanent) to the site from the adjoining public highway for the duration of the demolition and construction phases.
 - The provision for the parking of site operatives and visitor's vehicles during both the demolition and construction phases to be established within one week of the commencement of the development.
 - Areas for the loading and unloading of plant away from the public highway.
 - Areas for the storage of plant and materials generated by the demolition of the existing dwellings and required for the construction of the development which are sited away from the site access and areas subject to tree protection measures.
 - wheel washing facilities or an explanation why they are not necessary.
 - the erection and maintenance of security hoarding that does not obscure highway visibility or adversely impacts upon retained trees.

The development shall be carried out in accordance with the approved Construction Traffic Management Plan.
- 4) No development shall take place (including site preparation, demolition or groundworks) shall commence on site, other than the highway works required under conditions 19 and 20 until a site- specific Construction Environmental Management Plan (CEMP) has been submitted to and been approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- A programme of demolition works to include methods and phasing.
- A programme of construction works.
- Procedures for maintaining good public relations including complaint management, public consultation and liaison.
- A schedule of mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites to minimise noise disturbance from construction works.
- Procedures for emergency deviation of the agreed working hours.
- A scheme for the storage and disposal of waste, providing maximum recycling opportunities.
- Control measures for dust and other air-borne pollutants.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes to avoid glare to users of the public highway and neighbouring properties.

The development shall be carried out in accordance with the approved Construction Environmental Management Plan.

5) No construction or demolition activity shall be carried out and no construction or demolition related deliveries shall occur, taken at, or be dispatched from, the site except between the hours of 7:30 hours and 18:00 hours Monday to Friday and 08:00 hours and 13:00 hours on Saturdays and no such activities or deliveries shall take place on Sundays, Bank or Public Holidays.

6) No development or other operations (including site preparation, demolition or groundworks) shall commence on site, other than the highway works required under conditions 19 and 20 until a plan showing the location of all existing and proposed utility services to avoid the arboricultural constraints on the site has been submitted to and approved in writing by the Local Planning Authority. This shall include gas, electricity, communications, water and drainage and shall ensure that the implementation of the utilities or future maintenance can be undertaken without harm to retained trees. No development, maintenance or other operations shall take place other than in complete accordance with the Utility Plan.

7) Notwithstanding the submitted details, no development or other operations (including site preparation, demolition or groundworks, or the moving of any equipment, machinery or materials on to the site) shall commence, other than the highway works required under conditions 19 and 20 until an updated Arboricultural Method Statement and Tree Protection Plan specific to this scheme has been submitted to and approved in writing by the Local Planning Authority. The Arboricultural Method Statement and Tree Protection Plan shall be written in accordance with, and address sections 5.5, 6.1, 6.2, 6.3 and 7 of British Standard 5837:2012 Trees in relation to design, demolition and construction – recommendations as a minimum and shall also provide protection for hedgerows and mature shrubs also to be retained. The protective fencing shall be installed in accordance with the approved plans and shall thereafter be maintained and retained in accordance with the approved details until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site.

Nothing shall be stored or placed in any fenced area (construction exclusion zone) in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.

- 8) No development shall commence above ground floor slab level until details have been submitted setting out in detail the type, siting and external appearance of energy efficiency measures to be employed at the site as informed by the Energy Strategy Report by Harniss Consulting (revision T2) dated 31 March 2023. The development shall be carried out in accordance with the approved energy efficiency measures.
- 9) Notwithstanding the details submitted, no development (except demolition and site preparation) shall commence on site, other than the highway works required under conditions 19 and 20 until full details of the Surface Water Drainage Strategy have been submitted to and approved in writing by the Local Planning Authority in consultation within the Lead Local Flood Authority. The drainage strategy shall be informed by the on-site arboricultural constraints having regard also to the utilities plan approved under Condition 6, and shall also detail the proposals for the long-term maintenance arrangements and ownership. A capacity check should be made for the receiving sewer and the drainage design should be revised if necessary so that surface water discharge rates do not exceed the confirmed capacity of the sewer. Flood exceedance flow routes shall be demonstrated and details shall be submitted and approved relating to SuDS maintenance and management for the subsequent approval of the local planning authority. The development shall be carried out in accordance with the approved scheme.
- 10) No development or other operations (including site preparation, demolition or groundworks, or the moving of any equipment, machinery or materials on to the site) shall commence, other than the highway works required under conditions 19 and 20 until a Protected Species Survey has been undertaken at the optimal time of year for Great Crested Newts as confirmed by The Landscape Partnership's Ecological Impact Assessment (project no B21008) dated 31st March 2023 and a report submitted to and approved in writing by the Local Planning authority. Should evidence be found of such protected species then a Wildlife Protection and Mitigation Plan detailing measures to ensure that no harm arises to Great Crested Newts shall additionally be submitted to and approved in writing prior to any development or other operations occurring (including site preparation, demolition or groundworks, or the moving of any equipment, machinery or materials on to the site). The development shall be carried out in accordance with the approved Wildlife Protection and Mitigation Plan. All other Mitigation and Avoidance Measures shall be carried out in accordance with Chapter 5 of the Ecological Impact Assessment.
- 11) Notwithstanding the details submitted, no development above ground floor slab level shall take place until details have been submitted to and approved in writing confirming the location within the site for small scale species enhancements as set out within Chapter 6 of the Ecological Impact Assessment (project no B21008) by The Landscape Partnership dated 31st March 2023. Measures at ground level should be incorporated into the landscaping details secured by condition 13.

The development shall be carried out in accordance with the approved details prior to first occupation and thereafter retained and managed in accordance with the approved details.

12) In order to mitigate any adverse effects upon the Thames Basin Heaths Special Protection Area and to make the development acceptable in respect of compliance with the Development Plan, the following mitigation measures are required for the care home:

- The use of the property is to be restricted to Use Class C2 as a care home.
- No residential staff accommodation will be provided on site and rooms will be for single occupancy.

Car parking will be restricted exclusively to staff and visitors.

13) Notwithstanding drawing no 100A and the details shown thereto, prior to completion of the external building envelope, detailed hard and soft landscaping plans shall be submitted to and approved in writing by the Local Planning Authority. The plans shall comprise (but not be limited to):

- Hard landscape details shall include the design, type, position and scale of hard paving and surfacing and full details of minor artefacts (e.g. fixed position structures/furniture).
- Details of how hard surfacing will be laid to ensure that surfaces have regard to the relationship to and the need to protect trees remaining on the site.
- Details of boundary treatments to be erected and planted to include the positions, designs, materials and finishes and where hedgerows are proposed, full planting details with schedules of plants, species, planting sizes and proposed numbers /densities where appropriate. Boundary treatments shall include provisions to maintain and enhance wildlife movement within and around the site by virtue of the inclusion of suitable sized gaps/corridors at ground level.
- Soft landscape details shall include full planting plans, specification (including cultivation and other operations associated with plant and grass establishment), and schedules of plants, noting species, planting sizes and proposed numbers/ densities where appropriate.
- Ground levels or contours to account for the change in levels across the site.
- A tree planting schedule to include the details of new trees to offset approved tree losses.
- The specification of tree planting pits where positioned close to underground structures together with a method statement for their construction and details of any irrigation or drainage infrastructure, tree root barriers (if necessary) to prevent damage or disruption to any proposed hard surfacing or underground services, drains or other infrastructure, with allowance for reasonable growth.
- A programme of landscape implementation.
- A programme of landscape management and maintenance for all landscape areas to address all operations to be carried out in order to allow successful establishment of planting and the long- term maintenance of the landscaping in perpetuity.

Once approved, the submitted details shall be provided on site within one year following such approval in respect of the hard landscaping works, or in the first planting season following approval in respect of the soft landscaping works.

Any trees or plants which, within a period of five years after approved completion, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of similar species, size and number as originally approved.

- 14) No development above ground floor slab level shall commence on site until details of types and colours of external materials to be used together with samples, including details of any timber staining/finishes, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the details so approved.
- 15) Notwithstanding the details submitted, no external lighting shall be installed unless details have been first submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall include full lighting specifications and address the cumulative effects of all external lighting sources upon the location and nocturnal animals sensitive to external lighting (principally bats). The lighting shall be operated and maintained in accordance with the approved scheme.
- 16) Prior to the first occupation of the development hereby approved, a noise assessment shall be conducted, and the results submitted in writing to the Local Planning Authority to detail compliance of internal noise levels against BS8233:2014. Internal noise levels shall not exceed:
 - 35dB LAeq,16hours (07:00-23:00) within bedrooms and communal lounges and
 - 30dB LAeq,8hours (23:00-07:00) within bedrooms; and
 - a level of 45dB LA[F]max on more than 10 occasions during a typical night (23:00- 07:00) within bedrooms. The testing shall be carried out in accordance with a written protocol, details of which shall have first been submitted to and approved in writing by the Local Planning Authority. Where it is evident that windows shall be required to be closed in order to achieve the internal sound level criteria then all practicable measures shall be explored as viable alternatives. Where all other means have been exhausted and windows are required to be closed, adequate alternative ventilation shall be specified, for example Mechanical Heat Recovery Ventilation.
 - Any proposed external mechanical plant must be assessed in accordance with BS4142:2014 Methods for Rating and Assessing Industrial and Commercial Sound. All works which form part of a necessary alternative ventilation scheme shall be completed before the Care Home is occupied and shall be thereafter maintained in accordance with the approved details.
- 17) Prior to the first occupation of the development hereby approved, a scheme for the extraction and treatment of fumes and odours generated from cooking undertaken on the premises should be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation and thereafter maintained in accordance with the approved details.
- 18) Prior to the first occupation of the development hereby permitted, the areas for the turning, manoeuvring, loading and unloading of vehicles, the parking of

vehicles and secure cycle parking shall be laid out as identified on the approved drawing titled 'Proposed Site Plan' (drawing number 4530-WRD-XX-ZZ-DR-A-0500 Revision P014), and shall thereafter be retained free of any obstruction that would prevent their intended use for the lifetime of the development. Secure cycle storage for 12 no. cycles shall be provided within the application site and the spaces so provided shall be thereafter retained for that purpose.

- 19) No occupation shall take place until the speed reducing measures along Cove Road as shown on drawing ITB 18095-GA-031 Rev A have been implemented in full and are operational.
- 20) No occupation shall take place (including site preparation, demolition or groundworks) other than the highway works required under condition 19, until the access, including the footway and/or verge crossing is fully constructed, and sight lines are provided in accordance with the approved drawing no. ITB 18095-GA-031 Rev A.

The lines of sight splays shown on this approved plan shall be kept free of any obstruction exceeding 1m in height above the adjacent carriageway and shall thereafter be subsequently maintained thereafter.

- 21) The development hereby approved shall not be occupied until the existing vehicular accesses/crossovers to Cove Road are permanently stopped and a footway and/or verge is reinstated.
- 22) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any order revoking and re-enacting that Order with or without modification, the development hereby approved shall only be used as a care home within Use Class C2 (Residential Institutions) of the Town and Country Planning (Use Classes Order 1987 (as amended) and for no other use within that use class.
- 23) Prior to the first occupation of the development hereby approved, a scheme for the management, storage and collection of waste and recycling shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include a diagrammatic plan showing how waste vehicles shall access on site storage areas and details of the service to be provided. The operation of the Care Home shall be carried out in accordance with the approved details for waste and recycling.
- 24) The development hereby approved shall not be occupied prior to the implementation of the approved Travel Plan (or implementation of those parts identified in the approved Travel Plan as capable of being implemented prior to occupation). Those parts of the approved Travel Plan that are identified as being capable of implementation after occupation shall be implemented in accordance with the details contained therein and shall continue to be implemented as long as any part of the development is occupied.

