

## 10 DECEMBER 2019 PLANNING COMMITTEE

6d PLAN/2019/0909

WARD: Byfleet And West  
Byfleet

LOCATION: West Hall Care Home, Parvis Road, West Byfleet, Surrey, KT14 6EY

PROPOSAL: Erection of 2no. log cabins.

APPLICANT: Mr Roy Westley

OFFICER: James Kidger

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### **REASON FOR REFERRAL TO COMMITTEE**

The application proposes the erection of non-residential buildings which falls outside the scope of delegated powers as set out by the Management Arrangements and Scheme of Delegation.

### **PROPOSED DEVELOPMENT**

Planning permission is sought for the erection of two log cabins within the grounds of the existing care home.

### **PLANNING STATUS**

- Contaminated Land
- Green Belt
- West Byfleet Neighbourhood Area

### **RECOMMENDATION**

GRANT planning permission subject to conditions.

### **SITE DESCRIPTION**

The site is occupied by a care home for elderly people (use class C2) composed of four main buildings and associated infrastructure and initially granted consent in 2009. It is wholly within the Green Belt and bound by the River Wey to the south and east.

### **PLANNING HISTORY**

- PLAN/2008/1141 – Redevelopment of site to provide 99 bed care home with associated works – approved 1<sup>st</sup> September 2009.
- PLAN/2010/0452 – Redevelopment of site to provide 117 bed care home with associated works – approved 20<sup>th</sup> August 2010.
- PLAN/2015/1376 – 5 parking spaces – approved 10<sup>th</sup> March 2016.
- PLAN/2019/0762 – 6 parking spaces – currently under consideration.

## 10 DECEMBER 2019 PLANNING COMMITTEE

### **CONSULTATIONS**

West Byfleet Neighbourhood Forum – No response received.

### **REPRESENTATIONS**

None received.

### **RELEVANT PLANNING POLICY**

#### National Planning Policy Framework (NPPF) (2019):

Section 2 – Achieving sustainable development  
Section 8 – Promoting healthy and safe communities  
Section 9 – Promoting sustainable transport  
Section 12 – Achieving well-designed places  
Section 13 – Protecting Green Belt land

#### Development Management Policies DPD (2016):

DM7 – Noise and light pollution  
DM13 – Buildings in and adjacent to the Green Belt

#### Woking Core Strategy (2012):

CS6 – Green Belt  
CS13 – Older people and vulnerable groups  
CS18 – Transport and accessibility  
CS21 – Design  
CS24 – Woking's landscape and townscape  
CS25 – Presumption in favour of sustainable development

#### Supplementary Planning Documents (SPDs):

Parking Standards (2018)  
Woking Design (2015)  
Outlook, Amenity, Privacy and Daylight (2008)

### **PLANNING ISSUES**

1. The main planning consideration material to this application is the impact of the proposed development on the Green Belt.

#### Principle of development

2. Policy CS13 of the Woking Core Strategy provides general support for the development of specialist accommodation for older people. The applicants have stated that the proposed log cabins would be used as 'Men's Sheds' – workshops where retired, elderly and/or infirm males can socialise. The proposed development is therefore considered acceptable in principle subject to its impact on the Green Belt.

#### Green Belt

3. The development within the Green Belt of new buildings is covered at national level by Section 13 of the National Planning Policy Framework (NPPF), particularly by paragraphs 143-145. These provisions are reinforced at local level by policies CS6 and DM13 of the Woking Core Strategy and Development Management Policies DPD respectively.

## 10 DECEMBER 2019 PLANNING COMMITTEE

4. Paragraph 145 of the NPPF establishes that the construction of new buildings should be regarded as inappropriate in the Green Belt. The proposed sheds do not meet the criteria of any of the exceptions listed and would therefore constitute inappropriate development within the Green Belt.
5. Paragraph 143 of the NPPF states that "Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances." Paragraph 144 clarifies that very special circumstances (VSC) "will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."
6. The applicants have put forward a VSC case as follows:
  - *Some older men (in the 60+ age group) are at high risk of isolation, loneliness and dislocation following life-changing personal experiences such as retirement, redundancy, bereavement or divorce. The Men's Shed provides an environment where men can get together to use their skills and experience, make new friends and have social connections in later life.*
  - *The Shed will provide opportunities for West Hall residents to engage with men from local surrounding communities, contributing to their health and wellbeing, reducing isolation.*
  - *The proposal will create opportunities for relatives of residents to connect with the Shed project at West Hall and meet others in a similar position. Discussion with the immediate families of severely demented [sic] residents (and the experience in other care establishments with co-located Sheds) reveals that close family members, when relieved of their day-to-day care duties, often show all the symptoms of bereavement. In these circumstances it is often the (now 'redundant') ex-carers who welcome the existence of a conveniently located Shed.*
7. In short, the proposed cabins would only provide the anticipated benefits if located within the West Hall complex where residents and carers can take full advantage of the facilities provided. Siting the cabins in a non-Green Belt location would likely mean a drive of around a mile from West Hall to West Byfleet/Byfleet and would be logistically challenging for many elderly or infirm residents. This would result in the loss of much of the anticipated public benefit.
8. The public benefit accrued from the Green Belt location is therefore considered substantial and is judged to outweigh, in this instance, the harm to the Green Belt by reason of inappropriateness.
9. The proposed cabins would be sited close to the northerly boundary of the West Hall complex adjacent a substantial 3m plus brick wall separating the grounds from nos. 1-4 The Bungalows. The cabins themselves would be no more than 2.85m high at the ridge and closer to 2m at the eaves, would be well-contained visually within the context and backdrop of the wall, and would not appear out of character within the care home setting. There would be little impact on the openness of the immediate surround or wider site.
10. Taken as a whole, the substantial public benefit arising from the siting and size of the cabins in this location coupled with the limited impact on openness and character is considered to amount to very special circumstances which justifies the additional development within the Green Belt.

## 10 DECEMBER 2019 PLANNING COMMITTEE

### Neighbouring amenity

11. As stated above the proposed cabins would be separated from nos. 1-4 The Bungalows by a substantial brick wall and there would be no overbearing nor overlooking impact.
12. The applicants state that one of the cabins would be used as a workshop and therefore some potential for noise is anticipated. However, the proposed opening hours of 0900-1700 Monday to Saturday would not facilitate noise early in the morning or late in the evening, whilst the wall and structure of the cabin itself would mitigate noise to an extent during the day. The resulting situation is not considered significantly harmful.

### Transport

13. No further parking spaces would be provided as part of the scheme. However, it is anticipated that many of the users of the proposed cabins would be residents of, or otherwise linked to, the care home a short walk away. In these circumstances the lack of parking spaces directly linked to the proposed development does not warrant refusal, and it is further noted that a separate application has been submitted to increase the number of parking spaces at the care home itself, which at the time of writing remains under consideration.

### Other matters

14. The site is potentially contaminated. A condition will be added requiring a remediation strategy should contamination be found.

### Local Finance Considerations

15. No new residential or retail floorspace would be created and thus the development would not be liable for a financial contribution under the Community Infrastructure Levy (CIL).

## **CONCLUSION**

The proposed development would provide significant public benefit and would not be harmful to the openness of the Green Belt, while there would be little impact to the character of the area or to neighbouring amenity. Taken as a whole this is considered to amount to very special circumstances which justifies further development within the Green Belt, as per paragraph 144 of the NPPF. The application is therefore recommended for approval.

## **BACKGROUND PAPERS**

Site Photographs dated 16<sup>th</sup> October 2019.

## **RECOMMENDATION**

It is recommended that planning permission be GRANTED subject to the following conditions:

1. The development for which permission is hereby granted shall be commenced not later than the expiration of three years beginning with the date of this permission.

## 10 DECEMBER 2019 PLANNING COMMITTEE

Reason: To accord with the provisions of Section 91(1) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the approved plans listed below:

Unnumbered – Log Cabin 1 – received 18<sup>th</sup> September 2019

Unnumbered – Log Cabin 2 – received 18<sup>th</sup> September 2019

Unnumbered – Proposed Roof Plan – received 18<sup>th</sup> September 2019

Unnumbered – Proposed Block Plan – received 18<sup>th</sup> September 2019

Reason: For the avoidance of doubt and to ensure that the development is completed in accordance with the approved plans.

3. If, prior to or during development, ground contamination is suspected or manifests itself then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted an appropriate remediation strategy to the Local Planning Authority and the written approval of the Local Planning Authority has been received. The strategy should detail how the contamination shall be managed. The remediation strategy shall be implemented in accordance with such details as may be approved and a remediation validation report shall be required to be submitted to Local Planning Authority to demonstrate the agreed strategy has been complied with.

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment.

4. The cabins hereby approved shall not be in use outside the hours of 0900-1700 Mondays to Saturdays inclusive.

Reason: To protect the environment and the amenities of the occupants of nearby properties.

### **Informatives:**

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of the National Planning Policy Framework 2019.
2. The applicant is advised that Council Officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
3. The applicant is advised that under the Control of Pollution Act 1974, works which will be audible at the site boundary will be restricted to the following hours: 8.00 a.m. - 6.00 p.m. Monday to Friday; 8.00 a.m. - 1.00 p.m. Saturday; and not at all on Sundays and Bank Holidays.