
Site Address:	1-3 Beech Grove, Hayling Island, PO11 9DP		
Proposal:	First floor extension over existing lounge with internal reconfiguration.		
Application Type:	Full Planning Permission		
Application No:	APP/22/01218	Expiry Date:	13/02/2023
Applicant:	Mr McGregor Pear Tree Care Ltd		
Agent:	Ms Roberts CAAD Ltd	Case Officer:	Graham Speller
Ward:	Hayling East		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The site is located on the eastern side of Beech Grove and is occupied by a residential nursing home, known as Blossom House. The property is two-storey in height and comprises a link between 1-3 Beech Grove, with rendered elevations, cladding and a tiled pitched roof.
- 1.2 Blossom House specialises in care for people with dementia and other specialist care categories and offers 24 hour residential care.
- 1.3 The surrounding area is residential in character although open countryside is close by. There is a mix of design and styles of houses in the locality.

2 Planning History

06/51965/000 - Erection of a two storey rear extension, first floor extensions to the rear, side and front elevations. Single storey extensions to the rear and side elevations increasing the number of residents from 23 to 33 persons., WD,07/04/2006

06/51965/001 - Erection of a two storey rear extension, first floor extensions to the rear, side and front elevations, single storey extension to the rear and side elevations and increasing the number of residents from 23 to 33 persons. (Revised submission)., PERM,25/07/2006

08/51965/003 - Conservatory to rear and alteration of small lounge into a bedroom., PERM,07/08/2008

09/51965/004 - Erection of fence on top of wall to provide a finished height of 2.2m. , PERM,02/12/2009

09/51965/005 - Retention of baffle enclosure to kitchen extraction unit on roof., PERM,03/12/2009

09/51965/006 - Single storey, two bedroom extension to Residential Care Home. , PERM,17/12/2009

APP/16/00656 - New blind dormer to rear elevation to accommodate communal lift., PERM,08/08/2016

APP/17/00394 - First floor extension to the north elevation and single storey extension to the front elevation with a first floor extension above (25/09/2017). Request to Discharge Condition 5 (04/01/2018). , PERM,25/09/2017

APP/17/01152 - Variation of Condition 4 of Planning Permission APP/17/00394 to increase the number of residents from 33 to 34. , PERM,11/01/2018

APP/20/01014 - Single storey rear extension for 3 additional bedrooms, with an increase in residents from 34 to 36., PERM,06/10/2021

APP/21/00672 - Variation of Condition 2 of planning permission APP/17/00394 to increase the height of the flat roof between the two front facing gables, to allow for the minimum Building Regulation heights to be achieved internally., PERM,05/08/2021

APP/21/01283 - Two storey front extension, proposed entrance canopy and replacement roof to kitchen (no increase in occupants)., PERM,10/02/2022

3 Proposal

- 3.1 First floor extension over existing lounge with internal reconfiguration.
- 3.2 The applicant's agent has confirmed that there would be no increase in residents or staff, which would remain as 36, which is subject to an existing planning condition relating to previous development. The proposed development is to improve the residents' living standards by the creation of a spa and wellness facility and improved en-suite accommodation compared with the existing accommodation.

4 Policy Considerations

National Planning Policy Framework 2021
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS16	(High Quality Design)
CS21	(Developer Requirements)
CS9	(Housing)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)
DM7	(Elderly and Specialist Housing Provision)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Councillor Leah Turner - Hayling East

Please determine this application under delegated authority.

Councillor M Wilson - Hayling East

I have read the report and whilst I understand the surrounding residents' concerns, I am happy for it to be decided under delegated authority.

Councillor R Raines - Hayling East

I can see no reason not to approve the planning application in order to improve the residents facilities.

Developer Services, Southern Water

Southern Water requires a formal application for any new connection to the public sewer to be made by the applicant or developer.

Natural England Government Team

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development (which has no residential increase) will not have significant adverse impacts on designated sites and has no objection.

Further comments on HRA/AA

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 1st February 2023 (Our Ref: 418391).

The advice provided in our previous response applies equally to this re-submission although we made no objection to the original proposal.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 16

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received:5

5 objections raising the following concerns:

- Owner assured that no other work would be undertaken jeopardising privacy
- Would overlook into garden and invade privacy
- At the moment the property stands very large
- Has enough residents
- Extension they have done is large enough
- Will block view
- Had to put up with building work
- Most of the time had to have windows closed because of brick dust
- Do not want to look at large extension
- Since moved in so much work has affected our lives on a daily basis
- Constant noise starting and finishing times not in line with stated times
- No consideration for children and noise
- Working illegally bank holidays and spoiling family gatherings and parties
- Residents looking over our walls
- Loss of privacy
- Loss of light
- Will impact the light to south facing garden especially in winter

7 Planning Considerations

Appropriate Assessment (AA)

- 7.1 As a proposal resulting in new residential accommodation, the Council has conducted a Habitats Regulations Assessment (HRA), including Appropriate Assessment (AA), of the proposed development under Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended). The Council's assessment as competent Authority under those regulations is included in the case file.
- 7.2 In relation to recreational pressure, as noted above there would be no increase in residents in the care home as a result of the development. Currently there is planning permission for a maximum of 36 residents. In order to ensure that the number of residents does not increase without the prior approval of the local planning authority a planning condition restricting the number of residents to 36 will be imposed as a mitigation measure to ensure that the application aligns with the current legal precedent (People over Wind CJEU ruling) and Habitats and Species Regulations 2017 (as amended). This would rule out adverse effects on the integrity of sites in terms of recreational pressure.
- 7.3 In relation to water quality, as noted above there would be no increase in residents in the care home as a result of the development. Currently, there is planning permission for a maximum of 36 residents. In order to ensure that the number of residents does not increase without the prior approval of the local planning authority a planning condition restricting the number of residents to 36 will be imposed as a mitigation measure to ensure that the application aligns with the current legal precedent (People

over Wind CJEU ruling) and Habitats and Species Regulations 2017 (as amended). This would rule out adverse effects on the integrity of sites in terms of water quality.

7.4 Whilst Natural England had already raised no objections, the HRA/AA was subject to further consultation with Natural England as the appropriate nature conservation body under Regulation 63(3). Natural England has confirmed that the proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

7.5 It is considered that as there would be no increase in residents in the care home as a result of the development and that a planning condition can be imposed restricting the number of residents to the currently approved number of 36 there would not be any likelihood of a significant effect on the integrity of the European sites.

7.6 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Impact on ecology
- (v) Impact on parking
- (vi) Compliance with Habitats Regulations

(i) Principle of development

7.7 The application site is situated within an urban area where further development is considered acceptable subject to the usual development management criteria.

(ii) Impact upon the character and appearance of the area

7.8 Located within a residential area the care home has been incrementally extended and much of the approved development has now been carried out; in particular, a single storey rear extension has recently been completed.

7.9 The proposed development would replace an existing large rear flat roofed two storey extension, which is considered not to be in keeping with the main building. Prior to submission, the design of the proposed development was altered by the reduction in scale and overall massing, including a reduction in height. The resultant proposal would be within the footprint of the existing building, and whilst representing more additions to the existing extended building, it is not considered that it would result in any adverse impacts on the character of the area.

(iii) Impact upon residential amenity

7.10 The Borough Design Guide SPD comments, inter alia, that in order to maintain a reasonable relationship between new dwellings and neighbouring properties, where windows of the new development and an existing dwelling occur back-to-back there should be a minimum of 20 metres separation increased to 24m where there is a two storey to single storey relationship (as is the case here). Whilst the current proposal is in connection with a care home, none the less, it is considered that the same principles should apply. In this regard, the applicant's agent submitted a further block plan that illustrates that the proposed development exceeds the SPD guidance in

terms of proximity to neighbouring properties. The proposed development would be 25.7m from the rear of properties to the north and 28.8m from properties to the east. The proposed development would replace an existing two storey rear extension and partly above an existing single storey element, however, it would not be closer to the boundaries than the existing development and a single storey rear conservatory on the eastern end would be retained.

- 7.11 The design guide also comments that some overlooking of gardens from the upper floors of dwellings will be unavoidable in most urban and suburban layouts. Again, whilst the proposal is in connection with a care home, the same principles can apply. It is considered that the distance from neighbouring properties is such that it is unlikely that there would be any significant increase in overlooking of neighbouring properties. Furthermore, the proposed development would be flanked by existing rear projections which would reduce any apparent increase in overlooking to neighbouring properties.
- 7.12 It is also considered that due to the siting of the proposed development that there would not be an overbearing impact nor loss of light on neighbouring properties.

(iv) Impact on ecology

- 7.13 The works are at first floor level, and it is not considered that there would be any adverse impacts on protected species as a result of the development.

(v) Impact on parking

- 7.14 The Council's parking standards recognises that schemes where residents receive a high degree of support and care will require less parking for residential homes but will need more parking for staff and visitors. The parking standards also state that given the broad range of accommodation available and the varying needs of the occupants, the Council will consider the parking requirements on a case by case basis.
- 7.15 As noted above, the applicant's agent has confirmed that there would be no increase in the number of residents or staff as a result of the proposed development and the parking provision requirements would not be affected.

(vi) Compliance with Habitats Regulations

- 7.16 As a proposal resulting in new residential accommodation, the Council has conducted a Habitats Regulations Assessment (HRA), including Appropriate Assessment (AA), of the proposed development under Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended). The Council's assessment as competent Authority under those regulations is included in the case file.
- 7.17 In relation to recreational pressure, as noted above there would be no increase in residents in the care home as a result of the development. Currently there is planning permission for a maximum of 36 residents. In order to ensure that the number of residents does not increase without the prior approval of the local planning authority a planning condition restricting the number of residents to 36 will be imposed as a mitigation measure to ensure that the application aligns with the current legal precedent (People over Wind CJEU ruling) and Habitats and Species Regulations 2017 (as amended). This would rule out adverse effects on the integrity of sites in terms of recreational pressure.
- 7.18 In relation to water quality, as noted above there would be no increase in residents in

the care home as a result of the development. Currently, there is planning permission for a maximum of 36 residents. In order to ensure that the number of residents does not increase without the prior approval of the local planning authority a planning condition restricting the number of residents to 36 will be imposed as a mitigation measure to ensure that the application aligns with the current legal precedent (People over Wind CJEU ruling) and Habitats and Species Regulations 2017 (as amended). This would rule out adverse effects on the integrity of sites in terms of water quality.

7.19 Whilst Natural England had already raised no objections, the HRA/AA was subject to further consultation with Natural England as the appropriate nature conservation body under Regulation 63(3). Natural England has confirmed that the proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

7.20 It is considered that as there would be no increase in residents in the care home as a result of the development and that a planning condition can be imposed restricting the number of residents to the currently approved number of 36 there would not be any likelihood of a significant effect on the integrity of the European sites.

8 Conclusion

8.1 The proposed development would improve the appearance of the rear elevation and further improve the living standards of existing residents. The scale, siting and design of the proposal would have limited and acceptable impact on the neighbours and the character of the area and it is therefore considered to be appropriate and recommended for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/22/01218 subject to the following conditions:

1 The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 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 following approved plans:

1618-159 REV A - BLOCK PLAN

1618-159 - LOCATION AND BLOCK PLAN

1618-450 REV B - PROPOSED GROUND FLOOR PLAN

1618-451 REV E - PROPOSED FIRST FLOOR PLAN

1618-452 - PROPOSED ROOF PLAN

1618-562 REV A - EAST ELEVATIONS

1618-563 REV C - NORTH ELEVATIONS

1618-564 - SOUTH ELEVATIONS

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Reason: - To ensure provision of a satisfactory development.

- 3 The external materials used shall be as indicated on the submitted forms and hereby approved plans, or shall match, in type, colour and texture, those of the existing building so far as practicable.

Reason: In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The accommodation to be provided by the care home following the implementation of the extension hereby permitted shall be limited to only 36 residents unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the locality and ecology having due regard to Policies DM7 and DM13 of the Havant Borough Local Plan (Core Strategy), policy DM24 of the Havant Borough Local Plan (Allocations) and National Planning Policy Framework.

- 5 No floodlighting or other form of external lighting scheme shall be installed unless it has been approved by the Local Planning Authority. Such details shall include, Location, height, type and direction of light, and intensity of illumination. Any lighting scheme agreed in writing by the Local Planning Authority shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details.

Reason: To protect the occupants of nearby residential properties from light disturbance /pollution and having due regard to Policy DM10 of the Havant Borough Local Plan (Core Strategy) and the National Planning Policy Framework.