



Appeal Decision

Site visit made on 16 December 2025

by H Nicholls MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 January 2026

Appeal Ref: APP/N1730/W/25/3372608

Former Grey House School, Mount Pleasant, Hartley Wintney RG27 8PW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Beechcroft Developments Ltd against the decision of Hart District Council.
 - The application Ref is 24/01435/FUL.
 - The development proposed is erection of 35 no. older persons age-restricted dwellings comprising 31 no. apartments and 4 no. cottages together with associated landscaping, car parking and ancillary development and alterations to site access arrangements.
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Decision

1. The appeal is allowed and planning permission is granted for erection of 35 no. older persons age-restricted dwellings comprising 31 no. apartments and 4 no. cottages together with associated landscaping, car parking and ancillary development and alterations to site access arrangements at Former Grey House School, Mount Pleasant, Hartley Wintney, RG27 8PW, in accordance with the terms of the application, Ref 24/01435/FUL, subject to the conditions in the attached schedule.

Preliminary Matters

2. The appeal application was refused for six reasons relating to the lack of affordable housing, the under provision of car parking; absence of measures to secure Biodiversity Net Gain (BNG) measures; lack of clarity in respect of the proposed drainage scheme; effects on the Thames Basin Heaths Special Protection Area (TBH SPA); and lack of provision of self and custom build plots.
3. On 19 November 2025, the Council wrote to me, informing me that having reviewed further information submitted with the appeal, it was satisfied that all but one of the reasons for refusal (relating to the TBH SPA mitigation) had been addressed.
4. Following agreement to change the procedure for the appeal from a hearing to written representations, the Council subsequently wrote to me on the 8 December 2025 to indicate that, subject to finalisation of a S106 planning obligation (S106), it had reached agreement with the appellant on the TBH SPA mitigation.
5. An agreed S106 planning obligation, dated 21 January 2026 was received on 23 January 2026 which provides for measures to mitigate effects on the TBH SPA, a minibus service for residents and BNG measures.
6. Following receipt of this S106, the Council's ultimate position is that planning permission should be granted.

7. Nonetheless, interested parties have made submissions in relation to the scheme and I shall address those below.

Reasons

8. Planning permission was previously granted¹ for the demolition of the existing building and construction of a 65 bed care home (C2 use class) and 4 care dwellings. The pre-commencement conditions have been discharged and the former building (Grey House) has been demolished. The permission is therefore extant and is a material consideration of relevance to the current scheme. Though the scheme would provide dwellings which would be a C3 use class with an age restriction condition, it would not result in a material deficit in care home spaces or result in a conflict with policy H4 of the Hart Local Plan (Strategy and Sites) 2032 (Local Plan) in terms of housing mix. Whilst it has been suggested that the age is too low and should be raised to retirement age, it is consistent with schemes of this nature.
9. The Council did not refuse permission on the basis of the scale, form, siting or appearance of the scheme, rather finding it to be reflective of the Edwardian character of Mount Pleasant and the *Hartley Wintney Conservation Area* (HWCA) more generally. Whilst there would be some differences between the proposed scheme and the surrounding built form, it would still follow the established pattern of development and has been designed with visual relief, including depth, features and roofscape so as to avoid the appearance of an apartment block. It has also been found acceptable in light of the extant care home scheme. I find no reason to disagree and conclude that the overall scale and design of the scheme is acceptable and would not cause harm to the character or the appearance of the HWCA.
10. In respect of the effects on highway safety and capacity, the proposed scheme has been calculated as generating marginally fewer vehicular movements than the extant scheme. A single point of access would be retained on Mount Pleasant, with a secondary point of access being stopped up by way of planning condition. A planning condition would also be used to require the provision of storage facilities for cycles and mobility scooters to maximise the potential for non-car modes of transport. The provision of a minibus service would also help to minimise dependency on the private vehicle. The Highways Authority has not objected to the scheme on the basis of its construction phase or long term effects on the highway network and, subject to conditions, I find no reason to reach an alternative conclusion.
11. In respect of the comments about the under provision of car parking, the appellant has submitted a detailed Transport Appeal Statement², which provides a robust, evidence-led justification for the proposed parking provision of 44 spaces (1.25 spaces per dwelling), including:
- Empirical data from the TRICS national database, showing an average provision of 0.702 spaces per dwelling across 12 comparable retirement schemes;

¹ Under planning permission reference 21/00630/FUL, dated 30.05.2022

² Glanville Consultants, dated 22 August 2025

- Operational evidence from the appellant's own portfolio, with similar developments functioning successfully at ratios between 1.22 and 1.32 spaces per dwelling;
 - Details of local precedents, including recent approvals and appeal decisions within the district for age-restricted and retirement housing schemes with lower parking ratios; and
 - On-street parking stress surveys which demonstrate that surrounding streets have sufficient capacity to absorb any unlikely overspill parking.
12. The *Council's Cycle and Car Parking in New Development Supplementary Planning Document (2023)* (SPD) explicitly allows for flexibility in the application of its standards where supported by robust evidence. The Council has accepted that the additional supporting information qualifies that the proposed parking provision is appropriate for the specific nature of the development and there are no objections from the Highway Authority. As such, the Council no longer contests that there is a conflict with policy INF3 of the Local Plan, Saved Policy GEN1 (vii)(viii) of the Hart Local Plan (Replacement) 1996-2006 or with the SPD. I do not reach an alternative view on this matter.
 13. A number of objectors indicate that the scheme fails to provide sufficient affordable housing as required by policy H2 of the Local Plan and the *Hartley Wintney Neighbourhood Plan* (2017) (HWNP). The Council and its independent consultants have reviewed the latest viability evidence, including a revised Financial Viability Assessment (FVA) and supporting justification. It has been confirmed that zero affordable housing or payment in lieu can be financially sustained by the scheme. As the Council has accepted that the scheme cannot viably deliver affordable housing either on-site or through a financial contribution, it has opted not to further pursue the related reason for refusal. I find no reason to reach an alternative conclusion in this regard.
 14. Having regard to the distances between facing elevations and those which overlook gardens, and the boundary screening which will remain or be implemented through landscaping, the scheme would not give rise to any materially harmful loss of privacy or loss of outlook or light for neighbouring occupiers. The effects of noise from the comings and goings of additional vehicles would not be significant given the context of the site and modest reduction in predicted vehicle movements relative to the extent scheme.
 15. In respect of the potential for flooding, the appeal site is within Flood Zone 1 which is at the lowest risk of flooding from fluvial sources. In respect of surface water flood risks, the majority of the site is at 'very low' risk of surface water flooding, with an annual probability of flooding of less than 0.1%. A small area located to the north of the site is shown to be at 'low' risk of flooding.
 16. The appellant has provided updated groundwater monitoring results with the appeal which demonstrate that the development can provide an appropriate surface water drainage scheme to ensure that it would not increase the risk of surface water flooding elsewhere and has been designed to accommodate storm events up to 1 in 100 year + 40% climate change without flooding from surface water. The Local Lead Flood Authority (LLFA) have reviewed this information and raised no objections subject to an appropriate condition securing the submission and approval of a detailed surface water drainage scheme. It is on this basis that

the Council has elected not to defend this particular reason for refusal. I do not seek to reach an alternative view in light of the LLFA advice or updated position of the Council subject to the recommended condition.

17. Though a number of comments refer to the loss of trees and vegetation, the scheme would retain most of the trees and vegetation which contribute positively to the character and appearance of the area. Conditions would also ensure that tree protection measures are in situ for the duration of the construction phase and that a scheme of additional landscaping is implemented to enhance the quality of the scheme.

TBH SPA

18. The proposal has the potential to affect a site designated under the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations). The potentially affected site is the TBH SPA (Site Code: UK9012141) for which the qualifying species include: A224 *Caprimulgus europaeus*; European nightjar (Breeding); A246 *Lullula arborea*; Woodlark (Breeding); and A302 *Sylvia undata*, Dartford warbler (Breeding). Essentially, the TBH SPA comprises a network of heathland sites which support internationally important numbers of bird species which nest on or near the ground and as a result they are very susceptible to predation of adults, chicks and eggs (particularly by cats, rats and crows) and to disturbance from informal recreational use, especially walking and dog walking. Any proposal which by reason of its proximity of the TBH SPA, within a 'Zone of Influence' (Zol), that may result in additional recreational disturbance is likely to have an adverse effect on the integrity of the TBH SPA. I must have regard to the conservation objectives for the TBH SPA in undertaking my duties in accordance with the Habitats Regulations.
19. The appeal site is located within the 400m - 5KM Zol for the TBH SPA as set out in the *Thames Basin Heaths Special Protection Area Avoidance Strategy SPD* (2019). The proposal is not directly connected with or necessary for the management of the protected site. However, the proposal, given its scale, nature, and distance from the protected site, would be likely to have significant effects either alone, or in combination with other projects. The effects of the proposal cannot, therefore, be screened out and in adopting a precautionary approach, the development would give rise to likely significant effects on the Protected Sites, such as to require an Appropriate Assessment under the Habitats Regulations.
20. The published SPD and a supplemental SANG Allocation Criteria (2020) provide guidance in relation to developments within the Zol that may result in in-combination effects on the TBH SPA which outline the need for provision or contributions towards both Suitable Alternative Greenspace (SANG) and contributions towards Strategic Access Management and Monitoring (SAMM).
21. The Council has confirmed that its own SANG at Grove Farm could be used as the means of offsetting the impact of the proposal given that it is within the catchment of the appeal proposal. Additionally, the appellant recognises the need to pay towards the appropriate SAMM mitigation. The Council's latest published tariff rates (effective as of 1 April 2024) for SAMM sets out a tariff per number of bedrooms which is detailed in the appellant's unilateral undertaking.
22. The appellant has provided a completed S106 to secure the provision of SANG and a per dwelling tariff towards SAMM. Overall, the form and wording of the S106

is suitable to sufficiently bind the land and ensure that it is put towards the provision of SANG and the undertaking of access management and monitoring the effects of mitigation measures across the TBH SPA. The contributions are necessary, directly related to the development and fair and reasonable in scale and kind to the development proposed. I am therefore satisfied that they meet the appropriate tests and are therefore obligations I can take into account.

23. As competent authority, I am satisfied that the SANG and SAMM mitigation measures secured through the S106 will ensure that the development would not result in an adverse effect on the integrity of the TBH SPA when considered on its own and in combination with other plans and projects.

Conditions

24. The conditions have been agreed between the main parties and have been considered in light of the tests for conditions as per the Framework and Planning Practice Guidance. Pre-commencement conditions have been kept to a strict minimum and only used where unavoidable.
25. The first condition necessary is a condition requiring the commencement of development within twelve months of the date of the decision. Whilst this is a shorter than usual timeframe, it provides greater certainty as to whether the TBH SPA mitigation credits are to be used or left unspent and capable of being redirected to other deserving projects.
26. A condition specifying the approved plans and documents is necessary in the interests of certainty. For similar reasons, a condition is necessary seeking specific detail on finished floor levels.
27. To avoid the increased risk of flooding, conditions are necessary in relation to the scheme of surface water drainage and separately for its long term maintenance arrangements.
28. In order to meet the necessary biodiversity net gain (BNG) requirements, a condition is necessary to require a scheme of BNG measures to be implemented.
29. To ensure that the scheme assimilates well with its built context, conditions are needed in respect of external materials and for landscaping (both hard and soft varieties). For similar reasons, a condition is necessary to secure the necessary protection of existing trees and vegetation.
30. In the interests of highway safety and the free flow of vehicles on the surrounding road network, conditions are needed in respect of the provision and maintenance of the point of access, the stopping up of the unnecessary access and provision of car parking and storage for cycles and mobility scooters.
31. In order to protect the living conditions of neighbouring occupiers, a condition is necessary limiting the hours of construction work. For similar reasons in relation to future occupiers, a condition is necessary limiting the maximum permissible noise levels in specific rooms relative to specified hours of the day/night.

S106 Planning Obligation

32. Regulation 122 of the Community Infrastructure Levy Regulations (2010) (CIL Regulations), as amended, and the Framework set out that planning obligations

must only be sought where they meet the relevant tests, including where they are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the same. The necessity for the various components of the S106 and the methods of calculation for the various financial contributions and the related links to policies of the development plan are clear from the evidence before me.

33. I am satisfied based on the agreement between the main parties and the wording of the S106 that all of the obligations in respect of the SANG, SAMM, BNG and minibus service are necessary, directly related, and fairly and reasonably related in scale and kind to the development and can be taken into consideration.

Conclusion

34. The appeal proposal accords with the development plan when taken as a whole. There are no considerations of such materiality to indicate that a decision should be made other than in accordance therewith.
35. As such, for the reasons given above, the appeal should be allowed.

H Nicholls

INSPECTOR

SCHEDULE OF CONDITIONS:

- 1) The development hereby permitted shall be begun before the expiration of one year from the date of this permission.
- 2) The development hereby approved shall be carried out in accordance with the following plans and documents (including any mitigation/ recommendation/ enhancement contained therein):
 - 3838.P.100B – Location Plan
 - 3838.P-101E – Proposed Site Plan
 - 3838.P.102D – Coloured Site Plan
 - 3838.P.103D – Ground Floor Plan in Situ
 - 3838.P.104D – Boundaries and Enclosures Plan
 - 3838.P.105D – Hard Landscape Surface Plan
 - 3838.P.106D – Open Space Plan
 - 3838.P.107D – Materials Plan
 - 3838.P.108B – Existing Buildings Plans and Elevations
 - 3838.P.109B – Plots 1-31 Ground Floor Plan
 - 3838.P.110B – Plots 1-31 First Floor Plan
 - 3838.P.111B – Plots 1-31 Second Floor Plan
 - 3838.P.112B – Plots 1-31 Roof Plan
 - 3838.P.113B – Plots 1-31 Elevations 1 of 2
 - 3838.P.114B – Plots 1-31 Elevations 2 of 2
 - 3838.P.115B – Plots 1-31 Sections
 - 3838.P.116B – Plots 32-35 Floor Plans and Elevations
 - 3838.P.117C – Proposed Bins and Cycle Store
 - 3838.P.118A – Contextual Sections
 - 3838.P.120 – Proposed External Cycle Store
 - 3838.P.121A – Parking Plan
 - Arboricultural Impact Assessment and Method Statement 24033-AIA2-LF prepared by Barrell Tree Consultancy, 10 July 2024
 - Tree Protection Plan 24033-4 prepared by Barrell Tree Consultancy, July 2024 (1:250@A1)
 - Manual for Managing Trees on Development Sites v3.0 prepared by Barrell Tree Consultancy, 2020
 - Flood Risk Assessment and Drainage Strategy Issue 2 prepared by Glanville, Consulting Engineers, 9 July 2024
 - Transport Statement issue 2 prepared by Glanville, Consulting Engineers, 10 July 2024
 - Drawing 8240183/6101B Site Access Visibility Splays prepared by Glanville, Consulting Engineers, 3 October 2024 (1:250@A3)
 - Drawing SFDGA 1047-4-0 – Sheffield Cycle Stand Root Fixed – Mid Rail – General Arrangement (1:10@A3)
 - Construction Transport Management Plan prepared by Glanville, Consulting Engineers, 8 July 2024
 - Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment prepared by Windrush Ecology, 16 July 2024

- Statutory Biodiversity Metric including off-site net change (Excel spreadsheet)
 - BNG Condition Assessment Sheets (Excel spreadsheet)
 - Energy Strategy and Sustainability Statement prepared by Resi Resolve, Energy Consultants, July 2024
 - Landscape Masterplan BEE24532.10 Rev A prepared by ACD Environmental, July 2024
- 3) No development shall commence until a detailed surface water drainage scheme for the site, based on the principles within the Flood Risk Assessment (005_8240138_JD_Flood_Risk_Assessment Issue 2 – 09 July 2024 – Glanville & Response to Lead Local Flood Authority Comments 013_8240183_JD_LLFA_Response Issue 4 Glanville 11 August 2025), has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:
- a. A technical summary highlighting any changes to the design from that within the submitted drainage strategy documents.
 - b. Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations.
 - c. Detailed drainage calculations to demonstrate there is sufficient attenuation for storm events up to and including 1:100 + climate change.
 - d. Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
 - e. Exceedance plans to include proposed external levels and finished floor levels demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.
- 4) No development shall commence until a Biodiversity Net Gain Plan in accordance with any biodiversity or ecological information hereby approved shall be submitted to and approved in writing by The Council. The Biodiversity Net Gain Plan shall include the following details:
- (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
 - (b) the pre-development biodiversity value of the onsite habitat;
 - (c) the post-development biodiversity value of the onsite habitat;
 - (d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
 - (e) any biodiversity credits purchased for the development from either DEFRA / Natural England or a provider in operation and that is listed in the National Biodiversity Gain Sites Register; and
 - (f) any such other matters as the Secretary of State may by regulations specify.

The Biodiversity Net Gain Plan shall be fully implemented in accordance with the approved details.

- 5) Notwithstanding the information submitted, no development shall take place above ground floor structural slab level until details and samples of the buildings' external surface materials, including bricks, roof tiles, rainwater goods, windows and doors have been submitted to and approved in writing by the Local Planning Authority.

The development shall only be carried out in accordance with approved details.

- 6) No development shall take place above ground floor structural slab level until full details of hard and soft landscaping works and boundary treatments have been submitted to and approved in writing by the Local Planning Authority together with a timetable for their implementation.

All hard and soft landscaping works shall be carried out in accordance with the approved details including the timetable for their implementation on site. The hard and soft landscaping works shall be retained thereafter in accordance with the approved details.

A) Hard landscaping

These details shall include a detailed hard landscape specification and supporting plan(s) to a recognised scale illustrating the proposed positions, dimensions, materials and finished levels of means of enclosures (e.g. fences, walls and gate piers); vehicular and pedestrian access; hard surfaces (e.g. driveways, car parking, footpaths, patios, decking).

B) Soft landscaping

These details shall include a detailed soft landscaping plan to a recognised scale clearly illustrating the location of all trees/shrubs/hedges/plants to be planted and areas of turf to be laid; a detailed written soft landscape specification detailing the quantity, density, size, species, position and the proposed time or programme of the planting of all trees/shrubs/hedges/plants. This specification shall include details of ground preparation/cultivation within and adjacent to root protection areas of retained on/off-site trees, and other operations associated with, tree/shrub/hedge/plant establishment. The details shall include details of replacement tree planting.

If within a period of five years from the date of the planting of any tree/ shrub/ hedge/ plant shown on the approved plan(s), or any tree/ shrub/ hedge/ plant in replacement for it is removed, uprooted, destroyed, dies, or becomes seriously damaged or defective, another tree/shrub/ hedge/plant of the same species and size as that originally planted, shall be planted in the immediate vicinity.

- 7) No development shall take place above ground floor structural slab level until details of any external lighting (including locations, type of illumination, lumens and hours of operation) and a long-term management/maintenance plan have been submitted to and approved in writing by the Local Planning Authority.

The lighting shall only be installed, operated and maintained in accordance with the approved scheme.

- 8) Prior to occupation of any of the dwellings hereby permitted, details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:
 - a. Maintenance schedules for each drainage feature type and ownership
 - b. Details of protection measuresThe surface water drainage system shall thereafter be maintained in accordance with the approved details.
- 9) The development hereby permitted shall not be occupied until the means of vehicular access has been constructed in accordance with the approved plans and no structure or planting exceeding 0.6m in height shall thereafter be placed within the visibility splays.
- 10) The development hereby permitted shall not be occupied until the existing southern access from the site to Mount Pleasant is permanently stopped up with a footway provided and/or verge reinstated in accordance with a plan to be first submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details.
- 11) The car parking facilities (parking and turning) hereby approved shall be completed prior to the first occupation of the development and shall not be used for any purpose other than the parking and manoeuvring of motorised vehicles. The car parking facilities shall thereafter be retained as approved.
- 12) The approved cycle storage and mobility scooter facilities shall be provided on site and made ready for use by occupiers of the development prior to the first occupation of a dwelling. The cycle and mobility scooter storage facilities shall thereafter be retained as such and shall not be used for any purpose other than the storage and parking of such vehicles.
- 13) No construction and demolition activities shall be carried out and no construction related collections/deliveries shall occur to or from the site except between the hours of 7:30 hours and 18:00 hours on Monday to Friday and 08:00 hours and 13:00 hours on Saturday except in the case of Bank or Public Holidays when no such activities or deliveries shall take place. No such activities or deliveries shall take place on Sundays.
- 14) The building envelope of the development hereby approved shall be constructed so as to ensure internal sound levels within all habitable rooms (when windows closed) do not exceed:
 - a. 35dB LAeq,16hours (07:00-23:00) within bedrooms and communal lounges; and
 - b. 30dB LAeq, 8hours (23:00-07:00) within bedrooms;No dwelling shall be occupied until the aforementioned standards are met for that dwelling.
- 15) The development hereby approved shall take place in strict accordance with the submitted Arboricultural Method Statement reference 24033-AIA2-LF (dated 10/7/24) and the Tree Protection Plan 24033-4 (dated 08/07/24). No

other tree removals/works shall take place other than as specified within the approved documents, unless otherwise first agreed in writing by the Local Planning Authority.

- 16) No development shall take place until details of existing ground levels and proposed finished ground levels across the site have been submitted to and approved in writing. The development shall be carried out in strict accordance with the approved details.

ENDS -----