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RUSHMOOR BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT COMMITTEE

*at the Council Offices, Farnborough on
Wednesday, 20th July, 2022 at 7.00 pm*

To:

VOTING MEMBERS

Cllr Calum Stewart (Chairman)
Cllr L. Jeffers (Vice-Chairman)

Cllr Mrs. D.B. Bedford
Cllr Jib Belbase
Cllr P.I.C. Crerar

Cllr C.P. Grattan
Cllr Michael Hope
Cllr Peace Essien Igodifo

Cllr S.J. Masterson
Cllr T.W. Mitchell
Cllr Sophie Porter

NON-VOTING MEMBERS

Cllr A.R. Newell (Planning and Economy) (ex-officio)

STANDING DEPUTIES

Cllr Nadia Martin

Enquiries regarding this agenda should be referred to Adele Taylor,
Democracy and Community, 01252 398831 adele.taylor@rushmoor.gov.uk

A G E N D A

1. DECLARATIONS OF INTEREST –

All Members who have or believe that they have any interest under the Rushmoor Borough Council Councillors' Code of Conduct, adopted in April 2021, in any matter to be considered at the meeting are required to disclose that interest at the start of the meeting (preferably) or as soon as possible thereafter and to take the necessary steps in light of their interest as to any participation in the agenda item.

2. MINUTES – (Pages 1 - 6)

To confirm the Minutes of the meeting held on 13 April, 2022 (copy attached).

3. PLANNING APPLICATIONS – (Pages 7 - 230)

To consider the Head of Economy, Planning and Strategic Housing's Report No. EPSH2220 on planning applications recently submitted to the Council (copy attached).

Sections A & B of the report set out the items to be considered at future meetings and petitions received:

Item	Reference Number	Address	Recommendation
1	20/00400/FULPP	Former Lafarge Site, Hollybush Lakes, Aldershot	For information
2	21/00271/FULPP	Block 3 Queensmead, Farnborough	For information
3	22/00029/FULPP	Aldershot Bus Station, Aldershot	For information
4	22/00193/OUTPP	Farnborough Civic Quarter, Farnborough	For information
5	22/00282/FULPP	Phase 5 North Town Redevelopment Site Land Bounded by North Lane Deadbrook Lane And Eastern Road, Aldershot	For information
6	22/00068/REM 22/00138/REMPP 22/00277/REMPP 22/00340/REMPP	Blandford House And Malta Barracks Development Site, Shoe Lane, Aldershot	For information
7	22/00193/OUTPP	Farnborough Civic Quarter, Farnborough	Petition

8	22/00289/FULPP & 22/00290/FULPP	Royal Staff, 37A Mount Pleasant Road, Aldershot	Petition
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Section C of the report sets out planning applications for determination at this meeting:

Item	Pages	Reference Number	Address	Recommendation
9	19-76	22/00026/FULPP	Development Site, Land at 'The Haven', No. 19 York Crescent, Aldershot	Confirm decision to Grant
10	77-92	22/00413/FUL	Proposed Visitor Centre, Southwood Country Park, Farnborough	Grant
11	93-130	22/00394/FULPP	Briarwood, Sorrel Close, Farnborough	Grant – subject to S106 Planning Obligation
12	131-146	21/00980/FULPP	No. 63 Cambridge Road East, Farnborough	Grant - subject to S106 Planning Obligation
13	147-162	22/00379/FULPP	No. 183 Ash Road, Aldershot	Grant
14	163-176	22/00390/FUL	No. 9A Wellington Street, Aldershot	Grant - subject to S106 Planning Obligation
15	177-182	22/00410/FULPP	Princes Hall, Princes Way, Aldershot	Grant

Section D of the report sets out planning applications which have been determined under the Council's scheme of delegation for information.

4. **URGENT ACTION – LAND TO THE REAR OF NOS. 162-170 HOLLY ROAD, ALDERSHOT - 21/00645/FULPP – (Pages 231 - 232)**

To note the Head of Economy, Planning and Strategic Housing's Report No. EPSH2221 (copy attached).

5. **ENFORCEMENT AND POSSIBLE UNAUTHORISED DEVELOPMENT – (Pages 233 - 238)**

To consider the Head of Economy, Planning and Strategic Housing's Report No. EPSH2223 (copy attached) which reports on cases of planning enforcement and possible unauthorised development.

6. **APPEALS PROGRESS REPORT – (Pages 239 - 242)**

To consider the Head of Economy, Planning and Strategic Housing's Report No. 2222 (copy attached) on the progress of recent planning appeals.

7. **PLANNING (DEVELOPMENT MANAGEMENT) SUMMARY REPORT FOR THE QUARTER JAN - MAR 2022 AND FOR THE YEAR 2021/22 – (Pages 243 - 248)**

To receive the Head of Economy, Planning and Strategic Housing's Report No. EPSH2224 (copy attached) which updates on the Performance Indicators for the Development Management section of Planning, and the overall workload for the Section for the period 1st January – 31st March 2022 and for the year 2021/22.

MEETING REPRESENTATION

Members of the public may ask to speak at the meeting, on the planning applications that are on the agenda to be determined, by writing to the Committee Administrator at the Council Offices, Farnborough by 5.00 pm on the day prior to the meeting, in accordance with the Council's adopted procedure which can be found on the Council's website at

<http://www.rushmoor.gov.uk/speakingatdevelopmentmanagement>

DEVELOPMENT MANAGEMENT COMMITTEE

Meeting held on Wednesday, 13th April, 2022 at the Concorde Room, Council Offices, Farnborough at 7.00 pm.

Voting Members

Cllr Calum Stewart (Chairman)
Cllr L. Jeffers (Vice-Chairman)

Cllr Mrs. D.B. Bedford
Cllr P.I.C. Crerar
Cllr Michael Hope
Cllr J.H. Marsh
Cllr Nadia Martin
Cllr S.J. Masterson
Cllr T.W. Mitchell
Cllr Sophie Porter
Cllr Nem Thapa

Non-Voting Member

Cllr Marina Munro (ex officio)

64. DECLARATIONS OF INTEREST

Having regard to the Members' Code of Conduct, the following declarations of interest were made. Members with a non-registerable interest left the meeting during the debates and voting on the relevant agenda items:

Member	Application No. and Address	Interest	Reason
Cllr Sophie Porter	22/00159/FULPP – White Lion Public House, No. 20 Farnham Road, Aldershot	For noting	No interest to declare under the Code of Conduct for Councillors, however has been closely involved in supporting the community group campaigning to save The White Lion and promoting their

efforts in this regard. Therefore Cllr Porter felt that it would not be appropriate to take part in the debate or decision making to avoid any suggestion of bias or predetermination.

65. MINUTES

The Minutes of the Meeting held on 16th February, 2022 were approved and signed as a correct record of the proceedings subject to the following amendment:

- Add the following wording to para 60 (i) "... subject to completion of a planning obligation by 26th March, 2022."

66. REPRESENTATIONS BY THE PUBLIC

In accordance with the guidelines for public participation at meetings, the following representations were made to the Committee and were duly considered before a decision was reached:

Application No.	Address	Representation	In support of or against the application
22/00159/FULPP	White Lion Public House, No. 20 Lower Farnham Road, Aldershot	Mr Justin Coll	Against

67. PLANNING APPLICATIONS

RESOLVED: That

- (i) permission be given to the following applications, as set out in Appendix "A" attached hereto, subject to the conditions, restrictions and prohibitions (if any) mentioned therein:

21/00926/FULPP Station House, No. 37 Farnborough Street, Farnborough

(ii) planning permission/consent be refused in respect of the following applications as set out in Appendix "A" attached hereto for the reasons mentioned therein:

* 21/00947/FULPP No.101 Victoria Road, Aldershot
22/00159/FULPP White Lion Public House, No. 20 Lower Farnham Road, Aldershot

(iii) planning permission/consent be deferred to a future meeting in respect of the following applications as set out in the Amendment Sheet attached hereto for the reasons mentioned therein:

* 21/00980/FULPP No. 63 Cambridge Road East, Farnborough

(iii) the applications dealt with by the Head of Economy, Planning and Strategic Housing, where necessary in consultation with the Chairman, in accordance with the Council's Scheme of Delegation, more particularly specified in Section "D" of the Head of Economy, Planning and Strategic Housing's Report No. EPSH2212, be noted

(iii) the current position with regard to the following applications be noted pending consideration at a future meeting:

20/00400/FULPP	Land at former Lafarge Site, Hollybush Lane, Aldershot
21/00271/FULPP	Block 3, Queensmead, Farnborough
22/00029/FULPP	Aldershot Bus Station, No. 3 Station Road, Aldershot
*** 22/00193/OUTPP	Proposed Farnborough Civic Quarter Development Site, Meudon Avenue, Farnborough
** 22/00068/REM	Land at Blandford House and Malta Barracks Development Site, Shoe Lane, Aldershot

** 22/00138/REMPP	Land at Blandford House and Malta Barracks Development Site, Shoe Lane, Aldershot

* The Head of Economy, Planning and Strategic Housing's Report No. EPSH2212 in respect of these applications was amended at the meeting.

** Items added as part of the Amendment Sheet to the Future Items for Consideration

*** It was agreed that site visits would be arranged to these sites

68. APPEALS PROGRESS REPORT

The Committee received the Head of Economy, Planning and Strategic Housing's Report No. EPSH2213 concerning the following appeal decisions:

Application / Enforcement Case No.	Description	Decision
21/00331/FULPP	Against the refusal of planning permission for the construction of an attached dwelling to the existing semi-detached property to create a terrace of three following demolition of the existing detached garage at No. 71 Tongham Road, Aldershot.	New Appeal to be Determined
21/00912/FULPP	Against the refusal of planning permission for the formation of a new driveway and vehicular access for off street parking at No. 66 Church Road, Aldershot.	New Appeal to be Determined
21/00276/FULPP	Against the refusal of planning permission for the erection of a one bed dwelling with associated parking at No. 81 Blackthorn Crescent, Farnborough.	Dismissed
21/00048/REVPP	Against the refusal of planning permission to extend customer opening hours one hour earlier from 06:00, and closing one hour later until midnight, seven days per week at Macdonalds, No.1 North Close, Aldershot.	Allowed (with a condition that the extended hours operate for a temporary trial period of one year).
20/00149/FULPP	Against the refusal of planning permission to seek refurbishment and amalgamation of existing Units 2A and 3 Blackwater Shopping Park, Farnborough, including removal of existing mezzanine floors, revised car parking and servicing arrangements.	Allowed

RESOLVED: That the Head of Economy, Planning and Strategic Housing's Report No. EPSH2213 be noted.

69. **ESSO PIPELINE PROJECT**

The Head of Economy, Planning and Strategic Housing gave an update to the Committee on the position regarding the agreement of all outstanding legal agreements including the Environmental Improvement Plan pursuant to the Development Consent Order for the renewal and partial realignment of the Southampton to London Esso fuel pipeline which crossed the Borough of Rushmoor.

It was noted that vegetation removal had been undertaken at both Southwood Country Park and Queen Elizabeth Park, Farnborough. As part of the work, as previously agreed with ESSO, a number of trees had been removed with the exception of three, which, on reflection, it was deemed unnecessary to remove. However, following the removal of the vegetation, the Council had requested that an additional 16 trees be removed for safety reasons.

The Committee noted that the play area had been constructed however, there had been a delay in obtaining insurance which had caused a delay in opening the facility. It was also advised that there had been an issue with the funding to resurface the car park, but it was hoped to be resolved shortly.

The Committee were made aware of the proposed road closures at Ringwood Close, Farnborough as a result of the work. It was advised that pedestrian, disabled and emergency vehicle access would be retained during the closure. It was noted that the Council had no jurisdiction to make any changes to the proposed closure as it was a matter for Hampshire County Council as the highways authority.

RESOLVED: that the Head of Economy, Planning and Strategic Housing Report No. EPSH2214 be noted.

70. **VOTE OF THANKS**

A vote of thanks was recorded for Cllr John Marsh. It was noted that Cllr Marsh had spent the last 42 years as an elected Member of the Council. For 28 of those years he had been a member of the Planning Committee, 13 of which were in the role of Vice-Chairman or Chairman. Cllr Marsh, would be spending the 2022/23 Municipal Year as Mayor of Rushmoor.

Cllr Marsh took the opportunity to thank Members of the Committee, past and present, and Officers for their support and contributions over the years.

The meeting closed at 8.40 pm.

CLLR CALUM STEWART (CHAIRMAN)

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**Development Management
Committee 22nd June 2022**

**Head of Economy, Planning
and Strategic Housing
Report No. EPSH2220**

Planning Applications

1. Introduction

- 1.1 This report considers recent planning applications submitted to the Council, as the Local Planning Authority, for determination.

2. Sections In The Report

- 2.1 The report is divided into a number of sections:

Section A – FUTURE Items for Committee

Applications that have either been submitted some time ago but are still not ready for consideration or are recently received applications that have been received too early to be considered by Committee. The background papers for all the applications are the application details contained in the Part 1 Planning Register.

Section B – For the NOTING of any Petitions

Section C – Items for DETERMINATION

These applications are on the Agenda for a decision to be made. Each item contains a full description of the proposed development, details of the consultations undertaken and a summary of the responses received, an assessment of the proposal against current policy, a commentary and concludes with a recommendation. A short presentation with slides will be made to Committee.

Section D – Applications ALREADY DETERMINED under the Council's adopted scheme of Delegation

This lists planning applications that have already been determined by the Head of Economy, Planning and Strategic Housing, and where necessary with the Chairman, under the Scheme of Delegation that was approved by the Development Management Committee on 17 November 2004. These applications are not for decision and are FOR INFORMATION only.

- 2.2 All information, advice and recommendations contained in this report are understood to be correct at the time of publication. Any change in circumstances will be verbally updated at the Committee meeting. Where a recommendation is either altered or substantially amended between preparing the report and the Committee meeting, a separate sheet will be circulated at

the meeting to assist Members in following the modifications proposed. This sheet will be available to members of the public.

3. Planning Policy

- 3.1 Section 38(6) of the Town and Country Planning Act 1990 (as amended) requires regard to be had to the provisions of the development plan in the determination of planning applications. The development plan for Rushmoor comprises the Rushmoor Local Plan (February 2019), the Hampshire Minerals and Waste Plan (October 2013) and saved Policy NRM6 of the South East Plan.
- 3.2 Although not necessarily specifically referred to in the Committee report, the relevant development plan will have been used as a background document and the relevant policies taken into account in the preparation of the report on each item. Where a development does not accord with the development plan and it is proposed to recommend that planning permission be granted, the application will be advertised as a departure and this will be highlighted in the Committee report.

4. Human Rights

- 4.1 The Human Rights Act 1998 (the Act) has incorporated part of the European Convention on Human Rights into English law. All planning applications are assessed to make sure that the subsequent determination of the development proposal is compatible with the Act. If there is a potential conflict, this will be highlighted in the report on the relevant item.

5. Public Speaking

- 5.1 The Committee has agreed a scheme for the public to speak on cases due to be determined at the meeting (Planning Services report PLN0327 refers). Members of the public wishing to speak must have contacted the Meeting Coordinator in Democratic Services by 5pm on the Tuesday immediately preceding the Committee meeting. It is **not** possible to arrange to speak to the Committee at the Committee meeting itself.

6. Late Representations

- 6.1 The Council has adopted the following procedures with respect to the receipt of late representations on planning applications (Planning report PLN 0113 refers):
- a) All properly made representations received **before** the expiry of the final closing date for comment will be summarised in the Committee report. Where such representations are received after the agenda has been published, the receipt of such representations will be reported orally and the contents summarised on the amendment sheet that is circulated at the Committee meeting. Where the

final closing date for comment falls **after** the date of the Committee meeting, this will be highlighted in the report and the recommendation caveated accordingly.

- b) Representations from both applicants and others made **after** the expiry of the final closing date for comment and received **after** the report has been published will not be accepted unless they raise a new material consideration which has not been taken into account in the preparation of the report or draws attention to an error in the report.
- c) Representations that are sent to Members should not be accepted or allowed to influence Members in the determination of any planning application unless those representations have first been submitted to the Council in the proper manner (but see (b) above).
- d) Copies of individual representations will not be circulated to members but where the requisite number of copies are provided, copies of individual representation will be placed in Members' pigeonholes.
- e) All letters of representation will be made readily available in the Committee room an hour before the Committee meeting.

7. Financial Implications

- 7.1 There are no direct financial implications arising from this report. However, in the event of an appeal, further resources will be put towards defending the Council's decision. Rarely, and in certain circumstances, decisions on planning applications may result in the Council facing an application for costs arising from a planning appeal. Officers will aim to alert Members where this may be likely and provide appropriate advice in such circumstances.

Tim Mills
Head of Economy, Planning and Strategic Housing

Background Papers

- *The individual planning application file (reference no. quoted in each case) Rushmoor Local Plan (Adopted Feb 2019)*
- *Current government advice and guidance contained in circulars, ministerial statements and the National Planning Practice Guidance (NPPG).*
- *Any other document specifically referred to in the report.*
- *Regional Spatial Strategy for the South East, policy NRM6: Thames Basin Heaths Special Protection Area.*
- *The National Planning Policy Framework.*

- *Hampshire Minerals and Waste Plan (2013).*

Section A

Future items for Committee

Section A items are for INFORMATION purposes only. It comprises applications that have either been submitted some time ago but are still not yet ready for consideration or are recently received applications that are not ready to be considered by the Committee. The background papers for all the applications are the application details contained in the Part 1 Planning Register.

Item	Reference	Description and address
1	20/00400/FULPP	<p>Development of site to create a leisure facility comprising aquatic sports centre including cafe, gym, equestrian centre accommodation and ancillary facilities; equestrian centre and associated stabling; 21 floating holiday lodges with associated car parking, landscaping and bund (revised proposals submitted 2 February 2021)</p> <p>Land At Former Lafarge Site Hollybush Lane Aldershot Hampshire</p> <p>Further work is underway seeking to deal with the SPA issue and a consultation response is awaited prior to this application being reported to committee. In addition, this Committee has previously resolved that a Members' site visit will take place prior to consideration of this proposal.</p>
2	21/00271/FULPP	<p>Erection of an extension to Kingsmead Shopping Centre; commercial, business and service uses on the ground floor (3,088sqm), 104 apartments over nine floors, private amenity space, 53 car parking spaces, up to 222 bicycle parking spaces, a bridge link and alterations to existing block 2 car park and the meads, a new entrance to The Meads shopping centre</p> <p>Block 3 Queensmead Farnborough Hampshire</p> <p>The application is subject to a request for an extension of time to consider further amendments.</p>

3	22/00029/FULPP	<p>Demolition of existing bus station and re-development of site with the erection of a mixed use building comprising three ground floor commercial units with sub-divisible flexible use (Use Class E and sui generis); and upper floor residential use (Use Class C3) comprising 32 market residential flats (18 X 1-bedroom, 12 X 2-bedroom & 2 X 3-bedroom units) with associated on-site servicing and parking areas [re-submission of development approved with planning permission 16/00981/FULPP dated 26 February 2019]</p> <p>Aldershot Bus Station 3 Station Road Aldershot Hampshire</p> <p>Consultations are underway in respect of this application and the submitted affordable housing viability statement is being considered by external consultants. It is too early for this item to be considered by Committee.</p>
4	22/00193/OUTPP	<p>Outline Planning Application (with scale, layout, appearance and landscaping reserved for future consideration) for a mixed-use development, including demolition of all existing structures and erection of up to 1,006 residential units [Use Class C3] and non-residential floorspace comprising of the following mix of uses: leisure centre [Use Class E], hotel [Use Class C1], office floorspace [Use Class E], retail, commercial, healthcare, entertainment floorspace [Use Class E/Sui Generis] and community floorspace (including new library) [Use Class F1/F2]. Construction of two transport mobility hubs, associated infrastructure and highway works. Creation of new publicly-accessible open spaces including replacement skate park and associated access, servicing, landscaping and works</p> <p>Proposed Farnborough Civic Quarter Development Site Meudon Avenue Farnborough Hampshire</p> <p>Consideration of this application continues and it is too early for this item to be considered by Committee.</p>

5	22/00282/FULPP	<p>Development of 30 residential units, to include community space [145sqm], parking, access and landscaping (Phase 5 of 09/00431/FULPP).</p> <p>Phase 5 North Town Redevelopment Site Land Bounded by North Lane Deadbrook Lane And Eastern Road, Aldershot, Hampshire</p> <p>Consideration of this application continues and it is too early for this item to be considered by Committee.</p>
6	22/00068/REM	<p>PART APPROVAL OF RESERVED MATTERS: for the erection of 9 dwellings (Phase1), including internal access roads, public open space, parking, lighting and associated infrastructure, pursuant to Condition 3 (1-24) of Hybrid Outline Planning Permission 17/00914/OUTPP dated 15th May 2020.</p> <p>Blandford House And Malta Barracks Development Site, Shoe Lane, Aldershot, Hampshire</p> <p>Consideration of this application continues in the context of Phase 2, 3 and 4 and it is too early for this item to be considered by Committee.</p>
6	22/00138/REMPP	<p>PART APPROVAL OF RESERVED MATTERS: for the erection of 76 dwellings (Phase 2), including internal access roads, public open space, parking, lighting and associated infrastructure, following demolition of existing buildings and hardstanding, pursuant to Condition 3 (1-24) of Hybrid Outline Planning Permission 17/00914/OUTPP dated 15th May 2020.</p> <p>Blandford House And Malta Barracks Development Site, Shoe Lane, Aldershot, Hampshire</p> <p>Consideration of this application continues and it is too early for this item to be considered by Committee.</p>

6	22/00277/REMPP	<p>PART APPROVAL OF RESERVED MATTERS: for the erection of 11 dwellings (Phase 3), including internal access roads, public open space, parking, lighting and associated infrastructure, following demolition of existing building and hardstanding, pursuant to Condition 3 (1-24) of Hybrid Outline Planning Permission 17/00914/OUTPP dated 15th May 2020.</p> <p>Blandford House And Malta Barracks Development Site, Shoe Lane, Aldershot, Hampshire</p> <p>Consideration of this application continues and it is too early for this item to be considered by Committee.</p>
6	22/00340/REMPP	<p>PART APPROVAL OF RESERVED MATTERS: for the erection of 71 dwellings (Phase 4), including access from Shoe Lane and Forge Lane, internal access roads, public open space, parking, lighting and associated infrastructure, following demolition of existing buildings and hardstanding, pursuant to Condition 3 (1-24) of Hybrid Outline Planning Permission 17/00914/OUTPP dated 15th May 2020.</p> <p>Blandford House And Malta Barracks Development Site, Shoe Lane, Aldershot, Hampshire</p> <p>Consideration of this application continues and it is too early for this item to be considered by Committee.</p>

Section B

Petitions

Item	Reference	Description and address
7	22/00193/OUTPP	<p>Outline Planning Application (with scale, layout, appearance and landscaping reserved for future consideration) for a mixed-use development, including demolition of all existing structures and erection of up to 1,006 residential units [Use Class C3] and non-residential floorspace comprising of the following mix of uses: leisure centre [Use Class E], hotel [Use Class C1], office floorspace [Use Class E], retail, commercial, healthcare, entertainment floorspace [Use Class E/Sui Generis] and community floorspace (including new library) [Use Class</p>

F1/F2]. Construction of two transport mobility hubs, associated infrastructure and highway works. Creation of new publicly-accessible open spaces including replacement skate park and associated access, servicing, landscaping and works

Proposed Farnborough Civic Quarter Development Site Meudon Avenue Farnborough Hampshire

A petition has been received containing over 130 signatures objecting to the proposed Farnborough Civic Quarter development. These represent almost all of the frontage properties on Farnborough Road between Nos.124 to 178 that face the proposed development site; a selection of properties from both sides of Salisbury Road between Nos.25 to 97; and some properties in Oak Road and Cedar between Farnborough Road and Salisbury Road. A small remainder of petition signatures are from residents of properties further afield, although predominantly from Farnborough addresses.

For clarity, the head petitioner advises that local residents do not oppose redevelopment within the local area. However, they consider that residents living near the site do not support the proposed development and would be adversely and disproportionately affected should planning permission be granted. It is considered that the Civic Quarter Development is not fit for purpose and represents excessive development of a site that is too small to support the scale of development proposed. In this respect, particular concerns are raised as follows:-

1. 1.The application contains various ambiguities and contradictions, and is lacking in detail, such that residents are unable to make an informed decision about the proposed development or to properly assess its implications;
2. The site is too small to support the construction of approximately 1,000 flats. The development of such a large number of units will lead to overcrowding, excessive noise, disturbance and congestion;
3. The construction of two high-rise buildings directly adjacent to Farnborough Road will be a permanent eyesore, cause loss of light and lead to loss of privacy due to overlooking of existing residential property nearby;
4. The proposed development will be detrimental to the character of the local area;

		<ol style="list-style-type: none">5. The proposed development will lead to an increase in local congestion, pollution (sound and light), population numbers and traffic;6. The proposed development will adversely affect property values, particularly with respect to nearby residents;7. The planning application does not include an impact assessment setting out how properties adjacent to the site would be affected by the proposed development;8. Local services, amenities and infrastructure (such as schools, hospitals, GPs, dentists and road and public transport infrastructure) do not have the capacity to cope with the proposed increase in population resulting from the proposed development;9. The applicants stress the development of mixed-use space is designed to benefit the wider community. However, the majority of the proposed development work is focused on the creation of new residential housing, which is not in the best interests of the local community;10. The proposed development will result in further demand for, and shortages in, car parking in the area surrounding the site; and11. The site would be serviced using the existing single lane Farnborough Road, which is already very busy (particularly during peak commuter hours) and thereby likely to exacerbate traffic issues, congestion and noise. There is also a concern that the removal of Pinehurst Roundabout will reduce the flow of traffic and lead to further congestion.
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8	22/00289/FULPP and 22/00290/FULPP	<p>Change of use of pub garden (Use class Sui generis) to facilitate the erection of a 3 bedroom dwelling fronting Holly Road and associated parking and landscaping and Erection of single and two storey rear extension to facilitate Change of Use of Public House with first floor ancillary staff accommodation into 6 no. 1-bed flats, and associated parking and landscaping</p> <p>Royal Staff Public House, 37A Mount Pleasant Road, Aldershot</p> <p>A petition has been received containing 20 signatures from residents on Holly Road, Staff Road and Mount Pleasant Road objecting to both planning applications. The objection is on the basis that the applications are a gross overdevelopment and will create significant problems for the surrounding highways. Points raised are as follows:</p> <ol style="list-style-type: none"> 1. Holly, Staff and Mount Pleasant Road are already overflowing with parked cars and the 6 flats will give rise to more cars and create significant problems. The proposed parking facilities are inadequate 2. This will reduce the safety of the surrounding road network. The junction of Staff and Holly Road is well known to be dangerous with a history of accidents. 3. There is no right of access to either proposed development as Staff Road and Holly Road are restricted by yellow lines 4. Holly, Staff and Mount Pleasant Road are within walking catchment of two local schools (Newport and Bellevue) so proposal will endanger lives of children 5. The proposal will impact a number of disabled parking bays. Not inclusive.
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The information, recommendations and advice contained in this report are correct as at the date of preparation, which is more than two weeks in advance of the Committee meeting. Because of these time constraints some reports may have been prepared in advance of the final date given for consultee responses or neighbour comment. Any changes or necessary updates to the report will be made orally at the Committee meeting.

Case Officer	David Stevens
Application No.	22/00026/FULPP
Date Valid	11th January 2022
Expiry date of consultations	2nd February 2022
Proposal	Erection of 1 x 4-bedroom detached and 2 x 4-bedroom semi-detached dwellinghouses (3 dwellings in total) with associated access, parking, refuse storage, landscaping and ancillary works [re-submission following refusal of planning application 20/00785/FULPP on 21 January 2021]
Address	Development Site, Land at 'The Haven' 19 York Crescent Aldershot
Ward	Rowhill
Applicant	Messrs S & H Sandhu
Agent	Nigel Rose Architects
Recommendation	Confirm decision to Grant

Preamble

On 16 February 2022 the Development Management Committee resolved to grant planning permission for the proposals the subject of this application subject to:

- (a) confirmation from the Secretary of State for Levelling-Up, Housing and Communities (DLUHC) that the application will not be subject to call-in; and
- (b) the completion of a satisfactory Planning Obligation under Section 106 of the Town and Country Planning Act 1990 by 26 March 2022 to secure the SPA and Public Open Space contributions as set out in the report. However, in the event the agreement was not completed by 26 March 2022, the alternative resolution was to refuse permission.

Several conditions were agreed as set out in the Committee Report, together with some updates and amended conditions set out on the Committee Amendments Sheet.

The Secretary of State for Levelling-Up, Housing and Communities (DLUHC) confirmed by letter dated 2 March 2022 that the Secretary of State had decided NOT to call in the application;

and that he was content for the Local Planning Authority to determine the application. Additionally, a satisfactory s106 Planning Obligation securing the appropriate SPA and POS contributions as set out in the Committee Report was completed on 25 March 2022, with the effect that the requirements of the Committee resolution to grant planning permission were met and secured in time.

However local residents unhappy with the Committee decision contacted the Council and a formal complaint was submitted by the Residents of York Crescent Association (RoYCA) on 18 March 2022. The complaint made several allegations, some very serious, related to the behaviour of officers and the way the Council dealt with the planning application. As a result of the nature of the complaints and that there was not a senior officer within Planning who had not contributed at Committee to the decision-making process and could be considered independent the Council decided to commission an independent planning consultant, Paul Stone (of Stone Planning Services Limited), to investigate the matter and compile a report. Because the focus of the complaint related to the consideration of ecology and biodiversity issues, Paul Stone, in turn, sought independent ecological assistance from Kenneth Anckorn, a former manager of Surrey Wildlife Trust's Ecological Planning Advisory Service.

Paul Stone's report was received in mid-June and has considered all the various allegations in turn in detail. He found that officers had provided a full and comprehensive report that, in his view and in the view of an independent ecologist, adequately dealt with the application in planning terms. Paul also concluded that officers had advised the Committee properly and in line with planning procedures at the Committee meeting; and that the Committee properly arrived at its decision. He did, however, make several recommendations relating to the determination of the planning application.

In particular,, Paul Stone has recommended that the application be reconsidered by Committee. The reason for this is that officers referred to an ecological walkover survey of the site known to have been undertaken in October 2021 by the applicants' ecology consultants (AECW), just a few months before the application was submitted and considered. Ecology reports were produced on behalf of the applicants in respect of the October 2021 survey work, yet these were not subsequently provided as part of the application for reasons best known to the applicants and their agents. As a result, they were not published with the other planning application documents. Accordingly, the public were unable to find a report submitted with the planning application referring to this more recent ecological survey work and were critical of the proposals on the basis that there had not been any ecology surveys of the site undertaken for almost a year before the current planning application was considered by Committee. Paul Stone's recommendation in this respect was that the applicant be asked to submit all of the missing ecology documents to the Council and that a full and complete list of all of the ecology reports relating to the application site be provided and published so that the planning application can be reconsidered with the complete ecological evidence present. That is the purpose of the current updated Committee Report on this application, as follows.

Description

The application site is located at the eastern end of York Crescent furthest (approximately 100 metres) from York Road. York Crescent is an unmade privately-owned road having two junctions with York Road.

The plot is of an irregular shape in excess of 60 metres depth east to west; and measures approximately 0.16 hectares. It has a street frontage onto York Crescent of 12 metres, but

broadens out to a maximum of 30 metres wide north to south towards the rear of the site. The site is formed from the curtilage of a detached bungalow ('The Haven', No.19 York Crescent) previously occupying much of the plot, which was demolished approximately 20 years ago, together with the rear portion of the rear garden of the adjoining property to the south, 'Tragorden', No.21 York Crescent. The application site is also adjoined to the south to the rear of the truncated curtilage of 'Tragorden' by 'Hartgill Cottage', No.23 York Crescent, which is a detached bungalow on a large plot set back from the York Crescent frontage. To the north, the application site adjoins Nos.1-4 Green Acre, a terrace of three-storey townhouses forming part of a small cul-de-sac off York Crescent. Nos.16, 18 and 20 York Crescent are opposite the site frontage. The eastern (rear) boundary of the site abuts the lower slopes of a wooded hillside (part of Cargate Hill), beyond which properties in Cargate Terrace, including the Hamilton Court flats, are situated. The hillside is thickly wooded and contains a number of mature trees the subject of a Tree Preservation Order (No.387), some of which are located on the rear boundary of the application site. The site road frontage is currently enclosed with temporary Heras wire mesh fencing.

The current application is a revised submission of an application which was refused planning permission in January 2021 (20/00785/FULPP). The new submission is seeking to overcome reasons for refusal which related to ecology/biodiversity and surface water drainage issues.

The proposal is for the erection of 3 X 4-bedroom three-storey houses on the site, comprising a detached house in a frontage position adjoining the north side of 'Tragorden'; and a pair of semi-detached houses (Plots 2 & 3) further towards the rear of the site. A tarmac private vehicular drive would be constructed to the north side of the proposed Plot 1 house from York Crescent to serve a shared turning area at the front of the Plot 2 & 3 houses rear of Plot 1. The Plot 1 house would have a rear garden area measuring 85 sqm; and the Plot 2 & 3 houses side and rear garden areas totalling in excess of 200 sqm each.

The proposed new houses would have a conventional appearance with transverse-ridged hipped roofs reaching a maximum height of approximately 10 metres; each with projecting subsidiary roof gable features to the front. In the case of the frontage house the second floor would be partially within the roof. The external materials would be a mixture of facing brickwork and upper-storey painted render for the Plot 1 house; and facing brick and upper-storey timber cladding for Plots 2 & 3. Interlocking concrete roofing tiles and uPVC window frames would also be used.

It is proposed to provide new boundary fences together with screen/boundary hedgerow planting.

The application is supported by a Design & Access Statement; Access Statement (i.e.Transport Report); a Development Tree Report and Appendices including details for special foundation construction methods to be used to avoid root damage where necessary.

To address the previous reason for refusal relating to ecology and biodiversity, the application is accompanied by the Ecology Survey Reports and Ecology Consultant's (AEWC) correspondence submitted with the previous planning application, plus reports of further ecological surveys undertaken in 2021; a Reptile Mitigation Strategy (February 2021); a Biodiversity Net Gain Assessment Metric Spreadsheet; and a Proposed Landscaping Plan incorporating Badger mitigation measures and biodiversity enhancements. A further supporting letter from the applicants' Ecology Consultant (AEWC) provides an overview of all of the ecology and biodiversity evidence and proposals submitted/re-submitted with the current application.

As recommended by Paul Stone, the applicants have submitted the missing ecology documents to the Council for consideration with the current planning application. Following the receipt of a Discretionary Advice Service response from Natural England, the applicants also submitted a Badgers Summary Statement to the Council on 30 June 2022. The full list and chronology of ecology documents/plans now submitted in respect of the planning application, with the previously missing documents highlighted in **bold**, is as follows:-

No.	Document	Date
1	AEWC Reptile Survey Report	8 July 2019
2*	AEWC Badger Survey Report	15 July 2019
3*	AEWC Protected Species Walkover Survey	1 September 2020
4*	AEWC Badger Mitigation Strategy	1 September 2020
5*	AEWC Letter response to Ecology Officer comments on previous planning application	18 January 2021
6*	AEWC Update site visit letter	21 January 2021
7	AEWC Reptile Mitigation Strategy	February 2021
8*	AEWC Vegetation Clearance Method Statement	September 2021
9*	AEWC letter titled 'Vegetation Clearance & De-Classification of Badger Holes' survey update report	1 October 2021
10	Biodiversity Net-Gain Metric Spreadsheet	December 2021
11*	AEWC Summary Supporting Statement letter	17 December 2021
12	Harding Rose 'Proposed Landscaping Plan' Drawing No. P.09 REV.E	Revised plan submitted 15 February 2022
13*	AEWC Badgers Summary Statement	30 June 2022

*Sensitive documents with restricted accessibility.

In respect of the drainage reason for refusal, the current application proposes the installation of a piped surface-water SUDS system for the new hard-surfaces within the development. This would be connected to the existing surface water drain for Tragorden, which connects into the existing surface water sewer in the road. These proposals are accompanied by capacity calculations and other details and are, as a process entirely separate from the planning process, the subject of a licence application to the appropriate drainage authority, Thames Water.

The applicants have completed a s106 Planning Obligation to secure the necessary financial contributions to address SPA impact and provision of Public Open Space. This addresses reasons for refusal Nos.3 and 4 advanced in relation to the previous planning application.

Relevant Planning History

There has been a history of planning applications relating to 'The Haven', but also larger sites created in combination with 'Tragorden' and also 'Hartgill Cottage' since the early 1980s. Planning permission was granted in October 1981 for the demolition of 'The Haven' and erection of a detached house, RSH03274. A planning application for the conversion and extension of 'The Haven' bungalow to create 4 flats was refused in December 1982, RSH03274/1. Planning permission was then granted in April 1985 for the demolition of 'The Haven' and erection of a pair of semi-detached houses, RSH03274/2. Neither the 1981 nor the 1985 permissions were implemented.

An outline planning application for the redevelopment of a combined site of 'The Haven', 'Tragorden' and 'Hartgill Cottage' for a 2- and 3-storey building comprising 32 sheltered

housing units was refused in December 1988 and dismissed at appeal in January 1990, RSH05914. In the late 1990s there was a sequence of planning applications submitted on behalf of Barratt Homes in respect of a site formed from the combined curtilages of 'The Haven' and 'Hartgill Cottage' for the demolition of both dwellings and the erection of a 2- and 3-storey building comprising 15 X 1- and 2-bedroom flats, culminating in the refusal of 98/00360/FUL in October 1998.

In late 2002 the Council served a s215 (Untidy Site) Notice to require the site owner to clear waste building materials from the land. Since then, the site has been either partially or wholly cleared of waste materials on several occasions and the site frontage was, for a number of years enclosed with painted timber hoardings. The site was last used between 2013 and 2015 as a builders' compound whilst works were undertaken to extend 'Tragorden' on the adjoining land, following which the site was almost entirely cleared to bare earth. Since then, the land has largely remained unused and undisturbed.

Planning permission (20/00785/FULPP) was refused by the Council's Development Management Committee in January 2021 for "Erection of 1 x 4-bedroom detached and 2 x 4-bedroom semi-detached dwellinghouses with associated access, parking, refuse storage, landscaping and ancillary works" for the following reasons:-

- 1 *The proposal has failed to demonstrate, through adequate surveys of the application land and appropriate proposals for mitigation and management measures, that there would be no adverse impact on protected wildlife species and biodiversity having regard to the requirements of adopted Rushmoor Local Plan (2014-2032) Policies NE2 and NE4.*
- 2 *The proposals fail to provide adequate details of surface water drainage measures for the proposed development to take account of the significant additional hard-surfaced area that is proposed contrary to adopted Rushmoor Local Plan (2014-2032) Policy NE8.*
- 3 *In the absence of a s106 Planning Obligation, the proposed development fails to make provision to address the likely significant impact of the additional residential units on the objectives and nature conservation interests of the Thames Basin Heaths Special Protection Area. The proposals are thereby contrary to the requirements of retained South East Plan Policy NRM6 and adopted Rushmoor Local Plan (2014-2032) Policies NE1 and NE4.*
- 4 *In the absence of a s106 Planning Obligation, the proposal fails to make provision for public open space in accordance with the requirements of Policy DE6 of the adopted Rushmoor Local Plan (2014 to 2032)."*

Consultee Responses

Environmental Health	No objections subject to conditions and informatives.
HCC Highways Development Planning	No highway objections.
Contract Management	No objections and provides details of bins and boxes required to store refuse and recyclables on each proposed house plot. However, as

(Domestic Refuse Collection)	with the remainder of York Crescent and Green Acre, due to the uneven roadway surface, refuse and recyclable collections will be made from York Road, requiring residents to bag up their waste and move it to the collection point for collection days.
Aboricultural Officer	No objections : This proposal would have no adverse implications for amenity trees worthy of retention provided that the development is carried out in accordance with the submitted tree protection measures.
Ecology Officer	No objections subject to conditions. This response is reiterated following the receipt of advice from Natural England in June 2022.
Natural England	No objection subject to an appropriate SPA financial contribution being secured with a s106 Planning Obligation : as advised in respect of the previous planning application 20/00785/FULPP. In respect of other nature conservation matters, NE advise that they have not assessed this application for impacts on protected species and refer the Council to their Standing Advice in this respect. NE also suggest that the Council you may wish to consult its own ecology services for advice in this respect.
Hampshire & I.O.W. Wildlife Trust	No observations assumed.
Thames Water	No observations assumed.
Scottish & Southern Energy	Refers the Council to their website for network information.
Hampshire Fire & Rescue Service	No objections and provides generic fire safety and precautions advice.
Parks Development Officer	No objections and identifies a POS project for which a POS financial contribution will be required. This is the same as for the previous planning application, 20/00785/FULPP.

Neighbours notified

A total of 72 individual letters were posted to: Nos.1, 3, 5, 7, 7A, 7B, 8, 9, 9A, 10, 11, 11 Bottom Flat, 12, 13, 13A, 14, 15, 16, 17, 17 First-Floor, 18, 20, 21, 21A, 21B, 22, 23, 24, 25, 27, 29, 31, 33, 35, 37, 43, 45 & 47 York Crescent; Nos 1-17 inclusive Green Acre; Nos.1-12 inclusive Hamilton Place, The Patch & Oakwood Cargate Terrace; 17 Cargate Avenue; York House, York Road; and No.34 Church Lane West. This includes all properties directly adjoining the application site and, indeed, all properties in York Crescent and Green Acre.

Neighbour comments

At the time of writing this report a total of 42 objections have been received from the occupiers of: Nos. 8 (Corner House), 12, 13, 14, 15, 18, 20, 22, 23 (twice), 24, 25, 27, 29 (twice), 31, 33, 35 & 47 York Crescent; 1, 3, 4, 5, 7 (twice), 8 (twice) & 9 Green Acre; Hillside Cottage (No.38) (twice) & 40 (twice) Church Lane West; Trelawney House, Cargate Terrace; Flat 5 Sales Court,

Cargate Avenue; Aldershot Baptist Church, Upper Elms Road [the owners of 'The Manse' (No.35) York Crescent]; the Management Company for Hamilton Court; 62 Coronation Road (representing Aldershot Civic Society); 15 Calvert Close; Hawthorns, Hazel Avenue, Ash Green; 42 Derby Avenue, London N12; County Cllr Crawford (HCC Aldershot North Division); and Cllr Roberts (Aldershot Park Ward). Objection is raised on the following summary grounds:-

Principle

- (a) The proposals are unchanged/largely unchanged from those refused with the previous planning application 20/00785/FULPP in January 2021 : the reasons for refusal from then are not addressed/not an improvement such that the current application should also be refused;
- (b) The re-submission of applications should not be allowed : how many times do residents have to object to proposals for the site? [*Officer Note: the applicant is entitled to submit applications seeking to resolve issues raised by a previous refusal of permission which the Council is statutorily obliged to consider on its merits.*];
- (c) Gross excessive overdevelopment in an already over-populated area : the proposals reflect the greed of the developer, not what is thought best for the site, local residents and the surrounding area. The proposals would generally exacerbate existing problems already experienced by neighbours; have general adverse environmental effects; affect physical and mental well-being; and place an unreasonable burden on York Crescent residents;
- (d) The proposed development is too dense;
- (e) The proposed development is not wanted or needed : the Council's targets for new housing are already met elsewhere – or should be met elsewhere. There are more suitable sites elsewhere;
- (f) This is unnecessary 'town-cramming', 'garden-grabbing', and unacceptable 'tandem development'/'backland' development. The Council has refused a planning application at 'Twelve Trees' 204 Sycamore Road, Farnborough (21/00378/FULPP) on the ground [*Officer Note: Each case must be considered on its own individual planning merits*];
- (g) Loss of green space : the land should be utilised in a way that is sustainable for local wildlife. Alternative uses should be found for the site. if at all, the site is only considered appropriate for the erection of a single detached 2-storey frontage house constructed with longevity in mind. [*Officer Note: the Council must consider the proposals that have been submitted with the application. The Council cannot consider alternative proposals that may be preferred instead or refuse permission because alternative uses or developments of the site are suggested by third parties*];
- (h) The proposed development is unsustainable development according to Government guidance and advice;
- (i) Increased global warming during a climate emergency;
- (j) No consideration for existing residents. Existing utilities and other infrastructure is/would be unable to cope;
- (k) Potential ground contamination : The land has previously been used for the dumping of rubbish and building materials;

Impact Upon the Character & Appearance of the Area/Visual Impact

- (l) The proposals are not good quality design : the design of the proposed houses is poor;
- (m) Loss of local character : York Crescent is characterised by smaller 'period' houses and bungalows in frontage plots. The applicants' Design & Access Statement does not mention this;

- (n) The proposed development would have a negative impact on the area;
- (o) Proposals would appear overbearing, unsympathetic, and out of character with the area and neither follow the existing aesthetic nor pattern of development in the vicinity due to lack of properly enclosed front garden areas; and with buildings set back appropriately from the road. Plot 1 should have a hedge enclosing the front boundary and would appear dominated by parked vehicles as an extension of the adjacent York Crescent roadway; and the Plot 2 & 3 houses are set back in a backland position with similarly unenclosed frontages – these are all features that are out of character. No other houses in York Crescent are set-back in a backland position;
- (p) There is insufficient space for landscaping and proposed landscaping proposals are inadequate. These failures contravene Local Plan policies and Government guidance;
- (q) The proposed houses are too tall and bulky – 3-storeys are out of character with the area, where bungalows and 2-storey houses predominate. Indeed, the proposed houses would be taller than anything else in the vicinity. The property used to be occupied by a bungalow previously;
- (r) Although ‘Tragorden’ (No.21) York Crescent is of 3-storey height this was created through unauthorised development and, as such, is not an example to follow. [*Officer Note: planning permission was granted by the Council in 2012 for the third-storey at No.21. The 3-storey height and form of Tragorden is not unauthorised*];
- (s) There are no other 3-storey buildings in York Crescent : the adjacent three-storey houses at Green Acre and the flats at Hamilton Court shouldn’t count when considering the character of the area because they are located on roads maintainable at public expense;
- (t) The proposed houses look like Houses in Multiple Occupation (HMOs), not family houses;
- (u) The windows of the proposed houses are too small;
- (v) The proposed houses would appear over-dominant such that views into and out of the Cargate Avenue Conservation Area would be compromised by the scale and height of the proposed development, compounded by the possible loss of trees to the rear of the site. This is contrary to adopted Local Plan policies [*Officer Note: the application site does not adjoin the Cargate Conservation Area*];
- (w) Loss of views of trees to the rear of the site as seen from York Crescent;

Impact on Neighbours

- (x) Loss of light and outlook to neighbouring and nearby properties – Nos.1-5 Green Acre, 23 York Crescent, 38 & 40 Church Lane West are variously identified in this respect;
- (y) Undue loss of privacy due to overlooking of neighbouring properties in York Crescent, Greenacre and Church Lane West : Nos.1-5 Green Acre, 23 York Crescent, 38 & 40 Church Lane West are variously identified in this respect;
- (z) Increased pollution, noise and disturbance, additional general domestic activity, and vehicle movements : loss of local character and a general deterioration of living standards. Contrary to Local Plan policies;
- (aa) The parking proposed for the Plot 2 house would be located in proximity to a rear garden patio area at No.23 York Crescent, resulting in occupiers being subject to undue car fumes and possible also cigarette smoke;
- (bb) Loss of trees to the rear of the site resulting on overlooking from Hamilton Court and Cargate Hill;
- (cc) Air quality issues generally; and due to dust being raised from the roadway by traffic;

The Living Environment Created

- (dd) The proposed houses are substantial in size, yet would have limited size plots. The garden areas would be minimal, small and dominated by hard surfaces; and unduly shaded by TPO

trees. A poor living environment would be provided for residents contrary to Government policy, guidelines and standards; nor meet Local Plan requirements;

(ee) The windows in the proposed houses are too small resulting in inadequate light and air for residents : unacceptably dark and cramped accommodation would be provided;

Impact on Trees

(ff) Loss of, or threat to, mature trees, including TPO trees. The proposed dwellings would be located too close to trees. There should be no felling of existing trees. Government guidance on TPO trees and Local Plan policies would be contravened;

(gg) Some trees are shown to be removed to accommodate the proposed development that belong to the owners of neighbouring properties - and written permission has not been obtained from the owners to do this. [*Officer Note: this is a private property matter for the applicants to seek to resolve with the owners of the trees concerned. Nevertheless, these comments appear to originate from the practice of Arboricultural Consultants, as in this case, to grade trees in their reports to include a category recommending felling for those trees that are not considered to be worthy of retention even though there is no need or intention for the developer to actually undertake such work.*];

(hh) The indicated heli-pile foundations would still unavoidably damage the TPO trees to the rear of the site;

(ii) Due to the proximity to the proposed development, there would be likely 'future resident pressure' for drastic pruning works to be undertaken to adjoining mature TPO trees - to their detriment;

Ecology & Biodiversity Impact

(jj) Unnecessary loss of wildlife habitat and greenery : badgers, bats, birds and foxes are variously mentioned and regularly seen in the vicinity/area. Photographs of badgers have been provided;

(kk) Irreparable damage to ecology and biodiversity would occur;

(ll) Concerns of past, present and future adverse/illegal impact on Badgers and an active Badger Settle on site and/or adjacent to the rear of the site. Concerns that badgers and other protected species may have already been driven away from the site by activity on the site over the last year - Site clearance, including with a digger, was undertaken before the application was submitted without appropriate mitigation measures being put in place. Concern that digging may have been undertaken by the applicants and their representatives in proximity to sett holes;

(mm) Badgers are comparatively rare in an urban context and would be put at risk by the proposed development during site clearance, construction and occupation thereafter. This would be a contravention of the Protection of Badgers Act 1992. Indeed, the developer would be in breach of this legislation for undertaking any works on site;

(nn) The submitted Badger Surveys were not undertaken at the optimum time(s) such that the numbers and extent of badger activity is understated. The conclusions of the applicant's Ecological Consultant that the sett holes within the site itself are inactive and unoccupied are questioned on the basis that a survey undertaken by the West Surrey Badger Group in 2021 indicated that, in fact, these sett holes were occupied then. Local residents have seen badgers on the application site;

(oo) Further, the badger surveys are also considered inadequate in terms of both assessing the extent of the impact and prescribing appropriate mitigation measures to appropriately protect badgers and their habitat. Badgers would have nowhere to go if they are excluded from the site;

- (pp) The submitted Bat surveys are also flawed because daytime surveying was done yet bats are nocturnal;
- (qq) The flight-paths of bats would be blocked by the proposed houses;
- (rr) The Council's previous reasons for refusal on ecology and biodiversity grounds have not been addressed, and it would be wrong for the Council to grant permission with the current application on the basis of incomplete information and the inaccurate and misleading findings submitted by the applicants;
- (ss) The impacts on badgers of the construction period are not taken sufficiently into account, or at all;
- (tt) The Plot 2 & 3 houses are sited far too close to the badger sett. Light and noise pollution and general domestic activity associated with the proposed houses, if built and occupied, would be likely to disturb badgers, thereby putting occupiers in breach of the Protection of Badgers Act 1992;
- (uu) None or inadequate mitigation/compensation for biodiversity loss. Biodiversity gain and reasonable mitigation for loss of biodiversity are impossible with the proposed development;
- (vv) There is no confidence that the proposed ecology and biodiversity mitigation measures would be provided and retained : how would/could this be monitored and enforced in the future? How would the continued protection of wildlife species be maintained?
- (ww) Planning permission must be refused if adequate mitigation for ecology and biodiversity cannot be achieved;

Highways Issues

- (xx) Increased traffic volumes using York Crescent. It is narrow, has a dangerous bend at the end near the application site, has an uneven surface, is poorly maintained, and has no pavements, so pedestrians walk in the roadway. The applicants' Transport Assessment fails to take account of this. York Crescent cannot cope with any further intensification in traffic;
- (yy) The proposed vehicular access onto York Crescent would be unsafe due to poor visibility on bend, speeding vehicles, and adjoining parked cars;
- (zz) Inadequate on-site parking provision for the proposed development, including parking spaces that block each other, lack of visitor parking space(s) and turning space provision contrary to Council policy, thereby likely to lead to additional overspill on-street parking in York Crescent & Green Acre; obstruction of access to existing neighbours; and problems with emergency, tradesmen, removals and delivery vehicle access;
- (aaa) The road frontage of the site is already blocked by overspill parking (including commercial vehicles) alleged to be by occupiers of the adjoining property (No.21 York Crescent). Displacement of this parking would result in street parking having to overspill somewhere else exacerbating existing problems;
- (bbb) Tandem parking spaces are unacceptable – they have been disallowed elsewhere in the Borough;
- (ccc) A bonus room in the Plot 1 house should trigger a requirement for provision of additional on-site parking for this unit that is not provided;
- (ddd) No visitor parking can be provided in a satisfactory manner, although it is a Council policy requirement : 3/5ths of a parking space must be rounded-up to a requirement for 1 space and no leniency should be shown to the applicants in this respect. The proposed development is not exempt from this requirement;
- (eee) No disabled parking provision. [Officer Note: there is no requirement for disabled parking bays to be provided with a residential development of this small scale];
- (fff) No cycle parking provision;
- (ggg) A Transport Contribution is required according to Council policy – and in the absence of this permission should be refused;
- (hhh) The provision for refuse/recycling bins for the proposed houses is inadequate. Due to the existing state of York Crescent refuse/recycling bin collections for all existing properties in

York Crescent and Green Acre by the Council are made from York Road, with residents required to pile up bin bags there for collection day : this is inconvenient and unhygienic. Bin bags are prone to attack by animals, causing litter;

(iii) Future residents of the proposed development would have no right of access to their houses, or to park in the York Crescent, because it is privately owned and subject to private parking restrictions managed by 'Flash Park'. Further, other owners of the roadway will not grant the applicants or occupiers of the proposed houses a right of access and right to park in the York Crescent roadway [*Officer Note: these are not matters for the Council in the consideration of this application : they are private property matters between the applicant and the other owners of the road. Furthermore, management and enforcement of any on-street parking restrictions that frontage owners of the road have introduced is a matter for them*];

(jjj) Further damage would be caused to the un-made road surface of York Crescent – which is a private un-adopted road in a poor state of repair, with potholes and raised ironworks. It is not fit for purpose, has no streetlights and is compromised by excessive use and traffic speed/vehicle weight. Utility services buried in the roadway are also vulnerable to damage. The applicants do not repair/do not adequately repair the roadway. The ownership of the roadway is split between York Crescent residents : other residents have to foot the bill for repairs to the roadway on an on-going basis [*Officer Note: these are also entirely private property matters that can only be resolved between the applicants and the other private owners of the road : they are not matters for the Council in the consideration of this application*];

(kkk) Since the York Crescent roadway is privately owned, the Council has no right to grant planning permission for the proposed development, thereby increasing the usage and wear and tear on the roadway. [*Officer Note: the granting of planning permission does not supersede private property rights. If there are private legal reasons why the proposed development cannot proceed relating to the use of/potential damage to the roadway, this is a separate matter between the applicants and the other owners of the roadway. It cannot form part of the Council's consideration of the planning merits of the proposal*];

(lll) The existing width of the York Crescent roadway at the site frontage is significantly narrower than is shown on historic documents such that some of the parking for the proposed frontage house (Plot 1) is located within what should be the legal extent of the roadway. The applicants have additionally enclosed part of the roadway in front of the application side and No.21 with temporary site fencing [*Officer Note: these are private property matters for other owners of the roadway to take up with the applicants.*];

(mmm) The adverse highway impacts in this case are thought to be 'severe' and, as such, justify the refusal of planning permission.

Flooding/Drainage

(nnn) Existing flooding problems known in the area : the crossroads at Church Lane West/Sandford Road/York Road/Cranmore Lane are frequently flooded. It is thought these would be exacerbated by the proposed development;

(ooo) Increased risk of flooding, soil erosion and land instability. Land in the vicinity is already poorly drained; and there are surface water flows, spring-lines and underground streams. Increased hard-surfacing at the application site would cause more surface water to flow off-site into the York Crescent roadway. The existing situation would only get worse;

(ppp) The York Crescent roadway is already damaged due to the erosion of surface water flows – which can wash material out onto York Road. Permeable paving is not appropriate on steeply sloping ground;

(qqq) The applicants' drainage submissions have failed to undertake adequate site surveys to identify underground streams;

(rrr) The technical nature of the drainage submissions means they are not transparent and are intended to confuse. The Council must obtain technical expertise on hydrology to assess the

drainage proposals [*Officer Note: Thames Water, the relevant drainage authority in this case, have been consulted by the Council*];

(sss) The proposed drainage measures are vague and inadequate, unsuitable for local ground conditions, and fail to take into account new hard-surfaces and the likelihood of increased rainfall caused by climate change. Soakaway drainage is not appropriate. [*Officer Note: Soakaway drainage is not being proposed*];

(ttt) Increased strain on existing foul sewers;

(uuu) Parts of the proposed drainage installation to serve the proposed development would be located within land (under the York Crescent roadway) that the applicants do not own. [*Officer Note: this is a private property matter for other owners of the roadway to take up with the applicants in which the Council cannot become involved. The making of drainage connections to a development is a matter for licencing (with Thames Water) that is subject to entirely separate consideration under other legislation. It is not a matter for consideration with a planning application*].

Other Issues

(vvv) Concerns that the proposed houses are thought likely to be built and used as Houses in Multiple Occupation – multiplying existing problems with population density, overspill parking, noise, disturbance and activity in the area. Indeed, the proposed houses are thought to be designed specifically for this purpose : they are considered to have too many wcs to be genuine houses. How can this be stopped?;

(www) The applicants have already appropriated, or intend to appropriate, land from adjoining property that they do not own [*Officer Note: whether this is alleged to have already happened, or may happen in the future, this is a private property and legal matter between the applicants and any neighbouring landowners in which the Council cannot become involved; this matter can have no bearing on the consideration of a planning application. These matters do not need to be resolved as a pre-condition of planning permission being granted because they operate entirely separately from the Planning process. The Council must consider a planning application 'ownership blind'*];

(xxx) As a consequence, the usable area of the application site is misrepresented by the applicants and is actually smaller than the applicants indicate with their site location plan. This renders the proposals even more unacceptable than they already are [*Officer Note: A validation requirement for an application is a declaration by the applicant that they are the owner, or have served notice on the owner, of all the land to which the application relates. The Council has no role in the setting, adjudication, correction or recording of land ownership boundaries which is a matter for HM Land Registry.*];

(yyy) The proposed development fails to comply with covenants prohibiting buildings being located within 15ft of the York Crescent roadway [*Officer Note: This is a private legal matter in which the Council cannot become involved.*];

(zzz) Substantial noise, disturbance, heavy vehicle traffic and activity (thought likely to damage the roadway and underlying services) during the construction period [*Officer Note: it is long-standing Government guidance that the impacts of activity during the construction of a development cannot be considered in determining planning applications. Concerns about damage to the roadway and existing services are private property matters between the applicants and the other owners of the roadway*];

(aaaa) Loss of property value [*Officer Note: this is not a matter that can be considered in considering a planning application*];

(bbbb) Local residents pay high Council-Taxes [*Officer Note: ditto*];

(cccc) The sincerity and weight of local opposition to the proposals should be considered [*Officer Note: the consideration of planning applications is not a ballot where numbers of*

objections or strength of local opinion determines the outcome. Planning applications must be considered objectively based on relevant material planning issues];

(dddd) Granting planning permission for the proposed development would be a contravention of the Human Rights Act Protocol 1, Article 1 : 'Protection of Property' [Officer Note: UK Courts have held that the consideration of planning applications within the UK Planning System is generally compliant with the requirements of the Human Rights Act because the planning process provides the opportunity for people who consider themselves affected by a planning proposal to make representations to the Council which are considered as part of the decision making process];

(eeee) Concerns regarding the identity of the applicants, including their character, past behaviour, likely future behaviour, workmanship, demolition of the original dwelling built on this site, and ownership of the adjoining property at No.21 York Crescent [Officer Note: Allegations or opinions regarding the applicants or their likely future behaviour cannot affect consideration of planning applications on their merits].

Concerns about the Ownership, Occupation and Use of 'Tragorden' the adjacent site (No.21) York Crescent

Members will be fully aware of the statutory duty to consider the acceptability or otherwise in Planning terms of the proposals the subject of this current proposal in relation to the application site and based on the application as submitted. The planning status, use and condition of the adjacent property at 'Tragorden' No.21 York Crescent is not under consideration as part of this process and cannot be a material consideration.

Several responses to notification of this application have contained allegations and statements regarding the use and planning status of No.21 which is also owned by the applicants. The respondents imply that this should have some bearing on the decision whether to grant planning permission for the current proposal. This cannot be the case and any reason for refusal which attempted to cite allegations or off-site issues as grounds for withholding planning permission would not be sustainable or reasonable.

Notwithstanding the above, the allegations together advance the opinion that the development and use of the adjacent property involves breaches of planning control which have not been investigated or satisfactorily addressed. This is not the case, although such allegations understandably may raise concerns or questions on the part of Members and any other parties interested in this application. The following summary is provided solely for information purposes:

To date no evidence of any subsisting or un-addressed breach of planning control has been brought to the Council's attention in respect of 'Tragorden'. This property has a lengthy planning history which includes the following:-

- In 1991 'Tragorden', originally a 2-storey house, was the subject of enforcement action against unauthorised change of use to two flats : one on the ground floor and one on the first-floor;*
- The Enforcement Notice was the subject of an appeal which was allowed in 1992 as it was established that the flat conversion was lawful and immune from enforcement action;*
- In 2001 an enforcement investigation was carried in respect of alleged unauthorised HMO use. The property was inspected and found to remain in lawful use as two flats;*

- *In May 2012 planning permission was granted by this Committee for extensions to the property (including a second-floor extension) to facilitate creation of a third flat in a second-floor extension, 12/00286/FULPP;*
- *The 2012 permission was implemented and followed by applications in 2013, 2014 and 2015 (13/00406MMAPP, 14/00612/NMA & 15/00328/NMA respectively) seeking retrospective approval for minor or non-material changes to aspects of the property and parking layout, all of which were approved by the Council;*
- *The development as approved in 2012 featured provision of a third storey. There is no record of any subsequent complaint regarding the use, or development, of the property in any manner contrary to the 2012-2015 planning approvals prior to the submission of the 2020 planning application, 20/00785/FULPP. ‘Tragorden’ is, as it currently exists, as approved by the Council in 2012-2015;*
- *The allegations made following the 2020 application, and repeated with the current application, regarding unregistered HMO use have been investigated by the Council. The property continues to be used and occupied as three self-contained flats. The property is not registered as an HMO because it is not used as one;*
- *The allegations concerning inadequate parking provision at No.21 also date from the 2020 application (and repeated with the current application) have been investigated. The 2015 permission regularised and approved the provision of a total of 5 on-site parking spaces comprising a garage (which has been built), together with a further 4 spaces including a forecourt space in front of the garage. This approved parking provision meets the Council’s adopted parking standards. The spaces within the site as approved in 2015 remain available for the parking of vehicles. There is no breach of planning control.*
- *Vehicles parked in the roadway adjacent do not represent a breach of planning control, regardless of their ownership or alleged association with any particular property.*
- *There is no breach of planning control associated with, commercial vehicles parked in the roadway in the vicinity of No.21 regardless of their ownership or alleged association with any particular property.*
- *Alleged ‘poor workmanship’ in a development is not a breach of planning control;*
- *The applicants/owners of No.21 or any other property are not obliged to maintain their property/trees/fences in a manner preferred by the Council and/or neighbours : there is no breach of planning control in this respect.]*

Policy and determining issues

The site is located within the built-up area of Aldershot. It is not within or adjoining a Conservation Area. The application site does not contain a Listed Building and is not near one. The land is brownfield previously-developed land, having been the site of a residential dwelling known as ‘The Haven’.

Policies SS1 (Presumption in Favour of Sustainable Development), SS2 (Spatial Strategy), DE1 (Design in the Built Environment), DE2 (Residential Internal Space Standards) and DE3 (Residential Amenity Space Standards), DE6 (Open Space, Sport & Recreation), DE11 (Development on Residential Gardens), IN2 (Transport), NE1 (Thames Basin Heaths Special Protection Area), NE2 (Green Infrastructure), NE3 (Trees), NE4 (Biodiversity) and NE6-NE8 (Flood Risk and Drainage) of the adopted New Rushmoor Local Plan (2014-2032) are relevant to the consideration of the current application.

Also relevant is the Council's adopted Supplementary Planning Document (SPD) “Parking Standards” adopted in 2017. Since the SPD was subject to extensive public consultation and consequent amendment before being adopted by the Council, some significant weight can be

attached to the requirements of this document. The advice contained in the National Planning Policy Framework most recently updated in July 2021 (NPPF) and National Planning Practice Guidance (NPPG) is also relevant.

The proposals the subject of the application are too small in scale to require the submission of an Environmental Impact Assessment as an 'urban development project' under Schedule 2 of the Town & Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011.

In refusing planning permission for an almost identical scheme in January 2021, the Council gave reasons for refusal relating to the inadequacy of the submissions in respect of protected wildlife/biodiversity and surface water drainage only, with secondary technical reasons for refusal relating to the failure of the applicants to complete a s106 Planning Obligation to secure financial contributions in respect of SPA mitigation & avoidance and public open space. It therefore follows that the Council did not determine that any other planning aspect of the very similar proposal would be unacceptable. Unless there have been material changes in planning circumstances since January 2021 in respect of other planning issues that did not inform reasons for refusal at that time, the decision taken then remains an important material consideration. In this context, the key determining issues are considered to be:-

1. The Principle of the proposals;
2. Visual Impact;
3. Impact on trees;
4. Impact on Neighbours;
5. The Living Environment Provided;
6. Highways Considerations;
7. Impact on Wildlife & Biodiversity;
8. Drainage Issues; and
9. Public Open Space.

Commentary

1. Principle -

The National Planning Policy Framework (NPPF) advises that the purpose of the planning system is to contribute to the achievement of sustainable development. In this respect, there are three dimensions to sustainable development: economic, social and environmental. These roles are defined as:-

- *"contributing to building a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and co-ordinating development requirements including the provision of infrastructure;*
- *supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and*
- *contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy."*

The NPPF also advises that these roles should not be taken in isolation because they are mutually dependent, and the planning system should play an active role in guiding development to sustainable locations. Furthermore, it also advises that housing applications should be considered in the context of the presumption in favour of sustainable development to deliver a wide choice of high-quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

The proposed development is seeking to make more efficient use of previously-developed residential land, which, within reason, continues to be a clear objective of both Government planning guidance and current adopted local planning policy.

Whilst objections have been raised on the grounds that the proposed development is not needed for the Council to meet its adopted Local Plan targets for new housing development, there has been no change in circumstances in this respect since the consideration of the previous planning application. Government guidance does not set Local Plan housing delivery targets as the absolute limit of housing development to be built within the Borough within the Local Plan period (2014-2032). Furthermore, a proportion of the housing target set out within the Local Plan is based on assumptions about the provision of new housing on 'windfall' or unallocated sites such as the current application site.

Adopted Local Plan Policy LN2 requires 30% affordable housing on schemes of 11 or more dwelling units, subject to viability. However, since the scheme proposes significantly fewer dwelling units than this threshold, the requirements of this policy do not apply in this case.

The application site has previously been subject to unauthorised tipping/disposal of waste materials thought to have been derived from building sites elsewhere. The site has also been used for burning of other materials on large bonfires from time to time; and has also been subject to periodic clearances. The extent, nature and content of the tipped material is unknown; as is the extent to which this material was or was not removed from the land when it has, occasionally, been cleared. Accordingly, given this previous history of the site, the Council's Environmental Health Team request that site investigation is undertaken to establish the existence/nature of any contamination and, if so, appropriate remediation. This can be required by imposition of standard planning conditions.

In the circumstances, the proposals are considered acceptable in principle (subject to all usual development control issues being satisfactorily resolved in detail), since the proposals are clearly in line with Government objectives and the Council's own adopted planning policies in principle.

2. Visual Impact -

It is Government planning guidance that, in assessing impact of proposed development upon the character and appearance of an area, this should be considered in the light of the impact upon the area as a whole. As a result, the existence of differences from neighbouring buildings are not likely to be sufficient to identify material harm on the character and appearance of an area. Indeed, it is extremely rare for the character and appearance of an area to be narrowly defined by a particular building type, age, size, height and overall appearance : the character of most urban landscapes is usually defined by an eclectic mixture of features and characteristics. Nor is the character and appearance of an area artificially restricted to properties with a specific postal address on individual roads within an area to the exclusion of others. In this case, the character of the area is mixed, comprising a range of conventional dwelling types, ages, designs, styles, heights, external finishing materials and, indeed, extent

of alterations. Furthermore, the application site has been vacant, neglected and enclosed in a purely temporary and utilitarian fashion for a considerable period of time.

There have been no material changes to the existing character of the area since the previous planning application was considered last year and no harm to the character and appearance of the area was concluded. The existing character of the area includes the presence of three-storey buildings including two that are directly adjacent to both sides of the application site at 'Tragorden' and Green Acre. The difference in height between them is due to the difference in the ground heights where each are built, since ground levels rise from 'Tragorden' across the site to Green Acre, which is built on the highest ground. In this respect, the roof ridge of the Plot 1 house would be approximately 0.5 metres higher than that of 'Tragorden' and approximately 1 metre lower than the ridge height of Nos.1-4 Greenacre. With respect to the proposed Plots 2 & 3 houses, these are also of the same building height as the Plot 1 house and, although to an extent dug into the existing ground levels, they would be built from a level approximately 1.5 metres higher than the proposed Plot 1 house in front. Consequently, the proposed Plot 2 & 3 houses would be approximately 2 metres taller than 'Tragorden' and 0.5 metres taller than 1-4 Greenacre. It is considered that none of these differences in relative building heights would be significant or give rise to any material harm to the character and appearance of the area as a whole.

The proposed houses would, from within York Crescent, be viewed against the backdrop of the trees and hillside behind. It is not considered that the application site makes a particularly significant contribution to the character and appearance of the area. The site is at the far end of a private road and does not become readily visible until close to the corner. The rear boundary abuts a wooded hillside forming part of the flank of Cargate Hill, with a number of houses and flats beyond the trees at higher level. The site is not visible from publicly accessible parts of the adjoining residential roads to the rear.

The design and external appearance of the proposed houses is conventional and acceptable. There have been no changes to the house design since the previous application and the previous application was not refused on design or visual impact grounds. It is considered that the proposed development would remain appropriately sympathetic to the already varied pattern of development and built form of the area.

In its overall context, it is considered that the proposed development would have a limited visual impact and is otherwise of an acceptable design. As such it remains the case that the proposed development is not considered to give rise to material harm to the overall visual character and appearance of the area.

Objection has been raised on the basis that part of the development comprises tandem or backland development. Proposed development is not intrinsically unacceptable simply because elements are located away from a road frontage behind other development. There are even other examples of existing dwellings similarly located behind the road frontage in the vicinity. It is not considered that any material planning harm arises in this case from the layout of the proposed development and how it relates to existing adjoining and nearby development.

Concern is expressed by objectors that the proposals represent 'garden-grabbing' however this is a term normally applied to developers buying up sections of rear gardens of a number of adjoining residential properties in order to assemble a larger site. The application site was formerly a single house plot and has been in the same ownership for many years. No garden land belonging to other adjoining landowners has been acquired to create the site.

It is not considered that the proposed development would materially and harmfully affect the visual character and appearance of the area. It is therefore considered that the proposals remain acceptable in visual terms.

3. Impact on Trees -

There have been no material changes in circumstances in respect of trees on or adjoining the site since the previous planning application was considered; and no reason for refusal citing impacts on trees was advanced at that time.

A Development Tree Report in respect of the proposals has been re-submitted with the current application. This examines and assesses the quality of all trees on or adjoining the site, the likely impact of undertaking the construction of the proposed development, tree protection measures to be in place for the duration of the site clearance and construction period of the development, and the potential for impact on the trees in the longer term due to possible 'future resident pressure' once the proposed houses are occupied, including any specific elements of the design of the current scheme that would mitigate such impacts.

The side and rear margins of the application site are partially screened by trees, including a stand of substantial mature trees situated on the east (rear) boundary the subject of TPO No.287. The TPO trees have root protection areas and canopies that extend some way into the site and are either Category A or B trees. There are also a small number of younger non-protected Category C or R trees located along the side boundaries of the site to the north and south, most of which located outside the ownership of the applicants; and the canopies and rooting areas of these other trees are smaller and extend much less into the site.

The proposed development has been designed to provide adequate separation from all trees and no protected trees are proposed to be removed as a result of the proposals. It is proposed that special foundation construction be used for those parts of the proposed construction of the Plot 2 & 3 houses that slightly impinge into the rooting zones. Combined with the implementation of tree protection measures for the duration of the construction period, it is considered that no undue harm should arise to trees to be retained as a result of the construction of the proposed development.

Although the submitted Tree Plans indicate that two younger trees on either side of the site would be removed, the removal of these trees is unnecessary to enable the development to proceed since the canopy and rooting zones would not be affected by the proposed construction. Nevertheless, whether they are removed, it is not considered that these trees make any material contribution to the character and appearance of the area. They are not subject to a Tree Preservation Order and nor would they be worthy of such protection.

In the case of the No.4 Green Acre tree indicated to be removed, this appears to be owned by this neighbouring property. However, this tree overhangs the boundary of the application site, and it is understood that the applicants would be entitled to remove the overhanging parts provided that they offered the cuttings back to the owner of No.4. Any damage to the roots of this tree arising from the construction of the proposed development, or generally to the health and stability of the tree arising from any cutting back, would also be a private property matter between the applicant and the owner(s) of No.4 Green Acre.

The proposed Plot 2 & 3 houses are both provided with private amenity space in excess of what is required to compensate for the potential shading impact of the trees. Furthermore, the houses are spacious internally and designed to have dual aspect to the main living rooms. In

the circumstances, it is not considered that any concern about future resident pressure is sufficient to justify the refusal of planning permission in this case.

The Council's Arboricultural Officer is satisfied that the existing trees would be adequately protected from harm during the construction period. Furthermore, whilst it can be a matter of concern that 'future resident pressure' may arise where existing trees are located adjoining or within proposed new house plots, whereby undue pressure would be brought to bear on the Council to allow inappropriate works to trees in the future, the Council's Arboricultural Officer raises no objections to the proposals. The most significant trees concerned are, in any event, protected by the TPO such that it would be an offence for future occupiers of the Plot 2 & 3 houses to undertake any works to these trees without the prior written consent of the Council following the submission of an application for TPO consent. Subject to the imposition of conditions requiring the proposed special foundation construction be implemented in full, and the prescribed tree protection measures are implemented and retained as specified for the duration of the construction period of the proposed development, it is considered that the proposals are acceptable having regard to Policy NE3.

4. Impact on neighbours -

The existing long-standing vacant and unused site has understandably been a matter of concern to local residents for many years.

A number of amenity concerns have been raised by objectors, predominantly in respect of loss of light and outlook; the potential for loss of privacy due to undue overlooking of adjoining and nearby residential properties in York Crescent, Green Acre and Church Lane West; and concerns about undue noise, disturbance, activity and fumes. These were all considered with the previous planning application and the Council concluded that the relationships with all neighbours would be acceptable in planning terms. There have been no material changes in circumstances in respect of this issue since.

When considering impacts upon neighbours, the basic question for the Council to consider is whether the impacts of the proposed development on the residential amenities of neighbouring properties would be both materially and harmfully impacted in planning terms. The correct test in this respect is whether or not existing neighbouring properties would, as a result of the proposed development, maintain acceptable amenities to meet the needs of residential occupation. It is not the role of the Planning system to defend neighbours against the loss of any private views from their properties where these views are derived from sight over adjoining land not in their ownership. In terms of privacy concerns, a degree of mutual overlooking often exists between neighbours, and this is considered both normal and acceptable. It is necessary for the Council to consider whether or not occupiers of neighbouring properties would be subjected to unacceptable undue overlooking rather than any overlooking at all.

In this context, whilst the application site is surrounded by existing residential property, most is somewhat removed from the proposed development by any combination of separation distance, orientation, different ground levels and intervening screening vegetation and other means of enclosure. As a result, it is considered that, except for Nos.21 & 23 York Crescent to the south side, Nos.16, 18 and 20 York Crescent on the opposite side of the bend at the end of the Crescent, and Nos.1-4 Green Acre to the north side, no other neighbouring properties could be materially and harmfully affected by the proposals.

The impacts upon those nearest and/or adjoining residential properties identified above as being conceivably materially impacted by the proposed development are considered in the

following paragraphs:-

'Tragorden' (No.21) York Crescent: This adjoining 3-storey property is in authorised planning use as three flats and the proposed Plot 1 house would be located alongside to the north with a conventional relationship, with both properties having windows facing the front and rear. No windows are proposed for the side elevation of the Plot 1 house facing the side elevation of No.21 such that this relationship is considered to be acceptable. The proposed Plot 2 & 3 houses would be separated by in excess of 20 metres from the rear elevation of No.21, such that no material and undue overlooking would arise from this direction. The provision of parking for the Plot 1 house does not impinge upon the parking area required to be retained for provision of on-site parking to the front of No.21. It is considered that the proposed development would have an acceptable impact upon No.21 in planning terms.

No.23 York Crescent: This neighbouring property occupies a large triangular-shaped plot to the south of the application site and the dwelling is an extended bungalow situated set back from the York Crescent frontage behind the buildings on the adjacent plots to either side at Nos.21 and 25 York Crescent. Ground levels within No.23 site rise towards the rear similar to the change in levels within the adjacent application site. The bungalow is, however, dug into the slope such that the dwelling itself on this plot is at a lower level than land at the application site. The bungalow is also sited facing at an angle away from the boundary with the application site. The No.23 plot borders the application site to the rear of No.21 and, as such, shares a boundary with the proposed Plot 2 house. As such, it is considered that No.23 could not be materially affected by the proposed Plot 1 & 3 houses, since these do not directly adjoin and are somewhat distant.

In terms of the relationship with Plot 2, the closest separation building-to-building between the two dwellings would be approximately 22 metres at an oblique angle, with No.23 at a noticeably lower level. Although there are some secondary ground floor windows serving living rooms in the side elevation of the bungalow, it is not considered that any windows in the proposed Plot 2 house would materially overlook them due to the separation distance and proposed/existing boundary enclosures and trees. Since the bungalow at No.23 is located within a large plot to the south and faces at an angle away from the application site, it is not considered that the proposed development could give rise to any material and adverse impacts upon amenity in terms of loss of light and outlook. There is existing fencing and some trees located along the lower half of the shared boundary providing a degree of mutual ground level privacy between the properties, however there is no effective fencing on the shared boundary further up the garden. Nevertheless, new boundary fencing is to be provided with the development and a planning condition can be used to require provision and retention of new or existing boundary enclosures to provide an adequate and acceptable level of mutual ground level privacy for occupiers of both properties. This is considered to be the case whether or not the current intervening trees and shrubbery partially screening the boundary with the neighbours were to be wholly or partially removed or damaged as a result of the proposed development.

Although the occupiers of No.23 have specifically objected to the provision of the parking spaces for the Plot 2 house in proximity to an existing patio area at their property as a result of potential nuisance and health effects from vehicle fumes it is considered that this concern is unlikely to be so persistent, significant and unusual within a residential context as to justify the refusal of planning permission.

It is considered that the proposed development would have an acceptable relationship with No.23 York Crescent in planning terms.

Nos.16, 18 & 20 York Crescent: These neighbouring properties are opposite the application site frontage to the west and, as such, the amenities of occupiers could only conceivably be materially affected by the front of the Plot 1 house and the use of the driveway serving the proposed development. In this respect the closest building-to-building relationship between the front windows of the Proposed Plot 1 house would be with No.16 York Crescent, at a separation distance of approximately 24 metres, with Nos.18 & 20 even more distant. It is also noted that these properties are enclosed behind substantial hedging. In the circumstances, it is considered that no undue and material impacts on the amenities of occupiers of these neighbouring properties would arise.

Nos.1-4 Green Acre: These are a terrace of three-storey townhouses that are situated to the north side of the application site on ground at a slightly higher level than the application site. These houses have their rear elevations with the rear gardens (and in the case of Nos.1 & 2, an electricity sub-station enclosure) in-between facing the north side boundary of the site. There is a semi-mature tree located close to the rear boundary of No.1 Green Acre providing a degree of screening of this property to/from the application site. Nos. 2 & 3 Greenacre would face directly towards the blank flank elevation of the Plot 1 house with a building-to-building separation distance of approximately 17 metres with the internal driveway serving Plots 2 & 3 in-between. No.4 Green Acre has a more oblique relationship with the Plot 1 house with a slightly increased building-to-building separation. An even more oblique and distant relationship would arise between Nos.1-4 Green Acre and the Plot 3 house. It is not considered that these relationships would give rise to any undue loss of amenity to occupiers of Nos.1-4 Green Acre as a result of loss of light and outlook. Because the majority of the windows in both the Plots 1 & 3 houses would face towards the front and rear perpendicular with the Green Acre properties it is not considered that any material and undue overlooking of these neighbouring houses and gardens would occur. Although the side elevation of the Plot 1 house would have small first- and second-floor windows serving the stairway in the side elevation facing towards the Green Acre properties, it is considered that any possibility of overlooking from these windows can be eliminated by requiring that the windows be permanently obscurely glazed. There is an existing 'patchwork' of boundary fencing enclosing the north side boundary of the application site shared with Greenacre properties, although the applicants indicate that new fencing would be erected. This can also be required by imposition of a suitably worded condition. It is considered that the relationships of the proposed development with Nos.1-4 Green Acre would be acceptable in planning terms. This is considered to be the case whether or not the current intervening trees and shrubbery partially screening the boundary with the neighbours were to be wholly or partially removed or damaged as a result of the proposed development.

Concerns have also been expressed more generally by objectors about the possibility of increased noise, disturbance and pollution arising from the proposed residential development. However, it is considered that the type and nature of activity in York Crescent would be conventional and typical of that which occurs in residential roads. In the circumstances, whilst it is appreciated that the proposals would result in change, the resulting activity would neither be undue nor unacceptable in planning terms.

Given the location of the application site it is considered appropriate that a condition be imposed to require submission of a Construction Method Statement to set out the measures to be employed during the construction phase to minimise noise, vibration, dust and other emissions to, as far as practicable, limit impacts upon the amenity of neighbours. Likewise, the parking and traffic generation impacts of the demolition, construction and fitting-out periods of the development. Although planning applications cannot be refused on account of the likely construction phase impacts, it is considered reasonable to require the submission of details of

construction management measures given the clear potential for this to give rise to nuisance and inconvenience to neighbours in this location – if only to alert the developer to the need to have regard to such matters.

In conclusion it is considered that the proposed development would have an acceptable impact upon neighbours.

5. The living environment created -

The previous planning application was not refused on account of this issue and there have been no changes that make a material difference to this assessment for the current application. The proposed houses would provide accommodation meeting the Government minimum internal floorspace standards appropriate for their level of occupancy. Despite provision of a badger buffer/exclusion zone, the proposed development is also able to provide on-site amenity space for residents in the form of private rear gardens exceeding the requirements of New Local Plan Policy DE3 for all of the proposed new dwellings. It is also considered that the proposed dwellings would have acceptable relationships with all neighbours in terms of light, outlook and privacy.

The internal layout of a development is a functional matter between a developer and his client and is to some extent covered by the Building Regulations. Notwithstanding the various objections raised criticising the living environment created for future occupiers of the proposed development, it is a matter for prospective purchasers/occupiers to decide whether they choose to live in the proposed development. Nevertheless, it is considered that the living environment created would be acceptable in planning terms.

6. Highways considerations -

It remains current Government guidance that denying planning permissions on highways grounds is only justified and appropriate where any highways concerns are demonstrated to give rise to '**severe**' harm to the safety and/or convenience of highway users. It is not sufficient to merely identify concern about a highway matter. Furthermore, clear evidence of wider harm(s) being caused to the highway network with severe impact(s) must be identified. Consequently, justification for refusal on highway grounds must meet a high threshold. This is a material change in planning circumstances that has emerged in recent years.

It is also long-standing Government guidance that it is neither appropriate nor reasonable for developers to be required to resolve existing highway problems in the vicinity of their site in order to secure planning permission that they are neither responsible for, nor would materially exacerbate as a result of their proposals.

Vehicular access for the development would utilise the existing private roadway of York Crescent via York Road. York Crescent would, as now, remain an un-made shared surface roadway where pedestrians are not segregated from vehicular traffic. This is an arrangement that encourages slow incoming and outgoing traffic. It is considered that the current proposal would only result in a modest increase in traffic using York Crescent. Because of the need to demonstrate **severe** harm to highway safety and convenience of highway users, it is therefore considered that the developer cannot reasonably be required by the Council/Highway Authority to make improvements to York Crescent as a condition of granting planning permission.

As has been noted with the Officer comments on the objections summarised earlier in this Report, this is not to say that frontage owners of York Crescent other than the applicants may

not have a different view about this and might wish to require the applicants/developers to undertake improvement works to York Crescent. However, this is a private property matter those other owners would have to pursue with the applicants and/or developer directly. The granting of planning permission does not supersede land ownership rights.

The Highway Authority (Hampshire County Council) has raised no objections to the proposed development on the grounds of traffic generation and any alleged inadequacy in the capacity of York Crescent to serve the traffic associated with the proposed development; and in respect of the proposed vehicular access from the development into York Crescent. In this respect, the proposed development is small in scale, comprising just 3 new dwellinghouses. Additionally, no concerns are expressed about the safety or capacity of the junctions of York Crescent with York Road. The long-established sightlines and junction arrangements there are considered to be conventional and acceptable. There is good visibility along the proposed driveway within the site and ample space provided for passing manoeuvres to take place, albeit it would be traffic associated with the occupation of just two houses such that incidences of vehicles meeting each other are likely to be rare. The driveway is considered to be of an acceptable width and overall standard to serve the proposed development. Turning spaces would be provided so that vehicles at all the proposed houses could both enter and leave the site in forward gear. The overall arrangement and position of parking internally within the development is therefore also considered to be acceptable.

The proposed development makes satisfactory provision for on-site parking comprising three parking spaces for each proposed 4-bedroom house. Specific objections are raised on the grounds that (a) the Plot 1 house has a 'Bonus Room' that could be used as a 5th bedroom, thereby requiring more parking provision; and (b) no visitor parking spaces are shown to be provided with the scheme. However, the Council's adopted Parking Standards SPD requires provision of 3 on-site spaces for **4-bedroom + dwellings**; and the visitor parking requirement for the proposed development (according to Principle 9 of the SPD) is 3/5ths of a parking space. Even rounded-up to a whole number, provision of a single additional visitor or unallocated parking space could be met by temporary parking adjoining the allocated spaces at each of the proposed houses without inconveniencing occupiers of the other dwellings within the scheme. It is considered that the proposals comply acceptably with the Council's adopted car parking requirements, and, in any event, the proposed development would meet its own functional car parking needs without materially exacerbating any existing issues. No cycle parking is shown to be provided with the scheme, although it is considered that this is easily done by provision of sheds with each of the proposed house plots, which can be required by condition. The proposals would thereby meet the Council's adopted parking standards in full and, as such, the proposed development makes appropriate and acceptable provision for parking on-site to support itself.

All of the proposed house plots are shown to be provided with adequate space for the storage of refuse/recycling bins and this can be secured and retained with the imposition of the usual planning condition. Whilst objectors consider the proposed bin collection arrangements for the development to be unacceptable, the proposed arrangements are conventional, would be consistent with the existing collection arrangements applicable to existing properties in York Crescent and Green Acre, and no objections are raised by the Council's Operations Manager (Domestic Bin Collection).

No Transport Contribution has been requested by the Highway Authority, Hampshire County Council, in this case.

It is considered that the proposals are acceptable in highways terms.

7. Impact Upon Wildlife & Biodiversity –

(a) Special Protection Area.

The European Court of Justice judgement in 'People Over Wind, Peter Sweetman v Coillte Teoranta C-323/17' in April 2018 established the legal principle that a full appropriate assessment (AA) must be carried out for all planning applications involving a net gain in residential units in areas affected by the Thames Basin Heaths SPA, and that this process cannot take into account any proposed measures to mitigate any likely impact at the assessment stage. This process, culminating in the Council's Appropriate Assessment of the proposals, is overall described as Habitats Regulation Assessment (HRA).

Undertaking the HRA process is the responsibility of the decision maker (in this case, Rushmoor Borough Council) as the 'Competent Authority' for the purposes of the Habitats Regulations. The following paragraphs comprise the Council's HRA in this case:-

HRA Screening Assessment under Regulation 63(1)(a) of the Habitats Regulations : The Thames Basin Heaths SPA is designated under the E.C Birds Directive for its lowland heathland bird populations. The site supports important breeding bird populations, especially Nightjar *Caprimulgus europaeus* and Woodlark *Lullula arborea*, both of which nest on the ground, often at the woodland/heathland edge; and Dartford Warbler *Sylvia undata*, which often nests in gorse *Ulex* sp. Scattered trees and scrub are used for roosting.

Heathland is prone to nitrogen deposition due to increases in Nitrogen Oxide. Calculations undertaken for the Rushmoor Borough Council Local Plan found that there will be no in-combination impacts on the habitats as a result of development in the Local Plan, including an allowance for 'windfall' housing developments. However, within the screening process it will need to be ascertained whether development outside the Local Plan within 200m of the SPA will increase vehicle movements to above 1000 extra trips/day or exceed the Minimum Critical Load by over 1% either alone or in-combination with the Local Plan.

The bird populations and nests are very prone to recreational disturbance, with birds vacating the nests if disturbed by members of the public. This leaves the young unprotected and increases the risk of predation. Dogs not only disturb the adults but can directly predate the young.

Visitor surveys have shown that the visitor catchment area for the Thames Basin Heath SPA is 5km, with any proposals for residential development within this catchment contributing to recreational pressure on the SPA. The research also evidenced that residential development within 400m of the SPA would cause impacts alone due to cat predation of adult and young birds.

The retained South East Plan Policy NRM6 and adopted New Rushmoor Local Plan (2014-2032) Policy NE1 (Thames Basin Heaths Special Protection Area) and Thames Basin Heaths Avoidance & Mitigation Strategy (2019)], state that residential development within 400m of the SPA should be refused and development within 5km of the SPA should provide Strategic Alternative Natural Greenspace (SANG) of 8ha/1000 additional population and contributions to Strategic Access Management and Monitoring Measures (SAMM) dependant on the number of bedrooms.

It is considered that there is sufficient information available with the planning application

provided by the applicants with which the Council can undertake the HRA process. In this case the proposed development involves the creation of 3 net new residential units within the Aldershot urban area. As such, the proposed development is located within the 5km zone of influence of the SPA but outside the 400-metre exclusion zone. The proposed development is neither connected to, nor necessary to the management of, the Thames Basin Heaths SPA. Furthermore, the proposed development would not result in a net increase in traffic movements in excess of 1000 vehicular movements per day in proximity to the SPA.

All new housing development within 5 km of any part of the Thames Basin Heaths SPA, of which the current proposals would make a contribution, is considered to contribute towards an impact on the integrity and nature conservation interests of the SPA. This is as a result of increased recreation disturbance in combination with other housing development in the vicinity of the Thames Basin Heaths SPA. Current and emerging future Development Plan documents for the area set out the scale and distribution of new housebuilding in the area up to 2032. A significant quantity of new housing development also results from 'windfall' sites, i.e. sites that are not identified and allocated within Development Plans. There are, therefore, clearly other plans or projects for new residential development that would, together with the proposals the subject of the current planning application, have an 'in-combination' effect on the SPA. On this basis it is clear that the proposals would be likely to lead to a significant effect on European site (i.e. the Thames Basin Heaths SPA) integrity.

Appropriate Assessment under Regulation 63(1) of the Habitats Regulations : If there are any potential significant impacts upon the Thames Basin Heaths SPA, the applicant must suggest avoidance and/or mitigation measures to allow an Appropriate Assessment to be made. The Applicant must also provide details that demonstrate any long term management, maintenance and funding of any such solution.

The project the subject of the current planning application being assessed would result in a net increase of dwellings within 5 km of a boundary of part of the Thames Basin Heaths SPA. In line with Natural England guidance and adopted New Rushmoor Local Plan Policy NE1 and Thames Basin Heaths Avoidance & Mitigation Strategy (2019), a permanent significant effect on the SPA due to an increase in recreational disturbance as a result of the proposed new development is likely. As such, in order to be lawfully permitted, the proposed development will need to secure a package of avoidance and mitigation measures.

Rushmoor Borough Council formally adopted the latest version of the Thames Basin Heaths SPA Avoidance & Mitigation Strategy (AMS) in 2022. The AMS provides a strategic solution to ensure the requirements of the Habitats Regulations are met with regard to the in-combination effects of increased recreational pressure on the Thames Basin Heaths SPA arising from new residential development. This Strategy is a partnership approach to addressing the issue that has been endorsed by Natural England.

The AMS comprises two elements. Firstly, the maintenance of Suitable Alternative Natural Greenspace (SANG) in order to divert additional recreational pressure away from the SPA; and, secondly, the maintenance of a range of Strategic Access Management and Monitoring Measures (SAMMs) to avoid displacing visitors from one part of the SPA to another and to minimize the impact of visitors on the SPA. Natural England raises no objection to proposals for new residential development in the form of Standing Advice provided that the mitigation and avoidance measures are in accordance with the AMS.

In order to meet the requirements of Policy NE1 and the AMS applicants must:-

- (a) secure an allocation of SPA mitigation capacity from either the Council's SANGS

schemes, or from another source acceptable to Natural England and to the Council; and
(b) secure the appropriate SANG and/or SAMM in perpetuity by making the requisite financial contribution(s) by entering into a satisfactory s106 Planning Obligation that requires the payment of the contribution(s) upon the first implementation of the proposed development.

These requirements must be met to the satisfaction of Natural England and Rushmoor Borough Council (the Competent Authority) before the point of decision of the planning application.

In this case the applicants have provided written evidence that they have acquired SANGS capacity from the Hart District Council Bramshot Farm SANGS scheme sufficient for the 3 new dwelling units proposed, costing the applicants £35,272.86 that has already been paid to Hart DC. Furthermore, the applicants have completed a s106 Planning Obligation with Rushmoor BC to secure a financial contribution of £3,063.00 towards SAMM to be paid upon the implementation of the proposed development.

Conclusions of Appropriate Assessment : On this basis, the Council are satisfied that the applicants will have satisfactorily mitigated for the impact of their proposed development on the Thames Basin Heaths SPA in perpetuity in compliance with the requirements of New Rushmoor Local Plan Policy NE1 and the AMS. Accordingly, it is considered that planning permission can be granted for the proposed development on SPA grounds.

(b) Site Specific Protected Species.

As a result of the long-term vacancy and disuse of the application site, the land has, over the years, gone through several episodes of being used to dump materials, then becoming overgrown and then being cleared. Indeed, a significant part of the current application site was used to store materials in connection with the construction of the extensions to Tragorden in 2013-15. The steep wooded hillside to the rear of the site is undeveloped, contains a number of mature trees and functions as a local wildlife refuge and corridor. Consequently, there is known clear potential for the application site to contain, or be frequented by, protected wildlife species, most notably badgers, but also reptiles and nesting birds. Bats may also commute across the site and there is potential for bat roosting in the adjoining trees. Non-protected mammal species such as foxes and hedgehogs are also known or likely to frequent the adjoining wooded hillside corridor and the site.

Because of the legal protections afforded to badgers and other protected wildlife species, the proposals have been prepared, submitted and informed by the advice of a suitably qualified Ecological Consultant. Some necessary survey works (ground infiltration and ecology) and associated vegetation clearance were undertaken at the site by or on behalf of the applicants late last year in connection with the preparation of the current planning application. This work was carried out with the advice and/or supervision/participation of the applicant's Ecology Consultant AEW. Whilst objectors' express concerns that the landowner may have undertaken activities at the site that could have disturbed badgers in contravention of wildlife protection legislation, the Police are not understood to be investigating or pursuing any matter in connection with any alleged disturbance of badgers or badger setts (or any other protected species) at this site. In this respect, the legislation does not preclude works being undertaken at the site subject to appropriate advice and precautions being taken to avoid disturbance and harm being caused to any protected wildlife species that may be present and, thereby, to comply with the law.

The Council has no role or jurisdiction in the enforcement of protected wildlife legislation.

Nevertheless, in the context of land use planning, Local Plan Policy NE4 (Biodiversity) seeks new development to avoid significant harm to biodiversity and, if not possible, to ensure that adequate mitigation is proposed that clearly demonstrates that there would be no adverse effect on the conservation status of priority species. This policy states, inter alia:-

“Development proposals will be permitted if significant harm to biodiversity ... resulting from a development can be avoided or, if that is not possible, adequately mitigated such that it can be clearly demonstrated that:

1. *There will be no adverse effect on the conservation of priority species*
5. *There will be no loss or deterioration of a priority habitat type, including irreplaceable habitats; and*
6. *There will be no adverse effect to the integrity of linkages between designated sites and priority habitats.”*

Additionally, Paragraph 175 of the National Planning Policy Framework (2021) (NPPF) explains that if significant harm to biodiversity cannot be avoided, mitigated or compensated for then permission should be refused. Government Circular 06/2005 (Biodiversity and Geological Conservation) Paragraph 99 states that:-

“It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted.”

The previous planning application was partly refused because of the failure to satisfactorily address the ecology & biodiversity impacts of the proposed development. At that time, insufficient information was considered to have been submitted, particularly so in respect of biodiversity impacts, such that, taking a precautionary approach, it was not, on balance, considered appropriate to deal with the matter by the imposition of conditions.

The full list and chronology of ecology documents/plans now submitted in respect of the planning application, with the previously missing documents highlighted in **bold**, is as follows:-

No.	Document	Date
1	AEWC Reptile Survey Report	8 July 2019
2*	AEWC Badger Survey Report	15 July 2019
3*	AEWC Protected Species Walkover Survey	1 September 2020
4*	AEWC Badger Mitigation Strategy	1 September 2020
5*	AEWC Letter response to Ecology Officer comments on previous planning application	18 January 2021
6*	AEWC Update site visit letter	21 January 2021
7	AEWC Reptile Mitigation Strategy	February 2021
8*	AEWC Vegetation Clearance Method Statement	September 2021
9*	AEWC letter titled ‘Vegetation Clearance & De-Classification of Badger Holes’ survey update report	1 October 2021
10	Biodiversity Net-Gain Metric Spreadsheet	December 2021
11*	AEWC Summary Supporting Statement letter	17 December 2021
12	Harding Rose ‘Proposed Landscaping Plan’ Drawing No. P.09 REV.E	Revised plan submitted 15 February 2022
13*	AEWC Badgers Summary Statement	30 June 2022

*Sensitive documents with restricted accessibility.

The Council's Ecology Officer has carefully considered the survey information relating to the application site and its surroundings that has been submitted with the current application – in addition to the body of survey and other information submitted with, and in the immediate aftermath, of the previous application. Combined with the specific landscaping and wildlife mitigation proposals proposed to be incorporated into the scheme, the Ecology & Biodiversity Officer has concluded that the Applicants' have presented sufficient information and proposals to understand the likely impacts upon protected wildlife and ensure that ecological and biodiversity matters are appropriately addressed with the proposed development. Consequently, it is considered that the ecology and biodiversity reason for refusal of the previous planning application has now been satisfactorily addressed. It is therefore recommended that planning permission can now be granted subject to conditions in respect of ecology and biodiversity matters.

Protected Species – Badgers : Badgers are less numerous in an urban context; and more prevalent in rural locations. Badgers are omnivores and typically eat, depending upon availability, earthworms, frogs, rodents, birds, eggs, lizards, insects, bulbs, seeds and berries; for which they forage nocturnally. Although badgers are adaptable creatures, urban badgers tend to have smaller clans living in more compact setts, reflecting a more restricted range with reduced food supply. Road deaths can have a significant impact on urban badger populations in particular. Domestic gardens can be important foraging areas and urban badger clans can, to an extent, become habituated to human presence and activity to an extent where it provides them with opportunities for food.

Badgers are legally protected under The Protection of Badgers Act 1992 and Schedule 6 of the Wildlife and Countryside Act 1981 (as amended), which makes it illegal to wilfully kill, injure, take, possess or cruelly ill-treat a badger, or attempt to do so. It is also an offence to damage, destroy or interfere with a badger sett or disturb a badger while it is occupying a sett. Significant loss of foraging grounds and restrictions of movement to the badger clan may also constitute disturbance. The responsibility and obligations in this respect in the context of activity at the application site and the implementation of the proposed development lay with the applicants – who are aware of the legal protection afforded to badgers and their setts. The granting of planning permission does not override the requirements of the Protection of Badgers Act 1992. Irrespective of the granting of a planning permission, it remains a matter for the Applicants to ensure that they comply with the law in respect of Badgers (and other protected wildlife species) and can demonstrate, if asked by the Police, that they have taken the appropriate advice, precautions and care to remain within the law.

It is usual for information submitted concerning badgers with planning applications to be treated in confidence by Councils in order to protect the security of the sett. In this case the relevant material was removed from public view following the completion of the neighbour notification period. Nevertheless, the documents were made available again for public viewing for the days approaching the 16 February 2022 Development Management Committee meeting as a result of complaints from objectors at that time. Additionally, electronic copies of some documents were provided to a local resident (and objector) upon request and also as a result of Freedom of Information requests.

As a rule of thumb only, any works undertaken within 30m of an entrance to a badger sett have the potential result in disturbance of a badger in the sett. Badgers could be affected if the implementation of a development proposal causes damage to setts, loss of setts, loss of foraging areas, and/or disturbance to badgers while they're occupying setts - from noise, lights, vibration, fires or chemical use. However, the legislation does not preclude the undertaking of development in proximity to badgers and their setts, it simply establishes the principle that the

developer and their contractors are obliged to take appropriate care to comply with the law and/or operate under the appropriate licence. A licence from Natural England is required to undertake development works which would otherwise result in an offence being committed under the legislation, but the developer must provide justification and show what mitigation measures will be put in place. Natural England provides Standing Advice which is available from the GOV.UK website. The Applicants may require, in addition to planning permission, a government licence to undertake some aspects of their proposed development and, in this respect, they are being advised by a consultant ecologist.

The GOV.UK advice is that, where possible developments should avoid effects on badgers. But that, where this is not possible, the developer will need to include mitigation or compensation measures in their proposals. In considering planning applications for developments that may, affect badgers or their setts, the Council must consider if the developer has taken appropriate measures to avoid, mitigate or compensate for any negative effects. It is suggested that development proposals could include mitigation measures that: maintain foraging and watering areas, or create new areas; maintain habitat connectivity, for example with tunnels, underpasses or green corridors.

Councils are advised to consider the need for site monitoring and management in order to make sure that mitigation measures are installed as proposed; and to check that setts have not been interfered with during or after development.

The proposed development has been amended from the scheme presented with the previous planning application to incorporate specific mitigation measures as set out in the submitted Badger Mitigation Strategy; and as shown with the proposed Landscaping Plan (Drawing No.P.09 REV.E). In this respect, it is proposed that a strip of land within the application site adjoining the eastern boundary of the application site be preserved as a wildlife corridor and buffer zone to be permanently fenced-off from the garden areas of the proposed houses, including for the duration of construction works. This would protect an area of land within the application site from domestic encroachment from the use and occupation of the proposed adjoining Plot 2 & 3 houses and provide a buffer zone between the garden areas for Plots 2 & 3 and the wooded hillside beyond where the badger sett is located. It is also indicated that there will be some planting of fruit bearing trees in order to provide additional foraging resource, including suitable species such as apple, elder, plum, hazel, hawthorn, blackthorn and wild cherry. Further, in order to enable badgers to commute and forage further afield, the buffer zone would also be connected to a fenced segregated link pathway to run along the north boundary of the site at the side of the Plot 3 house, so that badgers and other wildlife would be able to gain access to and from York Crescent and provide permanent wildlife connectivity from there to the hillside beyond the site, which is the main corridor for wildlife movement in the vicinity.

It is considered that the various mitigation measures described with the application submissions are appropriate as a means of enabling urban badgers to co-exist alongside humans and their dwellings and can be secured by use of suitably worded planning conditions. The Council's the Ecology Officer is satisfied that the proposed badger mitigation measures are an appropriate response in this case and would, if maintained, provide adequate protection and commuting/foraging range for badgers and, indeed, ensure that occupiers of the new houses can also live in their properties without causing undue disturbance to the activities of their badger neighbours. In this respect, the Ecology Officer recommends that the developer should be required to implement the proposed development in accordance with the recommendations of their submitted Badger Mitigation Strategy, specifically Section 4 'Mitigation Recommendations', and the long-term retention and maintenance of a wildlife

corridor as shown by the submitted 'Proposed Landscaping Plan' Drawing No.P.09 REV.E.

The Applicants' Ecologist suggests that the wildlife corridor/buffer zone be established at an early stage. The recommendations of the submitted Badger Mitigation Strategy also acknowledge that some enhancements and ongoing suitable habitat management of the wildlife corridor/buffer zone will be required into the future. Furthermore, that the wildlife corridor/buffer zone also needs to be maintained long term and kept clear of obstacles such as refuse and garden waste dumping. Accordingly, trees and scrub vegetation present within the wildlife corridor should be retained where health and safety permits; and it is stated that an annual check of the wildlife corridor be undertaken by an ecologist for five years; and that any actions noted as required to maintain the corridor identified must then be undertaken. It is recommended that no artificial lighting (either during or after construction) be positioned where it would fall on or within the wildlife corridor, or well used paths leading directly from it.

It is also considered necessary that a condition be imposed to require that, immediately prior to the start of works, a top-up walkover survey of the site be undertaken by an appropriately qualified and experienced ecologist within the proposed development boundary and a 30m buffer area beyond, to search for any new badger setts and, indeed, to confirm whether or not any setts that are present on site remain inactive. If any badger activity is detected on site, the condition should then require a suitable course of action to be submitted to and approved in writing by the Council to prevent harm to badgers.

Objectors have also expressed concern about the likely adverse impact on badgers during the construction period of the development. This is, however, a matter that the Applicants' Ecologist does make detailed recommendations in the submitted Badger Mitigation Strategy, including:

- The wildlife corridor must be clearly marked to avoid accidental clearance or access by site machinery and to shield it from site works, with the fencing in this respect comprising high close board wooden or other 'solid' panel fencing which should be in place before any site clearance or works begin. This would then act as a sound barrier between the sett and the site. Notices would be placed on the fence stating, 'Wildlife Protection Area KEEP OUT';
- Good building practice, to include covering open trenches at night or to provide them with a means of escape for badgers, should be followed during all works on the site. [Officer Note: this practice would be of benefit to other terrestrial mammals (such as foxes and hedgehogs) in addition to badgers];
- Bonfires should be avoided on the site (as the smoke from a fire could enter the sett); and if absolutely necessary these must only be lit well away from the sett and it should be ensured that the wind is not blowing towards the sett;
- No chemicals to be used within 20m of any active badger holes;
- If any noisy works are required close to the sett (it is suggested within 20m of the main sett) these should be kept to a minimum and only carried out first thing in the morning to allow time for the badgers to settle during the day before their evening active period;
- A 'toolbox talk' should be given by an ecologist to site workers / contractors to outline the strict instructions and procedures to be followed and this should be incorporated into the site induction for all workers;

- Site clearance will be supervised by an ecologist, who will check for any sett holes under brash (vegetation). Should sett holes be found, and in use, in such circumstances it is indicated that the developer would stop works and seek advice and, if necessary, seek a licence for the continuation of the works; and
- Disposal of brash with a bonfire is unlikely to be appropriate and use of a chipper or other similar machinery should be avoided if possible (due to noise levels). However, if this is the only option the chipper should be located as far away from the rear of the site as possible (ideally by the site entrance) to reduce the noise near the sett and wildlife corridor. Brash close to the wildlife corridor should be dragged away by hand to the site entrance for removal.

For the sake of consistency and visibility to site workers, it is considered that these measures should also be mentioned in the Construction Management Plan condition.

The Applicants' Ecologist acknowledges that licences are, if required, only issued for any required mitigation work to be undertaken (when full planning permission has been granted) normally between 1 July – 30 November, with 1 December - 30 June being a closed season. This is to try to prevent damage to setts and avoid disturbance and injury to badgers and cubs during the breeding and weaning season. However, since this is a matter that would be a condition of the licence, it is not considered that it would be appropriate or necessary to duplicate this requirement with a planning condition. That said, the GOV.UK advice is that Councils ensure that planning conditions to be imposed do not conflict with conditions for a licence. Councils should consult NE concerning conditions that they are minded to impose. Accordingly, NE were consulted in respect of the suggested conditions relating to the protection and mitigation of protected species as a result of the proposed development. Their response is that the Council should follow their standing advice, the guidance of their Ecological officer and that they will only provide bespoke advice on protected species where the site forms part of a SSSI or in exceptional circumstances.

Paul Stone has drawn attention to revised Government guidance published in January 2022 relating to badger setts that advises that Local Planning Authorities contact Natural England to check whether any proposed planning conditions would potentially conflict with the requirements of a Badger Licence should one be required. The Council had contacted NE in this respect whilst producing the 16 February 2022 Development Management Committee report but had elicited a brief response simply referring the Council to NE Standing Advice and the Council's own Ecology Officer; and commented that NE will only provide bespoke advice on protected species where they form part of a SSSI, or in exceptional circumstances. Reference was also made in NE's response to specific advice for badgers provided on the GOV.UK website, which is the advice that prompted the Council to make further contact with NE in the first instance.

In the circumstances Paul Stone advised that the applicants should avail themselves of NE's Discretionary Advice Service to enquire about the need or otherwise for a Badger Licence; and that this process should be followed before the current planning application is determined. This process has been completed on behalf of the applicants by their Ecology Consultants (AEWC). The applicants have recently submitted a Badgers Summary Statement dated 30 June 2022 following their receipt of NE's advice response, which states:-

“To whom it may concern;

Ref: Badgers; Derelict Lane, 19 York Crescent, Aldershot, Hampshire

This document aims to provide a summary of the ecological surveys and works undertaken at “The Haven”, 19 York Crescent, Aldershot, in relation to the presence of a badger sett to the East of the site.

The site has been subject to extensive ecological surveys and reporting over 4 years. A protected species walkover assessment was originally carried out in 2017 and updated in 2020 and 2021. The walkover surveys identified the presence of a badger sett within the bank to the east of the site and potential for the site to be used by badgers.

Detailed badger surveys were carried out in 2019 and reports produced detailing the results of this survey. Updated badger assessments were carried out in 2020 and 2021 in the form of walkover surveys to check the previously identified holes.

The results of the surveys confirmed that the mammal holes identified within the eastern extent of the site were no longer in active use by badgers. An active main sett is located higher up the bank, with all holes extending into the bank away from the proposed development site. Based on locations of mammal tracks, push-throughs and foraging signs, the badgers are predominantly using the neighbouring gardens and small woodland band for foraging with little evidence of current use of the proposed development site.

Due to the close proximity of the badger sett, a badger mitigation strategy was produced for the site which includes the retention of a wildlife buffer within the eastern extent of the site.

Following concerns and complaints raised by neighbours and the previous Rushmoor district ecologist, an independent badger specialist, Andrew Crace-Calvert, was commissioned on behalf of the client. This included a visit to assess for the presence of badgers within the site boundary and to review the proposed mitigation strategy for the site in relation to the main sett. The ecologist advised that a supervised vegetation clearance of the site should be undertaken and if this showed that the holes within the site are able to be decommissioned the proposed mitigation strategy would be suitable to ensure that there would be no significant impact upon the main badger sett. A copy of the email advising to this affect was submitted to planning with the other ecology documents.

The supervised vegetation clearance was undertaken in October 2021 which confirmed that all badger holes which were present within the site boundary in 2017 are no longer in use and were able to be declassified and it was therefore considered that a licence would not be required for the works as no licensable activities would occur if the mitigation strategy was complied with in full in line with the mitigation hierarchy by incorporating avoidance mitigation to avoid an offence.

*The ecology surveying and works for the site involved significant communication with the Council’s Ecology & Biodiversity Officer who confirmed on the 30th November 2021 that she was satisfied with the surveys and mitigation proposed and the outcome of the pre-application discussions: **“I [Heather Lewis, RBC Ecology Officer] therefore advise that the applicant has presented sufficient information to ensure that legal and policy ecological constraints are appropriately addressed for the above proposed development.”***

A PSS request was put into Natural England’s Wildlife Licensing Service (NEWLS) on 02/06/2022 at the request of an independent planning advisor commissioned by Rushmoor Borough Council. Natural England responded to this request on the 24th June 2022 stating:

“Unfortunately, NEWLS is unable to fulfil your request at the present time. We realise this is disappointing, but we hope to have more capacity to support requests in the coming months. You are welcome to resubmit your PSS request again, on or after 02/09/2021, 3 months after your original submission.

We do note that the declared purpose of your request is to provide certainty to an LPA on whether a licence decision is required, and if so, whether a favourable decision would be issued by Natural England.

Please be aware that Natural England do not typically determine whether or not a licence is necessary in a specific circumstance. It is the responsibility of the applicant and their ecologist to determine whether the impacts of an action would be likely to result in a wildlife offence without a licence, and thus whether a wildlife licence will be needed in order to legally proceed.

Under their standard responsibilities, LPAs typically also undertake an assessment of the proposed actions with regard to wildlife legislation and indicate whether a licence may be required to proceed, given the actions proposed. When this happens, an LPA should tell a developer or scheme that a licence will be required.”

The surveys on site have shown that there is no active use of the site by badgers, an active sett is present to the east of the site outside of the development boundary and within a steep bank with all holes leading away from the site.

In summary, the findings of the surveys conducted between 2017 and 2021, the opinions following consultation with a badger specialist, in addition to the review by the RBC ecologist, it is our professional opinion that all due diligence requirements have been followed. The results show that by following the mitigation strategy submitted for the site that there will be no significant impact upon badgers present in the sett to the east of the site boundary for 19 York Crescent, there will not be any offence and so a licence will not be required for the works to proceed.”

The Council’s Ecology Officer has responded to this Summary Statement incorporating the advice from NE as follows:-

“I note that the following has now been submitted by the applicant in support of their proposed development and in response to the independent review of the planning decision by Paul Stone;

Letter titled ‘Badgers; Derelict Land, 19 York Crescent, Aldershot Hampshire’, dated 30th June 2022, author Annika Binet, AEWL Ltd.

Email response from Natural England’s Wildlife Licensing Service, titled RE: 17-030 The Haven – Badgers’, dated 24th June 2022.

I advise that the advice received from Natural England is as anticipated and does not conflict with the decision to grant permission for this development. I concur with the conclusions set out within the above referenced 30th June letter from AEWL Ltd.

I am of the opinion that the suite of information regarding badgers submitted by the applicant to date, convincingly argues that badgers will not be killed, injured or disturbed as a result of proposed development, on implementation of proposed impact avoidance and mitigation measures. The proposed development will not therefore, lead to breach of statutory requirements of the Badgers Act 1992 and Schedule 6 of the Wildlife and Countryside Act

(1981 as amended). A Protected Species Licence permitting activities otherwise contrary to the Badgers Act is therefore not required as no activities contrary to this legislation are proposed. The question of whether a licence is likely to be issued by Natural England therefore does not arise.

My comments here are obviously predicated upon the implementation in full of the impact avoidance and mitigation measures proposed in existing submitted documentation. The applicant's badger impact avoidance and mitigation measures as set out, avoids contravention of protected species legislation and also meets the mitigation hierarchy of the planning process. I advise that on implementation of these measures, the local presence of badgers is not a constraint to development. I reiterate my previous comments regarding badgers as submitted in my formal consultation response submitted to David Stevens dated 19th January 2022."

Paul Stone has advised that the Council reviews the wording of the conditions to ensure consistency between the 'Proposed Landscaping Plan' and the AEWB Badger Mitigation Strategy (1 September 2020). In this respect, the current submitted version of the Harding Rose 'Proposed Landscaping Plan' (Drawing No. P.09 REV.E) was submitted on 15 February 2022 and, as a result, the Committee Amendments Sheet set out the amendment of Condition No.2 to refer to the new Drawing Number. This plan shows details of the proposed retained wildlife corridor and its proposed fencing separate from the garden areas of the proposed Plot 2 & 3 houses. However, the AEWB Badger Mitigation Strategy also referred to in Condition No.2 illustrates (at Figure 5, Para.4.1, Page 8) a suggested smaller retained wildlife corridor/badger protection zone to be enclosed with protective fencing during works. This document also recommends restrictions to site works and notes that "*Ecological enhancements for badgers should also be included.*"

It is considered that there is no direct conflict between the Proposed Landscaping Plan and the contents of the AEWB Badger Mitigation Strategy. The Strategy simply makes recommendations for badger mitigation and protection primarily intended to be retained **temporarily** for the construction period of the proposed development, whereas the Proposed Landscaping Plan sets out the details for the provision and retention of a **permanent** wildlife corridor/badger protection zone to be retained with the completed development. Nevertheless, it is considered that this distinction can be made clearer with an adjustment to the wording of Condition No.2. In any event, the requirement of Condition No.24 is that the permanent wildlife corridor/badger protection zone shown by the Proposed Landscaping Plan (Drawing No. P.09 REV.E) be established before any other works in respect of the implementation of the remainder of the development commence, thereby superseding the indications for provision of a temporary protection zone set out in the Badger Mitigation Strategy.

In the circumstances, it is considered that the applicants have thoroughly and satisfactorily addressed the potential impacts of the proposed development on the neighbouring badgers having regard to current Government Policy & Guidance and the relevant adopted Local Plan policies.

Protected Species – Bats : Bats are protected under the Wildlife & Countryside Act 1981 (as amended) and Conservation of Habitats and Species Regulations 2018, which apply to all bat species. Although located in an urban environment, the mature trees on the undeveloped hillside adjoining the eastern boundary of the application site form part of a significant tree belt which is considered likely to be important foraging habitat and commuting route for any bats present : the presence of bats and bat roosts in the general vicinity of the application site is therefore considered to be highly likely.

Although objectors criticise the survey methodology of the Applicants' Ecology Consultant on the basis that the survey work has been undertaken during the daytime, the point of the survey work was to look for likely bat roosting opportunities in the trees adjoining the site rather than to seek out and identify the presence of bats, since the likely presence of bats is already accepted. Some of the trees on the rear boundary of the site are considered suitable bat roost features and it is therefore considered likely that commoner species of bat are present in the immediate environment; and may well be using the application site for foraging and commuting. However, as confirmed by the Applicants and their Ecology Consultants, it is proposed that all trees within or adjacent to the application site are to be retained and not subject to significant works. Indeed, the most significant trees, those on the rear boundary, are subject to a Tree Preservation Order, such that any works to be undertaken to these trees requires the written consent of the Council. Undertaking works to TPO trees on an unauthorised basis is the committing of an immediate offence that would place anyone undertaking such works, such as the developer, their contractors, tree surgeons and, in the future, the occupiers of the proposed houses, at risk of prosecution by the Council. Clearly, should tree works be undertaken that disturb a bat roost an offence would be committed under wildlife protection legislation that would be a matter for the Police. In the circumstances, it is considered that there is adequate legislative protection already in place to ensure that any bat roosts that may exist in the vicinity of the proposed development are likely to remain unmolested. The Ecology Officer agrees with this assessment.

As nocturnal species, both bats and badgers are sensitive to any increase in artificial lighting of their roosting and foraging places, and commuting routes. Paragraph 185 of the National Planning Policy Framework 2021 states that planning policies and decisions should "*limit the impact of light pollution from artificial light on ... dark landscapes and nature conservation*". Accordingly, the Ecology & Biodiversity Officer advises that the developer will need to ensure that the proposed development will result in no net increase in external artificial lighting at primary bat foraging and commuting routes across the development site, in order to comply with the relevant legislation and the recommendations in BCT & ILP (2018) Guidance Note 08/18. "Bats and artificial lighting in the UK. Bats and the Built Environment. Bat Conservation Trust, London & Institution of Lighting Professionals, Rugby". In order to ensure that compliance with this best practice guidance is secured, it is recommended that a suitably worded planning condition be imposed to require the formulation, approval by the Council and implementation of a Sensitive Lighting Management Plan prior to commencement of development.

Protected Species – Reptiles : These are also subject to protection under the Wildlife & Countryside Act 1981 (as amended) and, as such, enforcement of any offences would be a matter for the Police. Nevertheless, in this respect the submitted 2019 Reptile Survey of the application site, whilst identifying potential reptile refugia, did not find any reptile species on the land. However, suitable habitat for reptiles exists on site and there is potential for reptiles to colonise the site from adjacent land. Accordingly, the Ecology & Biodiversity Officer recommends that, where site vegetation has not been managed in accordance with the recommendations of the July 2019 Reptile Survey report, any site clearance should be undertaken only in accordance with the applicants' Reptile Mitigation Strategy (Feb 2021) which can be secured by condition. Since it is to be recommended that a badger survey be undertaken by an appropriately qualified and experienced ecologist immediately prior to the start of development works, it would also be sensible for the developer to check the site for the presence of reptiles at the same time.

Protected Species - Breeding Birds : In this respect, the Ecology & Biodiversity Officer

advises that the developer should be made aware that Part I of the Wildlife and Countryside Act 1981, as amended, makes it an offence to intentionally kill, injure or take any wild bird, or intentionally to damage, take or destroy its nest whilst it is being built or in use. Accordingly, any vegetation clearance at the development site should be undertaken only in accordance with the recommendations of paragraph 7.7 of the submitted Protected Species Walkover Survey dated 1st September 2020 which, again, can be required by condition. The Council also uses an Informative to alert developers to the requirements of wildlife protection legislation.

Whilst not subject to statutory protection, it is considered that compliance with the various wildlife protection measures identified by the Applicants' Ecology Consultant should also avoid harm to other mammal species (such as hedgehogs and rabbits) as is noted in paragraphs 7.13 and 7.14 of the same document.

(c) Biodiversity

In addition to Policy NE4, Local Plan Policy NE2 (Green Infrastructure) requires that development provides green infrastructure features within the development and maximises opportunities for improvement to the green infrastructure network, including restoration of fragmented parts of the network. This approach is also supported by the NPPF. In this respect, development proposals should seek to secure opportunities to enhance biodiversity and include proportionate measures to contribute, where possible to a net gain in biodiversity, through creation, restoration, enhancement and management of habitats and features, including measures that help to link key habitats.

In addition, the Environment Act 2021 introduces a statutory footing for securing measurable net gains for biodiversity, requiring a 10% minimum uplift post-development. However, this will not become a legal requirement until November 2023 such that, for the time being, the Council seek and secure net gain from developers on a voluntary basis.

In submitting the current application, the applicant has provided additional information for consideration in respect of biodiversity gain comprising a Proposed Landscaping Plan and a Biodiversity Metric V3.0 'Small Sites Metric Beta Test', DEFRA spreadsheet completed by the Applicants' Ecology Consultant. The submitted Biodiversity Metric calculates a 49.01% increase in habitat units as a result of the proposed development. However, whilst the Ecology & Biodiversity Officer considers this to be an over-estimate, they acknowledge that the application now presents a suite of on-site measures to compensate for losses of existing habitats, as presented within the Proposed Landscaping Plan Drawing No.P.09 REV.D. In this respect, the measures include native species planting, provision of a range wildlife nesting/roosting boxes (an igloo hedgehog home, 3 X hedgehog holes, 6 X bat boxes, 6 X bird boxes and 3 X log-piles/hibernacular), a native hedgerows, tree planting and permanent retention of a semi-natural habitat buffer at the east of the development site : measures that are considered to be proportionate to the scale and circumstances of the proposed development. As already noted in this report, the landscaping plan also presents a suite of species-specific landscaping measures that are considered to satisfactorily address protected species issues. Accordingly, the Ecology & Biodiversity Officer concludes that, despite the overestimation of the biodiversity gain using the Metric, they are content that the proposed development would deliver no net loss of biodiversity, in line with the requirements of the NPPF provided that the measures presented within the Landscaping Plan are implemented in full. A planning condition can be used for this purpose.

(d) Conclusions on Ecology & Biodiversity

It is considered that the proposed development the subject of the current application has satisfactorily addressed the previous ecology/biodiversity reason for refusal and that the proposals are acceptable having regard to the relevant adopted Local Plan Policies and Government Guidance.

8. Surface Water Drainage -

The site is located on land at lowest risk of fluvial flooding and low risk of surface water flooding. Indeed, the primary flood risk in the area in these respects arise in the immediate vicinity of the stream feeding the River Blackwater that flows under the York Road/Cranmore Lane/Sandford Road/Ayling Hill crossroads. York Crescent and the application site is unaffected in this respect, although, nonetheless, the land at York Crescent slopes down in this direction and, within the Crescent itself, the application site slopes down into the roadway, with a portion of the wooded flank of Cargate Hill rising behind. Infiltration Tests undertaken for the Applicants at the site last year have demonstrated that the ground is relatively impermeable due to the local geology, which is typical of the Cargate Hill area, comprising interleaving beds of sands and clay. As objectors have noted, there are therefore established natural springs, water seeps, and 'wells' in the area. Further, as existing, surface water can and does flow downhill into the roadway from adjoining properties on higher ground, including from the application site, during heavy rainfall, when the limited capacity for on-site infiltration into the ground is exceeded.

The Council's refusal of the previous application included a reason for refusal relating to drainage issues. This was because the application was not accompanied, as it should have been, by any details and proposals for the drainage of the site. Indeed, the only suggestion of drainage proposals with the previous application was the indication that surface water drainage would use soakaways. Since the refusal of the previous application, Infiltration Testing has been undertaken on behalf of the Applicants that demonstrate that a soakaway drainage scheme would be inappropriate to the local ground conditions at the site. As a result, it is clear that the Council's drainage reason for refusal was justified.

In order to address the drainage reason for refusal the current planning application is accompanied by details for a piped system to drain surface water from the house roofs and other hard-surfaces of the proposed development. This is shown to incorporate a SUDS feature in the form of a cellular water storage buffer tank located in the ground under the forecourt parking area of the Plot 1 house with a controlled outflow to be fed into the existing combined sewer also serving Tragorden.

The making of drainage connections to a development is subject to licencing (with Thames Water) that is subject to entirely separate consideration under other legislation and, as such, is not a matter for direct and technical consideration by the Council with a planning application. Nevertheless, adopted Local Plan Policy NE8 (Sustainable Drainage Systems) requires that developments include the implementation of integrated and maintainable Sustainable Urban Drainage Systems (SUDS) in all flood zones for both brownfield and greenfield sites.

Whilst the technical details/specification of this proposed SUDS drainage installation are the subject of separate consideration and licence approval by Thames Water, it is considered that the proposed drainage scheme is feasible, credible and acceptable in principle and would deliver an improvement on the existing site drainage situation, thereby meeting the objectives of Local Plan Policy NE8. Due to the relative impermeability of the existing ground at the site, it is considered that the introduction of hard-surfaces due to the new house roofs, hard

landscaping and parking spaces would not, in themselves, significantly change the existing drainage characteristics of the site. However, whilst the proposed drainage system could not be expected to eradicate surface water flows entirely, the collection of surface water from the roofs and parking spaces etc into a piped system and incorporation of the proposed SUDS storage tank would be an improvement since it would result in surface water flows being subject to a degree of control that is not currently the case and, indeed, would address the impacts of surface water flows arising from the proposed development.

Objectors argue that the Applicants will be unable to install their proposed drainage system because it is disputed that the Applicants have sufficient ownership and control of all of the land required to install the storage tank. This is, however, a private legal matter between the Applicants and other owners of the York Crescent roadway in which the Council cannot be involved. Neither does it have any bearing on the technical merits of the proposed drainage scheme and its acceptability in planning terms.

In the circumstances, subject to the imposition of an appropriately-worded condition to require the installation of the indicated SUDS drainage system, it is considered that the proposals would meet the requirements of adopted Local Plan Policy NE8. Accordingly the previous drainage reason for refusal has been satisfactorily addressed.

9. Public open space -

The Rushmoor Local Plan seeks to ensure that adequate public open space (POS) provision is made to cater for future residents in connection with new residential developments. Policy DE6 allows provision to be made on the site, or in appropriate circumstances, a contribution to be made towards upgrading POS facilities nearby.

This is a circumstance where a contribution (in this case the Parks Development Officer identifies a POS project requiring £6,600.00 towards public open space comprising refurbishment/renewal of play facility at Kingsway Playground, Kingsway Aldershot) secured by way of a s106 Planning Obligation would be appropriate. which the applicant is in the process of completing. Subject to the completion of this Obligation the proposal is considered to be acceptable within the terms of Local Plan Policy DE6.

Other Matter -

Objectors have raised concerns that the generous size and design of the proposed dwellings would lend them to the future possibility of being converted into Houses in Multiple Occupation (HMO). Planning permission would be required in any circumstance for the change of use to an HMO occupied by 7 or more persons such that any attempted change of use to a large HMO would be a clear breach of planning control. However, it is currently 'permitted development' (i.e. an automatic planning permission granted by secondary planning legislation) to change the use of a dwellinghouse (Use Class C3) to a small HMO occupied by up to 6 persons (Use Class C4) and visa versa. Minimal communal facilities would need to be provided and such a change of use could not require the provision of any additional on-site parking despite the average occupancy of a C4 small HMO being approximately 3 adult persons more than the average occupancy of a C3 dwellinghouse. Given the nature of the development and the finite space available on site for parking it is, however, considered that this is a circumstance where it would be reasonable for the Council to impose a planning condition removing permitted development rights for the change of use of the proposed houses to C4 use. In this way it is considered that the Council would also retain control over the possible future change of use of the proposed houses to small HMOs.

Conclusions -

It is considered that the proposals have satisfactorily addressed the reasons for refusal of the previous planning application. The proposals are considered acceptable in principle and in highways terms; would have no material and harmful impact upon the overall visual character and appearance of the area and trees worthy of retention; would have no material and adverse impact on neighbours; would provide an acceptable living environment; provide coherent and considered proposals for the surface water drainage of the site; robustly address the ecology & biodiversity impacts of the proposed development; would have no significant impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area; and appropriately address the Council's adopted Local Plan Policy DE6 concerning Public Open Space. The proposals are therefore considered to be acceptable having regard to the criteria of Policies SS1, SS2, DE1, DE2, DE3, IN2, DE1, DE2, DE3, DE11, IN2, NE1, NE2, NE3, NE4 and NE8 of the adopted Rushmoor Local Plan (2014-2032).

Full Recommendation

It is recommended that the previous decision of the Committee to **Grant** planning permission made at the 16 February 2022 meeting be **Re-Affirmed** subject to the imposition of the following conditions and informatives:-

1. The development hereby permitted shall be begun before the expiration of one year from the date of this permission.

Reason - As required by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, to reflect the objectives of the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy as amended 2021 and to accord with the resolution of Rushmoor's Cabinet on 17 June 2014 in respect of Planning Report no PLN1420.

2. The permission hereby granted shall be carried out in accordance with the following approved drawings and details – L.01 REV.A; B.01 REV.B; P.01 REV.F; P.02; P.03; P.04; P.05; P.06; P.07; P.08; P.09 REV.E (showing the proposed provision of a permanent wildlife corridor/badger protection zone with the completed development); AEWG Badger Survey Report 15 July 2019; AEWG Reptile Survey Report July 2019; AEWG Protected Species Walkover Survey Sept 20; AEWG Badger Mitigation Strategy 1 September 2020 (setting out proposals for the provision of temporary corridor/badger protection zone to be enclosed with protective fencing during construction works and other restrictions to site works); AEWG letter response to Council in respect of Ecology Officer comments with previous planning application 18 Jan 2021; AEWG Updated Walkover Survey 21 January 2021; AEWG Reptile Mitigation Strategy Feb 2021; AEWG Vegetation Clearance Method Statement 1 September 2021; AEWG letter titled 'Vegetation Clearance & De-Classification of Badger Holes' survey update report 1 October 2021; AEWG Ecology Consultants Summary Statement 17 December 2021; Biodiversity Net Gain Metric Spreadsheet Dec 2021; AEWG Badgers Summary Statement 30 June 2022; Vincent & Rymill SK1 Drainage Scheme; Surface Water Disposal Hierarchy Checklist; Vincent & Rymill Surface Water Storage Calculations; Vincent & Rymill Soakaway Report Letter (Infiltration Tests); Thames Water Asset Map for YC; PTP Access Statement (Highways Issues); SMW Tree Report & Appendices 1-6; Tree Report: Heli-Pile & Rootbridge System Details; Design & Access Statement; and Applicants' Supplementary Supporting Statement.

Reason - To ensure the development is implemented in accordance with the permission granted.

3. Construction of the following elements of the development hereby approved shall not start until a schedule and/or samples of the materials to be used in them have been submitted to, and approved in writing by, the Local Planning Authority. Those elements of the development shall be carried out using the materials so approved and thereafter retained:

External walls;
Roofing materials;
Window frames;
Rainwater Goods; and
Ground Surfacing Materials

Reason - To ensure satisfactory external appearance. *

4. Construction or demolition work of any sort within the area covered by the application shall only take place between the hours of 0800-1800 on Monday to Fridays and 0800-1300 on Saturdays. No work at all shall take place on Sundays and Bank or Statutory Holidays.

Reason - To protect the amenities of neighbouring residential properties and to prevent adverse impact on traffic and parking conditions in the vicinity.

5. Prior to occupation or use of the development hereby approved, screen and boundary walls, fences, hedges or other means of enclosure for the boundaries of the overall site and between adjoining plots within the development hereby approved shall be installed in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed and retained in accordance with the details so approved prior to the first occupation of the new dwellings hereby permitted.

Reason - To safeguard the amenities of neighbouring property. *

6. The development hereby permitted shall not be occupied until the parking spaces shown on the approved plans have been constructed, surfaced and made available to occupiers of, and visitors to, the development as allocated on the approved plans. Thereafter these parking facilities shall be kept available at all times for their intended purposes as shown on the approved plans. Furthermore, the parking spaces shall not be used at any time for the parking/storage of boats, caravans or trailers.

Reason - For the avoidance of doubt and to ensure the provision, allocation and retention of adequate off-street car parking. *

7. Provision shall be made for services to be placed underground. No overhead wire or cables or other form of overhead servicing shall be placed over or used in the development of the application site.

Reason - In the interests of visual amenity.

8. Prior to first occupation of the development hereby approved the ecological enhancements as shown by Drawing No.P.09 REV.E : Proposed Landscaping Plan hereby approved shall be implemented in full and retained thereafter. All planting, seeding or turfing comprised in the approved details of landscaping shown by Drawing No.P.09 REV.E : Proposed Landscaping Plan hereby approved shall be carried out in the first planting and seeding season following the occupation of the building or the practical completion of the development hereby approved, whichever is the sooner.

Reason - To ensure the development makes an adequate contribution to visual amenity and biodiversity gain. *

9. Prior to the commencement of development, a Construction Management Plan to be adopted for the duration of the construction period shall be submitted to and approved in writing by the Local Planning Authority. The details required in this respect shall include:

- (a) the provision to be made for the parking and turning on site of operatives and construction vehicles during construction and fitting out works;
- (b) the arrangements to be made for the delivery of all building and other materials to the site;
- (c) the provision to be made for any storage of building and other materials on site;
- (d) measures to prevent mud from being deposited on the highway;
- (e) the programme for construction;
- (f) the protective hoarding/enclosure of the site; and
- (g) appropriate provision for ecological advice and/or supervision of works being undertaken at the site.

Such measures as may subsequently be approved shall be retained at all times as specified until all construction and fitting out works have been completed.

For the avoidance of doubt, the Construction Management Plan must incorporate all of the site management and measures identified for the construction period of the proposed development by the wildlife mitigation strategy documents in respect of Badger (1 September 2020) and Reptiles (February 2021) approved with this planning permission.

Reason - In the interests of the safety and convenience of adjoining and nearby residential properties; nature conservation; and the safety and convenience of highway users. *

10. No construction works pursuant to this permission shall take place until a detailed surface water drainage scheme for the site incorporating a SUDS drainage installation in accordance with the indicative Vincent & Rymill SK1 Drainage Details plan hereby approved has been submitted and approved in writing by the Local Planning Authority. The submitted details should include:-

Details for the long-term maintenance arrangements for the surface water drainage and/or SUDS systems shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details shall include appropriate maintenance schedules for each drainage feature type and its ownership.

Such details as may be approved shall be implemented in full prior to the first occupation of the new development and retained thereafter in perpetuity.

Reason - To reflect the objectives of Policy NE8 of the New Rushmoor Local Plan (2014-2032). *

11. No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the Local Planning Authority: -

i. a desk top study carried out by a competent person documenting all previous and existing uses of the site and adjoining land, and potential for contamination, with information on the environmental setting including known geology and hydrogeology. This report should contain a conceptual model, identifying potential contaminant pollutant linkages.

ii. if identified as necessary; a site investigation report documenting the extent, scale and nature of contamination, ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study.

iii. if identified as necessary; a detailed scheme for remedial works and measures shall be undertaken to avoid risk from contaminants/or gas identified by the site investigation when the site is developed and proposals for future maintenance and monitoring, along with verification methodology. Such scheme to include nomination of a competent person to oversee and implement the works.

Where step iii) above is implemented, following completion of the measures identified in the approved remediation scheme a verification report that demonstrates the effectiveness of the remediation shall be submitted for approval in writing by the Local Planning Authority.

Reason - To ensure that the site is safe for the development permitted and in the interests of amenity and pollution prevention.*

12. In the event that unforeseen ground conditions or materials which suggest potential or actual contamination are revealed at any time during implementation of the approved development it must be reported, in writing, immediately to the Local Planning Authority. A competent person must undertake a risk assessment and assess the level and extent of the problem and, where necessary, prepare a report identifying remedial action which shall be submitted to and approved in writing by the Local Planning Authority before the measures are implemented.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared and is subject to approval in writing by the Local Planning Authority.

Reason - To ensure that the site is safe for the development permitted and in the interests of amenity and pollution prevention.

13. Prior to occupation of any part of the development hereby approved, the refuse and recycling bins for each dwelling hereby approved as shown on the plans hereby approved shall be provided and retained thereafter at all times.

Reason - In the interests of visual amenity and highway safety.

14. Prior to the occupation of any part of the development hereby approved, details of on-plot cycle storage for each individual dwelling hereby approved shall be submitted to, and approved in writing by the Local Planning Authority. Those details so approved shall be implemented in full and retained thereafter.

Reason - In the interests of visual amenity and highway safety.

15. No works shall start on site until existing trees and shrubs/hedges to be retained on and adjoining the site have been adequately protected from damage during site clearance and works in accordance with the details that are set out in the SMW Tree Report and Appendices hereby approved with the application. Furthermore, no materials or plant shall be stored and no buildings erected within protective fencing to be erected at the margins of the root protection area of each tree/shrub/hedge to be retained as appropriate.

Reason - To ensure that existing trees are adequately protected in the interests of the visual amenities of the site and the locality in general.

16. No works consisting of foundations and services (pipes drains cables etc), including the proposed area of no-dig construction parking spaces and access, shall start until a construction method statement detailing how impact on the roots of trees identified for retention will be avoided has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out strictly in accordance with the method statement so approved.

Reason - To ensure the amenity value of the trees shrubs and landscaped areas to be retained is maintained . *

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England), Order 2015 (or any Order revoking and re-enacting that Order), no development falling within Classes A, B, C, D and E of Part 1; and Class L of Part 3; of Schedule 2 shall be carried out without the prior permission of the Local Planning Authority.

Reason - To protect the amenities of neighbouring residential properties and to prevent adverse impact on traffic and parking conditions in the vicinity.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking and re-enacting that Order), no additional windows, doors or openings of any kind shall be inserted in the first-floor elevations and roofs of the new development hereby permitted without the prior permission of the Local Planning Authority.

Reason - To protect the amenities of neighbouring residential properties.

19. Notwithstanding the details shown on the submitted plans, the first-floor landing window in the north side elevation of the Plot 1 house facing towards Green Acre properties shall be fitted with obscure glass and fixed closed with the exception of

- High level windows with a cill height not less than 1.7m above the internal floor level of the room.
- Opening top light windows forming the upper part of a larger window where the horizontal division is no less than 1.7m above the internal floor level of the room, and where the section below the division is obscurely glazed and fixed closed.

Reason - To prevent overlooking and loss of privacy to neighbouring residential properties.

20. No works of construction of the building hereby approved shall start until plans showing details of the existing and proposed ground levels, proposed finished floor levels, levels of any paths, drives, garages and parking areas and the height of any retaining walls within the application site have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed and retained in accordance with the details so approved.

Reason - To ensure a satisfactory form of development in relation to neighbouring property and having regard to surface water flood risk considerations. *

21. No development shall commence until a Sensitive Lighting Management Plan (SLMP) has been submitted to and approved in writing by the Local Planning Authority in respect of both the site clearance/construction/fitting out stages of the development hereby approved and also the future on-going residential occupation of the Plot 2 & 3 dwellings hereby approved. The SLMP shall:

(a) identify the areas or features on the site that are particularly sensitive for badgers and bats and identify the aspects of the development that would be likely to cause disturbance in or around the breeding sites and resting places of these species or along important routes used to access key areas of their territory; and

(b) show how and where all the proposed external lighting will be installed and demonstrate (through the provision of appropriate lighting plans and technical specifications) that those areas to be lit will not disturb or prevent the above species using their territory or gaining access to their breeding sites, resting places and foraging areas.

The SLMP as may be approved shall be implemented in full in accordance with the specifications and locations set out and retained as required thereafter at all times and, in the case of the on-going residential occupation of the Plot 2 & 3 houses, for the lifetime of the development. No other external lighting shall be installed without prior express consent from the Local Planning Authority in respect of the dwelling Plots 2 & 3 hereby approved.

Reason - To ensure the protection of wildlife in the interests of nature conservation in accordance with the National Planning Policy Framework. *

22. No development shall commence until an ecological walk-over survey has been undertaken by a suitably qualified ecologist immediately before the start of any site clearance and works on site to identify the presence of any protected species within the area of the development hereby approved. In the event that protected species are identified within the area of the development hereby approved, no works shall start and a survey report incorporating a scheme of mitigation measures to protect any such protected species as are found shall be submitted to the Local Planning Authority for consideration and approval as appropriate. The scheme of mitigation as may subsequently be approved shall thereafter be

implemented in full in accordance with the approved mitigation details prior to and/or during the commencement of works on site as specified in all respects.

Reason: To ensure the protection of wildlife in the interests of nature conservation in accordance with the National Planning Policy Framework. *

23. Site clearance and development works of any kind in respect of the implementation of the development hereby approved shall take place in full accordance with the site management recommendations set out in the AEWG Badger Mitigation Strategy (1 September 2020) and AEWG Reptile Mitigation Strategy (February 2021) reports hereby approved at all times for the duration of the works.

Reason - To ensure the protection of wildlife in the interests of nature conservation in accordance with the National Planning Policy Framework.

24. No other works of any kind in respect of the implementation of the development hereby approved shall be undertaken until the wildlife corridor/buffer zone and associated segregated link route as shown and identified by the Proposed Landscaping Plan Drawing No.P.09 REV.E hereby approved has been established, enclosed and provided in full. The completed wildlife corridor/buffer zone and associated segregated link route shall thereafter be retained for the lifetime of the development.

No development of any sort shall take place within the wildlife corridor/buffer zone and associated segregated link route as shown and identified by the Landscaping Plan Drawing No.P.09 REV.E hereby approved. Furthermore, the wildlife corridor/buffer zone and associated segregated link route shall not at any time form part of the curtilage of the adjoining residential properties hereby permitted and shall not be used at any time for any purpose(s) associated with the residential use and occupation of the adjoining residential properties hereby permitted.

Reason – In the interests of safeguarding protected wildlife species from harm and disturbance.

25. No works in connection with the development hereby approved (including ground works and vegetation clearance) shall commence until a Biodiversity Monitoring & Management Strategy for the development hereby approved has been submitted to, and approved in writing by, the Local Planning Authority. The purpose of the Strategy shall be, for the lifetime of the development, to safeguard protected wildlife species from harm and disturbance as a result of the development hereby approved; maintain biodiversity enhancements; and to manage the satisfactory retention of the enhancement and mitigation measures approved in respect of the development hereby approved. The content of the Strategy shall, inter alia, include the following:
- (a) Aims and objectives of monitoring to match the stated purposes;
 - (b) Identification of the management and monitoring measures to be adopted and implemented;
 - (c) Identification of adequate baseline conditions prior to the start of development;
 - (d) Timing and duration and intervals of monitoring; and
 - (e) Responsible persons and lines of communication.

A report describing the results of monitoring shall be submitted to the Local Planning Authority at the intervals identified in the strategy. The Strategy shall also set out how contingencies and remedial action will be identified, agreed with the Local Planning

Authority, and then implemented so that the development still delivers the fully-functioning biodiversity gain and safeguarding of protected species objectives of the originally approved scheme. The development shall be carried out in strict accordance with the approved monitoring strategy.

Reason – In the interests of safeguarding protected wildlife species from harm and disturbance; and to comply with the requirements of the NPPF and Local Plan Policy NE4. *

INFORMATIVES

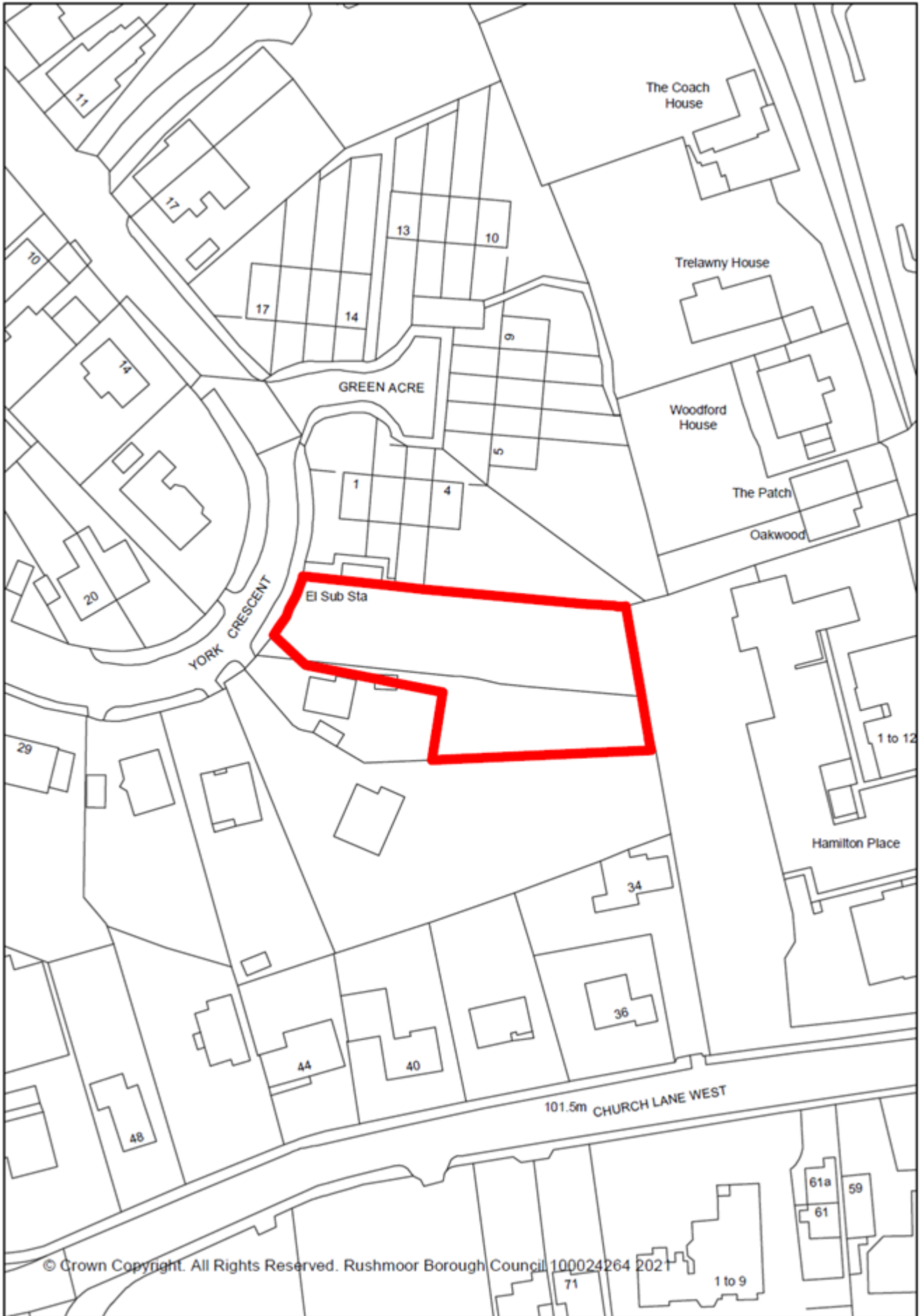
- 1 **INFORMATIVE - REASONS FOR APPROVAL-** The Council has granted permission because:-

It is considered that the proposals have satisfactorily addressed the reasons for refusal of the previous planning application. The proposals are considered acceptable in principle and in highways terms; would have no material and harmful impact upon the overall visual character and appearance of the area and trees worthy of retention; would have no material and adverse impact on neighbours; would provide an acceptable living environment; provide coherent and considered proposals for the surface water drainage of the site; robustly address the ecology & biodiversity impacts of the proposed development; would have no significant impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area; and appropriately address the Council's adopted Local Plan Policy DE6 concerning Public Open Space. The proposals are therefore considered to be acceptable having regard to the criteria of Policies SS1, SS2, DE1, DE2, DE3, IN2, DE1, DE2, DE3, DE11, IN2, NE1, NE2, NE3, NE4 and NE8 of the adopted Rushmoor Local Plan (2014-2032).

It is therefore considered that subject to compliance with the attached conditions, and taking into account all other material planning considerations, including the provisions of the development plan, the proposal would be acceptable. This also includes a consideration of whether the decision to grant permission is compatible with the Human Rights Act 1998.

- 2 **INFORMATIVE -** This permission is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended). If your legal obligations includes a payment of sums, then you must contact the Council (at plan@rushmoor.gov.uk) at least 20 days prior to the commencement of development both stating your intended date of commencement and requesting an invoice to pay such funds. The payment of all contributions as required by such s106 must be received prior to the commencement of development.
- 3 **INFORMATIVE -** Your attention is specifically drawn to the conditions marked *. These condition(s) require the submission of details, information, drawings etc. to the Local Planning Authority BEFORE a certain stage is reached in the development. Failure to meet these requirements is in contravention of the terms of the permission and the Council may take enforcement action to secure compliance. As of April 2008 submissions seeking to submit details pursuant to conditions or requests for confirmation that conditions have been complied with must be accompanied by the appropriate fee.
- 4 **INFORMATIVE -** The applicant is recommended to achieve maximum energy efficiency and reduction of Carbon Dioxide emissions by:

- a) ensuring the design and materials to be used in the construction of the building are consistent with these aims; and
 - b) using renewable energy sources for the production of electricity and heat using efficient and technologically advanced equipment.
- 5 INFORMATIVE - The applicant is advised to contact the Recycling and Waste Management section at Rushmoor Borough Council on 01252 398164 with regard to providing bins for refuse and recycling. The bins should be:
- 1) provided prior to the occupation of the properties;
 - 2) compatible with the Council's collection vehicles, colour scheme and specifications;
 - 3) appropriate for the number of occupants they serve;
 - 4) fit into the development's bin storage facilities.
- 6 INFORMATIVE - No materials produced as a result of site preparation, clearance, or development should be burnt on site. Please contact the Council's Environmental Health Team for advice.
- 7 INFORMATIVE - The applicant is advised that during the construction phase of the development measures should be employed to contain and minimise dust emissions, to prevent their escape from the development site onto adjoining properties. For further information, please contact the Council's Environmental Health Team.
- 8 INFORMATIVE - It is a legal requirement to notify Thames Water of any proposed connection to a public sewer. In many parts of its sewerage area, Thames Water provides separate public sewers for foul water and surface water. Within these areas a dwelling should have separate connections: a) to the public foul sewer to carry waste from toilets, sinks and washing machines, etc, and b) to public surface water sewer for rainwater from roofs and surface drains. Mis-connections can have serious effects: i) If a foul sewage outlet is connected to a public surface water sewer this may result in pollution of a watercourse. ii) If a surface water outlet is connected to a public foul sewer, when a separate surface water system or soakaway exists, this may cause overloading of the public foul sewer at times of heavy rain. This can lead to sewer flooding of properties within the locality. In both instances it is an offence to make the wrong connection. Thames Water can help identify the location of the nearest appropriate public sewer and can be contacted on 0845 850 2777.
- 9 INFORMATIVE - In the UK protected wildlife species, which includes badgers and all species of bats and nesting birds, are afforded statutory protection such that un-licensed harm and/or disturbance would constitute an offence. The grant of planning permission does not supersede the requirements of this legislation. If any protected species or signs of them are encountered at any point during development then all works must stop immediately and you should contact Natural England.
- 10 INFORMATIVE - The applicant is requested to bring the conditions attached to this permission to the attention of all contractors working or delivering to the site, in particular any relating to the permitted hours of construction and demolition; and where practicable to have these conditions on display at the site entrance(s) for the duration of the works.



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-  Category 'A' Tree
Canopy shown N E S W
-  Category 'B' Tree
Canopy shown N E S W
-  Category 'C' Tree
Canopy shown N E S W
-  Root Protection Area

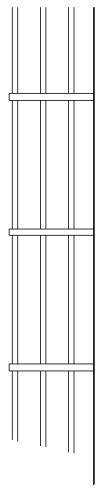
REV	DATE	DESCRIPTION	BY/CHKD
PLANNING			



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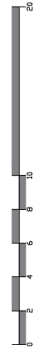
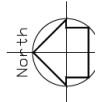
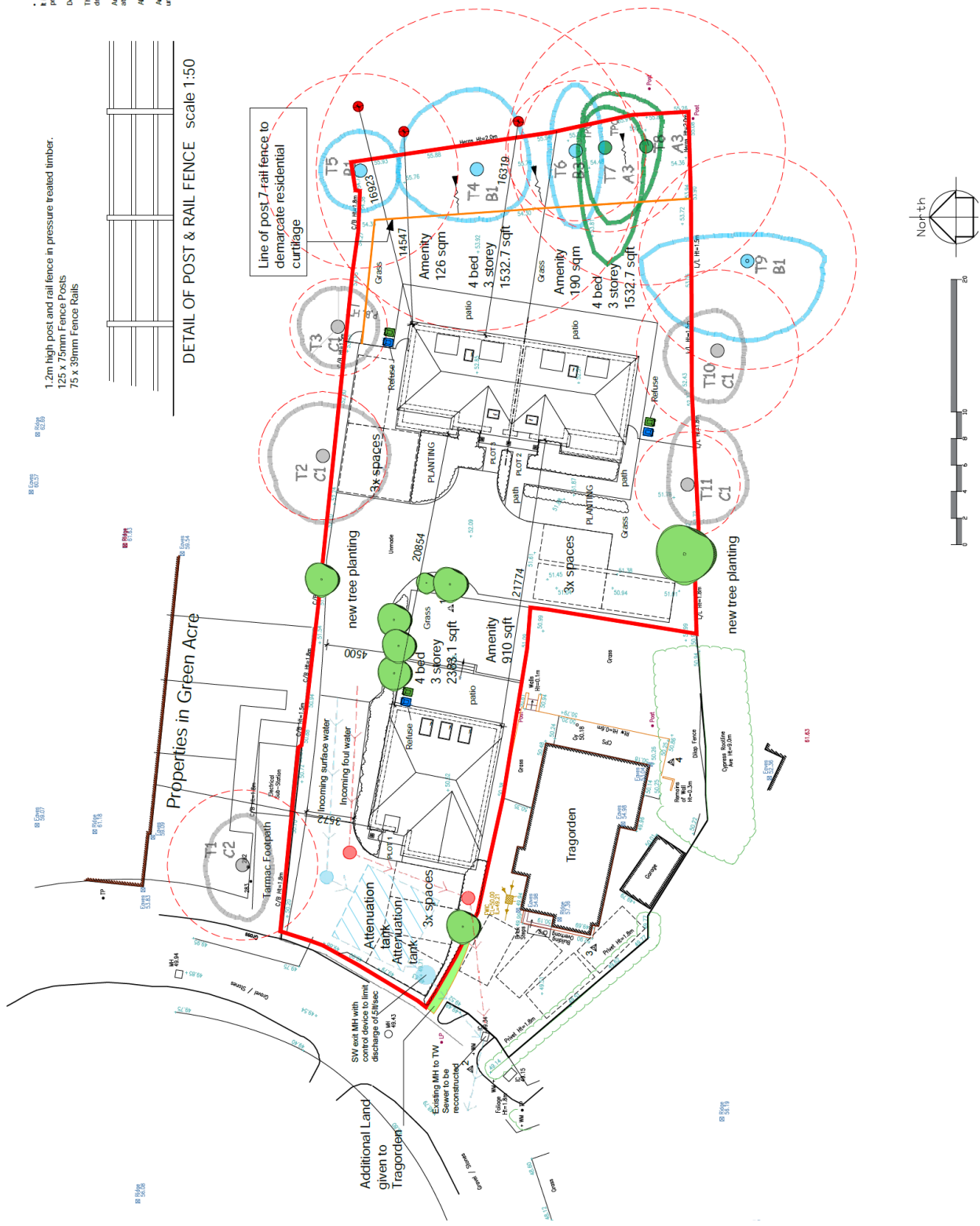
client Samco Construction Ltd
 project The Haven, 19 York Crescent, Aldershot, GU11 3JN
 title Proposed Site Layout

1.2m high post and rail fence in pressure treated timber.
 125 x 75mm Fence Posts
 75 x 39mm Fence Rails

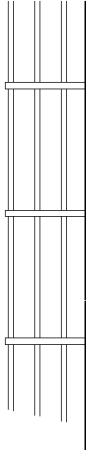


DETAIL OF POST & RAIL FENCE scale 1:50

Line of post & rail fence to demarcate residential curtilage



1.2m high post and rail fence in pressure treated timber.
125 x 75mm Fence Posts
75 x 39mm Fence Rails



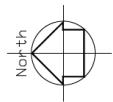
DETAIL OF POST & RAIL FENCE scale 1:50

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LEGEND

- Grass
- Driveway- Marahalls Block Paving - Bitulle
- Marahalls Block Paving - Charcoal
- Patio Path- Marahalls Indian Sandstone
- Ippo Hedgerlay Home x7
- Hedgerlay Hoies (5 signposts) with signage x3
- Bat Boxes on Dwellings x3
- Bat Boxes in Trees x3
- Bird Boxes on Dwellings x3
- Bird Boxes in Trees x3
- Log Pile/Hibernaculum x3
- Viburnum Opulus 'Roseum'
- Lavendula 'Hidcot'
- Native hedgerow (Hawthorn, Blackthorn, Dog Rose and Holly)
- Wildflower Meadow
- Prunus Spinosa
- Lavenders Pectinatum
- Cornus Avellana
- Rosa Camina
- Category 'C' Tree Canopy shown N E S W
- Category 'K' Tree Canopy shown N E S W
- Category 'B' Tree Canopy shown N E S W
- Root Protection Area

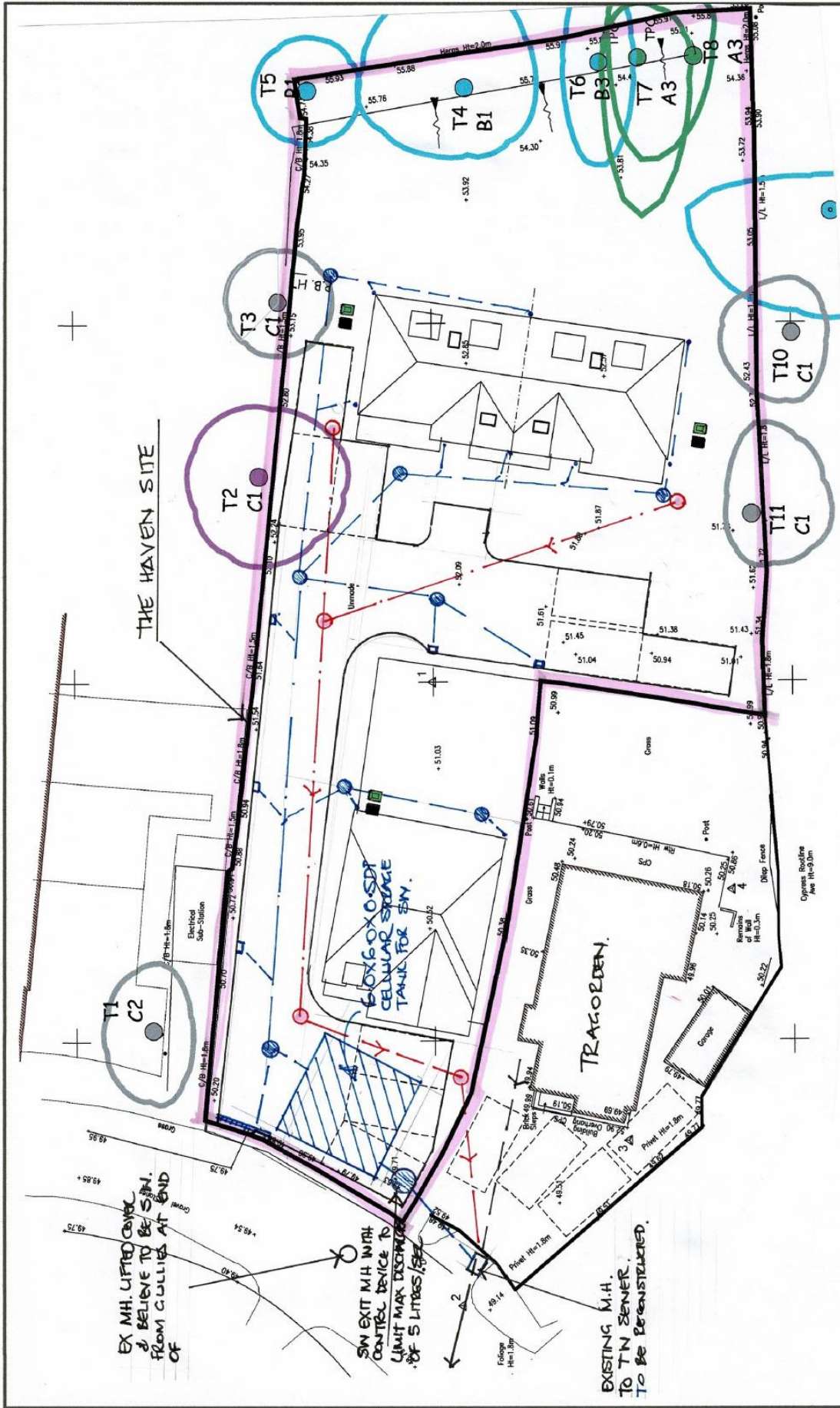


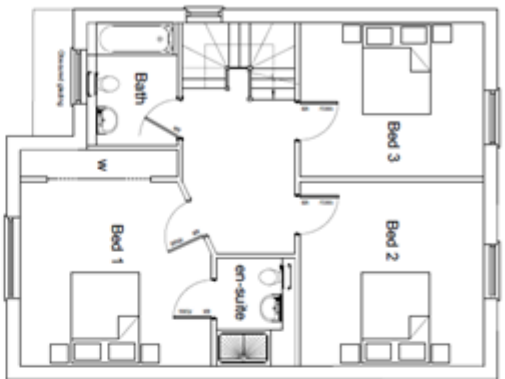
REF.	DATE	DESCRIPTION	REVISION
PLANNING			



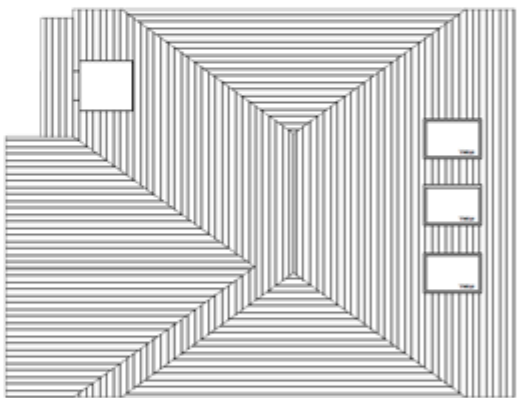
haring rose architects

COUNTY	Surrey		
CLIENT	Samco Construction Ltd		
PROJECT	The Haven, 19 York Crescent, Aldenot, GU11 3JN		
TITLE	Proposed Landscaping Plan		
SCALE	DATE	PROJECT NO.	
1:200 @A2	03.02.22	20797	
AC			P.09 D

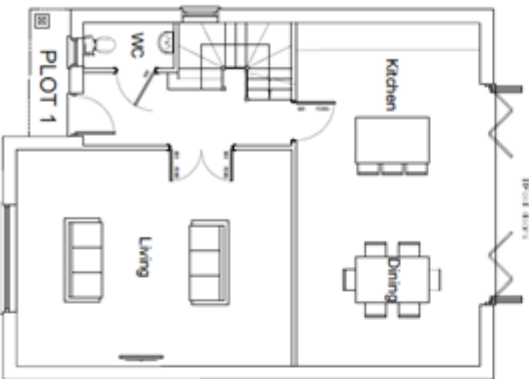




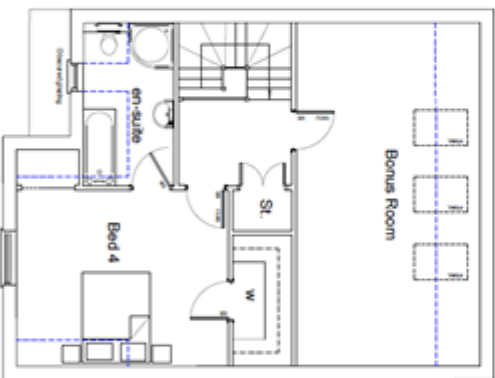
First Floor Plan
73.8 sqm / 794.3 sqft



Roof Plan
221.4 sqm / 2383.1 sqft



Ground Floor Plan
73.8 sqm / 794.3 sqft



Second Floor Plan
73.8 sqm / 794.3 sqft
2 m head height

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NO.	DATE	DESCRIPTION	BY	SCALE
PLANNING				

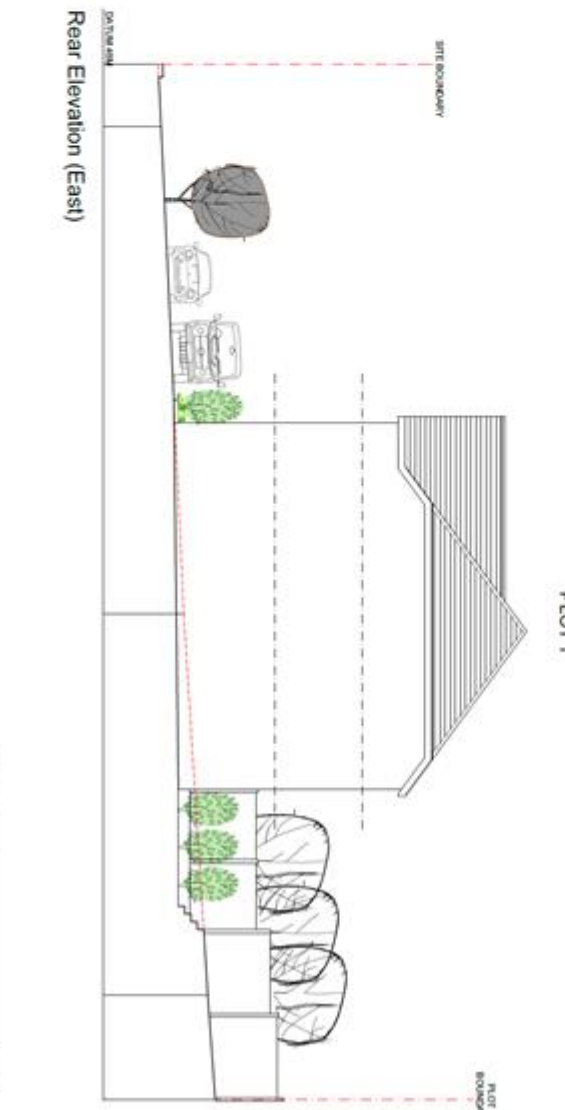
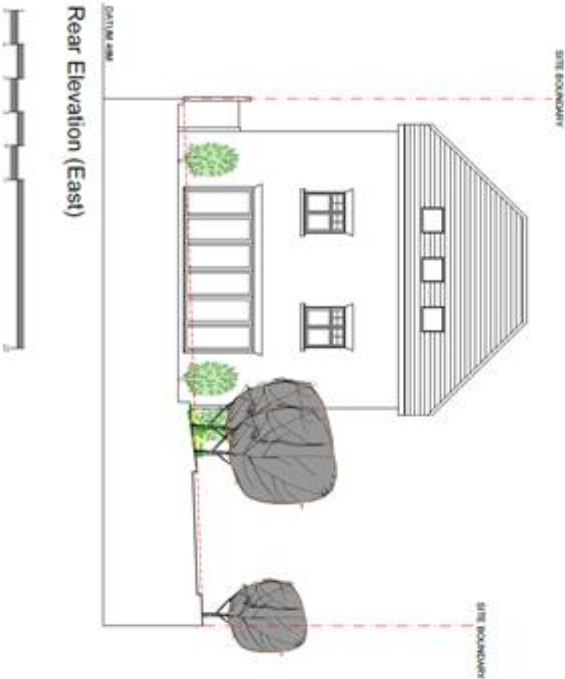


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CLIENT
Samco Construction Ltd
ADDRESS
The Haven, 19 York Crescent, Adelhol, GU11 5JN
TITLE
Plot 1 Proposed Plans

SCALE	DATE	NO.
1:100 @A3	28.08.20	
DRAWN AC	APPROVED 20.7.97	P.02

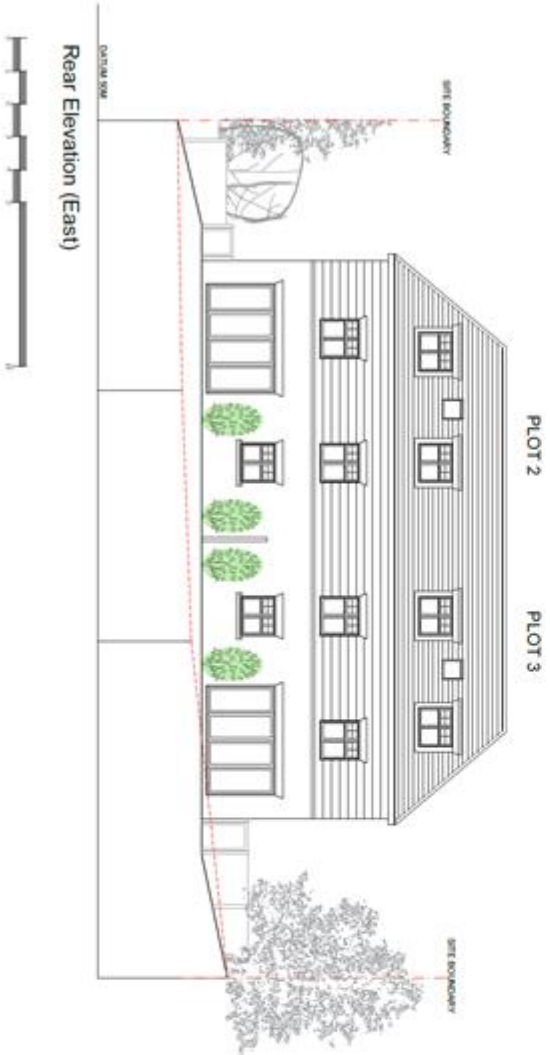
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DATE: 15/01/2024
 DRAWN BY: [Name]
 CHECKED BY: [Name]
PLANNING



Front Elevation (West)



Rear Elevation (East)

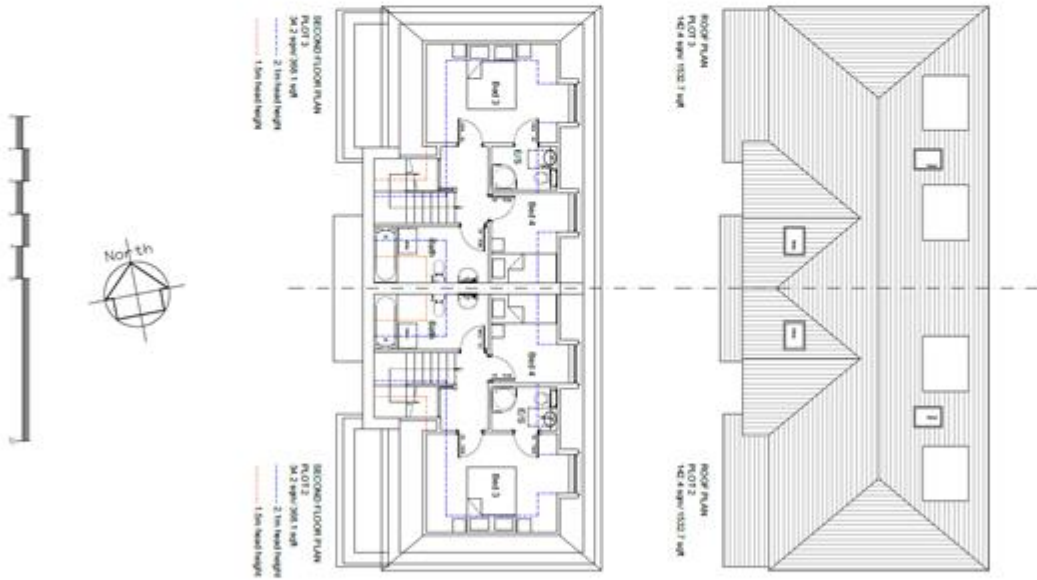
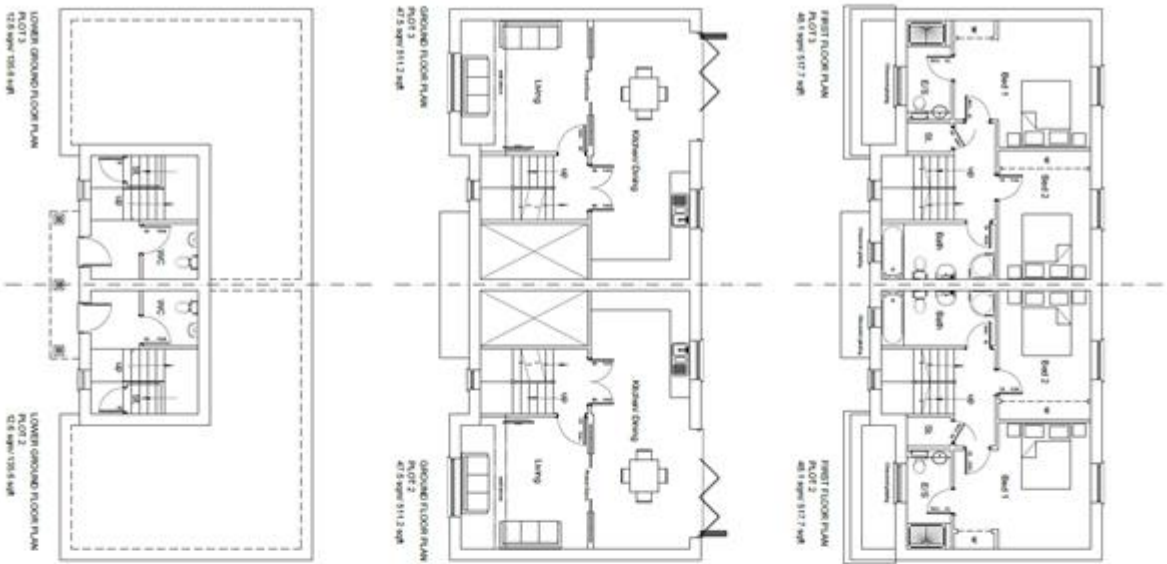
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NO	DATE	REVISION	BY
PLANNING			



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Site: Sarnon Construction Ltd
 The Haven, 19 York Crescent, Assinipol, GU11 3AN
 Plot: P08 2.5.3 Proposed Front and Rear Elevations
 Scale: 1:100 (A4) 28/08/20
 Date: 20/07
 P 08



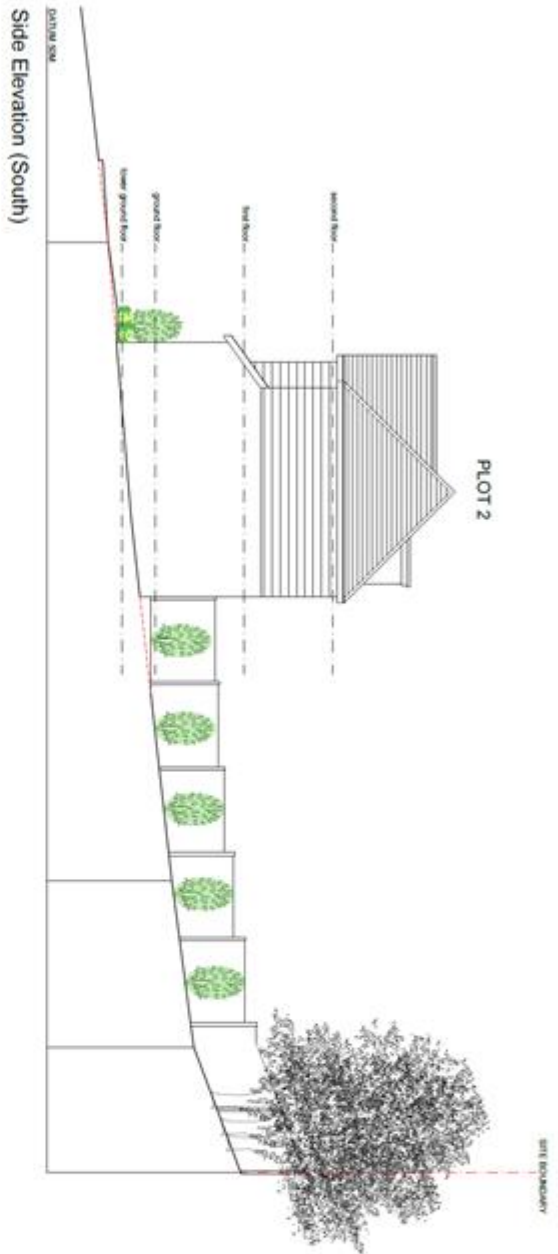
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PLANNING

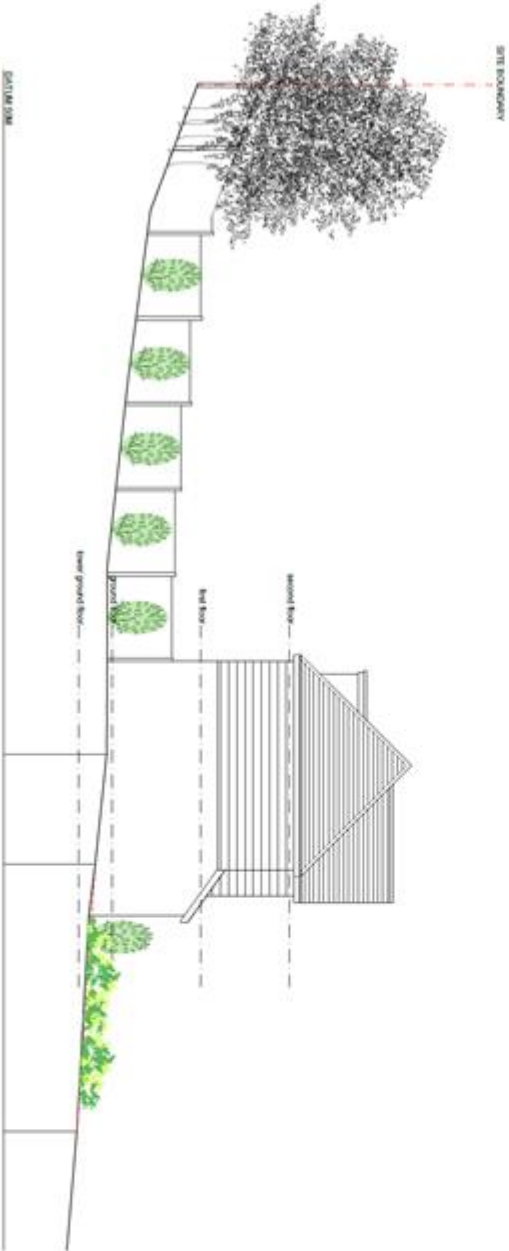


harding rose architects

Client: Samco Construction Ltd
 Address: The Haven, 19 York Crescent, Alabaster, GU11 3JN
 Plot: P04 2 & 3 Proposed Plans
 Date: 28.04.20
 Scale: 1:100 @ A1
 Drawing No: 20.197
 Revision: P.05



Side Elevation (South)



Side Elevation (North)



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DATE	REV	DESCRIPTION	BY	CHKD
PLANNING				



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Unit
 Sarnio Construction Ltd
 The Haven, 19 York Crescent, Altrincham, Cheshire, GU11 3AN

Plot 2 & 3 Proposed Side Elevations

DATE	REV	DESCRIPTION	BY	CHKD
1.100 @AC	28.06.20			
AC	20.11.17			

P.07

The information, recommendations and advice contained in this report are correct as at the date of preparation, which is more than two weeks in advance of the Committee meeting. Because of these time constraints some reports may have been prepared in advance of the final date given for consultee responses or neighbour comment. Any changes or necessary updates to the report will be made orally at the Committee meeting.

Case Officer	David Stevens
Application No.	22/00413/FUL
Date Valid	13th June 2022
Expiry date of consultations	5th July 2022
Proposal	Erection of a new play area incorporating natural play equipment (including a zip-line), safer surfacing, paths and 1.2 metre high picket fencing adjacent to rear of Southwood Country Park Visitor Centre
Address	Land adjacent to proposed Visitor Centre, Southwood Country Park, Ively Road, Farnborough
Ward	Cove and Southwood
Applicant	Rushmoor Borough Council
Agent	-
Recommendation	Grant

Description & Relevant Planning History

In December 2021 the Council granted planning permission for “Proposed external alterations to existing building to facilitate conversion and change of use of former clubhouse to cafe and visitors centre; and change of use of existing ancillary bungalow to storage use; both in association with Southwood Country Park SANG” in respect of the former Southwood Golf Course Clubhouse on Ively Road, 21/00844/FULPP. In May 2022 all pre-commencement conditions of this permission were approved, 22/00250/COND. Works on the alteration and refurbishment of the building have been underway for some time.

The current planning application relates to an irregularly-shaped area of land situated to the rear (east) of the proposed Visitor Centre building measuring a maximum of approximately 47 metres by 45 metres (0.214 hectares). It is proposed that this area be developed to provide a play area to be enclosed within 1.2 metre high dog-proof picket fencing and therein provided, as appropriate, with soft impact ‘Durabond’ rubber mulch safer surfacing. At this stage a number of options are provided for the specific play equipment to be provided, since this has yet to be finalised. Nevertheless, the submitted plans show provision of a selection of climbing frames, swings, see-saws or roundabouts designed to cater variously for children aged 6-months to 16 years. The plans also show the provision of a 30-metre aerial zip-wire for older

(8-16 years) children located beyond the fenced area. Bench seats, picnic tables and three earth bunds are also shown to be provided in this area.

The proposed equipment has a range of dimensions, with the following table setting out the dimensions of the more significant elements:-

- | | |
|--|--|
| <ul style="list-style-type: none"> • Pick Up Sticks (Age 7- 16) <ul style="list-style-type: none"> ○ Height – 2.5m ○ Width – 8m ○ Length – 11.8m • Darwin Unit (Age 2+) <ul style="list-style-type: none"> ○ Height – 3.6m ○ Width – 6.4m ○ Length – 10.8m • Spinney – Now Forest Unit (Age 5 – 11) <ul style="list-style-type: none"> ○ Height – 3m ○ Width – 6m ○ Length – 10m | <ul style="list-style-type: none"> • Tree House (Age 7 – 16) <ul style="list-style-type: none"> ○ Height – 4.85m ○ Width – 4.6m ○ Length – 7.8m • Timber Swing (Age 0+) <ul style="list-style-type: none"> ○ Height – 2.6m ○ Width – 3.3m ○ Length 9.2m • Cable Way (Age 5+) <ul style="list-style-type: none"> ○ Height – 4m ○ Width – 2.7m ○ Length – 25 – 30m |
|--|--|

In addition to plans and details of the proposed play equipment, which would be of natural timber construction, the application is accompanied by a Design & Access Statements and a Construction Environmental Management Plan.

Consultee Responses

Ecologist Officer More information required. Concerns about the proposed raised earth bunds and zip-line may constitute ‘artificial infrastructure’ due to their indicated striking visual design and, as such, may not be in keeping with the natural countryside feel of the wider SANG contrary to Natural England SANG guidelines. Additionally, concerns are also expressed about the location of the proposed site compound for the construction period and whether adequate consideration has been given to ecological impacts : more information is required in this respect with a pre-commencement condition.

It is recommended that works for the construction phase of the proposed development be undertaken on a precautionary basis following best practice to be required by condition. Additionally, the applicants should ensure that the proposed development will result in no net increase in external artificial lighting at the development site both during construction and during operation, also in accordance with details to be required by condition.

Environmental Health No objections.

Neighbourhood Policing Team No response received.

Neighbours notified

In addition to posting a site notice and press advertisement, 10 individual letters of notification were sent to the nearest residential properties nearby at Tarn Close.

Neighbour comments

No comments have been received as a result of planning application publicity and neighbour notification.

Policy and determining issues

The adopted Rushmoor Local Plan (2014-2032) identifies the land as being 'Countryside' and 'Open Space' located outside the defined Urban Area of Farnborough where Local Plan Policies NE5 (Countryside) and DE6 (Open Space, Sport & Recreation) are relevant.

Policy NE5 (Countryside) states: *"Development within countryside will only be permitted where:*

- a. The location is considered sustainable for the proposed use;*
- b. It preserves the character and appearance of the countryside; and*
- c. It does not lead to harmful physical or visual coalescence between Aldershot and Farnborough and neighbouring settlements.*

The Council will encourage schemes that result in environmental and landscape improvement, enhance biodiversity and nature conservation, and support better accessibility."

Policy DE6 (Open Space, Sport & Recreation) states, inter alia: *"The Council will support good provision of high quality and accessible open space and sport facilities to meet a wide range of recreation, sport, and open space needs in Rushmoor by maintaining and improving provision and accessibility for all.*

Development will not be permitted on areas of open space used for recreation or outdoor sport or having visual amenity unless:-

- 1. Re-provision is made elsewhere of equivalent or better community benefit in terms of quality, quantity and accessibility; or*
- 2. The development is for sports and recreation provision, the need for which clearly outweighs the loss; or...."*

Local Plan Policies SS1 (presumption in Favour of Sustainable Development), SS2 (Spatial Strategy), IN2 (Transport), DE1 (Design in the Built Environment), NE1 (Thames Basin Heaths Special Protection Area), NE2 (Green Infrastructure), NE3 (Trees & Landscaping), NE4 (Biodiversity), NE6-8 (Flood Risk) are also relevant.

The main determining issues are considered to be:-

1. Principle;
2. Visual Impact including impact on trees;
3. Impact on Neighbours;
4. Highways Considerations;
5. Impact on Wildlife;

6. Flood Risk & Drainage Issues;
7. Access for People with Disabilities.

Commentary

1. Principle -

The Council's Cabinet has already resolved that the proposals should proceed in principle. The proposals are for a facility to enhance the use of the proposed Southwood Visitor Centre; and, overall, to complement and support the use of Southwood Country Park as a Suitable Alternative Natural Green Space (SANG).

Accordingly, it is considered that the proposals are supported by Policy NE5 in terms of the sustainability, preservation of character and appearance of the Countryside; and because the proposals would not lead to any material visual or physical coalescence of the countryside gaps between existing open areas. With respect to Policy DE6, this policy is primarily concerned with protecting areas of Open Space from loss to development and in encouraging creation of new areas of Open Space. However, in this case, the proposals do not result in any material loss of existing Open Space since it is proposed to facilitate the continued and enhanced open use of the land for play purposes.

It is considered that the proposed development is acceptable in principle.

2. Visual Impact -

The site is located in a publicly visible location since it is part of an existing area of public open space. However, the proposed play equipment would not be particularly visible from Ively Road because it would be located to the rear of the Visitor Centre building. Although the proposed play equipment would include several structures, these would be of relative small-scale, constructed with natural materials; and it is considered that a playground would be an appropriate facility to find and see adjacent to the Visitor Centre.

The Council's Ecology Officer expresses concern about the possibility that the proposed zip-line installation and accompanying earth bunds could be considered to have a 'striking visual design' and, as such, may not be an installation in keeping with the natural countryside feel of the wider SANG contrary to Natural England SANG guidelines. This concern arises because, unlike the remainder of the playground equipment, the support structures for the zip-line are indicated to be constructed with galvanised metal poles. In the submitted Design Statement, the tops of the structures are indicated to be painted yellow, although this detail is not shown on other images of the structures provided with the application. It is considered that the support structures, at 4 metres high, are not significantly taller than most of the other proposed playground structures and, indeed, one of the proposed playground structures (the 'tree house') would reach a maximum height of approaching 5 metres. Furthermore, the applicants have advised that it is possible for the zip-line structures to be painted and finished to more closely match the more muted naturalistic appearance of the remainder of the proposed playground equipment and, indeed, not to have yellow-coloured top frames. In respect of the proposed earth bunds, these would be neither particularly large nor tall and the applicants have confirmed that they would be constructed from waste earth material generated at the site and planted with an acid grassland mix in line with the grassland restoration ambitions for enhancing the ecology and biodiversity of the Country Park. In the circumstances, subject to the receipt of amended details to clarify the external finishing of the zip-line support structures, it is considered that this element of the proposed development would neither appear at all

visually obtrusive and unsympathetic, nor impinge unacceptably upon, the natural countryside feel of the Country Park and, as such, the proposed zip-wire and bund installations are considered to be development compatible with Natural England SANG guidelines.

Furthermore, no trees on and around the site are intended to be removed and the usual planning conditions in respect of tree protection measures can be imposed to ensure that none are damaged or lost as a result of the proposed works at the site.

It is considered that the proposals are acceptable and to be welcomed in visual terms.

3. Impact on Neighbours –

The nearest neighbours are a small number of houses at Tarn Close located obliquely opposite on the west side of Ively Road a minimum of approximately 80 metres distant. It is indicated that the proposed playground would be managed and open with the Visitor Centre in the morning until dusk. Given the significant separation of the proposed playground from residential neighbours on the opposite side of a busy road it is considered that no material and harmful impacts to neighbours would arise. The Council's Environmental Health Team raises no objections to the proposals.

It is considered that the proposals would have no material and harmful impacts upon the nearest neighbouring residential properties.

4. Highways Considerations -

As with the proposed Visitor Centre, the proposed playground would be served by the existing long-established car parking area off Ively Road to the north of the site. It is considered that the functional parking needs of the proposed playground would be met and that the proposals are acceptable in highway terms.

5. Impact on Wildlife –

Special Protection Area : The proposals relate to the provision of an additional facility to support and enhance the function of Southwood Country Park as a Suitable Alternative Natural Green Space (SANGS) as part of the Council's strategic measures to address the impact of new residential development in the Borough on the nature conservation interests and objectives of the Thames Basin Heaths Special Protection Area (SPA). As a result, the current proposals are part of the Council's overall strategy for the addressing SPA impact and are to be welcomed as an appropriate further enhancement to the facility.

On-Site Wildlife : The Council's Ecology Officer has confirmed that the application site does not benefit from designation as a protected habitat and does not appear to contain species diversity that would constitute a grassland Habitat of Principle Importance. Protected habitats do not, therefore, constitute a constraint to the proposed development in this location.

In terms of protected species, the site is known to host a number of protected species that could potentially be impacted during construction activities, including badgers and reptiles. Nevertheless, it is considered that any adverse impacts on such species can be adequately avoided through precautionary working methods to avoid direct killing, injuring or disturbance to foraging and commuting behaviours. In this respect the Council's Ecology Officer recommends that a condition be imposed to require that the following precautionary working methods are adopted for the duration of any site clearance and construction works in respect

of the proposed development, as follows:-

“Precautionary working methods should follow best ecological practice and should include, but not be limited to:-

- *Clearance works should ideally be taken when common reptiles are likely to be fully active i.e. during the April to September period and during optimal weather conditions;*
- *Clearance of tall vegetation should be undertaken using a strimmer or brush cutter with all cuttings raked and removed the same day. Cutting will only be undertaken in a phased way which may either include:-*
 - *Cutting vegetation to a height of no less than 30mm, clearing no more than one third of the site in anyone day or;*
 - *Following removal of tall vegetation using the methods outlined above, remaining vegetation will be maintained at a height of 30mm through regular mowing or strimming to discourage common reptiles/amphibians from returning.*
- *Any trenches left overnight will be covered or provided with ramps to prevent common reptiles from becoming trapped.*
- *Any building materials such a bricks, stone etc. will be stored on pallets to discourage reptiles/amphibians from using them as shelter. Any demolition materials will be stored in skips or similar containers rather than in piles on ground.*
- *Should any reptiles be discovered during construction, works should cease in this area and a suitably experienced ecologist contacted. Works will need to proceed in line with the advice subsequently provided.*
- *Should any common reptiles be discovered during construction, which are likely to be effected by the development, works will cease immediately. The developer will then seek the advice of a suitably qualified and experienced ecologist and works will only proceed in accordance with the advice they provide.*

- *Mammal holes are present to the south of the development site. The applicant should ensure that construction activities on site have regard to the potential presence of badgers and other terrestrial mammals to ensure that these species do not become trapped in trenches, culverts or pipes. All trenches left open overnight should include a means of escape for any animals that may fall in.*
- *If badger activity is detected, works should cease and advice from a suitably experienced ecologist sought to prevent harm to this species.”*

The applicants have confirmed that the imposition of a condition specifying these requirements is acceptable.

The Council's Ecology Officer notes that the submitted Construction and Environmental Management Plan presents two options for a construction site compound adjacent to the application site. Planning permission is not required for the temporary use of any land on or adjacent to a development site for the duration of the works being undertaken. Option 1 proposes a materials storage compound located on grassland to the north of the development area, whilst Option 2 is located to the south of the intended Visitor Centre building currently under renovation. The Ecology Officer notes that the Option 1 compound is located much closer to Cove Brook increasing the potential for adverse impacts on the Brook resulting from pollution incidents. Accordingly, the use of the Option 2 site compound is considered to be preferable, especially since it also has a smaller land area, thereby reducing the potential impacts upon ecology. However, the application does not provide any information or assessment concerning the existing ecological value of either potential compound location with which to assess potential ecological impacts. Accordingly, it is currently necessary that a

condition be imposed to require, prior to commencement of development, the submission of details relating to avoidance of ecological impacts arising from the proposed compound location choice, to be submitted to the Council for approval in writing. The applicants are aware of this concern and are seeking to submit the necessary details before the Committee meeting to avoid the need for a pre-commencement condition since this would affect the timescale for the delivery of the project.

Nocturnal species (bats) are known to be present at the development site, which are species sensitive to any increase in artificial lighting of their roosting and foraging places and commuting routes. Paragraph 185 of the National Planning Policy Framework 2019 states that planning policies and decisions should “*limit the impact of light pollution from artificial light on ... dark landscapes and nature conservation*”. Accordingly, the Ecology Officer advises that the applicant should ensure that the proposed development will result in no net increase in external artificial lighting at the development site both during construction and during operation thereafter. A response with additional information to address this matter is also awaited from the applicants in order to avoid the need for a pre-commencement condition to require the preparation and submission of a Sensitive Lighting Management Plan.

Subject to the receipt of some further information as set out in this section of the report Commentary it is considered that the proposals would be acceptable having regard to the requirements of Local Plan Policy NE4.

6. Flood Risk & Drainage Considerations –

Despite being in proximity to land at moderate and high risk of fluvial flooding (Flood Risk Zones 2 & 3) as a result of the nearby ordinary watercourse and confluence with Cove Brook (a main river) to the east of the site, land at the application site itself is located on land at lowest risk of fluvial flooding (Flood Risk Zone 1). Further, being non-residential and an open recreational land use, the proposed playground uses of the site are classed as ‘water compatible development’. As a result, no Flood Risk Assessment is required in respect of the proposals and, indeed, there is no issue to address having regard to Local Plan Policy NE6 (Managing Fluvial Flood Risk).

The proposals are for a predominantly open use of land and would involve provision of some new surfacing that would be permeable and, as such, would not materially affect the existing surface water drainage characteristics of the site. Accordingly, it is considered that the proposals are acceptable having regard to the requirements of Local Plan Policy NE8.

7. Access for People with Disabilities -

The proposals would provide access for people with disabilities at least in accordance with Building Regulation requirements. It is considered that adequate means and measures would be incorporated into the development to achieve a good standard of access for people with disabilities.

Conclusions – It is considered that the proposed development is to be welcomed as an appropriate and acceptable further enhancement of the facilities for the Southwood Country Park SANGS. The proposals are acceptable in principle, visual and highway terms; would have no material and adverse impact on neighbours; have no harmful impact upon the nature conservation interests and objectives of the Thames Basin Heaths Special Protection Area; subject to further details would have no material and harmful impact on ecology & biodiversity; give rise to no adverse implications for flood risk and surface water drainage; and provide

adequate means of access for people with disabilities. The proposals are thereby considered to be acceptable having regard to Policies SS1, SS2, DE1, DE6, IN2, NE1, NE2, NE3, NE4, NE5 and NE6-8 of the adopted Rushmoor Local Plan (2014-2032).

Full Recommendation

It is recommended that planning permission be **GRANTED** subject to the following conditions and informatives:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - As required by 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 permission hereby granted shall be carried out in accordance with the following approved drawings Drawing numbers:- 20.6.44_PGPA_100 REV.A; 20.6.44_PGPA_101; FAWNS PHW0272; FAWNS PHW0272_B; Design & Access Statement; Fawns Design Statement; Playground Data & details; Design Option 1 : Oblique View; Design Option 2 : Oblique view; and Construction & Environmental Management Plan.

Reason - To ensure the development is implemented in accordance with the permission granted.

- 3 The existing trees and hedges on and adjoining the application site which are to be retained shall be adequately protected from damage during site clearance and works in accordance with the following:-

(a) stout exclusion fencing erected and retained for the duration of the site clearance and construction period located outside the extent of the root protection area(s) of the trees/hedges as identified in the Tree Survey Report submitted with the application hereby approved;

(b) no building materials, plant or equipment shall be stored during the site clearance and construction period within the rooting zone of any trees or hedges on or adjoining the application site;

(c) no burning of materials shall take place on site; and

(d) care should be taken to ensure that any vehicles entering or leaving the site, or deliveries made to the site, do not cause damage (including ground compression within rooting zones) of any trees on or adjoining the application site.

These measures shall be put in place before any excavation, construction, vehicle parking or storage of building materials commences in the vicinity of the trees or hedges.

Reason - To preserve the amenity value of the retained tree(s) and shrubs.

- 4 In complying with the working methods set out in the submitted Construction & Environmental Management Plan hereby approved for the duration of the site clearance and construction period, for the sake of clarity precautionary working methods to avoid ecological harm should follow best ecological practice and should include, but not be limited to:-

- Clearance works should ideally be taken when common reptiles are likely to be fully active i.e. during the April to September period and during optimal weather conditions;
 - Clearance of tall vegetation should be undertaken using a strimmer or brush cutter with all cuttings raked and removed the same day. Cutting will only be undertaken in a phased way which may either include:-
 - Cutting vegetation to a height of no less than 30mm, clearing no more than one third of the site in anyone day or;
 - Following removal of tall vegetation using the methods outlined above, remaining vegetation will be maintained at a height of 30mm through regular mowing or strimming to discourage common reptiles/amphibians from returning.
 - Any trenches left overnight will be covered or provided with ramps to prevent common reptiles from becoming trapped.
 - Any building materials such a bricks, stone etc. will be stored on pallets to discourage reptiles/amphibians from using them as shelter. Any demolition materials will be stored in skips or similar containers rather than in piles on ground.
 - Should any reptiles be discovered during construction, works should cease in this area and a suitably experienced ecologist contacted. Works will need to proceed in line with the advice subsequently provided.
 - Should any common reptiles be discovered during construction, which are likely to be effected by the development, works will cease immediately. The developer will then seek the advice of a suitably qualified and experienced ecologist and works will only proceed in accordance with the advice they provide.
-
- Mammal holes are present to the south of the development site. The applicant should ensure that construction activities on site have regard to the potential presence of badgers and other terrestrial mammals to ensure that these species do not become trapped in trenches, culverts or pipes. All trenches left open overnight should include a means of escape for any animals that may fall in.
 - If badger activity is detected, works should cease and advice from a suitably experienced ecologist sought to prevent harm to this species.

Reason – In the interests of avoiding harm to ecology and biodiversity and in order to comply with the requirements of Local Plan Policy NE4 and Government Planning Policy & Guidance.

Informatives

- 1 **INFORMATIVE - REASONS FOR APPROVAL-** The Council has granted permission because:-

It is considered that the proposed development is to be welcomed as a further enhancement of the facilities for the Southwood Country Park SANGS. The proposals are acceptable in principle, visual and highway terms; would have no material and adverse impact on neighbours; have no harmful impact upon the nature conservation interests and objectives of the Thames Basin Heaths Special Protection Area; have no material and harmful impact on ecology & biodiversity; give rise to no adverse implications for flood risk and surface water drainage; and provide adequate means of access for people with disabilities. The proposals are thereby considered to be acceptable having regard to Policies SS1, SS2, DE1, DE6, IN2, NE1, NE2, NE3, NE4, NE5 and NE6-8 of the adopted Rushmoor Local Plan (2014-2032).

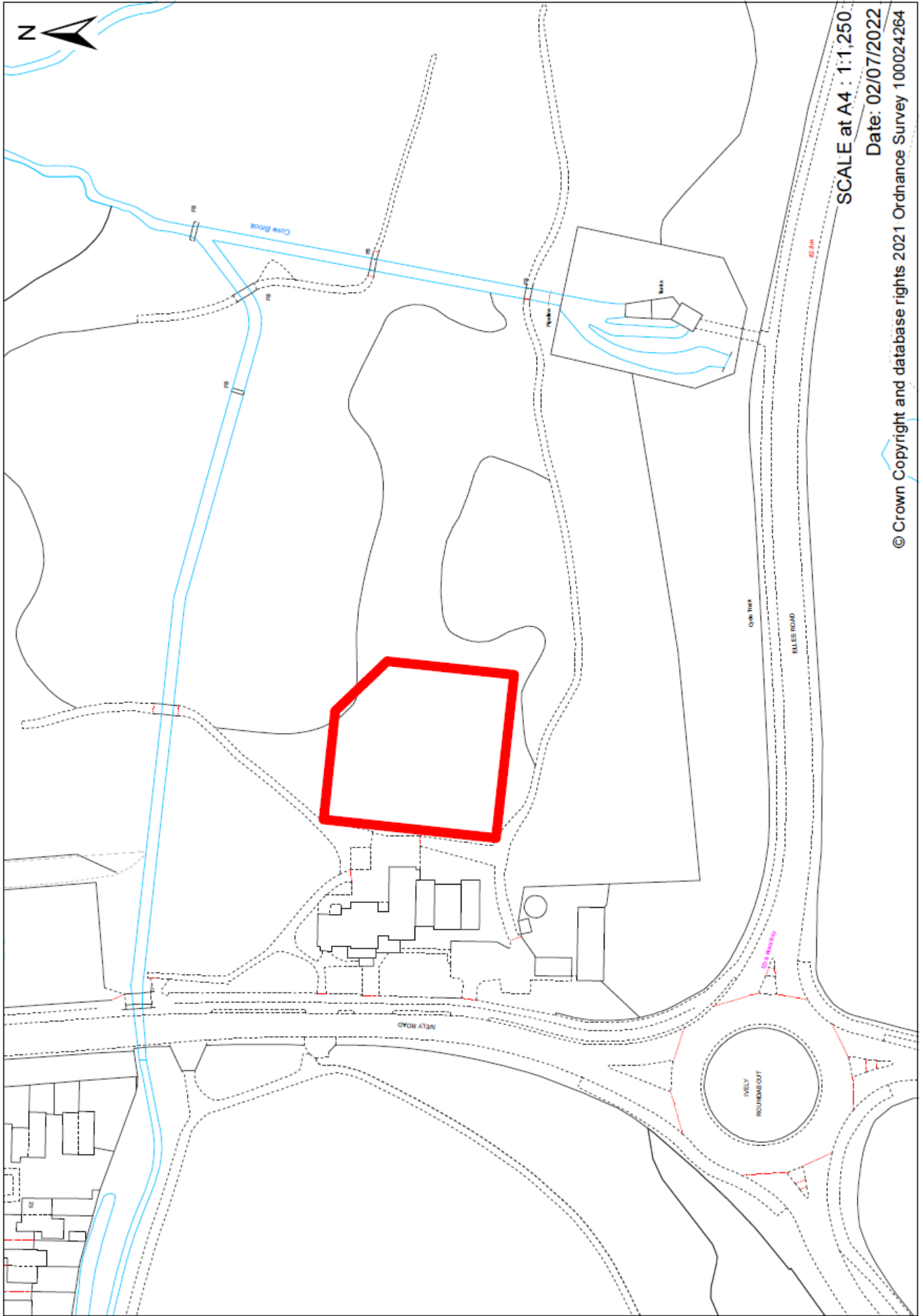
It is therefore considered that subject to compliance with the attached conditions, and taking into account all other material planning considerations, including the provisions of the development plan, the proposal would be acceptable. This also includes a consideration of whether the decision to grant permission is compatible with the Human Rights Act 1998.

- 2 INFORMATIVE - No materials produced as a result of site preparation, clearance, or development should be burnt on site. Please contact the Council's Environmental Health Team for advice.
- 3 INFORMATIVE - The applicant is reminded that the development should be made accessible to all disabled people, not just wheelchair users, in accordance with the duties imposed by the Equality Act 2010. This may be achieved by following recommendations set out in British Standard BS 8300: 2009 "Design of buildings and their approaches to meet the needs of disabled people - Code of Practice". Where Building Regulations apply, provision of access for disabled people to the premises will be required in accordance with Approved Document M to the Building Regulations 2000 "Access to and use of buildings".
- 4 INFORMATIVE - Part I of the Wildlife and Countryside Act 1981 (as amended), makes it an offence to intentionally kill, injure or take any wild bird, or intentionally to damage, take or destroy its nest whilst it is being built or in use.

Development activities such as vegetation or site clearance should be timed to avoid the bird nest season of March to August inclusive. If this is not possible and only small areas of dense vegetation are affected, the site should be inspected for active nests by an ecologist within 24 hours of any clearance works. If any active nests are found they should be left undisturbed with a buffer zone around them, until it can be confirmed by an ecologist that the nest is no longer in use.

- 5 INFORMATIVE - All species of bat and their roosts are protected under Schedule 2 of the Conservation of Habitats and Species Regulations 2017, as amended. They are afforded additional protection under the Wildlife and Countryside Act 1981, as amended, making it an offence to kill, injure or disturb an individual; damage, destroy or obstruct access to a breeding site or resting place of that individual. Destruction of a bat roost is therefore an offence, regardless of whether a bat is present at the time of roost removal. The grant of planning permission does not supersede the requirements of this legislation and any unauthorised works could constitute an offence. If bats or signs of bats are encountered at any point during development then all works must stop immediately and you should contact Natural England in order to avoid breach of the above referenced legislation.
- 6 INFORMATIVE - The applicant is requested to bring the conditions attached to this permission to the attention of all contractors working or delivering to the site, in particular any relating to the permitted hours of construction and demolition; and where practicable to have these conditions on display at the site entrance(s) for the duration of the works.
- 7 INFORMATIVE – The Local Planning Authority's commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of pre-application discussion to all, and assistance in the validation and determination of applications through the provision of clear guidance regarding necessary supporting information or

amendments both before and after submission, in line with the National Planning Policy Framework.



RUSHMOOR BOROUGH COUNCIL PROPOSED PLAY AREA

Southwood Country Park

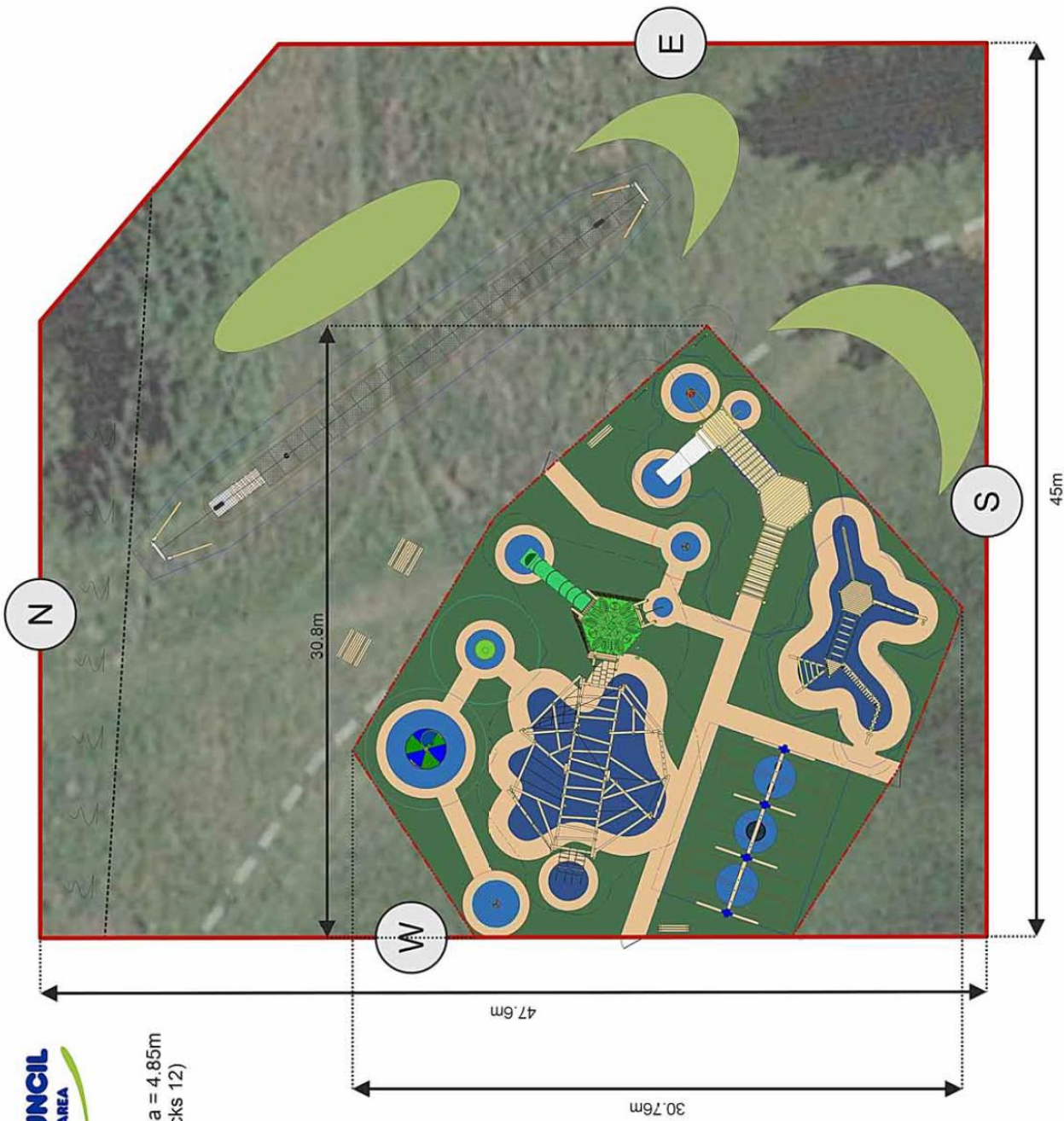


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Drawn By:	D0 5.3
Scale:	1:100 @ A1
Date:	06-05-22
Page:	1 of 1

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RUSHMOOR BOROUGH COUNCIL
PROPOSED PLAY AREA

Tallest Piece of Equipment / Object in area = 4.85m
(Tube Slide Tree House With Pick Up Sticks 12)



Drawing No: PHQ0272
Drawn By: DO 2
Scale: 1:200 @ A3
Date: 09-06-22
Page: 1 of 1

The information, recommendations and advice contained in this report are correct as at the date of preparation, which is more than two weeks in advance of the Committee meeting. Because of these time constraints some reports may have been prepared in advance of the final date given for consultee responses or neighbour comment. Any changes or necessary updates to the report will be made orally at the Committee meeting.

Case Officer	David Stevens
Application No.	22/00394/FULPP
Date Valid	9th June 2022
Expiry date of consultations	4th July 2022
Proposal	Erection of 10 x 3-bedroom 3-storey detached houses with vehicular access from Sorrell Close [re-submission of development approved with lapsed planning permission 21/00066/FULPP dated 26 May 2021]
Address	Briarwood Sorrel Close Farnborough
Ward	St John's
Applicant	M L Management Ltd
Agent	Anderson Orr Architects Ltd
Recommendation	Grant subject to s106 Planning Obligation

Description & Relevant History

The site is located within the Barningly Park housing estate, which was built in the 1980s between the M3 motorway and A327 link road at Junction 4a to the north-west of Trunk Road. The application land is a cleared site with an irregular shape previously occupied by an institutional building surrounded by residential development. The site measures approximately 0.3 hectares and, whilst located outside the red-line of the application site, has an existing vehicular access in the form of a private roadway owned by Hart District Council, Sorrel Close, that runs north to the site from the adopted turning head at the end of Nutmeg Close. The application site benefits from a long-established legal right of way along Sorrel Close.

The site is bounded to the north and south by areas of mainly grassed public open space, with both of these site boundaries bounded by stands of mature trees and vegetation. These areas of public open space are owned by Rushmoor Borough Council and Hart District Council respectively. To the west, the site abuts the east side of Herbs End, with the closest residential properties opposite being Nos.8 & 10 and 18 & 26 Herbs End. To the east, the site adjoins a narrow strip of land owned by Rushmoor Borough Council, with the rear garden boundaries of houses at Nos.91 Broadmead and 6, 8, 10 & 12 Thyme Court located beyond. Being within a housing estate, there are further residential properties within sight of the application land located in Herbs End, Purmerend Close, Broadmead, Nutmeg Court and Juniper Road.

The application site had a long history of institutional use significantly pre-dating the development of the surrounding housing estate. Although the building at the site was more recently known as 'Briarwood', it was previously called 'Broadhurst House'. The building was of two-storey height and had a cruciform footprint occupying a substantial portion of the centre of the site. There was also a detached garage block located in the north-east corner of the site. Until a boundary review transfer to Rushmoor in 1992, the site was land within the jurisdiction of Hart District Council. Planning permission granted by Hart Council in 1967 for change of use of private residence to Rehabilitation Centre with playing fields. This institutional use was retained when the Barningly Park housing estate was developed in the 1980s but ceased to be used for this purpose and became vacant approximately 7 years ago. Since then, the property was sold into private ownership and, although boarded-up, became a target for vandalism and break-ins with associated anti-social behaviour. The roof of the building was substantially damaged by a fire set in the building in 2019. In June 2020, in the light of continued break-ins and anti-social behaviour, Rushmoor served a s215 'Untidy Site' Notice to require the owner to demolish the building and detached garage block within a period of 18 weeks. These works were undertaken and completed, leaving the site cleared but storing a pile of crushed concrete arising from the footings of the former Briarwood building. The land is enclosed with temporary metal site fencing.

The current planning application is a re-submission of almost identical development proposals to those granted planning permission by the Council in May 2021 (21/00066/FULPP). This arises as a result of the applicant being unable to commence the development before the planning permission lapsed. An abortive conditions application (22/00250/CONDPP) was submitted in late April 2022 seeking to clear pre-commencement conditions of planning permission 21/00066/FULPP, however this was submitted too late in the life of the planning permission and was withdrawn when the parent planning permission lapsed, also with more information being requested from some consultees. The details submitted with this conditions application have also been submitted for consideration with the current application in order to seek the imposition of fewer pre-commencement condition requirements with the new permission.

The proposal is for the residential re-development of the site with 10 X 3-bedroom detached houses. The existing private roadway (Sorrel Close) access from Nutmeg Court reaching the site at the south-east corner would be retained intact as the sole vehicular access for the proposed new development. This would lead into a private shared surface roadway within the site, which would initially run parallel with the east site boundary then turn west towards and terminate at a turning head. All the proposed houses would have a simple rectangular footprint measuring 6.5 x 10 metres and be arranged backing onto the south, west and north boundaries of the site surrounding the internal cul-de-sac roadway. With the exception of Units 8 and 10, which would have the longer elevation of the building fronting the internal roadway, the remainder of the proposed houses would be sited with the narrower face of the building as the plot frontage. Plots 1, 2 & 3 would back onto the south boundary of the site with private rear gardens measuring 10 metres in depth. Plots 4, 5, 6 & 7 would back onto the west boundary of the site adjoining Herbs End with private rear gardens of 9.5 metres in depth. This is the only amendment from the previously approved proposals and arises from a shifting of the houses within Plots 4, 5, 6 & 7 1-metre further into the site away from the Herbs End frontage in order to provide adequate clearance from a drainpipe that crosses the site from north to south within the rear gardens of these plots. Plots 8, 9 & 10 would back onto the north boundary of the site with private rear gardens of a minimum of 10 metres in depth.

Parking, comprising two spaces each, would be provided largely on-plot adjoining the houses all in the form of open parking spaces. Two visitor parking spaces would also be provided in the space between Plots 7 and 8.

Externally, the proposed new houses would have three-storeys of accommodation, although the second floor would be partially within the form of the roof. The roofs of the houses would be simple longitudinal ridges (or transverse ridges in the case of Plots 8 and 10) reaching a maximum height of 10.8 metres at the ridge and 7 metres to eaves above ground level. The external design is relatively conventional modern in style. The indicated external finishing materials are dominantly buff brick, with the remainder of the elevations finished in grey vertical boarding and some metal cladding spandrel panels between some of the windows. The roofs are indicated to be blue/black slate. Internally, the proposed houses would be arranged with the entrance hallway, kitchen, dining and utility rooms on the ground-floor; living rooms, bathroom and a bedroom on the first-floor; and two further bedrooms (one with en-suite) and a study room at second-floor level.

The application is accompanied by a Planning, Design & Access Statement, a separate Design & Access Statement and Site Context Analysis prepared by the project architects, a Transport Statement, Arboricultural Impact Assessment & Tree Protection and Tree Survey Reports, an Ecological Impact Assessment, Flood Risk Assessment & Drainage Statement, and a Phase 1 Site Investigation Report. Additionally submitted with the application are some further reports seeking to address matters previously the subject of pre-commencement conditions, namely: a further Phase 1, and a Phase 2, Geo-Environmental Risk Assessment; a Preliminary Soil Contamination Ground Investigation; a Construction & Methodology Statement including additional tree protection details; and an External Materials Schedule.

A revised Drainage Strategy Plan and Infiltration Test results were submitted to the Council on 8 July 2022 seeking to address the request from the Lead Local Flood Authority for revised/more information concerning the proposed surface water drainage of the site.

The applicants are seeking to complete a fresh s106 Planning Obligation (or, in the alternative, a Deed of Variation to the previous s106 Planning Obligation completed in respect of planning permission 21/00066/FULPP) to secure the necessary Public Open Space and SPA mitigation and avoidance financial contributions to address adopted Local Plan Policies and SPA impact. One consequence of allowing that previous planning permission to lapse is that the required s106 financial contributions have increased since last year.

Consultee Responses

HCC Highways Development Planning	No highway objections.
Environmental Health	No objection subject to conditions.
Contract Management	No comments received, but previously raised no objections in respect of 21/00066/FULPP
Ecologist Officer	More information required. The applicants' agent has been contacted in this respect and a response is awaited.
Aboricultural Officer	No objection subject to the development being carried in accordance

with the submitted tree protection details.

Hampshire Fire & Rescue Service	No comments received, but previously raised no objections in respect of 21/00066/FULPP
Natural England	No objection subject to an appropriate SPA mitigation and avoidance financial contribution being secured with a s106 Planning Obligation.
Hampshire & I.O.W. Wildlife Trust	No observations assumed.
Neighbourhood Policing Team	No observations assumed.
Thames Water	No objections.
Lead Local Flood Authorities	More information required. The applicants' agent has been contacted in this respect and some amended details were submitted to the Council in response on 8 July 2022. The Lead Local Flood Authority has been re-consulted in respect of this revised material and a response is awaited.
Parks Development Officer	Provides details of POS projects for which a financial contribution is required.
Hart District Council	No objections.

Neighbours notified

In addition to posting a site notice and press advertisement, 40 individual letters of notification were sent to Nutmeg Court, Thyme Court, Herbs End, Purmerend Close, Broadhurst and Juniper Road, including all properties located adjoining or opposite the application site.

Neighbour comments

At the time of writing this report a total of 14 representations have been received from the occupier(s) of No.2 Nutmeg Court; 87, 91 & 97 Broadhurst; 2 & 12 Thyme Court; 18 Juniper Road; 7 & 18 Herbs End; 1 & 16 Purmerend Close; 15 Comfrey Close; 7 Coriander Close; and 7 Tarragon Close. Objection is raised on the following summary grounds:-

(a) The proposed development is an unacceptable over-development of the site – it is too densely developed.

(b) Adverse impact upon the visual character and appearance of the Charles Church Barningly Park housing estate due to the three-storey height and modern design and external materials of the proposed houses that would have a down-market, 'cold', grey and drab appearance - with their modern construction materials more commonly associated with industrial or commercial buildings. The proposed development would not be hidden by existing trees and vegetation – especially on the west side adjacent to Herbs End, where there are no mature trees. In any event, most surrounding trees are deciduous, which are in leaf only from May until October.

(c) The proposed houses would be 10.8 metres high whereas existing houses on the housing

estate are typically 8.3m high. They will appear overbearing, standing almost one-third taller than every other house in the neighbourhood. There is no existing three-storey high development in the Estate and existing houses are of traditional vernacular appearance and use of external materials such that proposed development would appear incongruous, and unsympathetic to, the general character of the area. Three-storey development is unnecessary.

(d) The scale, mass and height of the proposed houses would be over-dominant and give rise to overlooking of neighbours. Specific overlooking of No.1 Purmerend Close, properties in Herbs End (especially No.7 as a result of proximity to the proposed Plot 7, 8, 9 & 10 houses), 3 Nutmeg Court and 4, 6, 10 & 12 Thyme Court is cited. Loss of light to No.18 Herbs End. Additionally, concerns are also expressed more generally about overlooking/overshadowing of properties in Broadhurst and Juniper Road.

(e) Likely increased speed of/speeding traffic in Broadhurst, Nutmeg Court and Herbs End.

(f) The proposed development is not acceptable or suitable with the current proposed vehicular access arrangements because the Sorrel Close roadway is not designed for the level of traffic, including refuse, delivery and emergency vehicles, that would be associated with the proposed development. It is suggested that it would be more sensible for the vehicular access for the proposed the development to be from Herbs End. *[Officer Note: the Council must consider the proposals as submitted with the application. The Council cannot consider alternative proposals that may be suggested and preferred instead, or refuse permission because amendments are suggested by third parties].*

(g) The applicants' assessment of likely traffic generation for the proposed development is considered to significantly underestimate likely traffic volumes because the submitted Transport Statement was written prior to the Covid pandemic – it does not give a true reflection of how busy, or how much busier, the road use will be once new residents have moved in.

(h) The proposed development would provide inadequate parking : the proposed new houses have potential to have more than the three-bedrooms indicated and, as such, to be even more deficient in on-site parking : 2 on-site spaces for each house is considered inadequate. Provision for visitor parking of just two spaces for the entire development is also inadequate.

(i) Existing on-street parking congestion problems in the area, particularly in Nutmeg Court and Herbs End, where overspill visitor parking is expected, would be likely to be exacerbated by overspill parking from the proposed development.

(j) Parking on the grassed areas to the side of Sorrel Close is likely to occur. *[Officer Note: the Sorrel Close roadway and the public open space area to the west of the roadway (and to the south of the site) is land owned by Hart District Council. The grassed verge to the other (east) side of roadway and also land to the east of the application site itself is owned by Rushmoor Borough Council. The Property sections of both Councils are aware of the current planning application and the potential implications for land adjoining the proposed development in the ownership of the Councils. It is noted that, since the previous planning permission, Hart DC has installed timber bollards along their side of the Sorrel Close to prevent encroachment by vehicles into this area].*

(k) The development should not be enclosed with walls or fences.

(l) Loss of, or threat to, mature trees, including TPO trees. The root spread of many trees extends well within the site boundary and trees are likely to suffer damage when groundwork starts. It is possible also that, in future, homeowners would seek to remove the limbs of trees overhanging their properties, either to improve their outlook or gain more light, or simply because they don't welcome the work created when trees shed their leaves. *[Officer Note: No trees located within the application site itself have been removed as a result of the site clearance or need to be removed to make way for the proposed development. What has already been removed were garden shrubs not the subject of any protection and, as such, the site owner was within their rights to undertake this work. There is only one tree within the application site that is subject to TPO protection, which is a Scots Pine tree (part of Tree Group*

G6 of TPO No.408A) that remains intact].

(m) Some trees outside the application site are shown to be unnecessarily removed to make way for the proposed development even though they are located on adjoining land and belong to the owners of the adjoining land - in this case Rushmoor & Hart Councils. [*Officer Note: this is a private property matter for the applicants to seek to resolve with the owners of the trees concerned : nevertheless these comments appear to originate from the practice of Arboricultural Consultants to grade trees in their reports to include a category recommending felling for those trees that are not considered to be worthy of retention even though there is no need or intention for the developer to undertake such work*].

(n) Potential unnecessary loss of wildlife habitat (badgers, birds and bats mentioned) due to the proposed development, including the removal of the current crushed concrete stockpile on site.

(o) Concerns about surface water drainage and the need for permeable ground surfaces.

(p) Increased air pollution, disturbance, noise and pollution detrimental to health and the environment. There are a lot of young children resident in the area.

(q) Potential ground contamination could/would be disturbed as a result of the proposed works on site : what measures will be put in place to ensure the safety of residents and what measures will the site users take to reduce the impact and risk?

(r) Noise, disturbance, dust, inconvenience, heavy vehicle traffic and activity, overspill parking etc during the construction period. The submitted Construction & Methodology Statement does not inspire confidence and the indicated construction period is too long. [*Officer Note: it is long-standing Government guidance that the impacts of the construction period of a development cannot be taken into account in determining planning applications*].

(s) Loss of property value [*Officer Note: this is not a matter that can be taken into account in considering a planning application*].

(t) In today's economic climate 2- or 3-bedroom semi or terraced housing would suffice rather than the proposed detached housing. This would make the properties more affordable for those who desperately need housing either purchased or rented. [*Officer Note: the Council must consider the proposals that have been submitted with the application. The Council cannot consider alternative proposals that may be suggested and preferred instead, or refuse permission because amendments are suggested by third parties*].

(u) The applicants are considered to be untrustworthy as a result of their previous failure to comply with Council requirements in respect of the demolition of Briarwood, damage caused to local roads etc during demolition, costs incurred by the local community, and breaches of Health & Safety legislation; and because the applicants have left the site derelict and not properly enclosed for years [*Officer Note: Opinions regarding the applicants' past, present or likely future character or behaviour cannot affect consideration of planning applications on their merits. Any alleged or actual breaches of Health & Safety legislation is a matter solely for the Health & Safety Executive and is not a matter for the Council*].

A representation has also been received from Hampshire Swifts. This is a charity devoted to the conservation of Swifts in Hampshire and part of a national network of Swift groups throughout the UK. It is requested that consent for the proposed development should include a requirement for multiple internal nest sites for Swifts. Hampshire Swifts strongly recommend the installation of at least 10 integral Swift bricks within the development. The applicants' agent has responded to this comment to confirm that they agree to the imposition of a condition to secure this provision.

Policy and determining issues

The site is located within the built-up area of Farnborough. The site is not located within or near a Conservation Area and it does not contain a Listed Building or is near one.

Policies DE1 (Design in the Built Environment), DE2 (Residential Internal Space Standards) and DE3 (Residential Amenity Space Standards), DE6 (Open Space, Sport & Recreation), IN2 (Transport), NE1 (Thames Basin Heaths Special Protection Area), NE2 (Green Infrastructure – including Green Corridors), NE3 (Trees), NE4 (Biodiversity) and NE6-NE8 (Flood Risk and Drainage) of the adopted New Rushmoor Local Plan (2014-2032) are relevant to the consideration of the current application.

Also relevant is the Council's adopted Supplementary Planning Document (SPD) "Parking Standards" adopted in 2017. Since the SPD was subject to extensive public consultation and consequent amendment before being adopted by the Council, some significant weight can be attached to the requirements of this document. The advice contained in the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) is also relevant.

Although the previous planning permission (21/00066/FULPP) has lapsed unimplemented, the fact that the Council has previously granted planning permission for the proposed development of this site is an important material consideration for the consideration of the current re-submission planning application. Unless there have been material changes in planning circumstances that would now give rise to material planning harm being caused since planning permission 21/00066/FULPP was granted in May 2021, there would be no reasonable justification for the Council to refuse planning permission for the proposals the subject of the current planning application. In this respect, this is the key determining issue for the current planning application having regard to the same planning issues as considered previously, namely:-

1. The Principle of the proposals;
2. Visual Impact
3. Impact on trees;
4. Impact on Neighbours;
5. The Living Environment Provided;
6. Highways Considerations;
7. Impact on Wildlife;
8. Drainage Issues; and
9. Public Open Space.

Commentary

1. Principle -

There have been no material changes in the planning policy and Government planning guidance and policy since the previous permission was granted. The proposals still seek to residentially re-develop existing brownfield land within an established residential housing estate in the built-up area of Farnborough. The proposed development is seeking to re-use previously-developed land, which, within reason, continues to be a clear objective of both Government planning guidance and current adopted local planning policy.

The current scheme proposes the provision of ten dwelling units. New Rushmoor Local Plan Policy LN2 requires 30% affordable housing on schemes of 11 or more dwelling units, subject to viability. However, since the scheme proposes fewer dwelling units than this threshold, the requirements of this policy do not apply in this case.

Given the previously developed nature of the land, the Council's Environmental Heath Team

have considered the site investigation reports submitted with the previous planning application and also the reports of further intrusive site investigation undertaken since. In this respect, no significant source of contamination has been identified. Trial pits were dug in areas proposed as private gardens for the new houses and soil samples taken and tested for a standard suite of potential contaminants, with all results being acceptable. The Council's Environmental Health Team are therefore satisfied with the findings and no further site investigation work is required. No objection is raised subject to the usual watching brief being maintained by the developer during ground works in case any unexpected contamination is found.

In the circumstances, it is considered that the proposals remain acceptable in principle (subject to all usual development control issues being satisfactorily addressed in detail), since the proposals clearly remain in line with Government objectives and the Council's own adopted planning policies.

2. Visual Impact -

The application site was left vacant for a considerable period of time and this has not had a positive impact on the character and appearance of its immediate surroundings, despite the site being, to an extent, screened and softened in views by distance and mature trees and other foliage.

It is not considered that there has been any material change in the visual character and appearance of the surrounding area since the previous permission was granted – or, indeed, in the visual impact that would arise in respect of the proposed development. The vicinity of the application site has a mixed character, with a variety of conventional dwelling types, sizes, building-to-building separations, orientations and relationships and a variety of external materials. The site is not located within or near to a Conservation Area. It remains Government planning guidance that, in assessing impact of proposed development upon the character and appearance of an area, this should be considered in the light of the impact upon the area as a whole. As a result, the existence of differences from neighbouring buildings in terms of such matters as building height, design, number of storeys and external finishing materials are not likely to be sufficient to identify material harm on the character and appearance of an area as a whole. Indeed, it is extremely rare for the character and appearance of an area to be narrowly defined by a particular building type, design, age, size, height and overall appearance : the character of most urban landscapes is usually defined by a more eclectic mixture of features and characteristics and, as such, there is room for variations in, for example, building design, scale, height and appearance. Furthermore, modern housing estates such as Barningly Park cover a large area and are, in a visual sense, compartmentalised into smaller areas : estate roads are typically curved, and housing arranged into cul-de-sacs limiting the extent to which any locality can be seen from another. As in this case, housing is also interspersed with areas of public open space, trees and landscape planting. Views of the site from every direction remain relatively confined. It is therefore considered that it is impossible for one locality within an estate to be readily seen from other areas within the estate and, in any event, to such an extent as to have any conceivable material and adverse visual impact upon the character and appearance of the area as a whole.

Whilst undeniably of a relatively modern design and external appearance the proposed houses continue to be entirely conventional and acceptable. Quality external materials would be used that are dominantly of traditional brick and slate. As approved with the previous planning permission, boundaries of the site would, necessarily, be enclosed with fencing. Given the variety of external materials used in the Estate, which includes examples of buff bricks, it is considered that the proposed development would make its own contribution to the existing

variety found within the Estate.

The layout of the proposed development provides clear opportunities for quality landscape planting that could include native hedge planting of the site boundaries and other native planting. It is considered that details in this respect can be secured with the usual planning conditions.

Notwithstanding the visual impact and character objections repeated with the current application, it is not considered that the proposed development would materially and harmfully affect the visual character and appearance of the area. Indeed, that the proposed development would be appropriately sympathetic to the already varied pattern and form of development of the area. It is therefore considered that the proposals remain acceptable in visual terms.

3. Impact on Trees -

There have been no material changes in circumstances relating to trees in the vicinity of the application site. The arboricultural details submitted with the current application are now bolstered by the additional tree protection measures set out in the Construction & Methodology Statement originally prepared to address the requirements of Condition No.16 of the previous planning permission.

A good number of the trees in the immediate vicinity of the application site remain of significant stature and amenity value; and are located outside the boundaries of the site, mainly on the margins of the public open space to the north and south of the application site, where they provide partial screening of the site from the main areas of the public open space in which they are situated. In the case of the trees outside the site to the north (on land in the ownership of Rushmoor BC), there are some 13 trees, of which 12 (mainly Oaks, but also a Horse Chestnut and a Pine) form part of Tree Group 7 of Tree Preservation Order No.407. There is also a non-TPO Holly tree in this group of trees. Combined with a group of three Leyland cypress trees situated just within the site boundary, all are shown to be retained.

With respect to trees located outside the application site to the south (on land in the ownership of Hart District Council), these comprise a total of 12 trees, of which 5 Scots Pines adjacent to Sorrel Close near the site access point (most of Tree Group G6) and an Oak tree (T33) of TPO No.408A. The final Scots Pine tree of Tree Group No.6 of TPO 408A is located just within the application site boundary near the access point and is the only TPO tree located within the application site. All of these trees are shown to be retained. A further 6 lesser trees are also located just within or outside of the south boundary of the application site. Although two of these trees are identified by the applicants' Arboricultural Consultant as being compromised and are recommended for removal, this action is not required to enable the proposed development to take place and such action would, in any event, require the consent of the landowner.

To the west side, adjoining Herbs End there is a non-TPO Cherry tree that is indicated to be retained. Similarly, there are two Yew trees indicated to be retained located beyond the east boundary of the site (land owned by Rushmoor BC) close to the existing site access. A pair of Rowan trees also located on land outside the application site (owned by Rushmoor BC) located between Sorrel Close and the rear boundary of No.91 Broadhurst are identified by the applicants' Arboricultural Consultant as being in decline and recommended for removal. However, this action is not required to enable the proposed development to take place and such action would, in any event, require the consent of Rushmoor BC.

Given the value of the adjacent trees it is evident that the proposed development has been designed to provide adequate separation from them. No protected trees are proposed to be removed as a result of the proposals. Although the applicants' Arboricultural Consultant considers that four lesser non-TPO trees should perhaps be removed, there is no necessity for this work to be done because of the proposed development and, in any event, the applicant does not own these trees. Arboricultural Impact Assessment & Tree Protection and Tree Survey Reports have been submitted with the application assessing both the condition/quality of the trees, but also setting out recommended tree protection measures to be observed for the duration of the construction phase of the proposed development.

Having regard to the bolstered tree protection measures now proposed, the Council's Arboricultural Officer is satisfied that the existing trees to be retained would be adequately protected from harm during the construction period. Furthermore, whilst it can be a matter of concern that 'future resident pressure' may arise where existing trees are located near or within proposed new house plots, whereby undue pressure may be brought to bear on the Council to allow inappropriate works to trees in the future, it is considered that the position and amenity space provision of the proposed house plots has been appropriately considered in the site layout design to ensure that no proposed house plot would be unduly and inappropriately impacted and dominated by trees and tree shading. Furthermore, the houses offer spacious internal accommodation. In the circumstances, it continues to be considered that any concern about future resident pressure is insufficient to justify the refusal of planning permission in this case. Subject to the imposition of a condition requiring the proposed tree protection measures be implemented in full and retained for the duration of the construction period of the proposed development, it is considered that the proposals are acceptable having regard to Policy NE3.

Overall, subject to imposition of the standard tree protection condition, it is not considered that the proposed development would materially and harmfully affect trees worthy of retention.

4. Impact on neighbours -

There have been no material changes in the residential properties that adjoin or are near the application site since the previous planning permission was granted.

The existing long-standing disuse of the application site, unresolved status, vandalism and other anti-social behaviour associated with the site, in addition to uncertainty about the future development and use of the site, have been matters of concern to local residents for several years. Allowing the previous planning permission for a residential re-development of the site (something that many local residents have supported in principle) to lapse unimplemented has not helped these concerns.

Several amenity concerns have been raised by objectors, predominantly in respect of loss of light and outlook; the potential for loss of privacy due to undue overlooking of adjoining and nearby residential properties in Broadmead, Thyme Court, Juniper Road and Herbs End; and also concerns about undue noise, disturbance, activity and pollution. Concerns are also raised in all these respects by occupiers of some properties more distant from the application site.

As was the case in respect of the previous planning application for this site, when considering impacts upon neighbours, the basic question for the Council to consider is whether the impacts of the proposed development on the residential amenities of neighbouring properties would be both materially and harmfully impacted in planning terms. The correct test in this respect is whether or not existing neighbouring properties would, as a result of the proposed development, maintain acceptable amenities to meet the needs of residential occupation. It is

not the role of the Planning system to defend neighbours against the loss of any private views from their properties where these views are derived from over adjoining land not in their ownership. In terms of privacy concerns, a degree of mutual overlooking often exists between neighbours, and this is considered both normal and acceptable. It is necessary for the Council to consider whether occupiers of neighbouring properties would be subjected to unacceptable undue overlooking rather than any overlooking at all. Overall, it is the role of the Planning system to consider and decide whether or not neighbouring and nearby residential properties would continue to possess an acceptable living environment for occupiers in planning terms as a result of a proposed development.

In this context, the impact of the proposed development upon the nearest and/or adjoining residential properties surrounding the application site are considered in the following paragraphs:-

Nos.6, 8, 10 & 12 Thyme Court : These four neighbouring properties have rear gardens enclosed by conventional 1.8 metre timber fencing backing onto the 6-metre-wide grassed strip of land owned by the Council that separates them from the east side of the application site. Consequently, these properties would have a largely unobstructed view of the application site from the rear windows of their houses, certainly at first-floor level, but less so at ground floor level. In terms of the proposed development, the closest elements of the scheme would be Plot 10 (sited sideways-on to these neighbours) and the internal access roadway. The minimum building-building separation distance would be approximately 20 metres from the blank side elevation of the Plot 10 house and the rear elevation of No.10 Thyme Court. The projecting part of the side elevation of the Plot 9 house would be a further 12 metres distant, but also be a blank elevation. In order of further increasing building-building separation distances at increasingly oblique angles from the side wall of the Plot 10 house are Nos.8 Thyme Court (22 metres), 12 (25 metres) and 6 (28 metres). The front elevation of the Plot 1 house faces the access roadway near the site entrance and, as such, faces obliquely towards the rear of No.12 Thyme Court, but at a minimum separation of approximately 32 metres distant. The Plot 1 house is specifically designed such that the living room window is furthest offset and would have a separation distance of approximately 34 metres from the rear wall of No.12 and 20 metres from the rear fence boundary of this neighbouring property with a pair of yew trees located between.

In the circumstances, whilst it is accepted that the proposed development would be visible from these neighbouring Thyme Court properties, it continues to be considered that the impact upon the occupiers would cause insufficient material planning harm to justify the refusal of planning permission. Indeed, a direct building-to-building separation distance of 20 metres with no intervening screening other than a conventional 1.8 metre boundary fence separating the garden areas is conventionally considered to maintain adequate mutual privacy between residential properties and, thereby, to be acceptable in planning terms.

No.4 Thyme Court and No.15 Juniper Road : Although objection was previously raised by the occupier(s) of No.15 Juniper Road, no comments were received previously from the occupiers of No.4 Thyme Court. No representations have been received from either of these neighbours in respect of the current application. These two properties are separated from the north boundary of the application site by the intervening Rushmoor-owned area of public open space, albeit at its east end where it narrows down into a footpath link that runs between the private-drive serving No.4 and the side boundary of No.6 Thyme Court. The public open space contains a continuous line of mature trees that provide a degree of screening of the application site from views from the north. Nos.4 Thyme Court and 15 Juniper Road are sited roughly parallel to the public open space boundary and share a rear garden boundary with each other.

In this location, the side boundaries of these properties would be separated a minimum of approximately 32 metres (rear elevation of the Plot 10 house to the side boundary of No.4 Thyme Close) and 34 metres (rear elevation of Plot 9 house. In both cases these neighbouring properties would benefit from the significant screening effect of the mature TPO tree belt located on the public open space area adjoining the application site. It is considered that the relationship of the proposed development to these nearby residential properties is acceptable in planning terms.

The occupiers of Nos.7 Herbs End and 1 Purmerend Close are more distant neighbours, but are both new objectors to the proposals, since no representations were received from these two properties in respect of the previous planning application. No.7 Herbs End is also sited parallel to the boundary of the public open space located on the opposite side of the Rushmoor-owned public open space where it is significantly wider in extent, such that the minimum separation distance from the nearest boundary of the application site (in the vicinity of the side of the proposed Plot 7 house) would be approximately 50 metres. No.1 Purmerend Close is situated sideways-on to the Herbs End road opposite the west end of the Rushmoor-owned public open space and, with a small garage court in-between, to the north of No.8 Herbs End (see next paragraph below). The rear elevation of this house is separated approximately 42 metres from the north-west corner of the application site where the proposed Plot 7 is located. It is not considered that either of these properties would be materially and harmfully impacted by the proposed development notwithstanding the objections raised in respect of the current application by occupiers of these properties.

Nos.8 & 10 Herbs End : Are a pair of semi-detached houses fronting the west side of Herbs End obliquely opposite the north-west corner of the application. The front elevations of these properties face the Rushmoor-owned public open space north of the application site and views of the application site are screened by the end of the TPO tree belt that adjoins the north side of the application site. A smaller area of public open space lays adjacent to the side of No.10 Herbs End, separated by a private drive that serves Nos.12-16 Herbs End further to the rear. Objections were raised by the occupiers of both properties with the previous planning application concerning the proximity of Plots 4-7 of the proposed development to No.8 & 10 Herbs End although it is the rear of the Plot 7 house that is the closest. However, no representations have been received from either of these properties in respect of the current application. The building-building separation distance is slightly increased as a result of the amendment to the siting of the Plot 4-7 houses submitted with the current application, being in excess of 27 metres between the nearest front corner of No.10 and the nearest corner of the Plot 7 house. The windows of the Plot 7 house are orientated such that they would not face directly towards No.10 and, indeed, they are designed to look towards the adjoining public open space. Given the design of the proposed scheme combined with the retained TPO tree screen it is considered that the relationship of the proposed development with Nos.8 & 10 Herbs End continues to be acceptable.

Nos.18 & 26 Herbs End : Occupiers of neither of these nearby residential properties made representations in respect of the previous planning application, although the occupier(s) of No.18 have raised an objection in respect of the current application. These properties are a pair of back-to-back houses that are sited sideways-on to the Herbs End road frontage opposite the south-west corner of the application site. In this location, No.18 is angled to face towards the smaller area of public open space located between Nos.10-16 and 18-24 Herbs End. Except for a small first-floor bathroom or toilet window in the side elevation facing the road, this property does not have any significant view towards the application. Similarly, No.26 Herbs End has no view towards the application site, with its front elevation facing south down Herbs End towards the cul-de-sac end. The nearest element of the proposed development in

respect of these neighbouring properties would be the Plot 4 house, which would be separated a minimum building-building distance of 24 metres, an increase of 1 metre as a result of the amendment forming part of the current application proposals. It is considered that the relationships of the proposed development with these nearby neighbouring properties remain acceptable in planning terms.

No.91 Broadmead : This detached property is located backing onto the Rushmoor-owned grass verge adjoining the east side of the Sorrel Close roadway near the entrance into the application site at the south-east corner. The occupiers of this property have raised objections to the proposals in respect of both the previous and current applications. The rear garden of this property is enclosed with conventional timber fencing. In this location the nearest elements of the proposed development would be the internal access roadway, with the Plot 1 house beyond. The closest building-building separation distance between the front elevation of the Plot 1 house and the rear elevation of No.91 would be approximately 32 metres at an oblique angle. On this basis it is considered that the relationship with this neighbouring property continues to be acceptable.

Specific concerns were raised previously by the occupier(s) of this neighbouring property concerning the possible loss of some smaller trees located outside the application site to the rear of No.91. However, as has been commented previously in this report, there is no need for these trees to be removed to enable the proposed development to proceed and such works would necessitate the agreement of Rushmoor BC as landowner.

Nos.1, 2 & 3 Nutmeg Court : Although these properties are located some distance from the proposed development [the corner of the Plot 1 house is separated in excess of 35 metres from the nearest corner of the house at No.3 Nutmeg Court at a very oblique angle] they front the sole vehicular access route to the development site. Sorrel Close runs from the adopted highway turning head at Nutmeg Court adjacent to the side of No.3 Nutmeg Court. However, it is not considered that the proposed development would give rise to a volume of traffic materially different to that which could have arisen with the site in its former institutional use. Furthermore, a private drive access serving a residential development of the size proposed is not an unusual arrangement within housing developments nationwide. In the circumstances, whilst it continues to be considered that occupiers of Nos.1, 2 & 3 Nutmeg Court would be impacted by the proposed development, this is not to the extent that would justify the refusal of planning permission.

Concerns were raised in respect of the previous application about the prospect of the refuse and recycling bins from the development being emptied into the refuse lorry in the vicinity of the Nutmeg Court turning head instead of this activity taking place within the proposed development itself. However it remains the usual practice for refuse lorry collections to take place from the nearest adopted public highway – indeed, this is the arrangement that applies generally nationwide.

Due to a combination of the design, degree of separation and the orientation of the proposed new houses relative to neighbours it is considered that the proposals would provide acceptable relationships with all adjoining neighbours having regard to outlook, sunlighting/daylighting and privacy considerations. It is not considered that any other property in the vicinity not specifically mentioned above would be materially and adversely impacted by the proposed development having regard to residential amenity considerations.

Concerns have also been expressed by objectors about the possibility of generally increased noise, disturbance and pollution arising from the proposed residential development. However,

it is considered that the type and nature of activity resulting from the proposed development would be conventional and typical of that which occurs in residential cul-de-sacs nationwide. In the circumstances, whilst it is appreciated that the proposals would result in change for existing residents, the resulting activity would neither be undue nor unacceptable in planning terms. As such, it is considered that objectors' concerns in this respect remain insufficient justification for the refusal of planning permission.

In conclusion it is considered that the proposed development would have continue to have an acceptable impact upon neighbours.

Given the cul-de-sac location of the application site it was considered appropriate that a condition be imposed to require submission of a Construction Management Plan to set out the measures to be employed during the construction phase to minimise noise, vibration, dust and other emissions to, as far as practicable, limit impacts upon the amenity of neighbours. Likewise, the parking and traffic generation impacts of the construction and fitting-out periods of the development. Although planning applications cannot be refused on account of the likely construction phase impacts, it was considered reasonable to require the submission of details of construction management measures given the scale of the development and the clear potential for this to give rise to nuisance and inconvenience to neighbours. Nevertheless, the current application is now additionally presented with a Construction & Methodology Statement that satisfactorily addresses these matters. As a result, it is no longer considered necessary to impose a condition requiring a Construction Management Plan. Instead, it is simply necessary to impose a condition requiring that the submitted details in this respect are followed for the duration of the construction period of the development.

5. The living environment created -

There has been no material change in planning circumstances in respect of this matter since the previous planning permission was granted. The proposed houses would provide accommodation meeting the Government minimum internal floorspace standards appropriate for their level of occupancy. The proposed development is also able to provide on-site amenity space for residents in the form of private rear gardens exceeding the requirements of Local Plan Policy DE3.

The internal layout of a development is a functional matter between a developer and his client and is to some extent covered by the Building Regulations. It is a matter for prospective purchasers/occupiers to decide whether they choose to live in the proposed development. Nevertheless, it is considered that the living environment created would be acceptable.

6. Highways considerations -

It is not considered that there have been any material changes in circumstances in respect of these issues. It remains Government guidance that denying planning permissions on highways grounds is only justified and appropriate where it is demonstrated to give rise to '**severe**' harm to the safety and/or convenience of highway users. It is not sufficient to merely identify concern about a highway matter. Furthermore, clear evidence of wider highway harm(s) being caused with severe impact(s) must be identified. Consequently, refusal on highway grounds is required to exceed a high threshold. Furthermore, it remains long-standing Government guidance that it is neither appropriate nor reasonable for developers to be required to resolve existing highway problems in the vicinity of their site in order to secure planning permission that they are neither responsible for, nor would materially exacerbate.

The proposed development would utilise the existing vehicular access to/from Nutmeg Court via Sorrel Close. The applicants benefit from a long-standing legal right of way to use Sorrel Close. The roadway itself is land owned by Hart District Council; and the land to either side is owned by either Hart District or Rushmoor Borough Councils. Hart DC has recently installed timber bollards along the margin of Sorrel Close with their adjacent public open space area in order to prevent vehicles straying off the roadway and/or trespassing into the public open space. Rushmoor could take similar measures to prevent misuse of, or damage to, the grassed verge on the other side of Sorrel Close should this be necessary. The repair and maintenance of the Sorrel Close roadway is a private property matter to be resolved, if necessary, between the developer and the landowner.

Sorrel Close would, as now, remain a private shared surface driveway where pedestrians are not segregated from vehicular traffic. This is an arrangement that encourages slow incoming and outgoing traffic speeds and is a conventional feature of many small infill residential developments (such as the current proposals) nationwide. Shared surfaces do not need to be wide enough for two-way traffic; and there is good visibility along the driveway and ample turning space provided on-site for passing manoeuvres to take place. It is considered to be an acceptable width and overall standard to serve the proposed development. The overall arrangement and position of parking internally within the development is considered acceptable.

Although concerns have been raised by objectors about additional traffic arising as a result of the proposed development, it is not considered that this would be materially different from the level of traffic that could have arisen from the former institutional use of the site. In this respect the property was not used particularly intensively during its final years of use as the institutional use was wound down. It is considered that it is legitimate for the applicants' Transport Statement to compare the potential traffic generation that could typically arise from a resumption of an institutional use of the type and scale that previously existed on this site against that for the proposed residential re-development in assessing the traffic impact of the proposed new development. Although it is now suggested by some objectors that the effects of the Covid pandemic result in the submitted Transport Statement underestimating the additional traffic generation arising from the proposed development, it is not considered that this factor would make any material and harmful difference to the assessment of the traffic impact of the current proposals.

Possible excess traffic speeds in Broadhurst, Nutmeg Court and Herbs End are a further concern that has been raised by objectors. However, it is considered inappropriate to withhold planning permission based on motorist behaviour that would, if it were possible, be reckless and potentially illegal and subject to law enforcement.

The Highway Authority (Hampshire County Council) has, as before, raised no objections to the proposed development on the grounds of traffic generation and any the capacity of Sorrel Close and Nutmeg Court to serve the traffic associated with the proposed development. Additionally, no concerns are expressed about the safety or capacity of the junction of Nutmeg Court with Broadhurst. The sightlines and junction arrangement there remain conventional and acceptable.

Notwithstanding the objections raised concerning the adequacy of the proposed parking provision, the proposed development makes provision for on-site parking comprising two parking spaces for each of the proposed 3-bedroom houses; plus a further two unallocated parking spaces would also provided within the development for visitors. Cycle parking is shown to be provided by sheds with each of the proposed house plots. The proposals thereby meet

the Council's adopted parking standards in full and, as such, the proposed development makes appropriate and acceptable provision for parking on-site to support itself.

All the proposed house plots are shown to be provided with adequate space for the storage of refuse/recycling bins and this can be secured and retained with the imposition of the usual planning condition.

No Transport Contribution is justified in this case because the proposed development is too small to justify seeking such a contribution.

It is considered that the proposals remain acceptable in highways terms.

7. Impact Upon Wildlife –

Special Protection Area.

The European Court of Justice judgement in 'People Over Wind, Peter Sweetman v Coillte Teoranta C-323/17' in April 2018 established the legal principle that a full appropriate assessment (AA) must be carried out for all planning applications involving a net gain in residential units in areas affected by the Thames Basin Heaths SPA, and that this process cannot take into account any proposed measures to mitigate any likely impact at the assessment stage. This process, culminating in the Council's Appropriate Assessment of the proposals, is overall described as Habitats Regulation Assessment (HRA).

Undertaking the HRA process is the responsibility of the decision maker (in this case, Rushmoor Borough Council) as the 'Competent Authority' for the purposes of the Habitats Regulations. The following paragraphs comprise the Council's HRA in this case:-

HRA Screening Assessment under Regulation 63(1)(a) of the Habitats Regulations.

The Thames Basin Heaths SPA is designated under the E.C Birds Directive for its lowland heathland bird populations. The site supports important breeding bird populations, especially Nightjar *Caprimulgus europaeus* and Woodlark *Lullula arborea*, both of which nest on the ground, often at the woodland/heathland edge; and Dartford Warbler *Sylvia undata*, which often nests in gorse *Ulex* sp. Scattered trees and scrub are used for roosting.

Heathland is prone to nitrogen deposition due to increases in Nitrogen Oxide. Calculations undertaken for the Rushmoor Borough Council Local Plan found that there will be no in-combination impacts on the habitats as a result of development in the Local Plan, including an allowance for 'windfall' housing developments. However, within the screening process it will need to be ascertained whether development outside the Local Plan within 200m of the SPA will increase vehicle movements to above 1000 extra trips/day or exceed the Minimum Critical Load by over 1% either alone or in-combination with the Local Plan.

The bird populations and nests are very prone to recreational disturbance, with birds vacating the nests if disturbed by members of the public. This leaves the young unprotected and increases the risk of predation. Dogs not only disturb the adults but can directly predate the young.

Visitor surveys have shown that the visitor catchment area for the Thames Basin Heath SPA is 5km, with any proposals for residential development within this catchment contributing to recreational pressure on the SPA. The research also evidenced that residential development

within 400m of the SPA would cause impacts alone due to cat predation of adult and young birds.

The retained South East Plan Policy NRM6 and adopted New Rushmoor Local Plan (2014-2032) Policy NE1 (Thames Basin Heaths Special Protection Area) and Thames Basin Heaths Avoidance & Mitigation Strategy (2019)], state that residential development within 400m of the SPA should be refused and development within 5km of the SPA should provide Strategic Alternative Natural Greenspace (SANG) of 8ha/1000 additional population and contributions to Strategic Access Management and Monitoring Measures (SAMM) dependant on the number of bedrooms.

It is considered that there is sufficient information available with the planning application provided by the applicants with which the Council can undertake the HRA process. In this case the proposed development involves the creation of 10 net new residential units within the Farnborough urban area. As such, the proposed development is located within the 5km zone of influence of the SPA, but outside the 400-metre exclusion zone. The proposed development is neither connected to, nor necessary to the management of, the Thames Basin Heaths SPA. Furthermore, the proposed development would not result in a net increase in traffic movements in excess of 1000 vehicular movements per day in proximity to the SPA.

All new housing development within 5 km of any part of the Thames Basin Heaths SPA, of which the current proposals would make a contribution, is considered to contribute towards an impact on the integrity and nature conservation interests of the SPA. This is as a result of increased recreation disturbance in combination with other housing development in the vicinity of the Thames Basin Heaths SPA. Current and emerging future Development Plan documents for the area set out the scale and distribution of new housebuilding in the area up to 2032. A significant quantity of new housing development also results from 'windfall' sites, i.e. sites that are not identified and allocated within Development Plans. There are, therefore, clearly other plans or projects for new residential development that would, together with the proposals the subject of the current planning application, have an 'in-combination' effect on the SPA. On this basis it is clear that the proposals would be likely to lead to a significant effect on European site (i.e. the Thames Basin Heaths SPA) integrity.

Appropriate Assessment under Regulation 63(1) of the Habitats Regulations.

If there are any potential significant impacts upon the Thames Basin Heaths SPA, the applicant must suggest avoidance and/or mitigation measures to allow an Appropriate Assessment to be made. The Applicant must also provide details that demonstrate any long term management, maintenance and funding of any such solution.

The project the subject of the current planning application being assessed would result in a net increase of dwellings within 5 km of a boundary of part of the Thames Basin Heaths SPA. In line with Natural England guidance and adopted New Rushmoor Local Plan Policy NE1 and Thames Basin Heaths Avoidance & Mitigation Strategy (2020), a permanent significant effect on the SPA due to an increase in recreational disturbance as a result of the proposed new development is likely. As such, in order to be lawfully permitted, the proposed development will need to secure a package of avoidance and mitigation measures.

Rushmoor Borough Council formally adopted the latest version of the Thames Basin Heaths SPA Avoidance & Mitigation Strategy (AMS) in 2022. The AMS provides a strategic solution to ensure the requirements of the Habitats Regulations are met with regard to the in-combination effects of increased recreational pressure on the Thames Basin Heaths SPA

arising from new residential development. This Strategy is a partnership approach to addressing the issue that has been endorsed by Natural England.

The AMS comprises two elements. Firstly, the maintenance of Suitable Alternative Natural Greenspace (SANG) in order to divert additional recreational pressure away from the SPA; and, secondly, the maintenance of a range of Strategic Access Management and Monitoring Measures (SAMMs) to avoid displacing visitors from one part of the SPA to another and to minimize the impact of visitors on the SPA. Natural England raises no objection to proposals for new residential development in the form of Standing Advice provided that the mitigation and avoidance measures are in accordance with the AMS.

In order to meet the requirements of Policy CP13 and the AMS applicants must:-

- (a) secure an allocation of SPA mitigation capacity from either the Council's SANGS schemes, or from another source acceptable to Natural England and to the Council; and
- (b) secure the appropriate SANG and/or SAMM in perpetuity by making the requisite financial contribution(s) by entering into a satisfactory s106 Planning Obligation that requires the payment of the contribution(s) upon the first implementation of the proposed development.

These requirements must be met to the satisfaction of Natural England and Rushmoor Borough Council (the Competent Authority) before the point of decision of the planning application.

In this case the applicants have already acquired SANGS capacity from the Hart District Council Bramshot Farm SANGS scheme sufficient for the 10 new dwelling units proposed in respect of the previous planning permission; and to do so the applicants have already paid Hart DC £101,114.70. The applicants are currently seeking, with Hart DC, to transfer this payment to support the current planning application instead, and to pay Hart DC an additional £5,117.20 to top-up the Bramshot Farm SANG payment to a total of £106,231.90, reflecting the fact that the SANG contribution payment has increased since last year. Furthermore, the applicants are also seeking to secure a financial contribution of £9,484.50 (an increase of £2,374.50 from the £7,110.00 secured by the s106 with the previous planning permission) towards SAMMS. This increased SAMM contribution would be secured either by way of a new fresh 106 Planning Obligation, or the use of a Deed of Variation to the existing s106 Planning Obligation (subject to Legal advice) submitted to Rushmoor BC requiring payment of this additional contribution upon the implementation of the proposed development.

Conclusions of Appropriate Assessment.

On this basis, the Council are satisfied that, subject to (a) confirmation from Hart DC that the uplifted Bramshot Farm SANG payment has been secured in respect of the proposals for the current application; and (b) receipt of a satisfactory completed s106 Planning Obligation or Deed of Variation in respect of securing the uplifted SAMMS payment, the applicants will have satisfactorily mitigated for the impact of their proposed development on the Thames Basin Heaths SPA in perpetuity in compliance with the requirements of New Rushmoor Local Plan Policy NE1 and the AMS. Accordingly, on this basis, it is considered that planning permission could then be granted for the proposed development on SPA grounds.

Site Specific Protected Species.

According to the submitted Ecological Impact Assessment, the application property has limited potential to host roosting bats and other protected wildlife species. Indeed, the most likely potential for wildlife interest arises from the tree belts that are located adjoining the site to the

north and south on land in separate ownership. It is not considered that the proposed development would have any material and harmful impact on this. In any event, should the developer encounter protected wildlife species on site during the course of implementing the proposed development they are entirely separately obliged to observe the requirements of the Wildlife & Countryside Act 1999. The Council's Ecology Officer does not disagree with these findings.

Biodiversity.

In addition to Policy NE4, Local Plan Policy NE2 (Green Infrastructure) requires that development provides green infrastructure features within the development and maximises opportunities for improvement to the green infrastructure network, including restoration of fragmented parts of the network. This approach is also supported by the NPPF. In this respect, development proposals should seek to secure opportunities to enhance biodiversity and include proportionate measures to contribute, where possible to a net gain in biodiversity, through creation, restoration, enhancement and management of habitats and features, including measures that help to link key habitats. Given the existing limited biodiversity potential of the site itself, but its position adjoining public open space and mature trees, it is considered that there is clear potential to provide proportionate biodiversity gain even with relatively modest, but eminently achievable, works within the site itself.

In the circumstances, the Council's Ecology Officer considers that it is appropriate that a condition be imposed to require the developer to submit details of, and implement and retain, biodiversity enhancements in the form of a detailed Landscape & Ecological Management Plan (LEMP) to meet the requirements of Rushmoor Local Plan Policy NE4. This could incorporate, the provision of 10 nesting boxes as requested by Hampshire Swifts – a provision that the applicants have agreed to make. It is also considered appropriate to add an informative to remind the developer of the requirements of the Wildlife & Countryside Act with respect to any protected wildlife species that may be encountered on site notwithstanding the results of the various surveys already undertaken. The Council's Ecology Officer has also advised that a Sensitive Lighting Management Plan be required by condition to ensure that the proposed development will result in no net increase in external artificial lighting to ensure any primary bat foraging and commuting routes across the site are not compromised.

Other Ecology Matter.

Finally, the Council's Ecology Officer has also responded to request more information from the applicants prior to the determination of the application having regard to the contents of the Construction & Methodology Statement submitted with the current application. This is because the Statement indicates that the proposed means of dust suppression relies heavily on the use of water, yet no information is provided for how potentially harmful contamination of this water is to be avoided, or how the water used in dust suppression is to be discharged. This query has been passed on to the applicants' agents, who have responded to advise that the water would be collected and stored on site for collection for appropriate off-site disposal. The Ecology Officer has been re-consulted in this respect and the response will be reported at the meeting.

8. Surface Water Drainage -

There have been no material changes in the flood risk classifications of the application site since the previous permission was granted. Adopted Local Plan Policy NE8 (Sustainable Drainage Systems) requires that developments include the implementation of integrated and

maintainable Sustainable Urban Drainage Systems (SUDS) in all flood zones for both brownfield and greenfield sites. The site is located on land at lowest risk of flooding. A Flood Risk Assessment and Drainage Statement Report has been submitted with the application that considers how to incorporate SUDS having regard to the need to protect the rooting areas of trees to be retained. Indeed, constructing soakaways within the rooting areas would not be appropriate. The applicants indicate that a SUDS soakaway system could be incorporated into the development to deal with surface water drainage on site that would be located under the parking spaces and roadway within the development. Or, alternatively, that surface water storage could be disposed of at an appropriate controlled low rate into the existing public sewers.

Further drainage details have been submitted with the current application to sit alongside those details that were submitted with the previous planning application. These additional details, in the form of a Surface Water Report dated April 2022, were originally submitted to the Council pursuant to Condition No.11 of the previous planning permission with withdrawn conditions application 22/00311/CONDPP. However, in this respect the Lead Local Flood Authority (Hampshire County Council : the LLFA) notes that the Surface Water Report is confusing as it appears to be using a different drainage strategy from that suggested previously and with no clear outfall and drainage calculations to back it up. It is also noted that the site infiltration testing previously identified as being needed has still not been undertaken and, as such, the means to determine the best drainage strategy for the site remains unavailable. Further, details of the management and maintenance of the drainage installations are considered to be inadequate. In the circumstances, although the LLFA were previously content to allow permission to be granted subject to imposition of a pre-commencement condition (No.11), the LLFA are now of the view that more information is required from the applicants before permission can be granted and that imposition of a condition would not be appropriate until this information is available and confirmed as being satisfactory. The applicants' agent has been advised of the LLFA consultation response and revised submissions in respect of drainage in the form of a revised Drainage Strategy Plan and also the results of Infiltration Testing of the site were received by the Council on 8 July 2022 and the LLFA has been re-consulted. An update will be provided to Members on this matter at the meeting.

9. Public open space -

Policy DE6 of the New Rushmoor Local Plan seeks to ensure that adequate open space provision is made to cater for future residents in connection with new residential developments. The policy does not set a threshold of a particular number of dwellings or size of site above which the provision is required. The site is not big enough to accommodate anything other than the development proposed and any associated landscape planting.

This is a circumstance where a contribution [in this case now £23,716.00 (an increase of £1,716.00 from the £22,000.00 secured in respect of the previous planning permission) towards public open space comprising: Playground refurbishment/renewal at Pinewood Park, Bartons Way, Farnborough or Pyestock Crescent, Farnborough and/ or landscaping, fencing/furniture and infrastructure improvements at Herbs End, Pyestock Crescent or Nightingale Close POS] secured with a s106 Planning Obligation would be appropriate. Subject to the applicant satisfactorily completed fresh s106 Obligation or Deed of Variation to the previous s106 Planning Obligation in this respect, the proposal is considered to be acceptable having regard to the requirements of adopted Rushmoor Local Plan Policy DE6.

Conclusions -

Notwithstanding the objections raised in the representations received, the proposals continue to be considered acceptable in principle; would have no material and harmful impact upon the visual character and appearance of the area as a whole; have no material and adverse impact on neighbours; would provide an acceptable living environment; and are acceptable in highway terms. Having regard to the contribution towards the Bramshot Farm SPA mitigation scheme and the Strategic Access Management Measurement contribution to be secured by the s106 Planning Obligation, the proposals would have no significant impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area. Subject to the Public Open Space contribution being secured by the s106 Planning Obligation the proposals would satisfactorily address the requirements of adopted Rushmoor Local Plan Policy DE6. It is not considered that the site harbors any significant protected wildlife, nevertheless appropriate biodiversity gain can be secured as a result of the development. Having regard to the surface water drainage of the site it is considered that there is no reason why a satisfactorily detailed drainage scheme for the site cannot be formulated pending the prior submission of adequate information to enable the surface water drainage scheme to be appropriately designed. The proposals are thereby considered acceptable having regard to Policies DE1, DE2, DE3, DE6, IN2, NE1, NE3, NE4 and NE6-8 of the adopted Rushmoor Local Plan (2014-2032).

Full Recommendation

It is recommended that **subject** to:

- (a) No objections being raised by the Lead Local Flood Authority in respect of the surface water drainage proposals for the proposed development;
- (b) satisfactory information being received concerning how water to be used on site for dust suppression during the construction period is to be kept free of contamination and/or discharged from the site;
- (c) confirmation from Hart DC that the applicants have acquired adequate SANG SPA mitigation from the Bramshot Farm SANG; and
- d) the completion of a satisfactory Planning Obligation under Section 106 of the Town and Country Planning Act 1990 by 2 September 2022 or such later date as agreed by an extension of time to secure the SAMMs SPA and Public Open Space contributions as set out in the report, the Head of Planning in consultation with the Chairman be authorised to **GRANT** planning permission subject to the following conditions and informatives:-

However, in the event that a satisfactory s106 Agreement is not received by 2 September 2022 and no Extension of Time has been agreed, the Head of Planning, in consultation with the Chairman, be authorised to refuse planning permission on the grounds that the proposal does not provide a financial contribution to mitigate the effect of the development on the Thames Basin Heaths Special Protection Area in accordance with The Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy and adopted Rushmoor Local Plan Policy NE1; and does not make appropriate provision for Public Open Space in accordance with the requirements of adopted Rushmoor Local Plan Policy DE6.

1. The development hereby permitted shall be begun before the expiration of one year from the date of this permission.

Reason - As required by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, to reflect the objectives of the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy as amended November 2017 and to accord with the resolution of Rushmoor's Cabinet on 17 June 2014 in respect of Planning Report no PLN1420.

2. The permission hereby granted shall be carried out in accordance with the following approved drawings and details - 20036-L01-B; 20036-PP0010-C; 20036-PP0011-C; 20036-PE0009-A; 20036-PP0034-B; 20036-PE0011-A; 20036-PE0010-A; 20036-PE0012-; 20036-PE0014-A; 20036-PP0033-A; 20036-PE0013-; 20036-PP0031-B; 20036-PP0032-A; 20036-PV0010; Point Zero Surveys 1021_R1 Rev.R1; White House Design DM/SC/2022/L; White House Design DM/SC/2022/L1; Carter Jonas Planning, Design & Access Statement; Anderson Orr 20036 Rev.A (Jan 2021) Design Statement; HVT Transport Statement; EcologyByDesign Ecological Impact Assessment; White House Design Phase 1 Geo-Environmental Risk Assessment; White House Design Construction & Methodology Statement; Wesson Environmental Phase 1 Site Investigation Report Jan 2021; External Materials Schedule; GS Surveys Preliminary Soil Contamination Ground Investigation; White House Design Phase 2 Geo-Environmental Risk Assessment (June 2022); Venners Tree Protection Plan 20036-SK0011-C; Venners Tree Survey Report Sep 2020; Venners Arboricultural Method Statement & Tree Protection Details; and Drainage Reports as may be submitted and approved.

Reason - To ensure the development is implemented in accordance with the permission granted.

3. The development hereby permitted shall be implemented in accordance with the external and surfacing materials and finishes as set out in the External Materials Schedule submitted with the application and hereby approved. Those elements of the development shall be carried out using the materials so approved and thereafter retained:

Reason - To ensure satisfactory external appearance. *

4. Construction or demolition work of any sort within the area covered by the application shall only take place between the hours of 0800-1800 on Monday to Fridays and 0800-1300 on Saturdays. No work at all shall take place on Sundays and Bank or Statutory Holidays.

Reason - To protect the amenities of neighbouring residential properties and to prevent adverse impact on traffic and parking conditions in the vicinity.

5. Prior to occupation or use of the development hereby approved, screen and boundary walls, fences, hedges or other means of enclosure for the boundaries of the overall site and between adjoining plots within the development hereby approved shall be installed in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed and retained in accordance with the details so approved prior to the first occupation of the new dwellings hereby permitted.

Reason - To safeguard the amenities of neighbouring property. *

6. The development hereby permitted shall not be occupied until the parking spaces shown on the approved plans have been constructed, surfaced and made available to occupiers of, and visitors to, the development as allocated on the approved plans. Thereafter these parking facilities shall be kept available at all times for their intended purposes as shown on the approved plans. Furthermore, the parking spaces shall not be used at any time for the parking/storage of boats, caravans or trailers.

Reason - For the avoidance of doubt and to ensure the provision, allocation and retention of adequate off-street car parking. *

7. Provision shall be made for services to be placed underground. No overhead wire or cables or other form of overhead servicing shall be placed over or used in the development of the application site.

Reason - In the interests of visual amenity.

8. Prior to first occupation of the development hereby approved a fully detailed landscape and planting scheme (to include, where appropriate, both landscape planting and ecological enhancement) shall be first submitted to and approved in writing by the Local Planning Authority.

Reason - To ensure the development makes an adequate contribution to visual amenity.
*

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the practical completion of the development hereby approved, whichever is the sooner.

Reason -To ensure the development makes an adequate contribution to visual amenity.

10. The construction and fitting-out phases of the development hereby permitted shall proceed in full accordance with all means and measures set out in the Construction & Methodology Statement submitted with the application and hereby approved.

Such means and measures shall be retained at all times as specified until all construction and fitting out works have been completed.

Reason - In the interests of the safety and convenience of adjoining and nearby residential properties and the safety and convenience of highway users. *

11. In the event that unforeseen ground conditions or materials which suggest potential or actual contamination are revealed at any time during implementation of the approved development it must be reported, in writing, immediately to the Local Planning Authority. A competent person must undertake a risk assessment and assess the level and extent of the problem and, where necessary, prepare a report identifying remedial action which shall be submitted to and approved in writing by the Local Planning Authority before the measures are implemented.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared and is subject to approval in writing by the Local Planning Authority.

Reason - To ensure that the site is safe for the development permitted and in the interests of amenity and pollution prevention.

12. Prior to occupation of any part of the development hereby approved, the refuse bin and cycle storage for each individual house plot and communal bin collection area as shown on the plans hereby approved shall be provided in full and retained thereafter at all times.

Reason - In the interests of visual amenity and highway safety.

13. No works shall start on site until existing trees (including their roots) and shrubs/hedges to be retained on and adjoining the site have been adequately protected from damage during site clearance and works in accordance with the details that are set out in the Venners Arboriculture Arboricultural Impact Assessment & Tree Protection Report and Construction & Methodology Statement hereby approved with the application. Furthermore, no materials or plant shall be stored and no buildings erected within protective fencing to be erected at the margins of the root protection area of each tree/shrub/hedge to be retained as appropriate.

Reason - To ensure that existing trees are adequately protected in the interests of the visual amenities of the site and the locality in general.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England), Order 2015 (or any Order revoking and re-enacting that Order), no development falling within Classes A, B, C, D and E of Part 1; and Class L of Part 3; of Schedule 2 shall be carried out without the prior permission of the Local Planning Authority.

Reason - To protect the amenities of neighbouring residential properties and to prevent adverse impact on traffic and parking conditions in the vicinity.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking and re-enacting that Order), no additional windows, doors or openings of any kind shall be inserted in the first-floor elevations and roofs of the new development hereby permitted without the prior permission of the Local Planning Authority.

Reason - To protect the amenities of neighbouring residential properties.

16. The development hereby approved shall not commence until a detailed Landscape & Ecological Management Plan (LEMP) and proforma checklist for the development hereby permitted setting out the steps required to implement the landscape and ecological management measures has been submitted to and approved by the Local Planning Authority in writing. No dwelling hereby permitted shall be occupied until the checklist approved under this condition has been completed, signed off by the project ecologist / wildlife consultant and approved in writing by the Local Planning Authority.

Reason: to protect and enhance biodiversity in accordance with Policy NE4 of the adopted Rushmoor Local Plan (2014-2032) and para 175 of the NPPF. *

17. No development shall commence until a Sensitive Lighting Management Plan (SLMP) has been submitted to and approved in writing by the Local Planning Authority in respect of both the site clearance/construction/fitting out stages of the development hereby approved and also the future on-going residential occupation of the development. The SLMP shall:
- (a) identify the areas or features on the site that are particularly sensitive for badgers and bats and identify the aspects of the development that would be likely to cause disturbance in or around the breeding sites and resting places of these species or along important routes used to access key areas of their territory; and
 - (b) show how and where all the proposed external lighting will be installed and demonstrate (through the provision of appropriate lighting plans and technical specifications) that those areas to be lit will not disturb or prevent the above species using their territory or gaining access to their breeding sites, resting places and foraging areas.

The SLMP as may be approved shall be implemented in full in accordance with the specifications and locations set out and retained as required thereafter at all times and, in the case of the on-going residential occupation of the development, for the lifetime of the development. No other external lighting shall be installed without prior express consent from the Local Planning Authority in respect of the dwellings hereby approved.

Reason - To ensure the protection of wildlife in the interests of nature conservation in accordance with the National Planning Policy Framework. *

18. Surface Water Drainage Condition(s) : as may be required by the Lead Local Flood Authority.

INFORMATIVES

- 1 **INFORMATIVE - REASONS FOR APPROVAL-** The Council has granted permission because:-

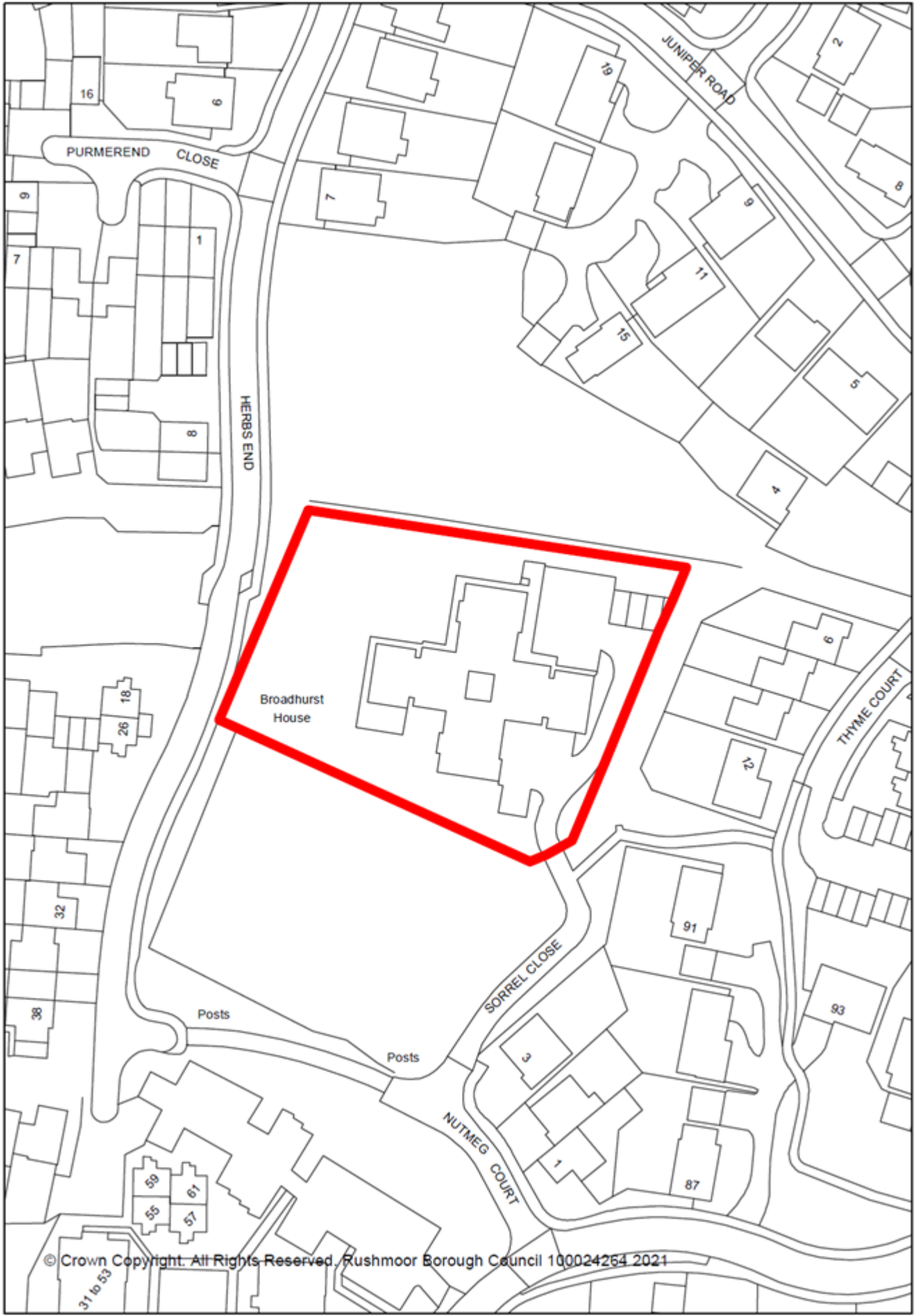
The proposals are considered acceptable in principle; would have no material and harmful impact upon the visual character and appearance of the area as a whole; have no material and adverse impact on neighbours; would provide an acceptable living environment; and are acceptable in highway terms. Having regard to the contribution already made towards the Bramshot Farm SPA mitigation scheme and the Strategic Access Management Measurement contribution to be secured by the s106 Planning Obligation, the proposals would have no significant impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area. Subject to the Public Open Space contribution being secured by the s106 Planning Obligation the proposals would satisfactorily address the requirements of adopted Rushmoor Local Plan Policy DE6. It is not considered that the site harbors any significant protected wildlife, nevertheless appropriate biodiversity gain can be secured as a result of the development. Subject to satisfactory details for the surface water drainage of the site the proposals would have an acceptable impact on local drainage. The proposals are thereby considered acceptable having regard to Policies DE1, DE2, DE3, DE6, IN2, NE1, NE3, NE4 and NE6-8 of the adopted Rushmoor Local Plan (2014-2032).

It is therefore considered that subject to compliance with the attached conditions, and taking into account all other material planning considerations, including the provisions of the development plan, the proposal would be acceptable. This also includes a consideration of whether the decision to grant permission is compatible with the Human Rights Act 1998.

- 2 INFORMATIVE - This permission is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended). If your legal obligations includes a payment of sums, then you must contact the Council (at plan@rushmoor.gov.uk) at least 20 days prior to the commencement of development both stating your intended date of commencement and requesting an invoice to pay such funds. The payment of all contributions as required by such s106 must be received prior to the commencement of development.
- 3 INFORMATIVE - Your attention is specifically drawn to the conditions marked *. These condition(s) require the submission of details, information, drawings etc. to the Local Planning Authority BEFORE a certain stage is reached in the development. Failure to meet these requirements is in contravention of the terms of the permission and the Council may take enforcement action to secure compliance. As of April 2008 submissions seeking to submit details pursuant to conditions or requests for confirmation that conditions have been complied with must be accompanied by the appropriate fee.
- 4 INFORMATIVE - The applicant is recommended to achieve maximum energy efficiency and reduction of Carbon Dioxide emissions by:
 - a) ensuring the design and materials to be used in the construction of the building are consistent with these aims; and
 - b) using renewable energy sources for the production of electricity and heat using efficient and technologically advanced equipment.
- 5 INFORMATIVE - The applicant is advised to contact the Recycling and Waste Management section at Rushmoor Borough Council on 01252 398164 with regard to providing bins for refuse and recycling. The bins should be:
 - 1) provided prior to the occupation of the properties;
 - 2) compatible with the Council's collection vehicles, colour scheme and specifications;
 - 3) appropriate for the number of occupants they serve;
 - 4) fit into the development's bin storage facilities.
- 6 INFORMATIVE - No materials produced as a result of site preparation, clearance, or development should be burnt on site. Please contact the Council's Environmental Health Team for advice.
- 7 INFORMATIVE - The applicant is advised that during the construction phase of the development measures should be employed to contain and minimise dust emissions, to prevent their escape from the development site onto adjoining properties. For further information, please contact the Council's Environmental Health Team.
- 8 INFORMATIVE - It is a legal requirement to notify Thames Water of any proposed connection to a public sewer. In many parts of its sewerage area, Thames Water provides separate public sewers for foul water and surface water. Within these areas a dwelling should have separate connections: a) to the public foul sewer to carry waste

from toilets, sinks and washing machines, etc, and b) to public surface water sewer for rainwater from roofs and surface drains. Mis-connections can have serious effects: i) If a foul sewage outlet is connected to a public surface water sewer this may result in pollution of a watercourse. ii) If a surface water outlet is connected to a public foul sewer, when a separate surface water system or soakaway exists, this may cause overloading of the public foul sewer at times of heavy rain. This can lead to sewer flooding of properties within the locality. In both instances it is an offence to make the wrong connection. Thames Water can help identify the location of the nearest appropriate public sewer and can be contacted on 0845 850 2777.

- 9 INFORMATIVE - In the UK all species of bats are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and under Schedule 2 of the conservation (Natural Habitats & c) Regulations 2004. The grant of planning permission does not supersede the requirements of this legislation and any unauthorised works would constitute an offence. If bats or signs of bats are encountered at any point during development then all works must stop immediately and you should contact Natural England.
- 10 INFORMATIVE - The applicant is requested to bring the conditions attached to this permission to the attention of all contractors working or delivering to the site, in particular any relating to the permitted hours of construction and demolition; and where practicable to have these conditions on display at the site entrance(s) for the duration of the works.
- 11 INFORMATIVE - The Local Planning Authority's commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of pre-application discussion to all, and assistance in the validation and determination of applications through the provision of clear guidance regarding necessary supporting information or amendments both before and after submission, in line with the National Planning Policy Framework.



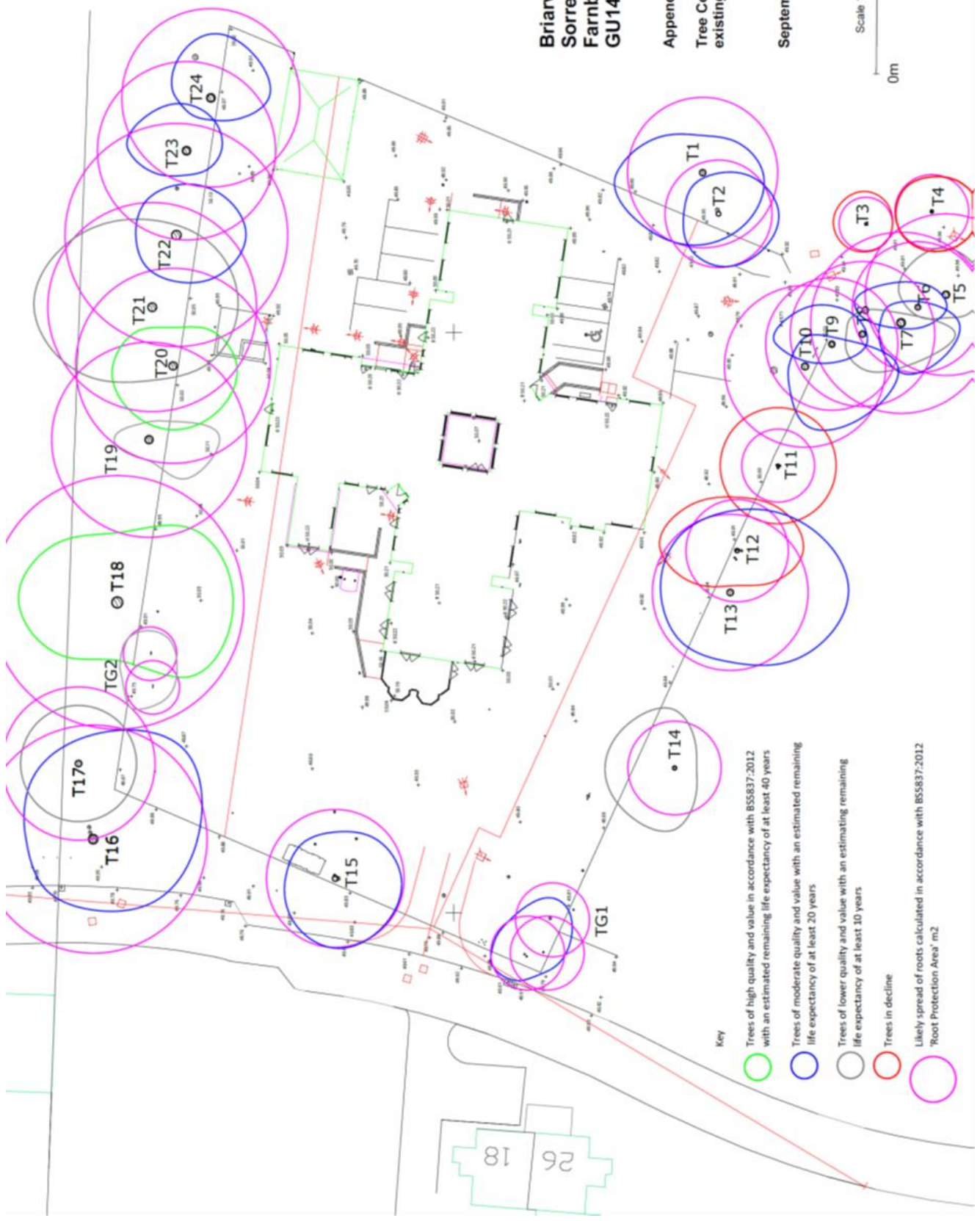
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**Briarwood
Sorrels Close
Farnborough
GU14 9XW**

**Appendix 1
Tree Constraints on the
existing layout**

September 2020

Scale 1:200 on A2
0m 15m



- Key**
- Trees of high quality and value in accordance with BS5837:2012 with an estimated remaining life expectancy of at least 40 years
 - Trees of moderate quality and value with an estimated remaining life expectancy of at least 20 years
 - Trees of lower quality and value with an estimated remaining life expectancy of at least 10 years
 - Trees in decline
 - Likely spread of roots calculated in accordance with BS5837:2012 'Root Protection Area' m²



NOTE:
 THIS SITE PLAN SHOWS LOCATIONS ONLY. CONCEPT ARRANGEMENTS.

ACCOMMODATION SCHEDULE	
PLOT NO.	TYPE
1	3 bed detached M1891
2	3 bed detached M1891
3	3 bed detached M1891
4	3 bed detached M1891
5	3 bed detached M1891
6	3 bed detached M1891
7	3 bed detached M1891
8	3 bed detached M1891
9	3 bed detached M1891
10	3 bed detached M1891
Total 100000	

Key Plan

- Existing trees
- Proposed vegetation
- Root Protection Area (RPA)
- Trees to be removed

Note: based on Preliminary Tree Survey Report Prepared by Winters Arboriculture

C 12/02/22 Plot 4, 7 removed & Plot 3 changed to type B
 B 11/01/21 B1891 detached house added
 A 03/19/20 200311 - C 200311 - C
 revision date description
 author

PLANNING

Site: BRIARWOOD, SORREL CLOSE, FARNBOROUGH, GU14 9XW

PROPOSED SITE PLAN

Client: M L MANAGEMENT LTD
 Date: 03/19/20
 Scale: 1:200 @ A2

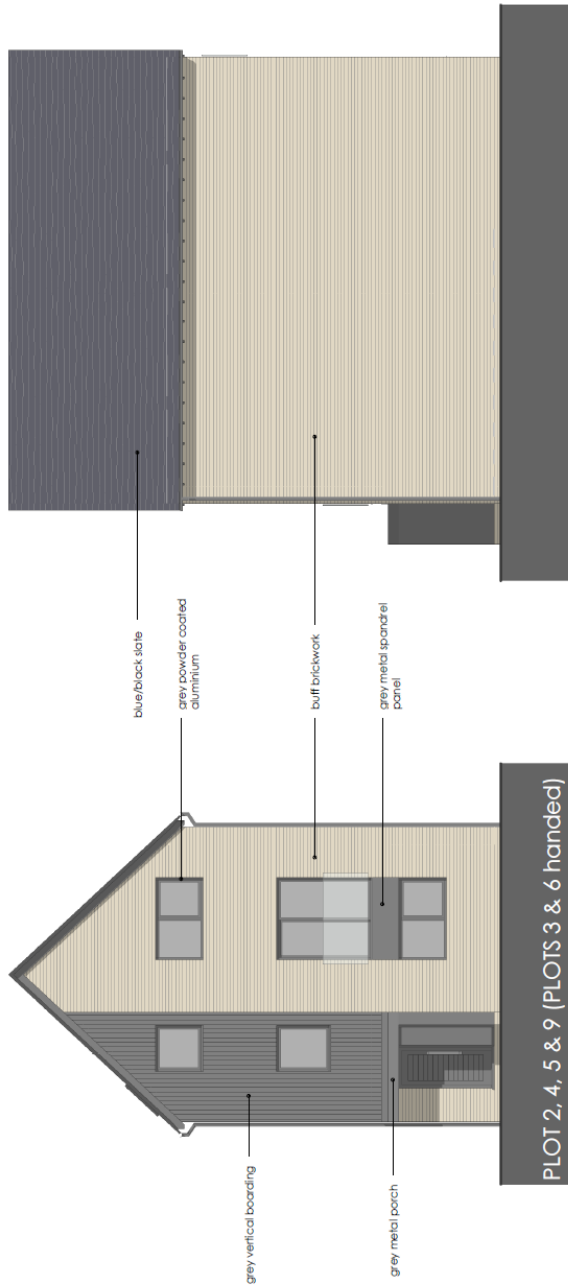
200311 - C

11, Church Road, Wotton, Oxford, OX3 1LZ
 11, Church Road, Wotton, Oxford, OX3 1LZ

Anderson Orr
 Architects



Sewer location as per survey drawing no. 1021_R1_Topo. Proposed foundations over 1m. Agreement required with undertaker.



PLOT 2, 4, 5 & 9 (PLOTS 3 & 6 handed)



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revision	date	description
A	31/05/22	Plot 3 note added

PLANNING

project title
 BRIARWOOD, SORREL CLOSE,
 FARNBOROUGH, GU14 9XW
 drawing title
 PROPOSED ELEVATIONS TYPE B
 project no.
 05/10/20 IG
 scale
 sheet no. 43
 1:100
 job/drawing no./revision

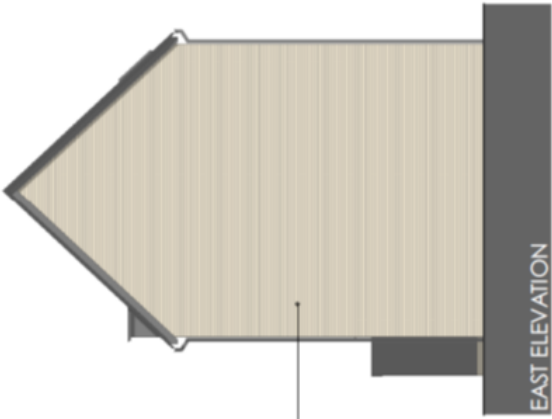
20036 - PE0011 - A

The Studio, 70 Church Road, Wheatley, Oxford, OX3 1LZ
 01865 027926 | info@andersonorr.com | www.andersonorr.com

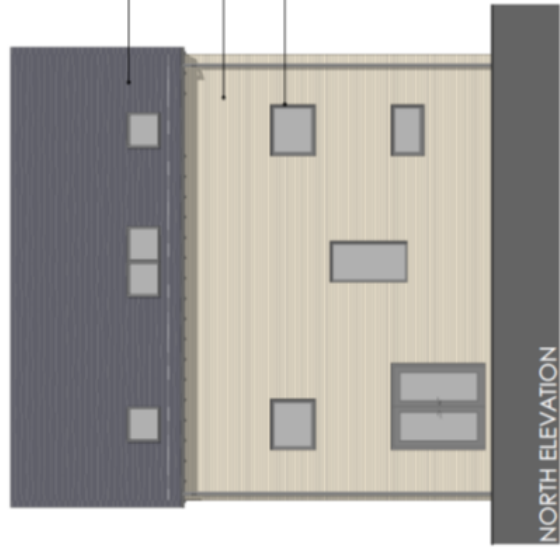
Anderson Orr
 Architects



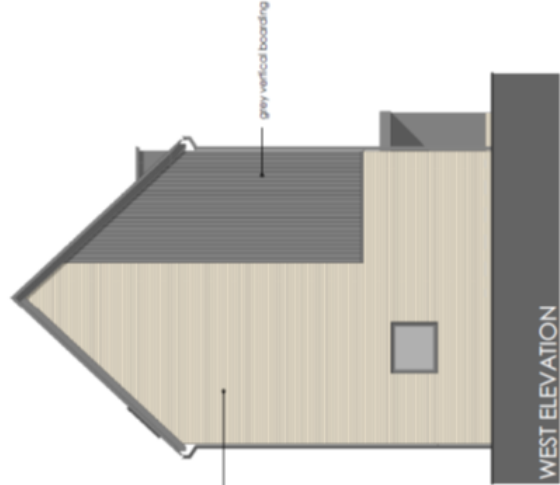
SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



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revision date description

PLANNING

project file:
BRIARWOOD, SORREL CLOSE,
FARNBOROUGH, GU14 9XW
described by:
ELEVATIONS PLOT 10 TYPE C (V1)
revised 05/10/20 IG scale 1:100

20036 - PE0012 -

The Studio, 70 Church Road, Weybridge, Oxford, OX12 8JL
01845 87956 | info@andersonorr.com | www.andersonorr.com

Anderson Orr
Architects

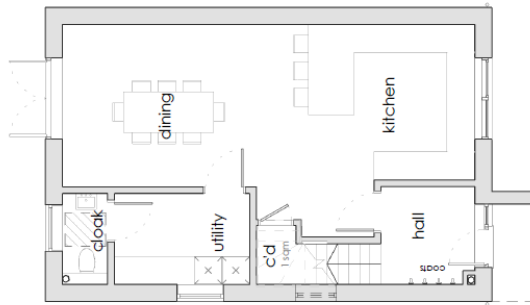


NOTE

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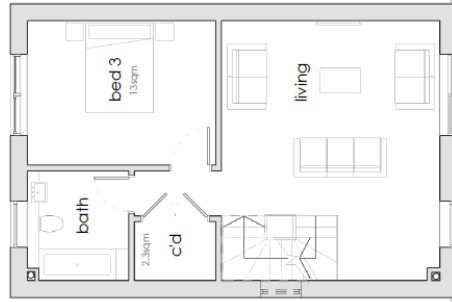
FLOOR AREA (approx.)

Ground Floor - 52.6sqm/566 sqft
 First Floor - 52.6sqm/566 sqft
 Second Floor - 52.6sqm/566 sqft
 TOTAL - 157.8sqm/1698 sqft



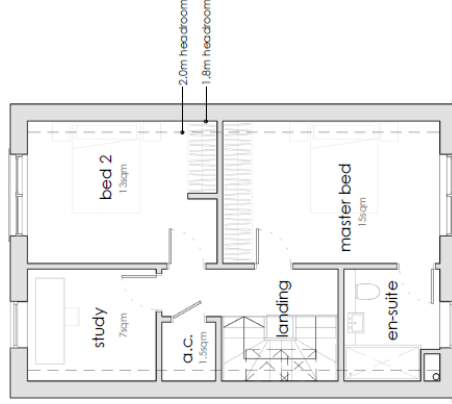
Ground Floor

Plots 2, 4, 5 & 9 (Plots 3 & 6 handed)



First Floor

Plots 2, 4, 5 & 9 (Plots 3 & 6 handed)



Second Floor

Plots 2, 4, 5 & 9 (Plots 3 & 6 handed)

revision	date	description
B	31/05/22	Bed 3 note added
A	11/01/21	Storage floor area added

status

PLANNING

project title
 BRIARWOOD, SORREL CLOSE,
 FARNBOROUGH, GU14 9XW
 drawing title
 FLOOR PLANS - TYPE B
 first issued
 05/10/20
 drawn
 IG
 scale @ A3
 1:100
 job/drawing no/revision

20036 - PP0031 - B

The Studio: 70 Church Road, Witley, Oxford, OX3 1LZ
 01865 07976 | info@andersonorr.com | www.andersonorr.com

Anderson Orr
 Architects



0 1 2 3 4 5
 METRE SCALE (1:100)
 N

FOR USE IN CONNECTION WITH THE CONSULTATION

FLOOR AREA (approx)

Ground floor - 52.8sqm/566 sqft
 First floor - 52.8sqm/566 sqft
 Second floor - 52.8sqm/566 sqft
 TOTAL - 157.8sqm/1698 sqft



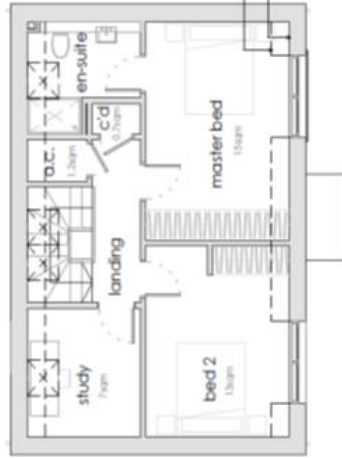
Ground Floor

Plot 10



First Floor

Plot 10



Second Floor

Plot 10

A 110121 Storage floor area added
 revision date description

PLANNING

Plot 10
 BRIARWOOD, SORREL CLOSE,
 FARNBOROUGH, GU14 9XW

Drawn by
FLOOR PLANS - PLOT 10 TYPE C (V1)

Reviewed
 05/10/20 IG 1:100

20036 - PP0032 - A

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Anderson Orr
 Architects







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The information, recommendations and advice contained in this report are correct as at the date of preparation, which is more than two weeks in advance of the Committee meeting. Because of these time constraints some reports may have been prepared in advance of the final date given for consultee responses or neighbour comment. Any changes or necessary updates to the report will be made orally at the Committee meeting.

Case Officer	Katie Herrington
Application No.	21/00980/FULPP
Date Valid	3rd March 2022
Expiry date of consultations	13th April 2022
Proposal	Erection of a bungalow to be accessed via Minster Close
Address	63 Cambridge Road East Farnborough Hampshire GU14 6QX
Ward	Knellwood
Applicant	Ormonroyd
Agent	Mr David Flower
Recommendation	Grant subject to completion of a S106 Planning Obligation.

Description

The development site comprises part of the rear garden of 63 Cambridge Road East. It is proposed to erect a three bedroom bungalow with two parking spaces with access from Minster Close.

This item is before the Planning Committee due to the cumulative concerns of residents within Minster Close.

Minster Close is a cul-de-sac of three bungalows constructed following the grant of planning permission in 2004¹. Access to Minster Close is via a single lane private road from Reading Road with a passing bay. The entrance in Reading Road is flanked by on-street parking. The rear boundary of 63 Cambridge Road is situated between 1 and 2 Minster Close, with a double gate and garage within. This application was deferred at the Planning Committee of the 13th April to allow the agent to amend the scheme to address the concerns of residents – including its proximity of the building to 2 Minster Close. Following discussions between officers and residents, the revised scheme now sites the bungalow 1.9m from the boundary with 2 Minster Close as opposed to 0.9m. No additional comments were received following the consultation on the revised plans.

¹ 04/00187/FUL | Erection of three detached bungalows with garages | Land To The Rear Of 62 - 74 Reading Road Farnborough Hampshire GU14 6NJ

Consultee Responses

Ecologist Officer	The submitted 'Preliminary Roost Assessment' is appropriate in scope and has not identified bats as a constraint to development at this site. Further surveys are not required. The development will require removal of some habitats of lower ecological importance which may support protected species. Recommends conditioning the need for bio-diversity enhancements, and conditions so that works are carried outside of the nesting bird season.
Aboricultural Officer	In relation to the revised scheme - No objection.
HCC Highways Development Planning	The Highway Authority have reviewed the information supplied with the above planning application and have raised no objection with the proposal.

Neighbours notified

In addition to posting a site notice and press advertisement, 102 letters of notification including a notification of revised plans were sent to the following addresses;

1, 2, 3 Minster Close; 1, 2, 3, 3A, 4, 4A, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 20, 22, 24, 25, 26, 28, 30, 32, 34, 36 Oxford Road; 2, 4, 6, 8, 10, 12, 13, 16, 18, 19, 20 Yetminster Road; 107, 109 York Road ; 133, 135, 137, 148, 150, 152, Peabody Road; 14, 15, 16, Hermitage Close; 27, 29, 31, 31A, 31B, 31C, 32, 33, 34, 35, 37, 39, 41, 43, 45, 46, 46B, 47, 48, 49, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82 Reading Road; 61, 65, 67, 69, 71, 80, 82, 84, 86, 88, 90 Cambridge Road East.

Neighbour comments

At the time of writing this report objections from 9 addresses have been received. The addresses are; 60, 61, 62, 64, 66, 68 and 70 Reading Road; and 1 and 2 Minster Close.

The comments received before the consultation on the revised plans are summarised below. No new comments have been received with respect to the revised proposals.

Objections;

- Inadequate parking, traffic congestion, concerns over access to private road, issues with access for emergency vehicles during works (lorries blocking access). Unclear how access will be widened, cannot manoeuvre within Minster Close – cause issues for entry into and out of minster close and Reading Road and reduce areas for parking for visitors.
- Minster Road/ Reading Road junction is dangerous. Poor sightlines.
- Houses round Minster close do not have a driveway/ own parking spaces. Questions over right of way/ access and turning rights to the site for 63 Cambridge Road. Suggests conditions – no vehicles to obstruct Minister Close; No vehicles to be parked on Minster Close; No materials to be stored on Minster Close; to reinstate any damage done to minster close; site to remain closes boarded and screened from minster close.

- No existing parking – no garage in rear it is a shed. No access from public highway.
- Visual harm
- Loss of trees/ should not harm trees/ not store materials on tree roots. Tree was felled is not marked in the report. Should be trying to protect trees.
- Noise and disturbance during construction
- Unacceptable materials
- Part of the site to be demolished has an asbestos roof
- Loss of daylight and sunlight, loss of privacy. 63 Cambridge road removed a large tree that now results in overlooking into rear windows of number 64.
- Not clear where bins will go without cluttering the road
- Harm to birds through removal of brambles. Reports failed to consider stag beetles in garden.

Other

- Plans not showing
- Issues with consultation letters/ not being received.
- Damage to road caused by supplying utilities
- No plans showing sewerage/ water supply
- Decreased water pressure
- Removal of asbestos roof could cause breathing issues
- Questions over the legality / rights of access.
- Concerned that Council will not monitor compliance during works
- No need for additional house in this location
- Boundary treatment location is on someone else's land

Officer comment. The condition of the private road and rights of access over it are civil matters falling outside the remit of this planning application, however, it is understood that discussions are in progress between the applicants and residents of Minster Close in that regard. All plans of the proposed development are available online. The removal of asbestos is covered by legislation outside the planning system. The provision of services is not a matter material to the consideration of this application. The appropriate notice has been served by the applicant on all owners of the land to which the application relates. The need for housing is not material to the determination of this planning application.

Policy and determining issues

The site is not located with a Conservation Area and is located within the development limits. The relevant policies in the determination of this application are;

Policies SS1 (Presumption in Favour of Sustainable Development), SS2 (Spatial Strategy), DE1 (Design in the Built Environment), DE2 (Residential Internal Space Standards) and DE3 (Residential Amenity Space Standards), DE6 (Open Space, Sport & Recreation), DE11 (Development on Residential Gardens), IN2 (Transport), NE1 (Thames Basin Heaths Special Protection Area), NE2 (Green Infrastructure), NE3 (Trees), NE4 (Biodiversity) and NE6-NE8 (Flood Risk and Drainage) of the adopted New Rushmoor Local Plan (2014-2032) are relevant to the consideration of the current application.

Also relevant is the Council's adopted Supplementary Planning Document (SPD) "Parking Standards" adopted in 2017.

The main planning considerations in the determination of this application are; Visual impact; Impact upon the amenities of adjoining residential occupiers; Impact upon the amenities of prospective occupiers; Highway impacts; Trees; Ecology; Open Space; and THBSPA.

Commentary

- Visual impact

Residents have raised concerns with regards to the height of the proposed bungalow, its proximity to 2 Minster Close and its impact upon the character of this area.

Minster Close is a close of three bungalows of a similar form and design. The development would introduce an additional bungalow into this area within the back garden of a property fronting Cambridge Road East. The siting, scale and form of bungalow is such that it would not appear cramped within its plot and would not extend beyond the prevailing building line. Whilst the bungalow would be taller than its adjoining neighbours, the height difference is relatively minor and is not to the extent that it would appear out of place or dominant within the street scene. However, it is considered that additional extensions that could be achieved through the utilisation of Permitted Development Rights– both ground floor and in the roof space/ upon it – could result in harm to the character of the area and as such Permitted Development Rights have been removed for this development.

The proposal is therefore not considered to result in harm to the character and appearance of the area, complying with policy DE1 of the Local Plan.

- Impact upon the amenities of adjoining residential occupiers

Residents have raised concerns that the proposal would result in a harmful loss of daylight and sunlight and appear overbearing to the adjoining neighbour 2 Minster Close. 2 Minster Close has two obscurely glazed windows and a door serving non habitable rooms face the application site. To the rear is a conservatory and the boundary is marked by a 1.8m high close boarded fence with trellises above.

When applying the BRE's '45 degree' guidance the proposal would not give rise to loss of daylight and sunlight to the conservatory at 2 Minster Close to the extent that permission could be reasonably withheld on that ground. The side facing windows are obscure glazed and serve non habitable rooms but for clarity, given the position and height of the proposal along with the height of the boundary fence the proposal would not result in a harmful loss of sunlight and daylight to these rooms.

Given the relative distance between the properties (1 and 3 Minster Close and 63 Cambridge Road East in particular) and the height and bulk of the proposal, it is not considered that the proposal would result in a harmful overbearing impact or result in a loss of daylight and sunlight to these or other adjoining residential occupiers.

Concerns have been raised by residents that the proposal would result in a loss of privacy, especially if the upper floor was converted. All windows are at ground floor level and any views between the properties would be obscured by the boundary fences. However, such overlooking could occur if permitted development rights were utilised for an additional storey

(Class AA) or roof extensions. It is therefore considered reasonable and necessary for condition removing such Permitted Development Rights

The proposal utilises part of the garden of the host property, 63 Cambridge Road East. The remaining garden space would remain sufficiently private and of a size that is usable and compliant with Policy DE3 of the Local Plan.

The proposal therefore would comply with Policy DE1 of the Local Plan.

- Impact upon the amenities of prospective occupiers

The proposal site would have an internal area of around 98sqm. Policy DE2 of the Local Plan requires that a three bedroom six person single storey unit have an internal floor space of 95sqm. The proposal would comply in that respect. The proposal would provide a garden space that would be sufficiently private and of a usable quality and size to comply with Policy DE3. The habitable rooms would appear to achieve good levels of daylight and sunlight. The proposal would comply with Policy DE2 and DE3 of the Local Plan.

The habitable rooms would appear to achieve good levels of daylight and sunlight.

- Highway impacts

Residents have raised a number of concerns relating to highway matters these are addressed in turn.

The junction between minster close/ Reading Road.

Residents have raised concerns regards to highway safety issues of vehicles reversing out of Minster close into Reading Road. Residents also raised concerns of additional vehicles using this junction.

The junction between Minster Close and Reading Road has poor sightlines in part due to the position of on road parked vehicles, it has also been reported by a resident that an accident had occurred at this junction. The proposal would result in additional vehicles using the junction between Minster Close and Reading Road however this would not be to the extent that this would result in issues of Highway Safety. Hampshire County Council have not raised an objection in this regard.

Residents of minster close have reported to use the area in Minster Close to park vehicles and that the applicant site does not benefit from rights to use Minster Road (a private road) to turn – instead only having rights to enter and exit in a straight line. Issues of rights of access are civil matters that sit outside of the planning system and the Council must consider the merits of the planning application before them. The vehicles of the properties of Minster Close use Minster Close to turn their vehicles so that they can exit in a forward gear, and vehicles from the proposed dwelling could operate similarly. Hampshire County Council's Highways Officer has no concerns in this regard. It would not be sustainable to refuse the application on this ground.

Disruption of Minster Close as an access

Minster Close is a single 'track' road with a passing bay, and there is a concern that during construction this would be obstructed and blocked as part of works to connect utilities and by

lorries and other large vehicles trying to use the road.

Disruption during construction works are not matters that are material to the determination of planning applications, however, some control can be exercised through a Construction Management Plan. Discussions are understood to be ongoing between the agent and the residents of minster close to how best to minimise such disruption. A condition can require the submission of a Construction Management Plan.

Parking

Concerns have been raised that the proposal does not provide sufficient parking, and that occupants would park within Minster Close. The proposal is for a three bedroom bungalow. The Council's Car and Cycle SPD states that 2-3 bedroom dwellings require two parking spaces. The proposal would provide two parking spaces within the site to the required size. Concerns have been raised with regard to the ownership boundary to Minster Close and therefore the ability to deliver these bays. A condition requiring the provision of these bays would be appropriate and there is sufficient space within the site to provide them. Bins can be stored within the site and brought out in the usual way.

- Trees

Concerns were raised that trees were felled or will be felled as a result of the development. None of the trees are protected by a TPO and planning permission is not required for their removal. The revised proposal would encroach into the RPA of the adjacent tree. A revised Arboricultural Impact Assessment was submitted that included the use of special foundations. The Council's Arboricultural Officer has reviewed the proposals and has raised no objection subject to securing the arbocutural methods proposed by condition. No trees are proposed to be removed.

- Ecology

Concerns have been raised that birds would be impacted by the proposal via the removal of bushes and that there are stag beetles in the area that could be impacted by the development. Stag Beetles are protected in the UK under the Wildlife and Countryside Act, 1981 and are defined as a Priority Species under the UK Post-2010 Biodiversity Framework. It is not understood that there are stag beetles within the garden of the application site although it has been reported by a resident that they are present in a neighbouring garden. An informative has been added to remind the applicant that these are protected species and should they be encountered during construction and works shall cease and advice from a suitably qualified ecologist should be sought.

Biodiversity net gain from the development has been secured by way of condition.

- Open Space

The New Local Plan seeks to ensure that adequate public open space (POS) provision is made to cater for future residents in connection with new residential developments. Policy DE6 allows provision to be made on the site, or in appropriate circumstances, a contribution to be made towards upgrading POS facilities nearby.

This is a circumstance where a contribution is required and is to be secured by way of a s106 Planning Obligation would be appropriate, which the applicant is in the process of

completing. Subject to the completion of this Obligation the proposal is considered to be acceptable within the terms of Local Plan Policy DE6.

- THBSPA

The project the subject of the current planning application being assessed would result in a net increase of dwellings within 5 km of a boundary of part of the Thames Basin Heaths SPA. In line with Natural England guidance and adopted New Rushmoor Local Plan Policy NE1 and Thames Basin Heaths Avoidance & Mitigation Strategy (2019), a permanent significant effect on the SPA due to an increase in recreational disturbance as a result of the proposed new development is likely. As such, in order to be lawfully permitted, the proposed development will need to secure a package of avoidance and mitigation measures.

Rushmoor Borough Council formally adopted the latest version of the Thames Basin Heaths SPA Avoidance & Mitigation Strategy (AMS) in 2021. The AMS provides a strategic solution to ensure the requirements of the Habitats Regulations are met with regard to the in-combination effects of increased recreational pressure on the Thames Basin Heaths SPA arising from new residential development. This Strategy is a partnership approach to addressing the issue that has been endorsed by Natural England.

The AMS comprises two elements. Firstly the maintenance of Suitable Alternative Natural Greenspace (SANG) in order to divert additional recreational pressure away from the SPA; and, secondly, the maintenance of a range of Strategic Access Management and Monitoring Measures (SAMMs) to avoid displacing visitors from one part of the SPA to another and to minimize the impact of visitors on the SPA. Natural England raises no objection to proposals for new residential development in the form of Standing Advice provided that the mitigation and avoidance measures are in accordance with the AMS.

In order to meet the requirements of Policy NE1 and the AMS applicants must:-

- a) secure an allocation of SPA mitigation capacity from either the Council's SANGS schemes, or from another source acceptable to Natural England and to the Council; and
- b) secure the appropriate SANG and/or SAMM in perpetuity by making the requisite financial contribution(s) by entering into a satisfactory s106 Planning Obligation that requires the payment of the contribution(s) upon the first implementation of the proposed development.

These requirements must be met to the satisfaction of Natural England and Rushmoor Borough Council (the Competent Authority) before the point of decision of the planning application.

In this case the applicants have provided written evidence that they have acquired SANGS capacity from the Hart District Council Bramshot Farm SANGS scheme sufficient for the new dwelling unit proposed. Furthermore, the applicants are also seeking to secure a financial contribution towards SAMM by way of a s106 planning obligation submitted to Rushmoor BC requiring payment of this additional SPA financial contribution upon the implementation of the proposed development.

On this basis, the Council are satisfied that, subject to the receipt of a satisfactory completed s106 Planning Obligation, the applicants will have satisfactorily mitigated for the impact of their proposed development on the Thames Basin Heaths SPA in perpetuity in compliance with the requirements of New Rushmoor Local Plan Policy NE1 and the AMS. Accordingly, it

is considered that planning permission could then be granted for the proposed development on SPA grounds.

Summary;

The proposals are considered acceptable in principle and in highways terms; would have no material and harmful impact upon the overall visual character and appearance of the area; would have no material and adverse impact on neighbours; would provide an acceptable living environment; and would not result in harm with regards to biodiversity impacts; and, subject to financial contributions being secured in respect of Special Protection Area mitigation & avoidance and Public Open Space with a s106 Planning Obligation, the proposals would have no significant impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area; and appropriately address the Council's adopted Local Plan Policy DE6 concerning Public Open Space. The proposals are therefore considered to be acceptable having regard to the criteria of Policies SS1, SS2, DE1, DE2, DE3, IN2, DE1, DE2, DE3, DE11, IN2, NE1, NE2, NE3, NE4 and NE8 of the adopted Rushmoor Local Plan (2014-2032).

It is recommended that:

(a) **subject** to the completion of a satisfactory Planning Obligation under Section 106 of the Town and Country Planning Act 1990 by 30th September 2022 or unless otherwise agreed by an Extension of Time to secure the SAMMs SPA and Public Open Space contributions as set out in the report, the Head of Planning in consultation with the Chairman be authorised to GRANT planning permission subject to the following conditions and informatives:-

However, in the event that a satisfactory s106 Agreement is not received by 30th September 2022, and no Extension of Time has been agreed, the Head of Planning, in consultation with the Chairman, be authorised to refuse planning permission on the grounds that the proposal does not provide a financial contribution to mitigate the effect of the development on the Thames Basin Heaths Special Protection Area in accordance with The Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy and adopted Rushmoor Local Plan Policy NE1; and does not make appropriate provision for Public Open Space in accordance with the requirements of adopted Rushmoor Local Plan Policy DE6;

1. The development hereby permitted shall be begun before the expiration of one year from the date of this permission.

Reason - As required by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, to reflect the objectives of the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy as amended 2021 and to accord with the resolution of Rushmoor's Cabinet on 17 June 2014 in respect of Planning Report no PLN1420.

2. The permission hereby granted shall be carried out in accordance with the following approved drawings and details –

- PL01
- PL10
- PL11

- PI30
- PL31 received on the 18th Mary 2022

Reason - To ensure the development is implemented in accordance with the permission granted.

3. Construction of the following elements of the development hereby approved shall not start until a schedule and/or samples of the materials to be used in them have been submitted to, and approved in writing by, the Local Planning Authority. Those elements of the development shall be carried out using the materials so approved and thereafter retained:

- External walls;
- Roofing materials;
- Window frames;
- Rainwater Goods; and
- Ground Surfacing Materials

Reason - To ensure satisfactory external appearance. *

4. Notwithstanding the details on the submitted plans, the development hereby permitted shall not be occupied until the parking and turning area has been provided and surfaced to provide accommodation for two vehicles in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The development shall be completed and retained in accordance with the details so approved. The parking spaces shall not be used at any time for the parking/storage of boats, caravans or trailers.

Reason - For the avoidance of doubt and to ensure the provision, allocation and retention of adequate off-street car parking. *

5. Construction of the following elements of the development hereby approved shall not start until a schedule and/ or samples of the materials to be used in them have been submitted to, and approved in writing by the Local Planning Authority. Those elements of the development shall be carried out using the materials so approved and thereafter retained;

- External Walls
- Roofing materials

Reason – To ensure satisfactory external appearance.

6. Prior to occupation of the development hereby approved, screen and boundary walls, fences, hedges or other means of enclosure for the boundaries of the overall site and between adjoining plots within the development hereby approved shall be installed in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed and retained in accordance with the details so approved prior to the first occupation of the new dwelling hereby permitted.

Reason – To safeguard the amenities of neighbouring property *

7. Prior to first occupation of the development hereby approved ecological enhancements shall be submitted to and approved in writing by the Local Planning Authority. Such biodiversity enhancements shall be implemented in full and retained for the lifetime of the development.

Reason - To ensure the development makes an adequate contribution to visual amenity and biodiversity gain. *

8. Prior to the commencement of development, a Construction Management Plan to be adopted for the duration of the construction period shall be submitted to and approved in writing by the Local Planning Authority. The details required in this respect shall include:

- a) the provision to be made for the parking and turning on site of operatives and construction vehicles during construction and fitting out works;
- b) the arrangements to be made for the delivery of all building and other materials to the site as to not impede entry or exit of Minster Close;
- c) the provision to be made for any storage of building and other materials on site so that it does not impede entry or exit via Minster Close;
- d) measures to prevent mud from being deposited on the highway;
- e) the programme for construction;
- f) the protective hoarding/enclosure of the site; and
- g) appropriate provision for ecological advice and/or supervision of works being undertaken at the site.

Such measures as may subsequently be approved shall be retained at all times as specified until all construction and fitting out works have been completed.

Reason - In the interests of the safety and convenience of adjoining and nearby residential properties; nature conservation; and the safety and convenience of highway users. *

9. Prior to the occupation of any part of the development hereby approved the cycle parking shall be provided in accordance with the approved plans. Those details so approved shall be implemented in full and retained thereafter.

Reason - In the interests of visual amenity and highway safety.

10. No works shall start on site until existing trees and shrubs/hedges to be retained on and adjoining the site have been adequately protected from damage during site clearance and works in accordance with the details that are set out in the Harper Tree Consulting dated May 14th 2022 hereby approved with the application. Furthermore, no materials or plant shall be stored and no buildings erected within protective fencing to be erected at the margins of the root protection area of each tree/shrub/hedge to be retained as appropriate.

Reason - To ensure that existing trees are adequately protected in the interests of the visual amenities of the site and the locality in general.

11. The development, particularly the foundation works, shall be carried out in accordance with the recommendations set out within the Harper Tree Consulting dated May 14th

2022 hereby approved with the application. Reason - To ensure that existing trees are adequately protected in the interests of the visual amenities of the site and the locality in general.

12. No vegetation clearance shall take place during the bird nesting season (01 March to 31 August, inclusive) unless the developer has been advised by a suitably qualified ecologist that the clearance will not disturb nesting birds and a record of this kept.

Reason: In the interest of biodiversity net gain

13. Prior to the first occupation of this development hereby approved, biodiversity enhancements that have first been submitted to and approved in writing by the Local Planning Authority, shall be implemented in accordance with such so approved details.

Reason: In the interest of biodiversity net gain

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England), Order 2015 (or any Order revoking and re-enacting that Order), no extensions or outbuildings falling within Classes A (extensions), AA (additional storey) B (roof extensions), C (roof lights), D (porches) and E (outbuildings) of Part 1; and Class L of Part 3; of Schedule 2 shall be carried out without the prior permission of the Local Planning Authority.

Reason - To protect the amenities of neighbouring residential properties and to prevent adverse impact on traffic and parking conditions in the vicinity.

INFORMATIVES

- 1 **INFORMATIVE - REASONS FOR APPROVAL-** The Council has granted permission because:-

The proposals are considered acceptable in principle and in highways terms; would have no material and harmful impact upon the overall visual character and appearance of the area; would have no material and adverse impact on neighbours; would provide an acceptable living environment; and would not result in harm with regards to biodiversity impacts; and, subject to financial contributions being secured in respect of Special Protection Area mitigation & avoidance and Public Open Space with a s106 Planning Obligation, the proposals would have no significant impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area; and appropriately address the Council's adopted Local Plan Policy DE6 concerning Public Open Space. The proposals are therefore considered to be acceptable having regard to the criteria of Policies SS1, SS2, DE1, DE2, DE3, IN2, DE1, DE2, DE3, DE11, IN2, NE1, NE2, NE3, NE4 and NE8 of the adopted Rushmoor Local Plan (2014-2032).

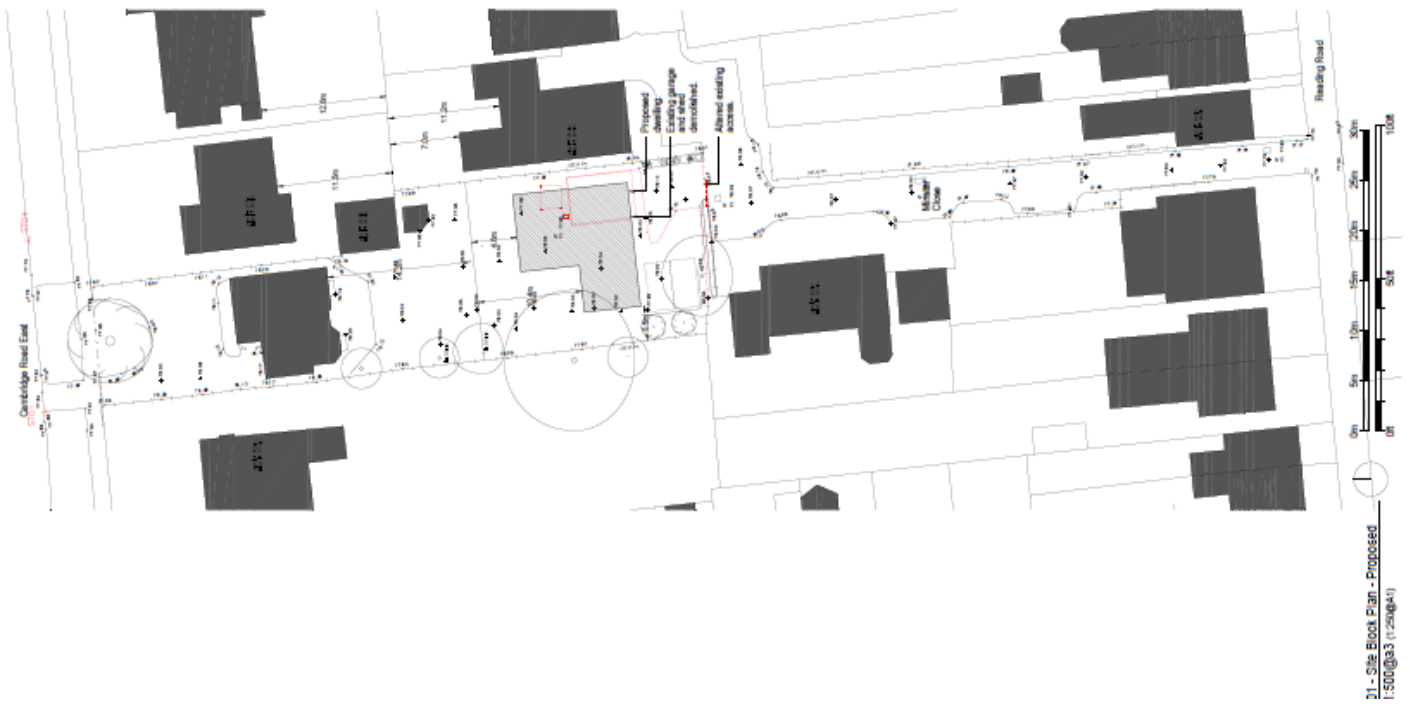
It is therefore considered that subject to compliance with the attached conditions, and taking into account all other material planning considerations, including the provisions of the development plan, the proposal would be acceptable. This also includes a consideration of whether the decision to grant permission is compatible with the

Human Rights Act 1998.

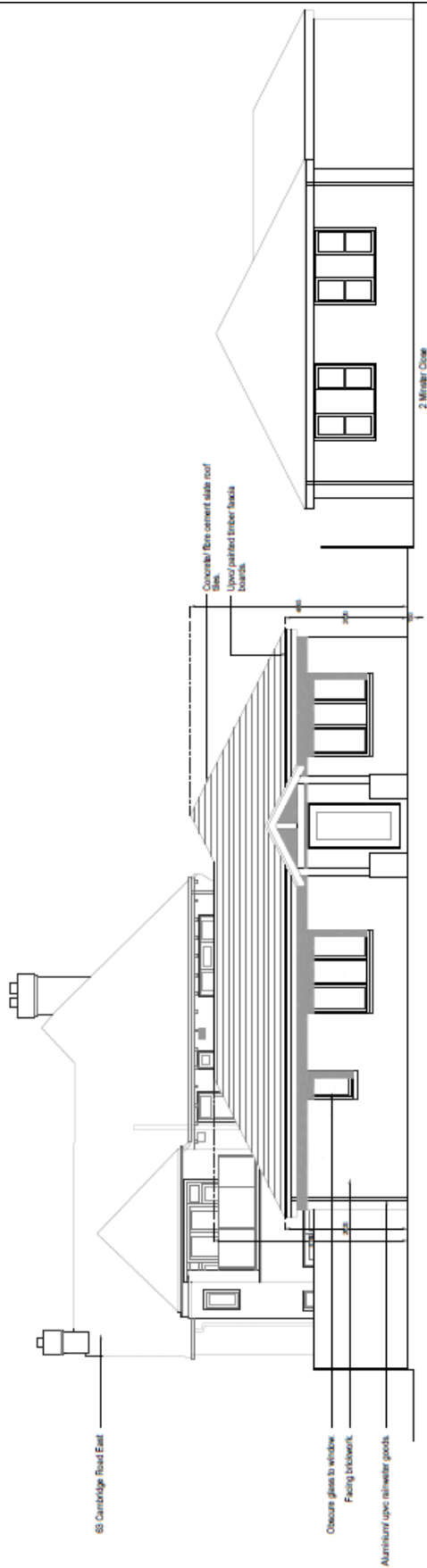
- 2 INFORMATIVE - This permission is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).

- 3 INFORMATIVE - Your attention is specifically drawn to the conditions marked *. These condition(s) require the submission of details, information, drawings etc. to the Local Planning Authority BEFORE a certain stage is reached in the development. Failure to meet these requirements is in contravention of the terms of the permission and the Council may take enforcement action to secure compliance. As of April 2008 submissions seeking to submit details pursuant to conditions or requests for confirmation that conditions have been complied with must be accompanied by the appropriate fee.

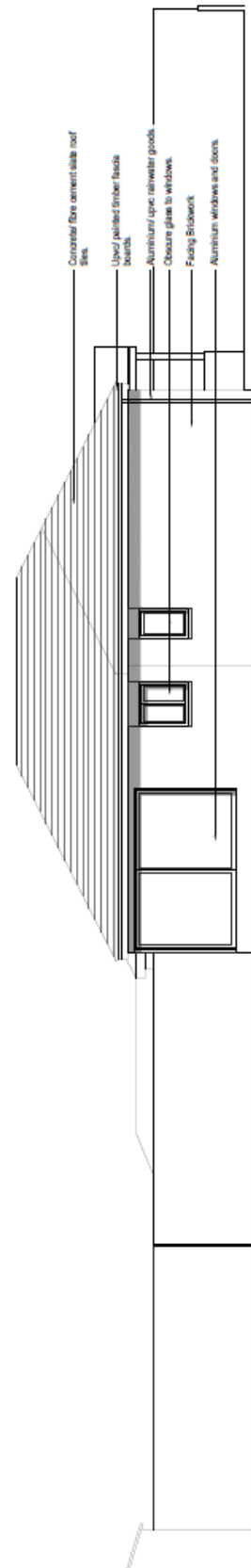
- 4 INFORMATIVE - The applicant is recommended to achieve maximum energy efficiency and reduction of Carbon Dioxide emissions by:
 - a) ensuring the design and materials to be used in the construction of the building are consistent with these aims; and
 - b) using renewable energy sources for the production of electricity and heat using efficient and technologically advanced equipment.

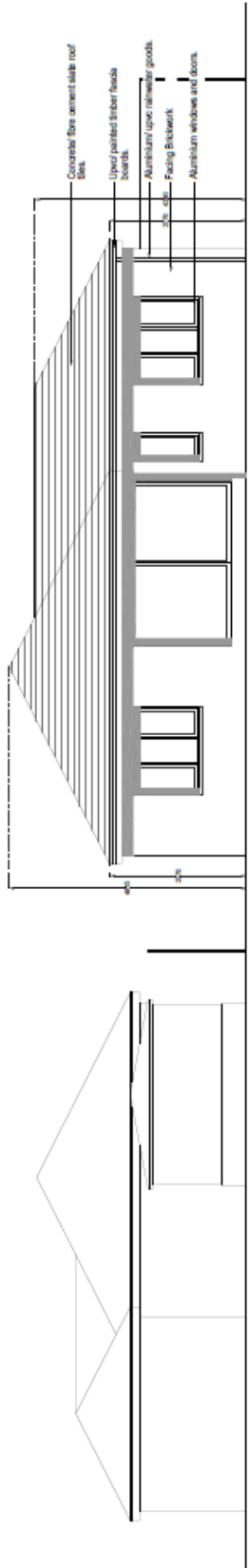


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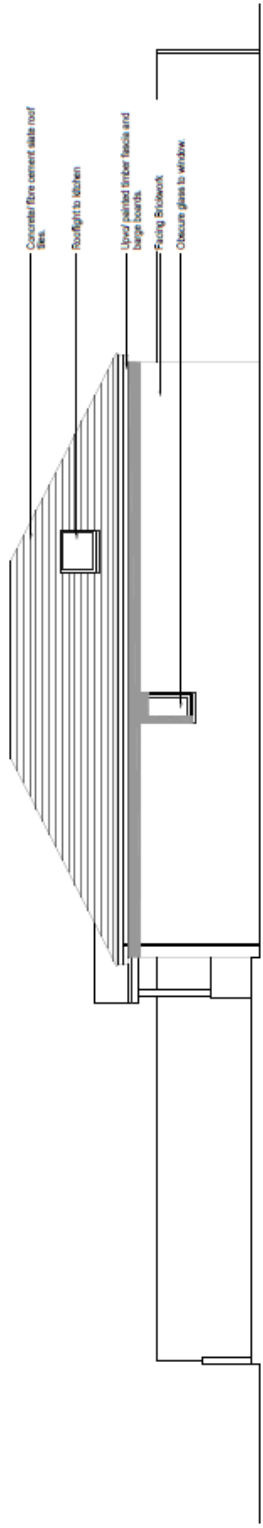


01 - South Elevation - Proposed
1:50@a1/1:100@a3

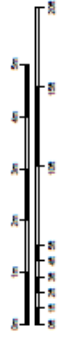


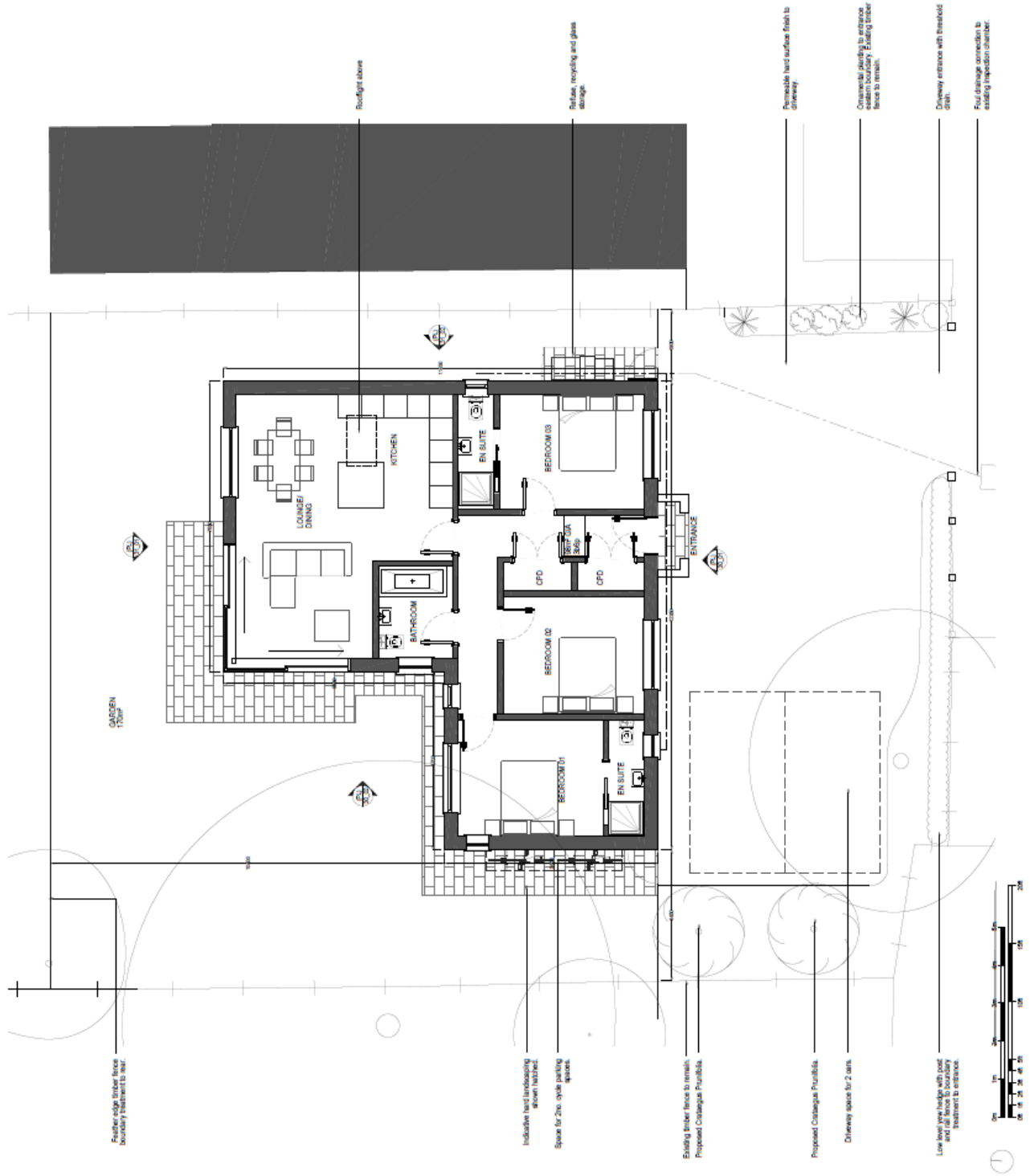


01 - North Elevation - Proposed
1:50@a1/1:100@a3



02 - East Elevation - Proposed
1:50@a1/1:100@a3





The information, recommendations and advice contained in this report are correct as at the date of preparation, which is more than two weeks in advance of the Committee meeting. Because of these time constraints some reports may have been prepared in advance of the final date given for consultee responses or neighbour comment. Any changes or necessary updates to the report will be made orally at the Committee meeting.

Case Officer	Louise Davies
Application No.	22/00379/FULPP
Date Valid	6th June 2022
Expiry date of consultations	30th June 2022
Proposal	Single storey rear extension to cover 3 existing MOT bays and erection of tyre store
Address	183 Ash Road Aldershot Hampshire GU12 4DD
Ward	Aldershot Park
Applicant	Mr Ahmad Chishti
Agent	Mr Charlie Minty
Recommendation	Grant

Description

This application is for the erection of a single storey building attached to the existing property at 183 Ash Road, Aldershot. It follows the refusal of a larger single storey building by Development Management Committee at its meeting on 15 September 2021.

No.183 Ash Road is a two-storey semi-detached property on the north-east corner of the junction of Ash Road with Lower Newport Road. It is occupied by 'G-Force Tyres' who supply and fit tyres and exhaust systems to vehicles at the premises. The site is commercial in appearance with shop front signage and hoardings on the shop and office. The adjacent semi-detached property is residential and occupied as such. To the rear is an open yard area in which is sited (an authorised) hydraulic ramp, (unauthorised) piles of informal tyre storage, various equipment associated with tyre replacement and four parking spaces. This use, and the siting of the hydraulic ramp in the open yard to the rear have been on the site in excess of 30 years (see Planning Committee Report no. 70/90 from 29 August 1990). The use of the rear yard for fitting of tyres and exhausts is a long established use and is now a lawful planning use.

This site has been the subject of various enforcement action in the past, and the racking that was erected in 2021 has been removed. Piles of tyres along the rear boundary wall remain and the use of the adjacent domestic outbuilding to the garden of 185 Ash Road for tyre storage in connection with G Force tyres is ongoing. The serving of Enforcement notices, as confirmed

at the October meeting of the Development Management Committee, is with the Legal department and in process.

Regarding this outstanding enforcement action, it is considered that whilst the proposals the subject of this application would, in theory, replace this unauthorised piling of tyres within the forecourt of 183 Ash Road, this would be incumbent on the approval of the application and subsequent implementation in a timely manner. Notwithstanding this, the piles of tyres are visually unacceptable in this location, and the intensification of storage of tyres in the open air is considered to have a detrimental impact on the visual character and appearance of the street scene, and it is considered that they represent an unacceptable loss of visual amenity to surrounding residents.

This site has previously gained permission for two structures over this rear parking/service area. RSH 7122 (dated 31 August 1990) granted permission for a garage type building, measuring 10.3m wide x 6m deep with a flat roof and 4.1m height overall. It was to be constructed in facing bricks to match the existing building. It was to have two sets of large folding doors fronting a forecourt area with access from Lower Newport Road. The rear and side walls were to be built off the existing boundary walls. 3 staff/visitor parking spaces were to be provided. This permission was never implemented.

19/00144/FULPP (dated 3 June 2019) granted permission for a shelter with a frame structure of steel columns and beams, steel flats for bracing and a transparent Perspex roof for the parking and servicing of up to three cars, measuring 4m high at the highest point (near the rear boundary) with a tilting roof (measuring 3.8m high at the front) by 9m wide by 4.8. deep, with access directly from Lower Newport Road. The structure did not have any walls or other form of enclosure and was sought to provide roof shelter from the elements for those working on cars in the rear open yard area. This permission expired on 3 June 2021 and was not implemented.

The last submitted application for this site was 21/00483/FULPP (dated 15 September 2021) which was refused permission for a first floor side extension and a single storey rear extension with creation of parking area to frontage of 183 Ash Road. The single storey element extended from the rear of the existing building over the rear parking/forecourt area to create an enclosed building with an internal garage space and shutter doors. The proposed building measured 5.5m high at the highest point by 10m deep, and 8.5m wide. This was refused due to the following reasons; unacceptable visual and highways impacts; material and harmful planning impacts upon neighbours; would result in an incongruous development that would be a highly visible and obtrusive development within the street scene, inadequately addressed site drainage, did not provide the required number of off-road parking spaces to serve a non-residential B2 use, and the intensification of the industrial use would be likely to give rise to material and undue harmful impacts on the amenities of occupiers of neighbouring residential properties.

This application seeks the erection of a building of slightly smaller dimensions to the rear parking area, which will be linked to the existing property by a walkway to the rear and front. The main structure will measure 4.2m at the highest point with metal shutter doors to the front and brick sides and polycarbonate roof, 9 metres wide covering over three of the existing parking spaces and 7m deep. It will have an enclosed walkway element linking to the existing building entrance, and running around the rear of the proposed building enclosing the area between this and the existing rear wall boundary. This element will have a flat roof height of 3m.

A separate free standing enclosed wooden structure to store tyres is proposed measuring 2.4m

high, 3.5m wide and 5m deep which will sit against the boundary to No. 2 Lower Newport Road and the wall forming a boundary with the adjoining neighbour at 185 Ash Road.

Consultee Responses

Environmental Health	<p>If the extension requires external plant for ventilation please apply condition 62EH Sound Insulation (Plant)</p> <p>If the extension is to be used for servicing of vehicles then this could lead to additional noise. The proposed building envelop should be constructed to ensure noise breakout is minimised. 63EH Sound Insulation (Building)</p> <p>If no external plant required and the rear extension will only be used for activities that already take place in the open air then EH would have no objection subject to standard condition restricting construction hours 26CN Construction hours</p>
HCC Highways Development Planning	<p>The Highway Authority have reviewed the documents provided with this planning application and it is not considered that this proposal would lead to any material detrimental impact upon the public highway. Therefore, the Highway Authority have no objection to this proposal.</p>
Hampshire Fire & Rescue Service	<p>No objection raised and response provides generic fire safety comments and advice.</p>

Neighbours notified

In addition to posting a site notice, 21 individual letters of notification were sent, including all properties located adjoining or opposite the application site. Three comments were received.

Neighbour comments

At the time of writing, representations raising the following concerns have been received;

- Inappropriate location of this business in a predominantly residential area, should be within an industrial area
- Fire risk due to tyre storage and stocks still being stored in adjacent garden
- The storage of tyres in the shed of the next door garden was also to be ceased. It still remains.
- Concerns regarding pedestrian safety, illegally parked cars cause them to walk in the road
- on street parking already causing problems for residents, with 'no parking' restrictions not being observed

Policy and determining issues

The site is located within the defined urban area of Aldershot.

Section 38(6) of the *Town and Country Planning Act 1990* (as amended) requires regard to be had to the provisions of the development plan in the determination of planning applications. The *Rushmoor Local Plan* was formerly adopted by the Council on 21st February 2019. In addition to the *Rushmoor Local Plan*, the development plan for Rushmoor includes the *Hampshire Minerals and Waste Plan* (adopted in October 2013) and saved Policy NRM6 of the *South East Plan* (adopted in May 2009).

The following policies of the Rushmoor Local Plan are of particular relevance to this proposal:

SS1 (Presumption in Favour of Sustainable Development)

HE1 (Heritage)

DE1 (Design in the Built Environment)

DE10 (Pollution)

NE8 Sustainable Drainage Systems

The *National Planning Policy Framework (NPPF)*, which was revised and came into force on 19th February 2019, and The Department for Communities and Local Government's Technical Housing Standards (2015) are material considerations.

The proposals have been assessed against the policy framework outlined above and all other relevant material considerations. The main determining issues in the assessment of the proposals are:

1. The principle of development;
2. Visual impact upon character & appearance of the area,
3. Impact upon neighbours;
4. Highways considerations; and
5. Flood risk & drainage.

Commentary

Principle

The site falls within the defined urban area of Aldershot within a predominantly residential area. The site is not located in or adjoining a Conservation Area nor adjoins. There are no Listed Buildings located in the immediate vicinity of the site. This site is not located within a Strategic or Locally Important employment site as set out within Policies PC1, PC2 and PC3 of the local plan. The proposal relates to an established B2 Use.

Visual Impact

It is Government planning guidance that, in assessing impact of proposed development upon the character and appearance of an area, this should be considered in the light of the impact upon the area as a whole.

In general, the character and appearance of the immediate area surrounding the site is residential, with the majority of the other surrounding buildings being two storey dwelling houses.

The submitted design of the building when viewed from Lower Newport Road shows a garage

area with flat roof. The building will be clad in brick, with a polycarbonate roof. There are no windows proposed to the east or north elevations, and the west (front) has 3.7m high shutter doors. The building style, with a flat roof and shutter doors is industrial in nature.

The footprint of the building has been set away from the shared boundary with 185 Ash Road by 1.6m, with the front elevation facing Lower Newport Road siting 1.6m from the boundary of the property with the pavement, with a gap of 8.4m from the north wall of the proposed building to the property boundary with 2 Lower Newport Road.

The existing industrial use is out of character with the predominantly residential appearance of the area. The proposed tyre store and enclosed bays would facilitate the better management of the site, potentially improving the appearance of the site. Conditions are proposed to seek full details of the materials proposed in the external elevations of the structures and to restrict the storage of equipment and tyres from the open parts of the site.

Impact on Neighbours

In assessing the impact of the proposed use, whilst this will continue a use that is already taking place on the site, this is currently limited to within the existing single storey building and to a number of the bays externally. It is considered that the provision of a building could help to visually contain the activities, and the enclosing of the activity help to control the noise emitted from the site.

In considering the impact of the proposed structure on the occupiers of the property at 185 Ash Road, the rear boundary of the building will be set in from the shared boundary by 1.6m, and be 4.2m high when measured from 183 Ash Road. As the rear garden to 185 Ash Road is raised up by approx. 0.5m in comparison to 183 Ash Road, the proposed building will be 3.7m high when viewed from 185 Ash Road with 2.2m of the structure visible above the existing wall separating 183 and 185 Ash Road. The setting away from the boundary of the main garage building will reduce this impact somewhat, and the reduction in roof height from that proposed by the previous (refused) application is welcomed. The covered walkway that will run to the rear of the proposed garage building and along the boundary wall between the two properties is shown as brick clad and with a flat roof, and will increase the boundary height to 1m above the existing along the majority of this boundary.

It is acknowledged that there will be a visual impact on the occupiers of 185 Ash Road, and some loss of light and overshadowing to both the property and garden.

To no. 187 Ash Road, whilst it is acknowledged that the proposed development will be visible from both the property and rear garden, it is considered that due to the degree of separation between the properties and the alignment of the properties with the rear of the property and garden facing north, and the proposal siting to the west of 187 Ash Road, the impact would be acceptable in terms of any loss of light and outlook.

To no. 2 Lower Newport Road, the side elevation of the proposal will be visible from the rear garden of the property. One window at first floor level will look towards the development. The proposal does not have any windows to the north elevation and there will not be any overlooking to No. 2 Lower Newport Road.

To no. 177 Ash Road (opposite) the degree of separation and orientation to the proposal (being sited to the east) will limit the loss of light to the flats forming No. 177, however the flats that directly face the development at both first and ground floor level will have views directly toward the proposed building, as currently.

In considering the proposed development, it is noted that it is a fine balance between providing an enclosed space for the existing operational needs, and considering the visual impact and bulk of the proposed building on this predominantly residential neighbourhood.

It is noted that previous permission 19/00144/FULPP was granted permission for a structure of similar dimensions, being 4m high, and 9m wide covering the same three parking bays. Whilst this was an open sided structure the principle of accepting this roof height and structure width was given. Whilst it is accepted that this current structure is enclosed and will therefore by design have a greater visual impact, the proposal has been reduced from that previously refused to reflect that which in principle the Council has accepted.

It is also noted that the site activity is currently highly visible within the street scene, and this proposal would tidy the site by containing the commercial activity to within a structure that would be enclosed, thereby also reducing noise transfer. By the use of condition, it would be reasonable to control the remainder of the application site to restrict external storage to within the proposed tyre store and garage building.

It is considered that on balance the proposed development, by virtue of its design, external appearance, height, scale, mass and bulk would have an acceptable impact on the visual character and appearance of the street scene. In accordance with Policy DE1 of the Rushmoor Local Plan.

Highways Considerations

Three service bays are proposed within the proposed garage structure which will be constructed over an area currently used for the servicing of vehicles.

The adopted Car and Cycle Parking Standards requires 3 parking spaces for customers per 1 service bay. The proposal shows 3 formal service bays therefore 9 customer spaces are required. There are no other areas identified on the submitted plans for parking of staff or customer vehicles.

The Highway Authority has confirmed no objection.

It is noted that comments have been received by residents regarding the conflict caused by the irregular and inconsiderate parking of cars in the vicinity of the site at present, and these have been passed to the Parking team to investigate further.

It is considered that insufficient off-road parking provision for staff and customers has been identified to serve the proposal. However, Principle 2 of the adopted Car and Cycle Parking Standards Supplementary Planning Document states that 'it would be unreasonable to expect new development to ameliorate an existing situation'.

The proposal does not represent an increase in size of the site, and therefore in line with Principle 2 of the SPD it is considered that the proposal is acceptable in Highways terms.

Flood Risk & Drainage

The site is located within Flood Zone 1, which is land at the lowest risk of flooding. As a result,

the Environment Agency raise no objections as standing advice and no mitigation measures in respect of flood risk are indicated as being necessary.

Local Plan Policy NE8 requires all new buildings and the development of car parking and hard standings to incorporate Sustainable Drainage Systems (SUDS). No changes are proposed to existing situation on site.

Conclusions

It is considered that this proposal represents an improved design on the last refused application, and the applicant has sought to take account of the previous comments made. It is accepted that the use of the rear yard for fitting of tyres and exhausts is a long established use and is now a lawful planning use. Consideration needs to be given to whether the proposal will improve the amenity for the residents surrounding the site by enclosing the use and in this respect reducing both noise and visual impact of the operation on the site. The introduction of a built form over the current open rear service area has been previously accepted through the approval of application 19/00144/FULPP and it is considered that this application represents an acceptable balance between the needs of the existing operation and protecting future residential amenity. It is considered that on balance the proposed development, by virtue of its design, external appearance, height, scale, mass and bulk would have an acceptable impact on the visual character and appearance of the street scene. The proposal is considered acceptable having regard to Policies SS1, NE8, HE1, DE1 and DE10 of the Rushmoor Local Plan (adopted February 2019) and Rushmoor Car and Cycle Parking Standards (adopted Nov 2017).

FULL RECOMMENDATION

It is recommended that planning permission be **GRANTED** subject to the following conditions and informatives:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - As required by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Construction of the following elements of the development hereby approved shall not start until a schedule and/or samples of the materials to be used in them have been submitted to, and approved in writing by, the Local Planning Authority for all proposed structures. Those elements of the development shall be carried out using the materials so approved and thereafter retained:

External walls
Roofing materials
Shutter door

Reason - To ensure satisfactory external appearance.*

- 3 The permission hereby granted shall be carried out in accordance with the following approved drawings:

Existing Site Plan, Drawing No. 02-01 dated May 22;
Site Location and Block Plan, Drawing No. 02-00 dated May 22;

Existing Ground Floor Plan, Drawing No. 03-00 dated May 22;
Existing First Floor Plan, Drawing No. 03-01 dated May 22;
Existing Elevations, Drawing No. 05-02 dated May 22;
Existing Elevations, Drawing No. 05-01 dated May 22;
Existing Elevations, Drawing No. 05-00 dated May 22;
Proposed Elevations, Drawing No. 05-12 dated May 22;
Proposed Elevations, Drawing No. 05-11 dated May 22;
Proposed Elevations, Drawing No. 05-10 dated May 22;
Proposed Roof Plan, Drawing No. 03-11 dated May 22;
Proposed Ground Floor Plan, Drawing No. 03-10 dated May 22; and
Proposed Site Plan, Drawing No. 02-10 dated May 22.

Reason - To ensure the development is implemented in accordance with the permission granted

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995, (or any Order revoking and re-enacting that Order), no additional windows, doors or openings of any kind shall be inserted in the north or east elevation of the development hereby permitted.

Reason - To protect the amenities of neighbouring residential properties.

- 5 Construction or demolition work of any sort within the area covered by the application shall only take place between the hours of 0800-1800 on Monday to Fridays and 0800-1300 on Saturdays. No work at all shall take place on Sundays and Bank or Statutory Holidays.

Reason - To protect the amenities of neighbouring residential properties and to prevent adverse impact on traffic and parking conditions in the vicinity.

- 6 The garage door(s) shall be of a type which will not encroach or overhang the highway or footway when being opened or in an open position.

Reason - In the interest of highway and pedestrian safety.

- 7 No display or storage of goods (including tyres), materials, plant, or equipment shall take place other than within the buildings hereby approved.

Reason - To protect the character and appearance of the area and the amenities of neighbouring properties.

- 8 No sound reproduction equipment, conveying messages, music, or other sound which is audible outside the premises shall be installed on the site.

Reason - To protect the amenity of neighbouring properties.

- 9 All plant and machinery shall be enclosed with soundproofing materials and mounted in a way which will minimise transmission of structure-borne sound in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority.

Reason - To protect the amenity of neighbouring occupiers.*

- 10 No occupation or use of the development hereby approved shall take place until a scheme of provisions for the control of noise emanating from the site has been implemented in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The approved scheme installed shall be thereafter retained.

Reason - To protect the amenity of neighbouring occupiers.*

- 11 The permission hereby granted shall be carried out in accordance with the following approved drawings Drawing numbers:

Reason - To ensure the development is implemented in accordance with the permission granted.

INFORMATIVES

- 1 INFORMATIVE – The Local Planning Authority’s commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of pre-application discussion to all, and assistance in the validation and determination of applications through the provision of clear guidance regarding necessary supporting information or amendments both before and after submission, in line with the National Planning Policy Framework.
- 2 The Council has granted permission because the proposed development, by virtue of its design, external appearance, height, scale, mass and bulk would have an acceptable impact on the visual character and appearance of the street scene. The proposal is considered acceptable having regard to Policies SS1, NE8, HE1, DE1 and DE10 of the Rushmoor Local Plan (adopted February 2019) and Rushmoor Car and Cycle Parking Standards (adopted Nov 2017).

It is therefore considered that subject to compliance with the attached conditions, and taking into account all other material planning considerations, including the provisions of the development plan, the proposal would be acceptable. This also includes a consideration of whether the decision to grant permission is compatible with the Human Rights Act 1998.

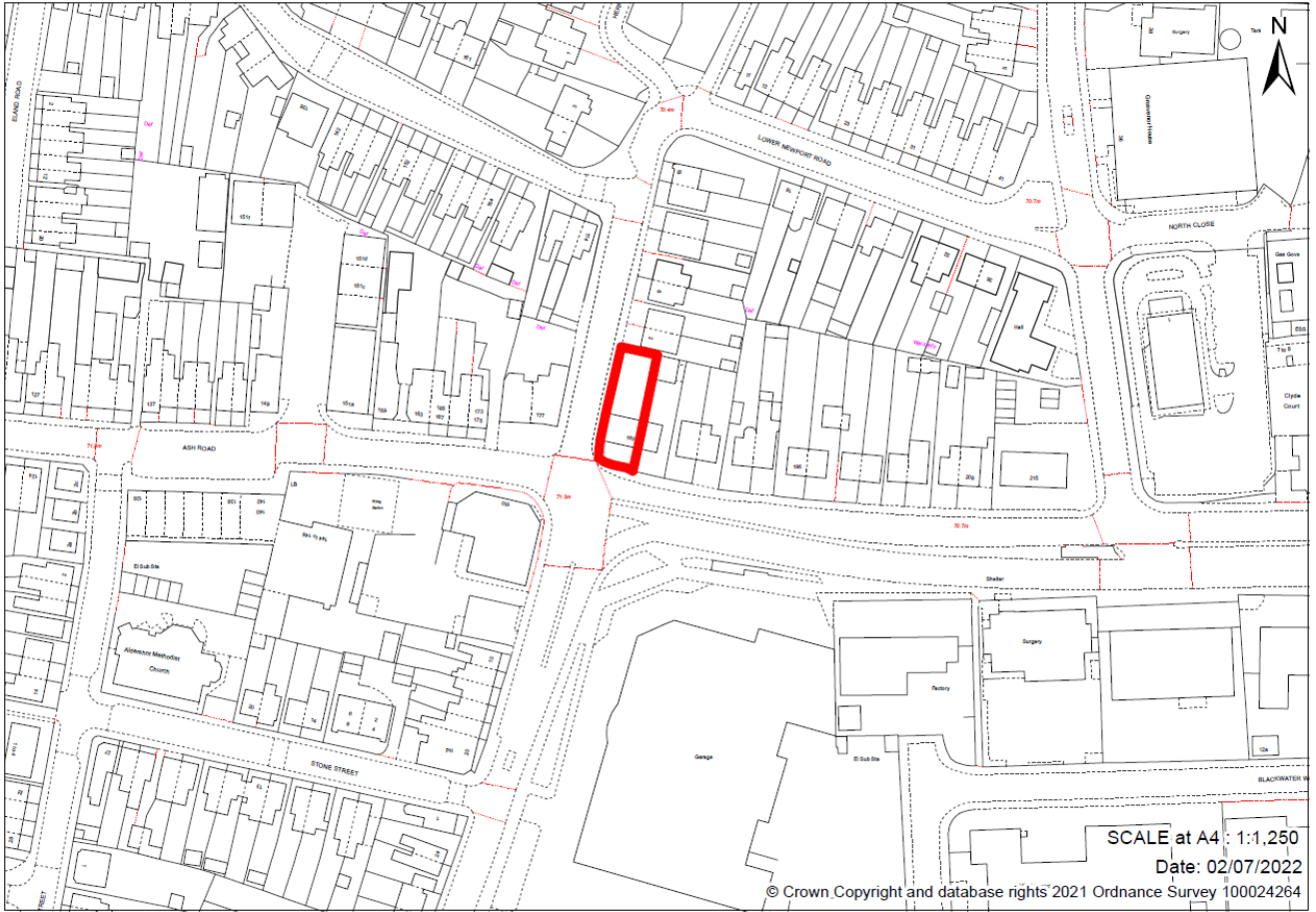
- 3 Your attention is specifically drawn to the conditions marked *. These condition(s) require either the submission and approval of details, information, drawings etc.by the Local Planning Authority BEFORE WORKS START ON SITE, BEFORE SPECIFIC ELEMENTS OF THE PROPOSAL ARE CARRIED OUT or, require works to be carried out BEFORE COMMENCEMENT OF USE OR FIRST OCCUPATION OF ANY BUILDING.

Development started, carried out or occupied without first meeting the requirements of these conditions is effectively development carried out WITHOUT PLANNING PERMISSION.

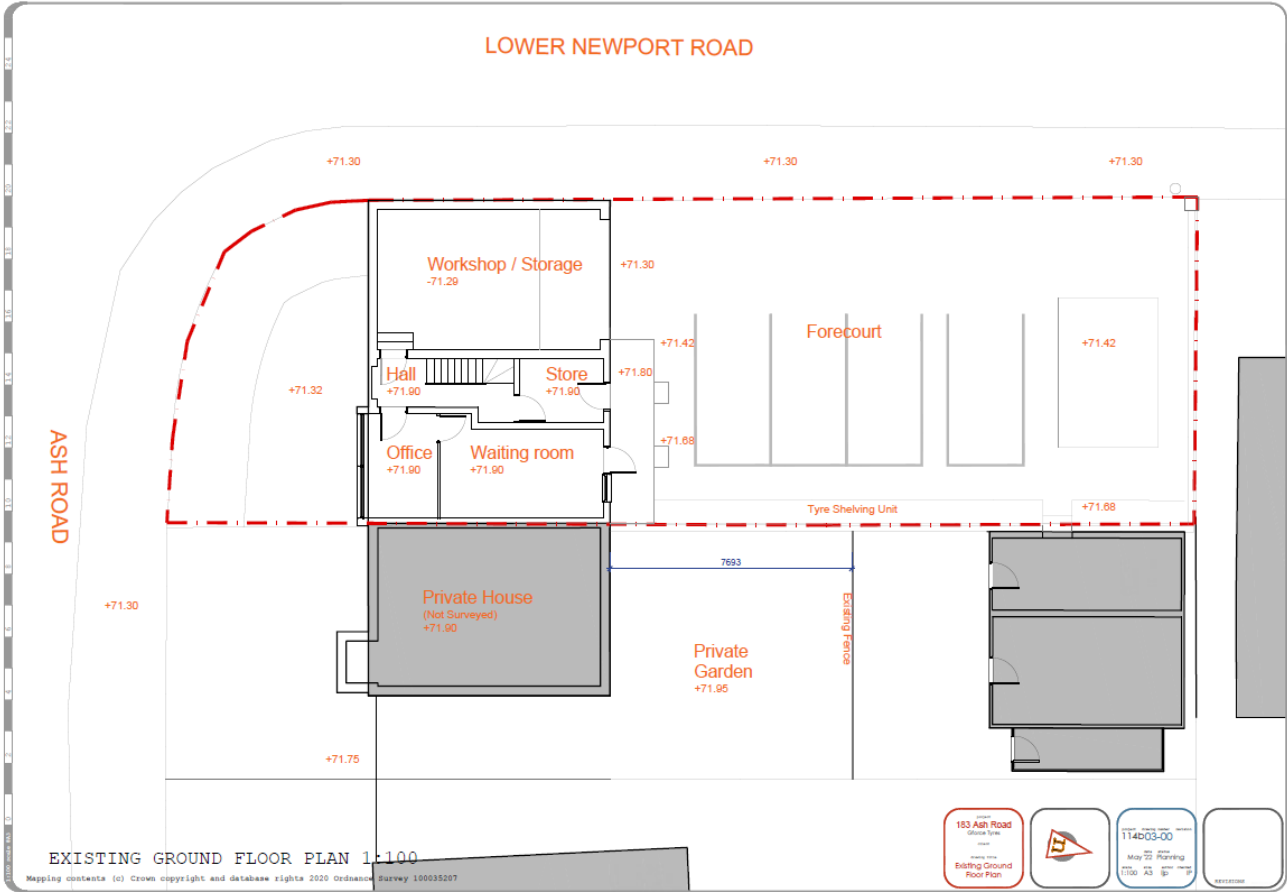
The Council will consider the expediency of taking enforcement action against any such development and may refer to any such breach of planning control when responding to local searches. Submissions seeking to discharge conditions or requests for confirmation that conditions have been complied with must be accompanied by the appropriate fee.

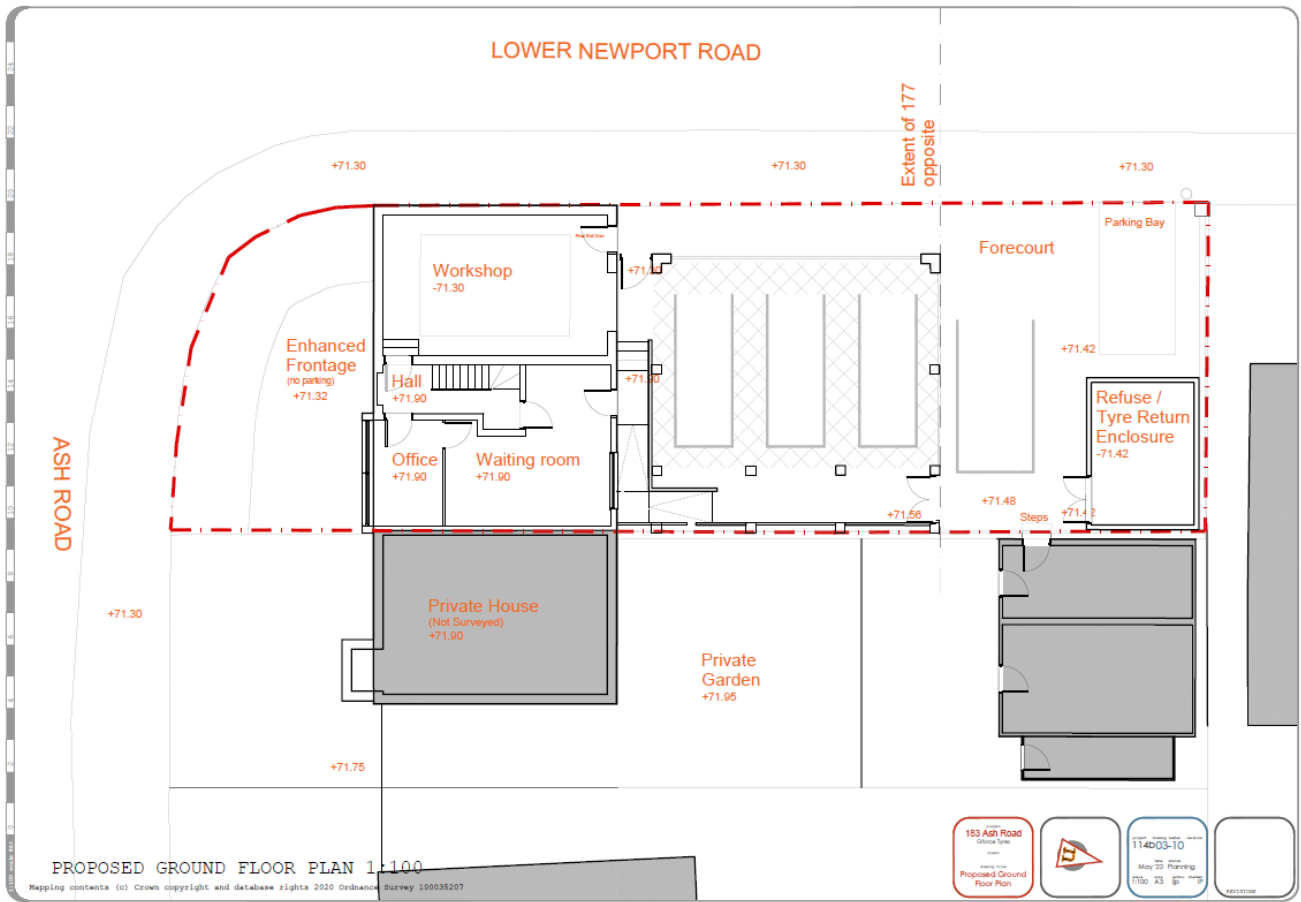
- 4 The applicant is reminded that the premises should be made accessible to all disabled people, not just wheelchair users, in accordance with the duties imposed by the Equality Act 2010. This may be achieved by following recommendations set out in British Standard BS 8300: 2009 "Design of buildings and their approaches to meet the needs of disabled people - Code of Practice". Where Building Regulations apply, provision of access for disabled people to the premises will be required in accordance with Approved Document M to the Building Regulations 2000 "Access to and use of buildings". The Rushmoor Access Group would welcome the opportunity to give further advice and guidance.

- 5 In order to avoid risk arising from overbuilding of the gas network, the applicant is advised to check their proposals against the information at <https://www.linesearchbeforeudig.co.uk> and contact the Plant Protection Team at Scotland Gas Networks Plc plantlocation@sgn.co.uk Tel: 0800 912 1722.

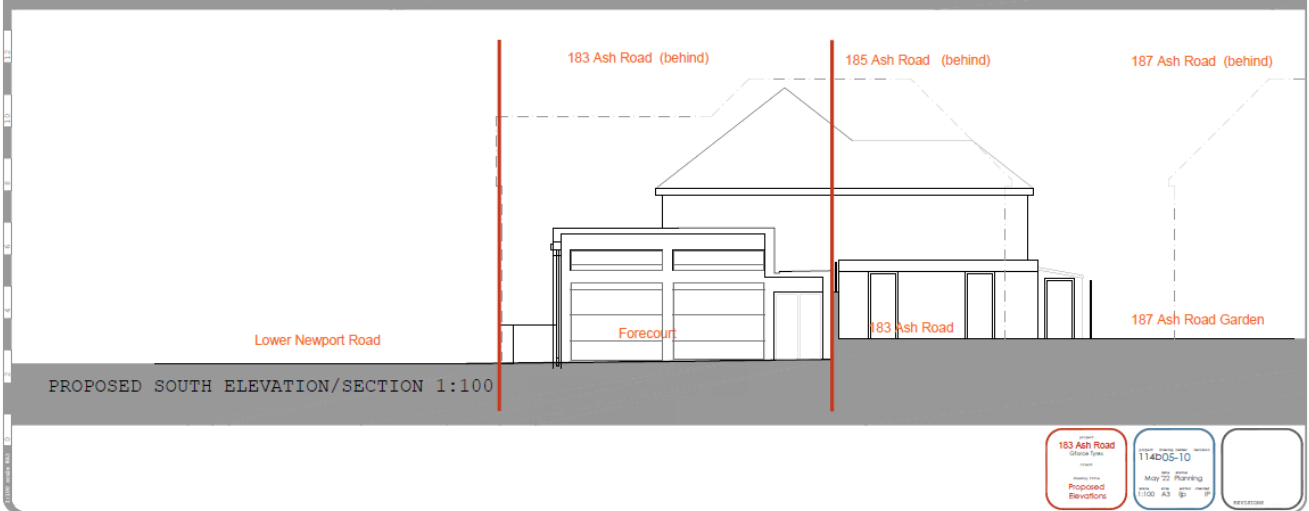
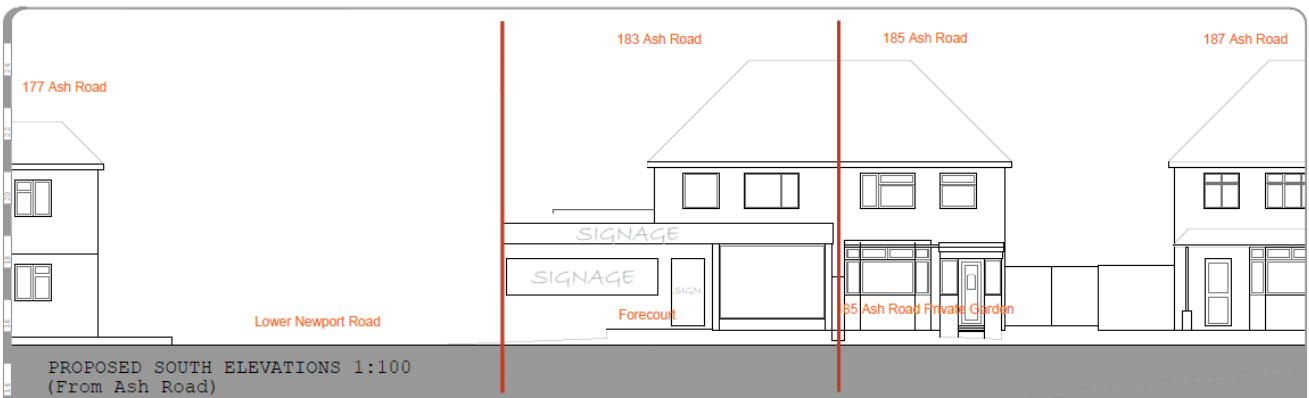
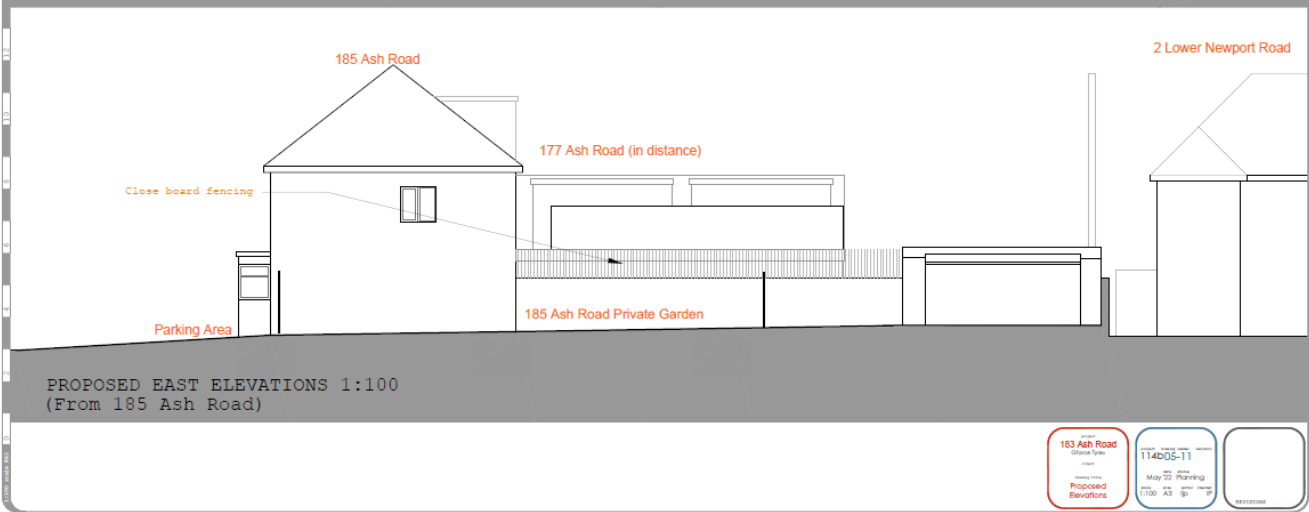
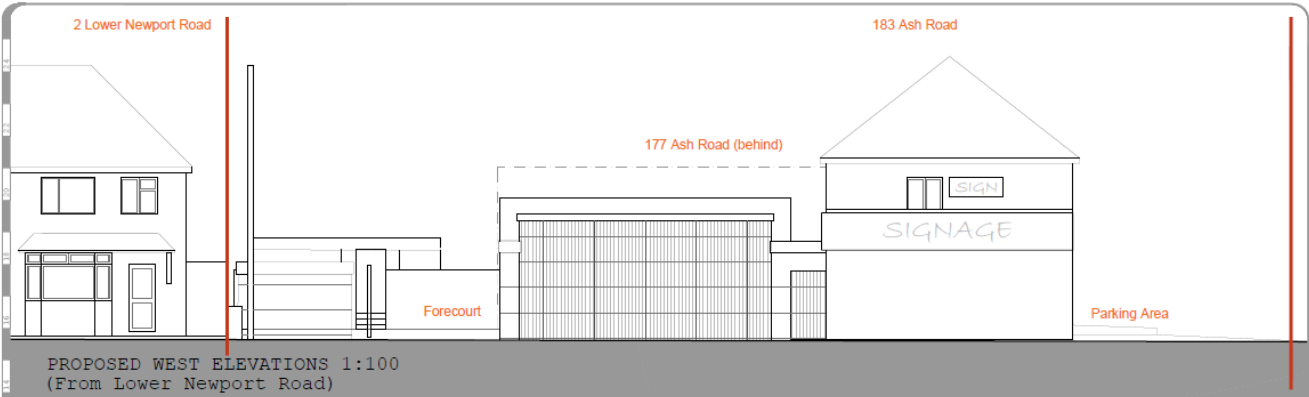


Existing Floorplan





Proposed Elevations



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Case Officer	Louise Davies
Application No.	22/00390/FUL
Date Valid	7th June 2022
Expiry date of consultations	30th June 2022
Proposal	Conversion of existing 3 bedroom maisonette into 2no. 1 bedroom flats with provision of cycle and bin store
Address	9A Wellington Street Aldershot Hampshire GU11 1DX
Ward	Wellington
Applicant	Rushmoor Borough Council
Agent	Mr Simon Ross
Recommendation	Grant subject to completion of a S106 Planning Obligation

Description

This application seeks the conversion through internal alteration of an existing three bedroom maisonette in to two separate one-bedroom flats. The existing access from the rear will remain and the shared space to the rear of the property will house a bin and cycle store.

Neighbours notified

In addition to posting a site notice, the surrounding neighbours were notified. One comment was received from the ground floor occupier who was supportive of the upgrading of the flat and raised some practical concerns regarding operation of any future tenancy.

Policy and determining issues

This building is within Aldershot Town Centre and a Primary Shopping Frontage Primary Shopping Frontage and is a Building of Local Importance.

Policies SS1 (Presumption in Favour of Sustainable Development), SS2 (Spatial Strategy), Policy: SP1.1 (Primary Shopping Frontage), DE1 (Design in the Built Environment), DE2 (Residential Internal Space Standards) and DE3 (Residential Amenity Space Standards), DE6 (Open Space, Sport & Recreation), IN2 (Transport), HE1 (Heritage) NE1 (Thames Basin Heaths Special Protection Area), of the adopted Rushmoor Local Plan (2014-2032) are

relevant to the consideration of the current application.

Also relevant is the Council's adopted Supplementary Planning Document (SPD) "Parking Standards" adopted in 2017.

This item is before the Planning Committee due to the building being owned by Rushmoor Borough Council.

Commentary

- Design and Appearance

The proposal is to convert the upper two stores of a building comprising retail to the ground floor and residential over the upper two floors currently occupied as a three-bedroom flat. The flat has a separate entrance, from the rear of the property. This property is situated on Wellington Road, Aldershot. The proposals seek to convert the upper two floors from one unit into two separate flats. The building is a Building of Local Importance. No external changes are proposed to the building front elevation and existing fenestration will remain.

To the rear elevation at ground floor level it is proposed to insert a second doorway of the same style and dimension as the existing to provide independent access for the proposed flats, allowing the commercial unit at ground floor level to use the existing access and improve the approach to the access and egress to the rear of the building and the commercial fire exit by removing the need for internal doors; reducing the potential for tripping hazards caused by the rather unusual existing step and threshold arrangements.

This will look to overcome some conflict of shared use that has occurred in the past between the residential occupants, and the operation of the commercial unit. The addition of the doorway will only be partly visible from the rear service yard directly behind the building. No change to the front of the building is proposed. To the rear is proposed an amenity area with space for bin and cycle storage to serve both flats, as existing.

The proposed Flat 1 to the first floor comprises one single bedroom with bathroom and kitchen/living area.

The proposed Flat 2 is to the second floor. The flat has one double bedroom, separate bathroom with store cupboard, and a kitchen/living space.

Policy DE1 (Design in the Built Environment) requires new development 'to make a positive contribution towards improving the quality of the built environment'. No external changes will be made to the principal elevation of this Building of Local Importance. The proposal will therefore accord with Policy HE1 (Heritage).

- Residential Standards

The Ministry of Housing, Communities and Local Government's Technical Housing Standards defines minimum floor areas and built-in storage for all new residential dwellings. These standards are reflected within Policy DE2 (Residential Space Standards) of the Local Plan. The submitted plans indicate that the proposed floorspaces for both flats meets the minimum standards. Flat 1 to the first floor, is a one bedroom one person flat measuring approx 39sqm. Flat 2 is a one bedroom two person flat measures approx. 50sqm.

Policy DE3 (Residential Amenity Space Standards) is also relevant. Policy DE3 requires all new residential development and conversions 'to provide good-quality, useable private outdoor space in the form of gardens, balconies and/or roof terraces. The minimum requirement for private outdoor space for a flat is a 5sq m balcony accessible from the main habitable room. These flats will be served by an existing outside courtyard area, which is fenced for privacy.

- Parking

The Council's 'Car and Cycle Parking Standards' supplementary planning document (SPD) (adopted in November 2017) sets out the Council's car and cycle parking standards. In terms of car parking, there is 'a presumption that the parking standard (including the visitor parking requirement) should be provided in full' (p. 10). From the SPD, 1 bedroom properties should be provided with a minimum of 1 car parking space, and three bedroom properties with 2 spaces per unit. Taking the existing required provision to serve the existing use, a three bedroom property is served by two car parking spaces. This proposal would require two spaces (one for each flat), therefore there is no step change between the required parking for one three-bedroom flat and two one-bedroom flats, and it is considered that the proposal will not increase demand for parking over and above the existing use.

Thames Basin Heath Special Protection Area

As the proposals seek to provide general needs residential accommodation (Use Class C3) and the site is located within the 5km zones of influence of elements of the Thames Basin Heaths Special Protection Area (SPA), it will be necessary for the impact of the proposed development upon the nature conservation interests and objectives of the SPA to be addressed.

The project the subject of the current planning application being assessed would result in a net increase of 1 dwelling within 5 km of a boundary of part of the Thames Basin Heaths SPA. In line with Natural England guidance and adopted New Rushmoor Local Plan Policy NE1 and Thames Basin Heaths Avoidance & Mitigation Strategy (2019), a permanent significant effect on the SPA due to an increase in recreational disturbance as a result of the proposed new development is likely. As such, in order to be lawfully permitted, the proposed development will need to secure a package of avoidance and mitigation measures.

Rushmoor Borough Council formally adopted the latest version of the Thames Basin Heaths SPA Avoidance & Mitigation Strategy (AMS) in 2021. The AMS provides a strategic solution to ensure the requirements of the Habitats Regulations are met with regard to the in-combination effects of increased recreational pressure on the Thames Basin Heaths SPA arising from new residential development. This Strategy is a partnership approach to addressing the issue that has been endorsed by Natural England.

The AMS comprises two elements. Firstly the maintenance of Suitable Alternative Natural Greenspace (SANG) in order to divert additional recreational pressure away from the SPA; and, secondly, the maintenance of a range of Strategic Access Management and Monitoring Measures (SAMMs) to avoid displacing visitors from one part of the SPA to another and to minimize the impact of visitors on the SPA. Natural England raises no objection to proposals for new residential development in the form of Standing Advice provided that the mitigation and avoidance measures are in accordance with the AMS.

In order to meet the requirements of Policy NE1 and the AMS applicants must:-

- (a) secure an allocation of SPA mitigation capacity from either the Council's SANGS

schemes, or from another source acceptable to Natural England and to the Council; and
(b) secure the appropriate SANG and/or SAMM in perpetuity by making the requisite financial contribution(s) by entering into a satisfactory s106 Planning Obligation that requires the payment of the contribution(s) upon the first implementation of the proposed development.

These requirements must be met to the satisfaction of Natural England and Rushmoor Borough Council (the Competent Authority) before the point of decision of the planning application.

In this case the applicants have requested an allocation within a SANGS scheme sufficient for the new dwelling unit proposed. Further to the Rushmoor Cabinet resolutions of 17th June 2014, having considered the scheme in relation to the criteria therein, an allocation of capacity within the Rowhill SANG project has been made in relation to this proposal. Furthermore, the applicants are also seeking to secure a financial contribution towards Open Space by way of a s106 planning obligation requiring payment of this additional SPA financial contribution upon the implementation of the proposed development.

On this basis, the Council are satisfied that, subject to the receipt of a satisfactory completed s106 Planning Obligation, the applicants will have satisfactorily mitigated for the impact of their proposed development on the Thames Basin Heaths SPA in perpetuity in compliance with the requirements of Rushmoor Local Plan Policy NE1 and the AMS. Accordingly, it is considered that planning permission could then be granted for the proposed development on SPA grounds.

Conclusions

The proposals would have no material and harmful impact upon the visual character and appearance of the area or on designated heritage assets. The proposals would have no material and adverse impact on neighbouring amenity, would provide an acceptable living environment for future occupiers and would not result in conditions prejudicial to highway safety. Subject to financial contributions being secured in respect of Special Protection Area Mitigation & Avoidance and Public Open Space with a s106 Planning Obligation; the proposals would have no significant impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area; and would appropriately address the Council's adopted Local Plan Policy DE6 concerning Public Open Space. The proposals are therefore considered to be acceptable having regard to the criteria of Policies SS1 (Presumption in Favour of Sustainable Development), SS2 (Spatial Strategy), Policy: SP1.1 (Primary Shopping Frontage), DE1 (Design in the Built Environment), DE2 (Residential Internal Space Standards) and DE3 (Residential Amenity Space Standards), DE6 (Open Space, Sport & Recreation), IN2 (Transport), HE1 (Heritage) NE1 (Thames Basin Heaths Special Protection Area), of the adopted Rushmoor Local Plan (2014-2032)

It is recommended that:

(a) **subject** to the completion of a satisfactory Planning Obligation under Section 106 of the Town and Country Planning Act 1990 by 2 August 2022 or unless otherwise agreed by an Extension of Time to secure the SAMMs SPA and Public Open Space contributions as set out in the report, the Head of Planning in consultation with the Chairman be authorised to GRANT planning permission subject to the following conditions and informatives:-

However, in the event that a satisfactory s106 Agreement is not received by 2 August 2022,

and no Extension of Time has been agreed, the Head of Planning, in consultation with the Chairman, be authorised to refuse planning permission on the grounds that the proposal does not provide a financial contribution to mitigate the effect of the development on the Thames Basin Heaths Special Protection Area in accordance with The Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy and adopted Rushmoor Local Plan Policy NE1; and does not make appropriate provision for Public Open Space in accordance with the requirements of adopted Rushmoor Local Plan Policy DE6.

- 1 The development hereby permitted shall be begun before the expiration of one year from the date of this permission.

Reason - As required by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, to reflect the objectives of the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy as amended 2021 and to accord with the resolution of Rushmoor's Cabinet on 17 June 2014 in respect of Planning Report no PLN1420.

2. The permission hereby granted shall be carried out in accordance with the following approved drawings and details –

Existing Rear Elevations Drawing No. 2022-P-106/SR dated 22 March 22;
Proposed Rear Elevation, Drawing No. 2022-P-106/SR Rev A dated 22 March 2022;
Existing and Proposed Alteration to Access - Section Through Rear Elevation, Drawing No. 2022-P-107/SR Dated 6 July 2022;
Proposed Ground Floor Plan and Bin Store, Drawing No. 2022-P-104/SR Rev F dated 19 Jan 2022;
Site Location Plan and Block Plan 01;
Proposed Second Floor Plan, Drawing No. 2022-P-103/SR Rev D dated 19 Jan 2022;
Proposed First Floor Plan, Drawing No. 2022-P-102/SR Rev E dated 19 Jan 2022;
Existing and Proposed Front Elevations Plan, Drawing No. 2022-P-105/SR dated 22 March 2022; and
Existing First and Second Floor Plans, Drawing No. 2022-P-101/SR Rev B dated 19 Jan 2022.

Reason - To ensure the development is implemented in accordance with the permission granted.

- 3 Prior to the occupation of any part of the development hereby approved the cycle parking shall be provided in accordance with the approved plans and retained for this purpose thereafter.

Reason - In the interests of visual amenity and highway safety.

Informatives

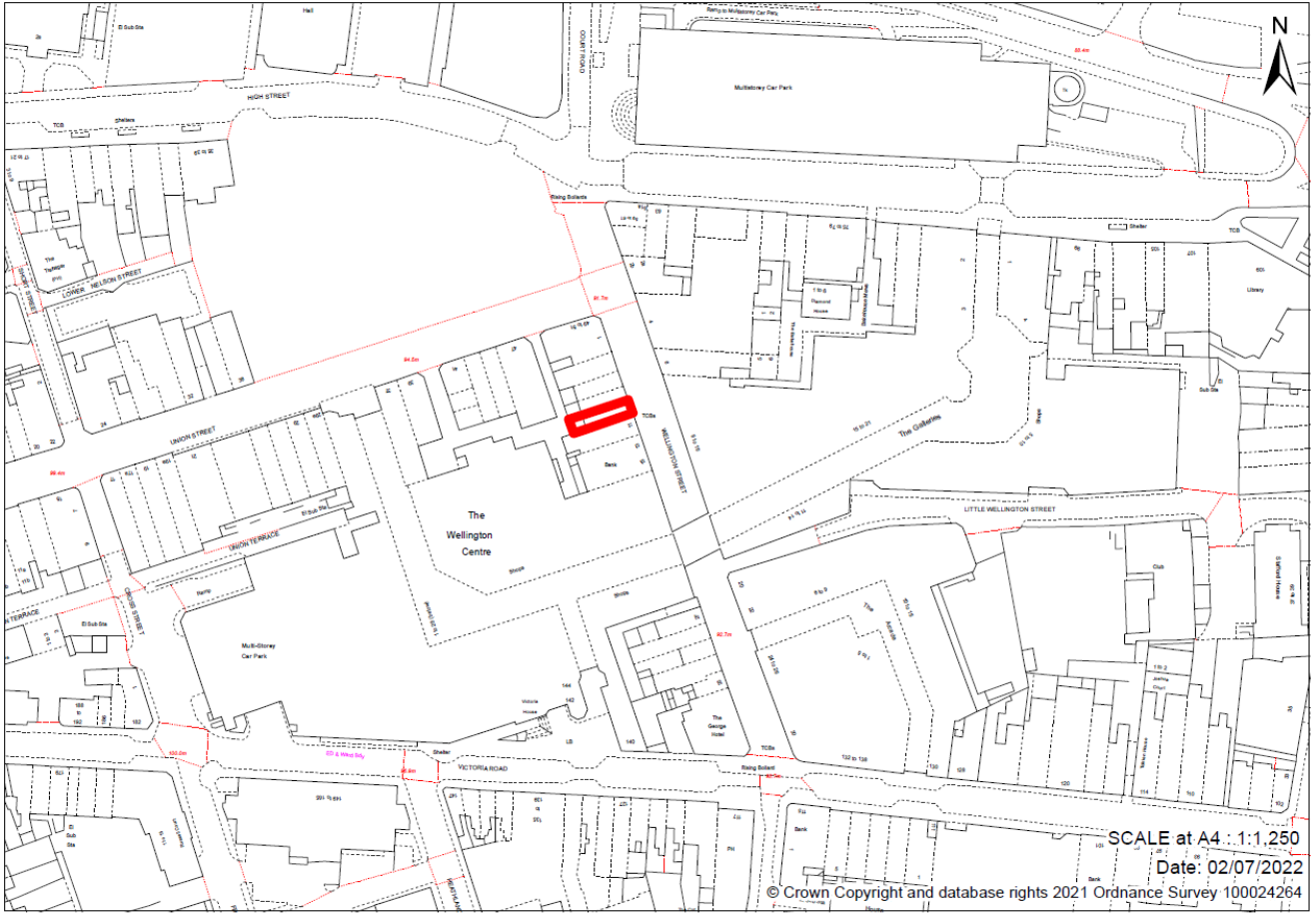
- 1 INFORMATIVE - This permission is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
- 2 INFORMATIVE - The Local Planning Authority's commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of pre-application discussion to all, and assistance in the validation and determination of applications

through the provision of clear guidance regarding necessary supporting information or amendments both before and after submission, in line with the National Planning Policy Framework.

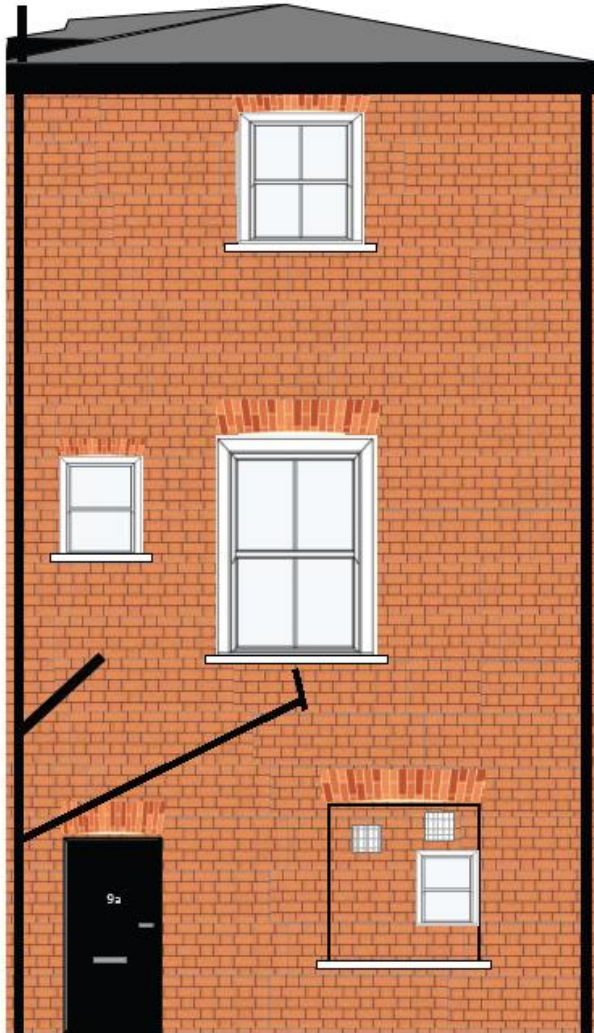
- 3 INFORMATIVE - The applicant is recommended to achieve maximum energy efficiency and reduction of Carbon Dioxide emissions by:
 - a) ensuring the design and materials to be used in the construction of the building are consistent with these aims; and
 - b) using renewable energy sources for the production of electricity and heat using efficient and technologically advanced equipment.
- 4 INFORMATIVE - The applicant is advised to contact the Recycling and Waste Management section at Rushmoor Borough Council on 01252 398164 with regard to providing bins for refuse and recycling.
- 5 INFORMATIVE - **REASONS FOR APPROVAL**- The Council has granted permission because The proposals would have no material and harmful impact upon the visual character and appearance of the area or on designated heritage assets. The proposals would have no material and adverse impact on neighbouring amenity, would provide an acceptable living environment for future occupiers and would not result in conditions prejudicial to highway safety. Subject to financial contributions being secured in respect of Special Protection Area Mitigation & Avoidance and Public Open Space with a s106 Planning Obligation; the proposals would have no significant impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area; and would appropriately address the Council's adopted Local Plan Policy DE6 concerning Public Open Space. The proposals are therefore considered to be acceptable having regard to the criteria of Policies SS1 (Presumption in Favour of Sustainable Development), SS2 (Spatial Strategy), Policy: SP1.1 (Primary Shopping Frontage), DE1 (Design in the Built Environment), DE2 (Residential Internal Space Standards) and DE3 (Residential Amenity Space Standards), DE6 (Open Space, Sport & Recreation), IN2 (Transport), HE1 (Heritage) NE1 (Thames Basin Heaths Special Protection Area), of the adopted Rushmoor Local Plan (2014-2032)

It is therefore considered that subject to compliance with the attached conditions, and taking into account all other material planning considerations, including the provisions of the development plan, the proposal would be acceptable. This also includes a consideration of whether the decision to grant permission is compatible with the Human Rights Act 1998.

Site Location Plan

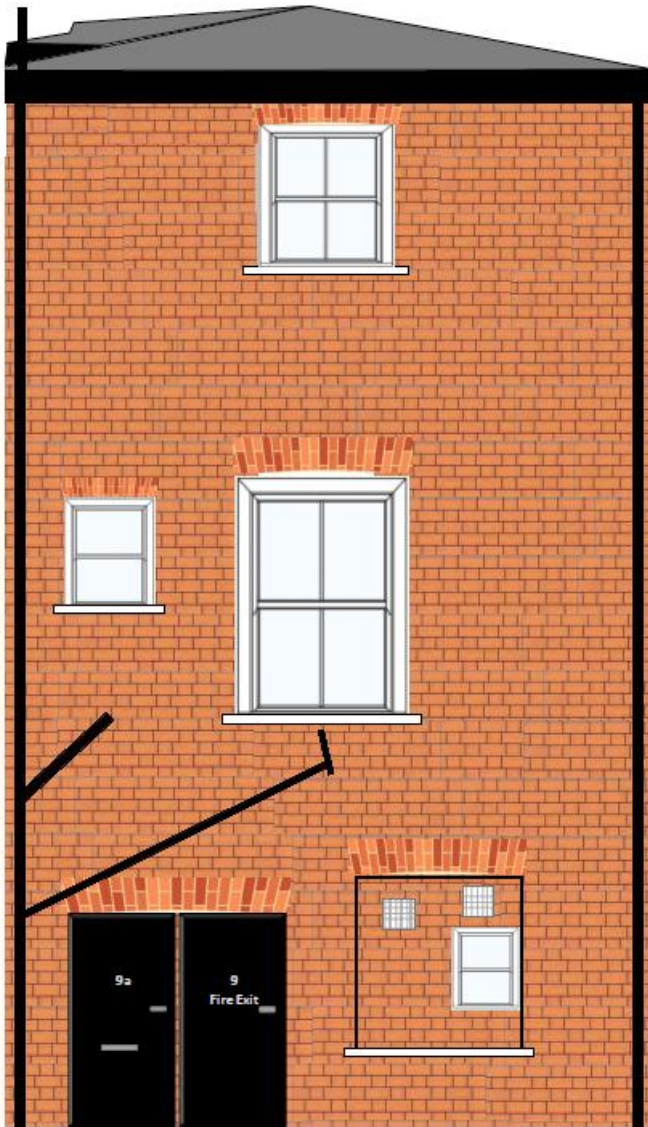


Existing Rear Elevation



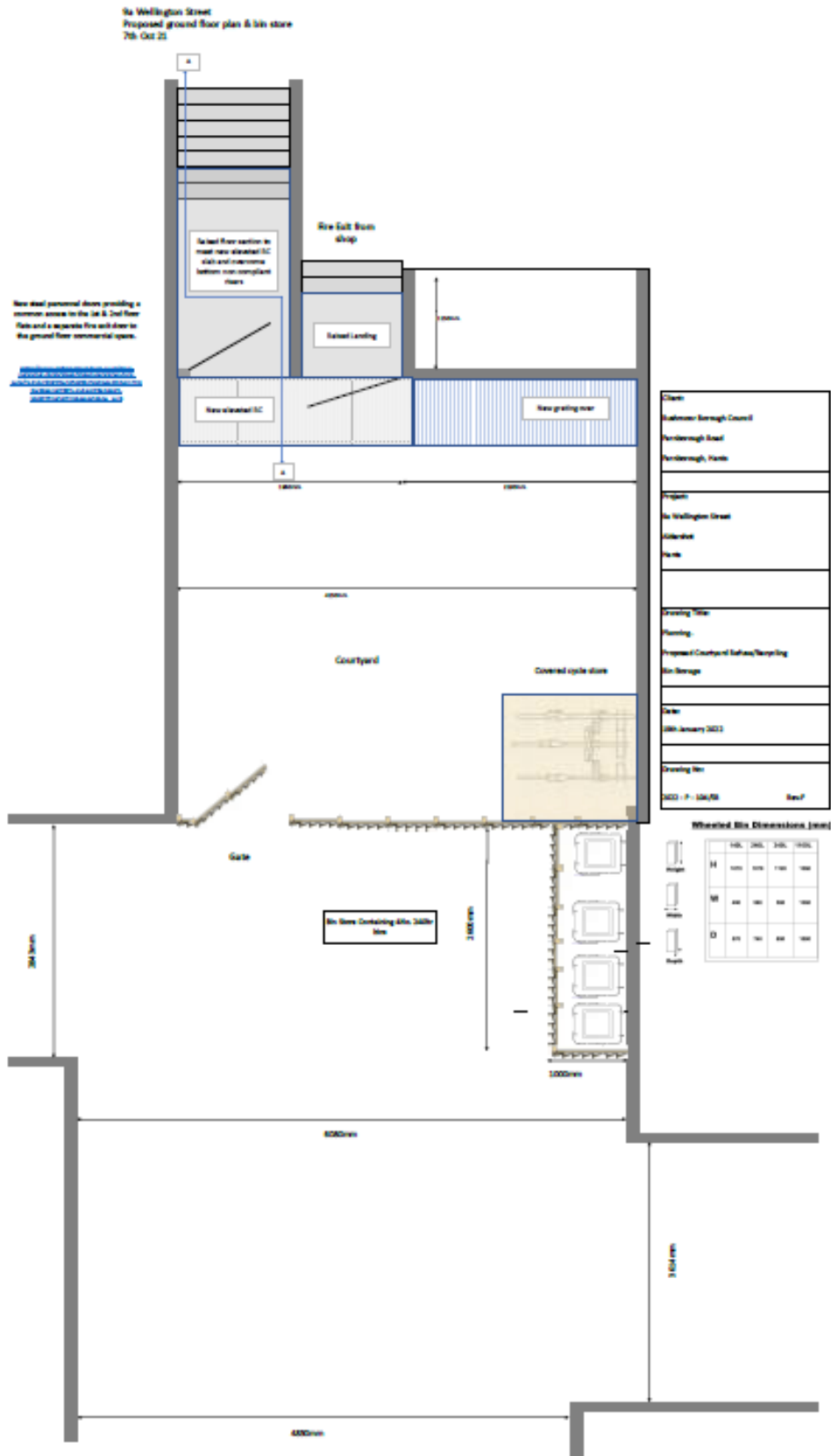
Client: Rushmoor Borough Council Farnborough Road Farnborough, Hants
Project: 9a Wellington Street Aldershot Hants
Drawing Title: Planning. Existing & Proposed Rear Elevation Elevation Remains Unchanged
Date: 22nd March 2022
Drawing No: 2022 - P - 106/SR Rev.

Proposed Rear Elevation

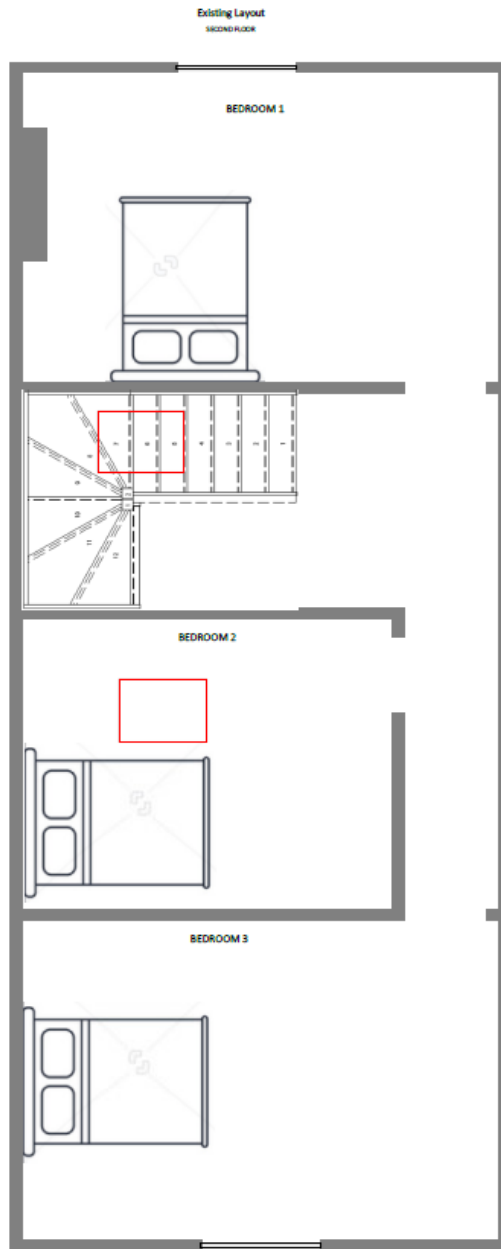
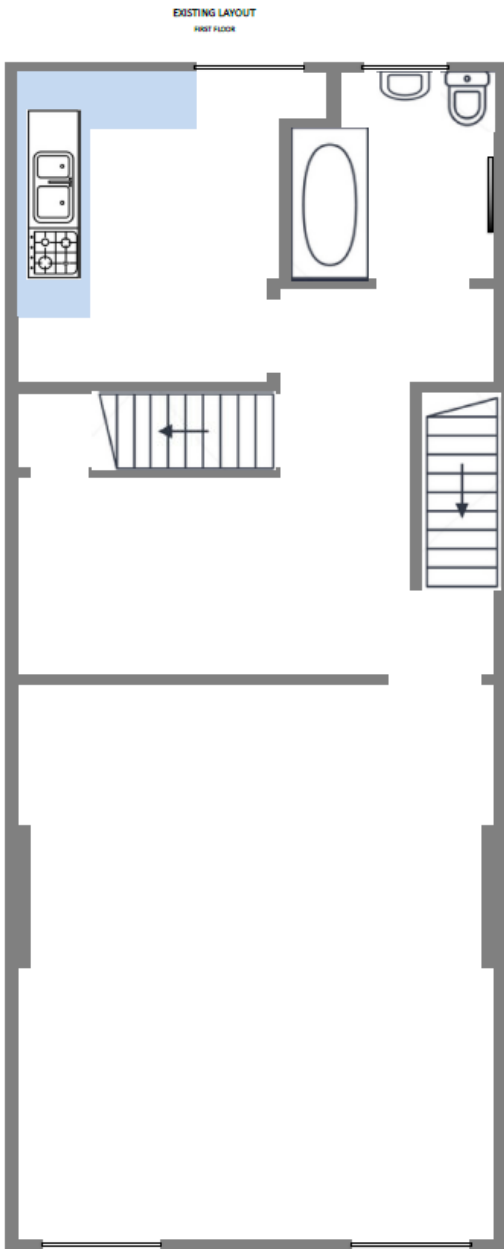


Client: Rushmoor Borough Council Farnborough Road Farnborough, Hants
Project: 9a Wellington Street Aldershot Hants
Drawing Title: Planning. Existing & Proposed Rear Elevation Elevation Remains Unchanged
Date: 22nd March 2022
Drawing No: 2022 - P - 106/SR Rev.A

Proposed Ground Floor Plan

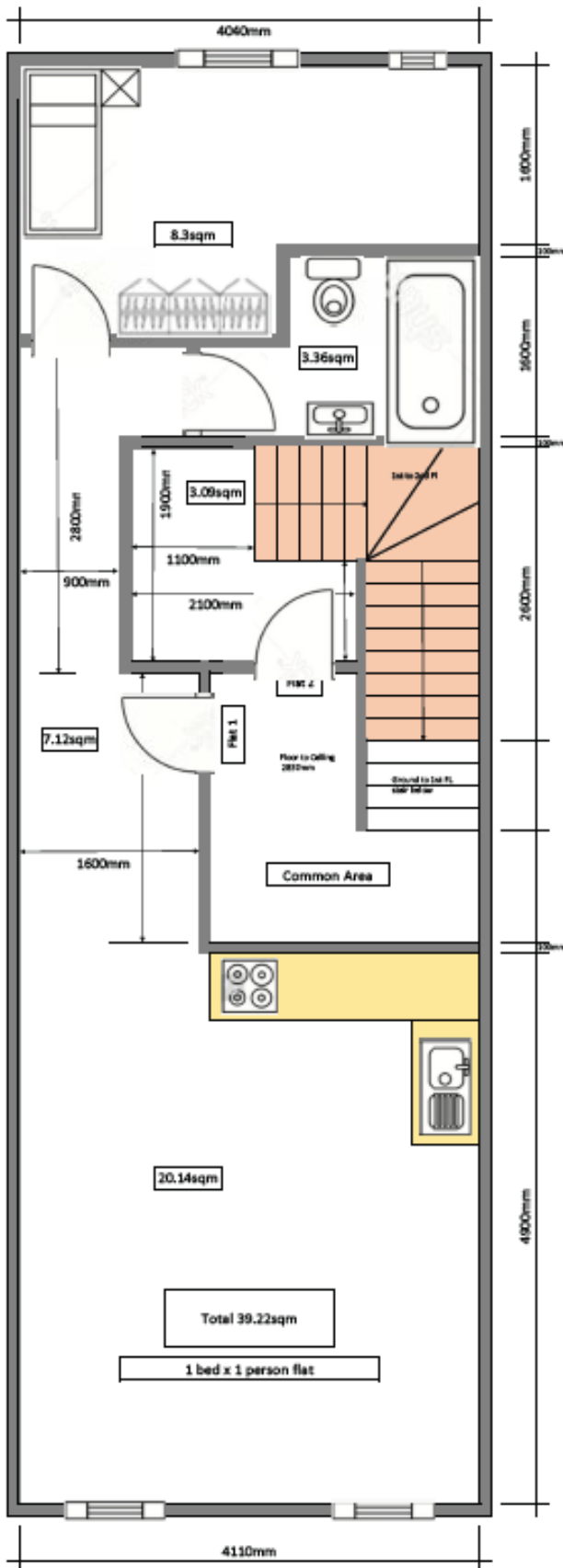


Existing First and Second Floor Plans



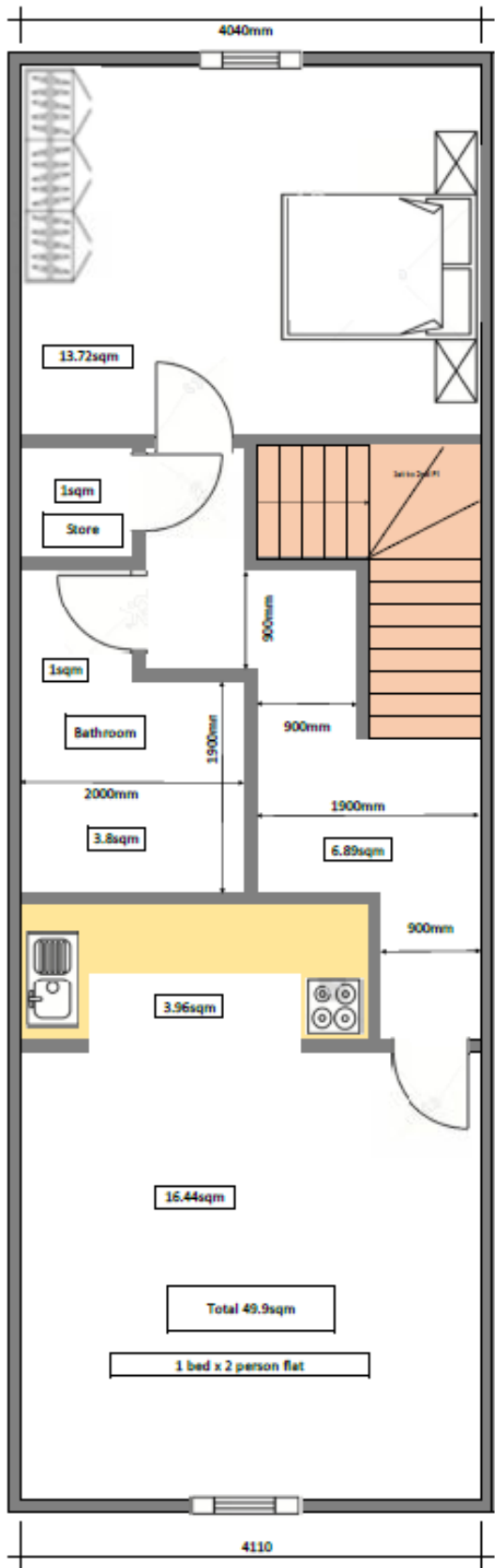
Client: Rushmoor Borough Council Fernborough Road Fernborough, Hants
Project: 24 Wellington Street Aldershot Hants
Drawing Title: Planning: Existing 1st & 2nd Floor Plans
Date: 19th January 2022
Drawing No: 2022 - P - 102/SR Rev.B

Proposed First Floor Plan



Client:	Rushmoor Borough Council Farnborough Road Farnborough, Hants
Project:	St Wellington Street Aldershot Hants
Drawing Title:	Planning Proposed 1st Floor Plan
Date:	19th January 2022
Drawing No:	2022 - P - 102/SR Rev.E

Proposed Second Floor Plan



Client:	Rushmoor Borough Council Farnborough Road Farnborough, Hants
Project:	Ra Wellington Street Aldershot Hants
Drawing Title:	Planning Proposed 2nd Floor Plan
Date:	19th January 2022
Drawing No:	2022 - P - 001/08 Rev.D

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The information, recommendations and advice contained in this report are correct as at the date of preparation, which is more than two weeks in advance of the Committee meeting. Because of these time constraints some reports may have been prepared in advance of the final date given for consultee responses or neighbour comment. Any changes or necessary updates to the report will be made orally at the Committee meeting.

Case Officer	Tara Hasty
Application No.	22/00410/FULPP
Date Valid	13th June 2022
Expiry date of consultations	5th July 2022
Proposal	Formation of new ground floor window to rear
Address	Princes Hall Princes Way Aldershot Hampshire GU11 1NX
Ward	Wellington
Applicant	Mr Graham King (Rushmoor Borough Council)
Agent	-
Recommendation	Grant

Description

Princes Hall is located on the west side of Princes Way and occupies a corner position at the traffic-light junction with Wellington Avenue (A323). It is located adjoining Aldershot Police Station, Magistrates' Courts and Westgate.

This application is proposing to install a window in the rear elevation of Princes Hall, measuring 2 metres wide by 560mm high. The new window will provide light and ventilation for a changing room.

This application is before the committee as the Council is the applicant.

Consultee Responses

RBC Regeneration Team - No comments received

Neighbours notified

A site notice has been displayed to the front of the building along with neighbour letters to the adjoining properties at: 1 Westgate, Magistrates Court and Hampshire Constabulary Aldershot Division.

Neighbour comments

No responses have been received as a result of neighbour notification.

Policy and determining issues

The site is within Aldershot Town Centre. The relevant development plan policies are; Policies SP1 Aldershot Town Centre, SP1.3 Westgate, and DE1 Design in the Built Environment of the Rushmoor Local Plan Adopted February 2019.

The main determining issues are; Impact on the character of the area, , impact on neighbours, and highway considerations.

Commentary

- Impact on the character of the area

The building is a commercial theatre. The proposed window is similar to those that exist on the rear elevation and would otherwise accord with the lines and proportions of the host building. The proposal would not harm the character of the host building or street scene.

The proposal would accord with Policy DE1 of the Local Plan in that respect.

- Impact on neighbours

The proposed window faces the Magistrates Court and the Police station. As there are existing windows similar in size and style facing in the same direction as the proposed window, it is considered that the proposed window will have no adverse impact on adjacent buildings. As a result, no harmful loss of privacy would result from the proposal.

Summary;

In conclusion, subject to any comments received as a result of the publicity requirements for this application, the proposal is acceptable in terms of impact on the character of the area and surrounding buildings having regard to policies SP1 and SP1.3 of the Rushmoor Local Plan subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - As required by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

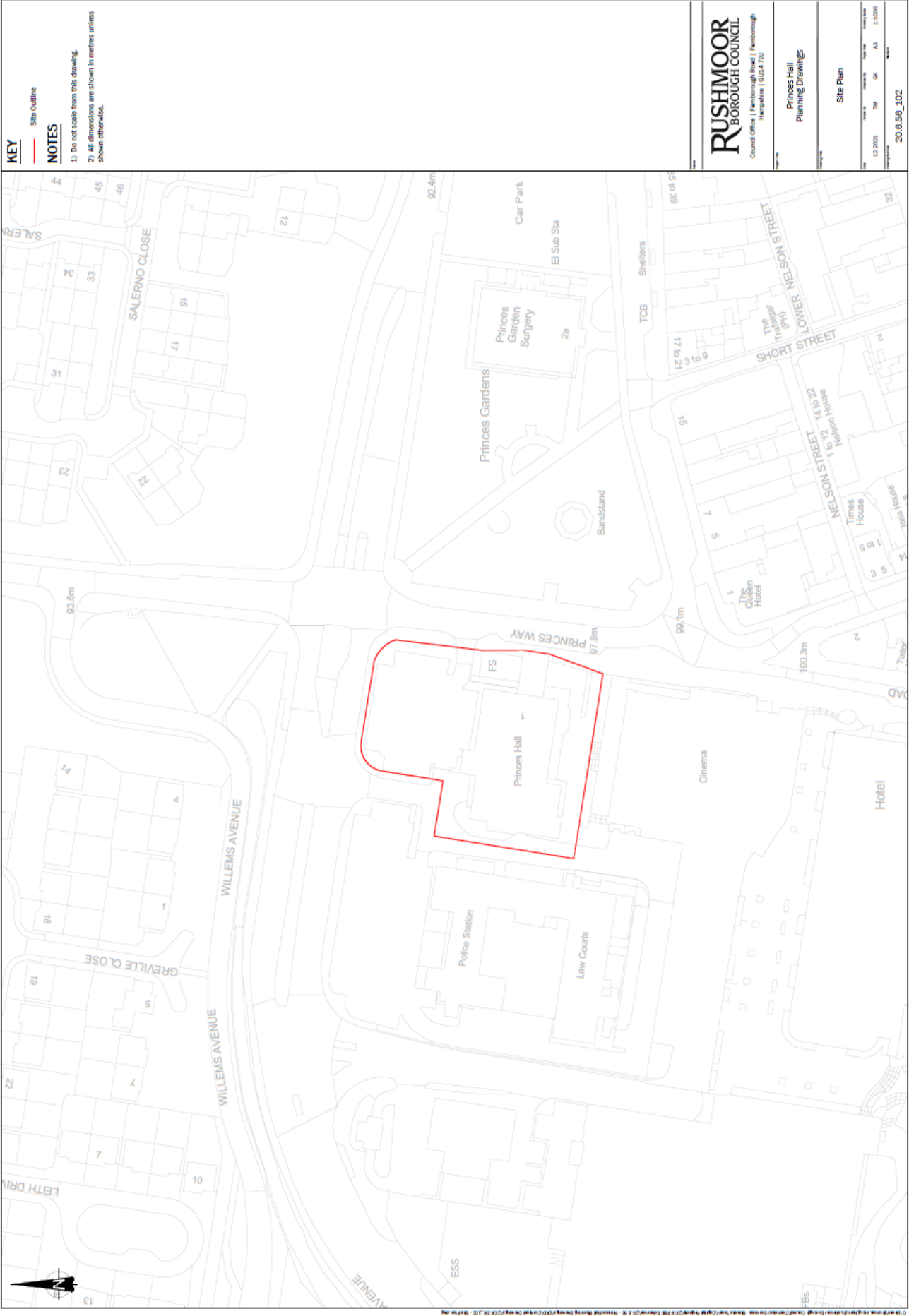
- 2 The permission hereby granted shall be carried out in accordance with the following approved drawings Drawing numbers:

Reason - To ensure the development is implemented in accordance with the permission granted

Informatives

- 1 INFORMATIVE – The Local Planning Authority’s commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of pre-application discussion to all, and assistance in the validation and determination of applications through the provision of clear guidance regarding necessary supporting information or amendments both before and after submission, in line with the National Planning Policy Framework.

- 2 The Council has granted permission because the proposal is considered to have no adverse visual impact on the appearance of the street scene or on the character of the area. It is acceptable in amenity, visual and highway safety terms and has no significant material or harmful impact on neighbours. The proposal is therefore considered acceptable having regard to Policies SP1 (Aldershot Town Centre) and SP1.3 (Westgate)It is therefore considered that subject to compliance with the attached conditions, and taking into account all other material planning considerations, including the provisions of the development plan, the proposal would be acceptable. This also includes a consideration of whether the decision to grant permission is compatible with the Human Rights Act 1998.



KEY

Site outline

NOTES

- 1) Do not scale from this drawing.
- 2) All dimensions are shown in metres unless shown otherwise.

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 Hampshire | GU14 7JL

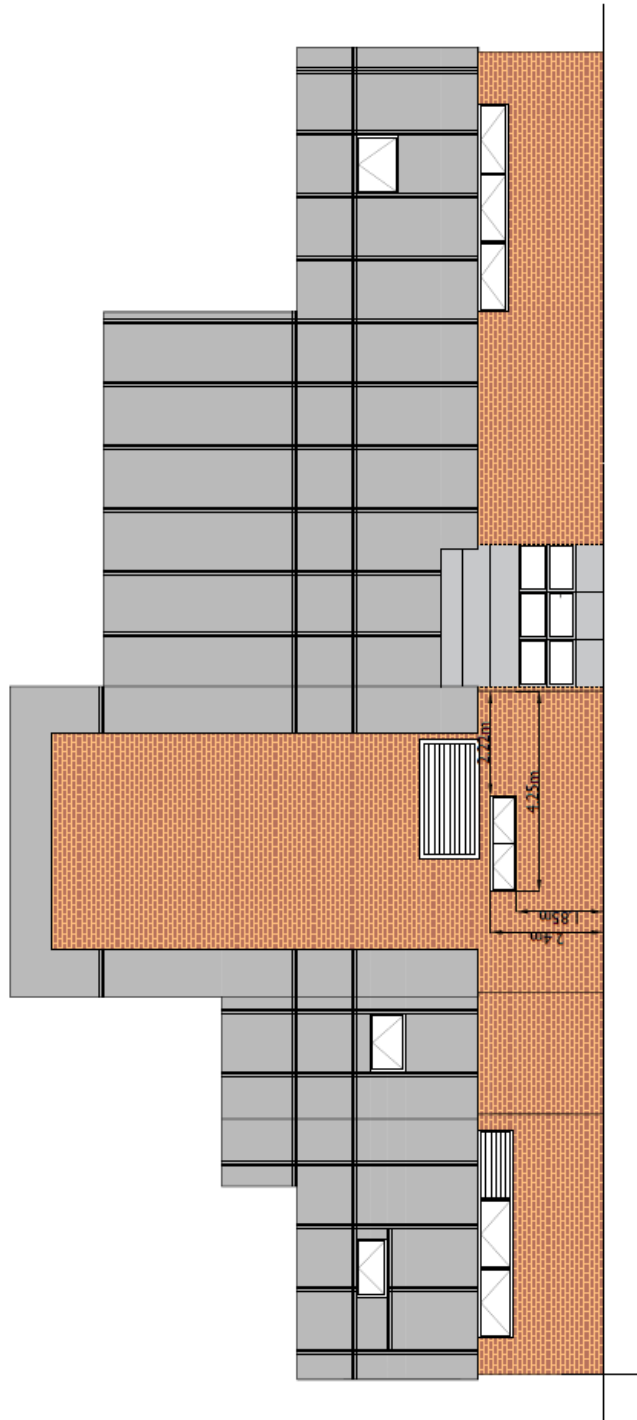
Princes Hall
 Planning Drawings

Site Plan

DATE	BY	CHECKED	SCALE
12.02.2021	TM	SK	A3
DRAWING NUMBER			20.6.56_102

NOTES

- 1) Do not scale from this drawing.
- 2) All dimensions are shown in metres unless shown otherwise.



9
 A: REF NUMBER: 20.6.58 THU: 04. 05.2022
 10: 11: 12: 13: 14: 15: 16: 17: 18: 19: 20: 21: 22: 23: 24: 25: 26: 27: 28: 29: 30: 31: 32: 33: 34: 35: 36: 37: 38: 39: 40: 41: 42: 43: 44: 45: 46: 47: 48: 49: 50: 51: 52: 53: 54: 55: 56: 57: 58: 59: 60: 61: 62: 63: 64: 65: 66: 67: 68: 69: 70: 71: 72: 73: 74: 75: 76: 77: 78: 79: 80: 81: 82: 83: 84: 85: 86: 87: 88: 89: 90: 91: 92: 93: 94: 95: 96: 97: 98: 99: 100:

RUSHMOOR
BOROUGH COUNCIL
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 Hampshire | GU14 7JU

Project Name: Princess Hall
 Planning Drawings

Drawing Title: Proposed Rear Elevation

Date: 13.2.2021
 Drawn By: TM
 Check By: AS
 Scale: 1:100
 Drawing Number: 20.6.58_101
 Revision: A

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Section D

The following applications are reported for INFORMATION purposes only. They relate to applications, prior approvals, notifications, and consultations that have already been determined by the Head of Economy, Planning and Strategic Housing and where necessary, in consultation with the Chairman, in accordance with the Council's adopted Scheme of Delegation.

If Members wish to have more details about the decision on any of the applications on this list please contact David Stevens (01252 398738) or John W Thorne (01252 398791) in advance of the Committee meeting.

Application No	21/00217/CONDPP	Ward: Wellington
Applicant:	Mr Jack Riggs	
Decision:	Permission Granted	
Decision Date:	04 May 2022	
Proposal:	Submission of details pursuant (phase 1 and 2) to condition 3 (detailed drawings) of reserved matters application 15/0069/REMPP dated 18th October 2016 (as amended by application 19/00209/NMAPP dated 7th May 2019).	
Address	Gun Hill House And Water Tower Gun Hill Wellesley Aldershot Hampshire	

Application No	21/00310/COND	Ward: Wellington
Applicant:	Mr Jack Riggs	
Decision:	Permission Granted	
Decision Date:	04 May 2022	
Proposal:	Submission of details pursuant to condition 3 (detailed drawings) of listed building consent application 19/00212/REV dated 8th May 2019 (variation of 15/0068/LBC2PP dated 18th October 2016).	
Address	Gun Hill House And Water Tower Gun Hill Wellesley Aldershot Hampshire	

Application No 21/00416/CONDPP Ward: Wellington

Applicant: Mr Jarrod Spencer

Decision: **Permission Granted**

Decision Date: 04 May 2022

Proposal: Submission of details part pursuant (Cambridge Military Hospital Phases 2 - 10) to condition 4 (Post-Demolition Surveys) of reserved matters application 15/00897/REMPP dated 18th October 2017

Address **Zone C - Cambridge Military Hospital Aldershot Urban Extension
Alisons Road Aldershot Hampshire**

Application No 21/00551/FULPP Ward: Wellington

Applicant: Enterprise Home Developments

Decision: **Permission Granted**

Decision Date: 07 April 2022

Proposal: Erection of a five storey building to comprise 10 flats (4 x 2-bed and 6 x 1-bed) and ground floor undercroft parking with allocation of 14 parking spaces and associated cycle and refuse storage; and Variation of Condition Nos. 6 (to relocate refuse storage area) and 7 (provision of 10 allocated parking spaces in amended parking layout to rear of proposed building) of planning permission 12/00019/COUPP dated 11 April 2012 relating to the adjacent existing flats at 1 Pickford Street [amended description arising from amended plans received on 1 November 2021]

Address **Land Adjacent To 1 Pickford Street Aldershot Hampshire**

Application No 21/00553/COND Ward: Wellington

Applicant: Mr Jack Riggs

Decision: **Permission Granted**

Decision Date: 23 May 2022

Proposal: Submission of revised details part pursuant (Cambridge Military Hospital - Phase 2-10) to condition 5 (detailed drawings) of listed building consent 15/00930/LBC2PP dated 18th October 2016

Address **Zone C - Cambridge Military Hospital Aldershot Urban Extension
Alisons Road Aldershot Hampshire**

Application No 21/00576/COND Ward: Wellington

Applicant: Mr Jack Riggs

Decision: **Permission Granted**

Decision Date: 04 May 2022

Proposal: Submission of details part pursuant (Phase 2) to Condition No. 4 (Structural Survey) of listed building consent 19/00212/REV dated 8th May 2019 (Gunhill House and Water Tower)

Address **Gun Hill House And Water Tower Gun Hill Wellesley Aldershot Hampshire**

Application No 21/00644/EDC Ward: St Mark's

Applicant: Mr T Cotugno

Decision: **Development is Lawful**

Decision Date: 25 May 2022

Proposal: CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE OR DEVELOPMENT: Continued use as House in Multiple Occupation (Use Class C4)

Address **36 Farnborough Road Farnborough Hampshire GU14 6BB**

Application No 21/00688/ADJ Ward: Out Of Area

Applicant: Planning Department

Decision: **No Objection**

Decision Date: 07 June 2022

Proposal: Adjacent Authority Consultation from Surrey Heath Borough Council: Demolition of existing 3 buildings and redevelopment of the site to provide 4no. industrial/warehouse buildings (total 9036sqm) (Flexible Use Class B2/B8/E(g)(i)-(iii)) together with associated landscaping works and car parking/servicing

Address **Novartis 200 Frimley Business Park Frimley Camberley GU16 7SR**

Application No 21/00713/FULPP Ward: Wellington

Applicant: Enterprise Home Developments Limited

Decision: **Permission Granted**

Decision Date: 07 April 2022

Proposal: Change of use from office (Use Class Eg ii) to residential (Use Class C3) comprising 6 X 1-bedroom, 3 X 2-bedroom and 1 X 3-bedroom flats (10 units in total) with allocation of 10 parking spaces in adjacent parking area; and Variation of Condition Nos.6 (to modify location of vehicular access permitted), 8 (provision of 12 allocated parking spaces in new parking layout), 9 (amended allocation of identified parking spaces to individual flats within Trafalgar House [formerly Enterprise House Nos.88-90 Victoria Road]), 17 (relocation of refuse bin area), and 18 (approved plans) of planning permission 16/00068/FULPP dated 28 October 2016 relating to the adjacent existing Trafalgar House flats at 88-90 Victoria Road [Amended Description arising from amended plans received on 12 November 2021]

Address **84 To 86 And Land To The Rear Of 88 - 90 Victoria Road Aldershot Hampshire**

Application No 21/00848/FULPP Ward: Fernhill

Applicant: Flavia Estate

Decision: **Permission Refused**

Decision Date: 16 June 2022

Proposal: Erection of block of six residential flats (comprising 6 X 2-bedroom 4-person occupancy units) with associated car parking, landscaping, detached cycle and bin storage outbuildings and vehicular and pedestrian access to Hawley Road via the adjoining proposed development permitted by planning permission 20/00716/FULPP dated 11 March 2021

Address **Land Adjacent Green Hedges Hawley Road Blackwater Camberley Hampshire**

Application No 21/00916/FULPP Ward: St Mark's

Applicant: Mr Arvind Sahni

Decision: **Permission Granted**

Decision Date: 13 April 2022

Proposal: Proposed dormer extension to front and rear, 3-storey extension to rear and alterations to existing flats

Address **123 Lynchford Road Farnborough Hampshire GU14 6ET**

Application No 21/00972/FULPP Ward: St Mark's
Applicant: M and L M and L Littleboy and Crocker
Decision: **Permission Granted**
Decision Date: 10 June 2022
Proposal: Conversion of retail area to 1 bed residential unit
Address **121 Lynchford Road Farnborough Hampshire GU14 6ET**

Application No 21/00985/CONDPP Ward: St Mark's
Applicant: Miss Tilly Wishaw
Decision: **Permission Granted**
Decision Date: 09 May 2022
Proposal: Submission of details pursuant to Condition 14 (Construction Environmental Management Plan) and Condition 15 (Construction Traffic Management Plan) of planning permission 17/00914/OUTPP dated 15th May 2020.
Address **Blandford House And Malta Barracks Development Site Shoe Lane Aldershot Hampshire**

Application No 22/00021/FULPP Ward: Knellwood
Applicant: Mr and Mrs Alexander and Lianne Gedde
Decision: **Permission Granted**
Decision Date: 27 June 2022
Proposal: Installation of replacement wooden windows/doors and installation of metal railings to existing front wall
Address **31 Church Road West Farnborough Hampshire GU14 6QF**

Application No 22/00031/FULPP Ward: West Heath
Applicant: Mrs Liane Frydland
Decision: **Permission Granted**
Decision Date: 12 April 2022
Proposal: Replacement of concrete storage building with timber clad building
Address **Cheyne Way Scout Hut Cheyne Way Farnborough Hampshire GU14 8SA**

Application No 22/00034/FULPP Ward: Empress
Applicant: Mr and Mrs Keith and Lynda Cross
Decision: **Permission Granted**
Decision Date: 07 April 2022
Proposal: Erection of a two storey side and first floor rear extension
Address **Rosalie 52 Pierrefondes Avenue Farnborough Hampshire GU14 8NH**

Application No 22/00046/REVPP Ward: Manor Park
Applicant: Outersite Homes Limited
Decision: **Permission Granted**
Decision Date: 09 May 2022
Proposal: Removal of condition No.2 of planning permission 21/00527/FULPP dated 18/08/2021 to allow the change of use of the premises from dwelling house to a smaller House in Multiple Occupation Use Class C4 with up to 6 occupants
Address **36 St Michaels Road Aldershot Hampshire GU12 4JE**

Application No 22/00048/FUL Ward: Manor Park
Applicant: Mr A Cotugno
Decision: **Permission Granted**
Decision Date: 11 April 2022
Proposal: Permitted Development Change of use of dwelling house (Use Class C3) to Small House in Multiple Occupation (Use Class C4) in order to obtain Thames Basin Heaths Special Protection Area mitigation
Address **15 Halimote Road Aldershot Hampshire GU11 1NJ**

Application No 22/00074/CONDPP Ward: Cove And Southwood

Applicant: Mr Gordon Day

Decision: **Conditions details approved**

Decision Date: 28 April 2022

Proposal: Submission of details pursuant to Condition Nos.3 (External Materials), 10 (Construction Management Plan), 11 (Site Investigation) and 21 (SUDS details) of planning permission 20/00856/FULPP dated 18th March 2021

Address **40 Cove Road Farnborough Hampshire GU14 0EN**

Application No 22/00085/FUL Ward: St John's

Applicant: Ms Tracy Rose

Decision: **Permission Granted**

Decision Date: 13 April 2022

Proposal: Single storey front extension

Address **50 Broomhill Road Farnborough Hampshire GU14 9PU**

Application No 22/00089/FULPP Ward: St Mark's

Applicant: Mr and Mrs M Prentice

Decision: **Permission Granted**

Decision Date: 19 April 2022

Proposal: Erection of a single storey rear extension

Address **30 Southampton Street Farnborough Hampshire GU14 6AX**

Application No 22/00095/FUL Ward: Knellwood

Applicant: Mr Abdul Lotif

Decision: **Permission Granted**

Decision Date: 07 April 2022

Proposal: Erection of rear single storey extension and single storey side extension

Address **75 Cambridge Road East Farnborough Hampshire GU14 6QX**

Application No 22/00099/NMAPP Ward: Wellington
Applicant: Mr Jack Riggs
Decision: **Permission Granted**
Decision Date: 04 May 2022
Proposal: Non Material Amendment to Planning Permission 15/00069/REMPP comprising alterations to glazing specifications.
Address **Gun Hill House White Cross Place Wellesley Aldershot Hampshire GU11 4EX**

Application No 22/00103/FULPP Ward: St Mark's
Applicant: Miss Tilly Wishaw
Decision: **Permission Granted**
Decision Date: 25 May 2022
Proposal: Construction of foul sewage pumping station
Address **Pumping Station Shoe Lane Aldershot Hampshire**

Application No 22/00106/FULPP Ward: Manor Park
Applicant: Mr Craig Campbell
Decision: **Permission Granted**
Decision Date: 11 April 2022
Proposal: Erection of first floor extension above existing garage and utility room
Address **20 Boxalls Lane Aldershot Hampshire GU11 3QJ**

Application No 22/00107/FULPP Ward: Wellington
Applicant: Jan Nazari
Decision: **Permission Granted**
Decision Date: 07 April 2022
Proposal: Retention of amended window on rear elevation and change of use from mixed retail (Use Class E(a)) and gymnasium (Class E(d)) use to a F2(b) community hall
Address **50A Station Road Aldershot Hampshire GU11 1BG**

Application No 22/00116/REVPP Ward: St Mark's
Applicant: Windcrest (UK) Limited
Decision: **Permission Granted**
Decision Date: 05 April 2022
Proposal: Removal of Condition 2 of Planning Permission 18/00822/COU dated 21 December 2018 to allow a use within Use Class E
Address **Suite 1 Studio Forty 40 Lynchford Road Farnborough Hampshire GU14 6EF**

Application No 22/00122/LBCPP Ward: Empress
Applicant: Right Rev Dom David Cuthbert Brogan
Decision: **Permission Granted**
Decision Date: 13 April 2022
Proposal: Replacement cast iron gutters, downpipes, and rainwater heads to the stair turret, and relocation of downpipes to the south and east tower elevations.
Address **St Michaels Abbey 280 Farnborough Road Farnborough Hampshire GU14 7NQ**

Application No 22/00126/FULPP Ward: Manor Park
Applicant: Mr Andrew Alexander Vorobiev
Decision: **Permission Refused**
Decision Date: 20 April 2022
Proposal: New detached two-storey 2-bedrooms 4-persons dwelling house with associated bin & cycle stores, and on-site parking space
Address **6 East Station Road Aldershot Hampshire GU12 4LB**

Application No 22/00132/FULPP Ward: Aldershot Park
Applicant: Mr B Farmawi
Decision: **Permission Granted**
Decision Date: 05 April 2022
Proposal: Erection of a single storey front extension
Address **156 Morland Road Aldershot Hampshire GU11 3SG**

Application No 22/00134/REVPP Ward: Wellington

Applicant: Mr Robert Mills -Accent Group

Decision: **Conditions details approved**

Decision Date: 26 May 2022

Proposal: Variation of Condition 2 (approved drawings) of Planning Permission 20/00861/FULPP (for the removal of top floor, new flat roof finishes and new metal cladding to the main south elevation) to change southern elevation to brick slip cladding

Address **Stafford House 37 - 39 Station Road Aldershot Hampshire GU11 1BA**

Application No 22/00141/FULPP Ward: North Town

Applicant: Mr Neil Hardy

Decision: **Permission Granted**

Decision Date: 11 April 2022

Proposal: Erection of a detached double garage within the frontage of the property with works to include excavation of existing front garden land, formation of retaining walls and repositioning of exiting front access steps along with associated planting

Address **14 Redan Road Aldershot Hampshire GU12 4SW**

Application No 22/00146/FULPP Ward: West Heath

Applicant: Sian Smith

Decision: **Permission Granted**

Decision Date: 05 April 2022

Proposal: Erection of single storey front, side and rear extension with a hip to gable roof to form a dormer within the side facing roof slope (Revision of scheme previously granted under planning application Ref: 21/00008/FULPP granted 01 March 2021)

Address **17 Glebe Road Farnborough Hampshire GU14 8QS**

Application No 22/00148/FULPP Ward: Fernhill
Applicant: Mr Paul Martin
Decision: **Permission Granted**
Decision Date: 25 April 2022
Proposal: Demolition of existing conservatory and construction of a single storey rear extension
Address **382 Fernhill Road Farnborough Hampshire GU14 9EL**

Application No 22/00150/FULPP Ward: Fernhill
Applicant: Mr & Mrs Lilley
Decision: **Permission Granted**
Decision Date: 25 April 2022
Proposal: Formation of pitched roof over existing garage and erection of a single storey rear extension with formation of a patio area and changes to existing fenestration
Address **6 Bayford Close Blackwater Camberley Hampshire GU17 9HQ**

Application No 22/00151/FUL Ward: Cherrywood
Applicant: Mrs Lorraine Kelly
Decision: **Permission Granted**
Decision Date: 25 April 2022
Proposal: Single storey front and side extension
Address **39 Water Lane Farnborough Hampshire GU14 8XQ**

Application No 22/00154/ADVPP Ward: Aldershot Park
Applicant: Mrs Laura Arnone - Drive Vauxhall Ltd
Decision: **Permission Granted**
Decision Date: 19 April 2022
Proposal: Continued display of internally illuminated replacement Griffin totem sign
Address **1 Lower Farnham Road Aldershot Hampshire GU12 4DZ**

Application No 22/00155/FULPP Ward: St Mark's
Applicant: C Staniland
Decision: **Permission Granted**
Decision Date: 20 May 2022
Proposal: Single storey side and rear extension, conversion of roof-space to form habitable accommodation to include rear dormer window and front velux roof-lights and the erection of outbuilding in rear garden
Address **11 Reading Road Farnborough Hampshire GU14 6NA**

Application No 22/00156/FULPP Ward: St John's
Applicant: Miss A Patel
Decision: **Permission Granted**
Decision Date: 05 April 2022
Proposal: Erection of a single storey rear extension
Address **1 Nightingale Close Farnborough Hampshire GU14 9QH**

Application No 22/00161/FULPP Ward: Fernhill
Applicant: Mr David Keenan
Decision: **Permission Granted**
Decision Date: 14 April 2022
Proposal: Erection of outbuilding to create ancillary space for main dwelling
Address **Seasons 31 Lakeside Gardens Farnborough Hampshire GU14 9JG**

Application No 22/00163/FULPP Ward: St John's
Applicant: Mr Sunil Chaudhry
Decision: **Permission Granted**
Decision Date: 22 April 2022
Proposal: Erection of a single storey rear extension
Address **110 Fleet Road Farnborough Hampshire GU14 9RG**

Application No 22/00164/FULPP Ward: Cove And Southwood
Applicant: Mr & Mrs Coughlan
Decision: **Permission Granted**
Decision Date: 13 April 2022
Proposal: Erection of a single storey rear extension
Address **32 Ambleside Close Farnborough Hampshire GU14 0LA**

Application No 22/00167/CONDPP Ward: St Mark's
Applicant: Miss Tilly Wishaw
Decision: **Permission Granted**
Decision Date: 13 April 2022
Proposal: Submission of details part pursuant (Phase 2) to Condition 9 (Arboricultural Development Statement) of planning permission 17/00914/OUTPP dated 15th May 2020.
Address **Blandford House And Malta Barracks Development Site Shoe Lane Aldershot Hampshire**

Application No 22/00169/FULPP Ward: Rowhill
Applicant: Miss B Seabrook
Decision: **Permission Granted**
Decision Date: 27 April 2022
Proposal: Erection of a single storey rear extension
Address **267 Weybourne Road Aldershot Hampshire GU11 3NE**

Application No 22/00171/FULPP Ward: St John's
Applicant: Mrs Catherine Slay
Decision: **Permission Granted**
Decision Date: 08 April 2022
Proposal: Enlargement and alterations to existing single storey attached side and rear extension
Address **21 Broomhill Road Farnborough Hampshire GU14 9PT**

Application No 22/00174/EDCPP Ward: Rowhill
Applicant: Mr & Mrs Donald Hamilton
Decision: **Development is Lawful**
Decision Date: 13 April 2022
Proposal: Application for a Certificate of Existing Lawful Development: Use of building and land as a small House in Multiple Occupation (Use Class C4)
Address **78 Queens Road Aldershot Hampshire GU11 3JU**

Application No 22/00177/LBC Ward: Wellington
Applicant: Mr Jarrod Spencer
Decision: **Permission Granted**
Decision Date: 07 April 2022
Proposal: Retention of an aerial and satellite dish
Address **Wilson House 4 Hospital Road Wellesley Aldershot Hampshire GU11 4AW**

Application No 22/00178/FULPP Ward: St Mark's
Applicant: Mr Ben Randall
Decision: **Permission Granted**
Decision Date: 22 April 2022
Proposal: Erection of a single storey side and rear extension
Address **31 High Street Farnborough Hampshire GU14 6ES**

Application No 22/00179/REXPD Ward: Empress
Applicant: Mr Dimitri Mavrikakis
Decision: **Prior approval is NOT required**
Decision Date: 12 April 2022
Proposal: Notification of a prior approval for a proposed larger home extension: Erection of a single storey rear extension 6.40m in depth from the original part of the rear wall, 2.6m to the eaves and 4m in overall height
Address **Ericacea 137 Prospect Road Farnborough Hampshire GU14 8JY**

Application No 22/00182/FUL Ward: West Heath

Applicant: Mr Jason Swift

Decision: **Permission Granted**

Decision Date: 08 July 2022

Proposal: Erection of a single storey front and side extensions, raise ridge height of roof to form two dormers within the front facing roof slope and five roof lights within in the rear facing roof slope

Address **18 Glebe Road Farnborough Hampshire GU14 8QS**

Application No 22/00183/LBCPP Ward: Wellington

Applicant: Mr David Gubby

Decision: **Permission Granted**

Decision Date: 10 June 2022

Proposal: Various minor refurbishment works including external/internal decoration, floor repairs, stained glass window repairs and masonry repairs to maintain building in a standard comparable to its historic value

Address **Garrison Church Of St Michael And St George Queens Avenue Aldershot Hampshire**

Application No 22/00186/FULPP Ward: West Heath

Applicant: Mr Price And Ms Wood

Decision: **Permission Granted**

Decision Date: 13 April 2022

Proposal: Erection of a single storey rear extension following removal of existing conservatory

Address **191 Cheyne Way Farnborough Hampshire GU14 8SE**

Application No 22/00188/FULPP Ward: St Mark's

Applicant: Mr Niall O'Shea

Decision: **Permission Granted**

Decision Date: 06 May 2022

Proposal: Changes to exterior including cladding, replacement flat roof, addition of canopy and replacement glazing

Address **35 Winchester Street Farnborough Hampshire GU14 6AJ**

Application No 22/00189/FULPP Ward: Knellwood

Applicant: Mr Adrian Dunham

Decision: **Permission Granted**

Decision Date: 13 April 2022

Proposal: Erection of a single storey rear extension

Address **36 Avenue Road Farnborough Hampshire GU14 7BL**

Application No 22/00191/CONDPP Ward: Cove And Southwood

Applicant: SEH Manager Ltd And SEH Nominee Ltd

Decision: **Conditions details approved**

Decision Date: 18 May 2022

Proposal: Submission of details pursuant to condition 2 (Timetable to coordinate advanced warning signage with crossings on Keennels Lane) attached to planning permission 19/00921/REVPP dated 7 February 2020 for the Change of use of land to provide Suitable Alternative Natural Greenspace (SANG)

Address **Land At Kennels Lane Farnborough Hampshire**

Application No 22/00192/FULPP Ward: Manor Park

Applicant: Mr J Hibbs

Decision: **Permission Granted**

Decision Date: 09 May 2022

Proposal: Installation of side and roof windows and rear door

Address **246 High Street Aldershot Hampshire GU12 4LP**

Application No 22/00194/FULPP Ward: St Mark's

Applicant: Mr S McSpirit And Ms E Clay

Decision: **Permission Granted**

Decision Date: 25 April 2022

Proposal: Erection of a single storey rear extension

Address **73 Peabody Road Farnborough Hampshire GU14 6EB**

Application No 22/00196/PDCPP Ward: Empress
Applicant: Dimitri Mavrikakis
Decision: **Development is Lawful**
Decision Date: 13 April 2022
Proposal: Certificate of Lawfulness For Proposed Development: Formation of roof lights within front, side and rear facing roof slopes to facilitate loft conversion
Address **Ericacea 137 Prospect Road Farnborough Hampshire GU14 8JY**

Application No 22/00197/FULPP Ward: Knellwood
Applicant: Mr and Mrs Short
Decision: **Permission Granted**
Decision Date: 06 May 2022
Proposal: Erection of single storey rear and side extensions following removal of existing outbuilding
Address **16 Church Road West Farnborough Hampshire GU14 6RT**

Application No 22/00200/TPO Ward: Knellwood
Applicant: Messrs J+R Bellamy
Decision: **Permission Refused**
Decision Date: 14 April 2022
Proposal: Remove one Sweet Chestnut (T16 of TPO 433)
Address **Skellgarth 4 The Crescent Farnborough Hampshire GU14 7AH**

Application No 22/00202/FULPP Ward: North Town
Applicant: MR DANIEL GOMOLKA
Decision: **Permission Granted**
Decision Date: 12 May 2022
Proposal: Erection of single storey front extension, conversion of remaining garage to habitable room and changes to the front/side fences
Address **73 Field Way Aldershot Hampshire GU12 4UN**

Application No 22/00204/REXPD Ward: Knellwood
Applicant: Catherine Carver
Decision: **Prior approval is NOT required**
Decision Date: 11 April 2022
Proposal: Erection of an single storey rear extension measuring 4.3m from the original rear wall, 2.8m to the eaves and 2.8m in overall height
Address **14 Saltram Road Farnborough Hampshire GU14 7DX**

Application No 22/00205/NMA Ward: Empress
Applicant: Mr Ben Hepworth & Mrs Eva Hepworth Zu
Decision: **Permission Granted**
Decision Date: 14 April 2022
Proposal: Non Material Amendment : To application 21/00381/FULPP for erection of front, rear and side single-storey extension to semi-detached property
Address **6 Cabrol Road Farnborough Hampshire GU14 8NY**

Application No 22/00207/FULPP Ward: Cove And Southwood
Applicant: McKay Securities Plc
Decision: **Permission Granted**
Decision Date: 11 May 2022
Proposal: External alterations including painting existing window, entrance door frame and signage cladding above Anthracite grey, provision of new cycle shelter, removal of sprinkler tank and building together with existing kerb line and landscape buffer to return area to service yard and provision of two level-access service doors with canopy in the east elevation of the warehouse
Address **Columbia House 1 Apollo Rise Farnborough Hampshire GU14 0NP**

Application No 22/00212/FULPP Ward: Aldershot Park
Applicant: MR BARTY BOLLINGMORE
Decision: **Permission Granted**
Decision Date: 10 June 2022
Proposal: Single storey rear extension following demolition of existing conservatory
Address **7 Elston Road Aldershot Hampshire GU12 4HX**

Application No 22/00213/FULPP Ward: St John's

Applicant: Mr & Mrs Savage

Decision: **Permission Granted**

Decision Date: 29 April 2022

Proposal: Erection of front porch

Address **64 Minley Road Farnborough Hampshire GU14 9QP**

Application No 22/00215/FULPP Ward: Aldershot Park

Applicant: Mr Simon Leech

Decision: **Permission Granted**

Decision Date: 22 April 2022

Proposal: Erection of a single storey side and rear extension

Address **68 Elston Road Aldershot Hampshire GU12 4HZ**

Application No 22/00216/TPOPP Ward: Knellwood

Applicant: John Hughes

Decision: **Permission Granted**

Decision Date: 04 May 2022

Proposal: One Oak tree (T1 on submitted plan) crown reduce by no more than 3 metres all over and lift to no more than 5 metres from ground level. One Oak tree (T2) crown reduce by no more than 3 metres all over. One Sycamore tree crown lift to no more than 5 metres from ground level, all the trees are part of group G7 of TPO 433

Address **67 Salisbury Road Farnborough Hampshire GU14 7AG**

Application No 22/00217/TPOPP Ward: Wellington

Applicant: Tesco

Decision: **Permission Granted**

Decision Date: 04 May 2022

Proposal: Removal of one Goat Willow (GC026355 on submitted plans) and a group of 6 dead trees (GC026304) and remedial work to various trees as per tree survey , mostly crown lifting over footpaths, car parking areas and highways. All the protected trees are part of TPO 178

Address **Land Affected By TPO 178 - At Willems Park Between Wellington Avenue And Farnborough Road Aldershot Hampshire**

Application No 22/00218/CONDPP Ward: St Mark's

Applicant: Mr Daryl Deacon

Decision: **Permission Granted**

Decision Date: 28 April 2022

Proposal: Approval of details pursuant to condition 4 (Surface Water drainage) of planning permission 21/00825/FULPP

Address **Flight Safety Building Farnborough Airport Ively Road Farnborough Hampshire GU14 6XA**

Application No 22/00222/FUL Ward: North Town

Applicant: Mr Nick Nielsen

Decision: **Permission Granted**

Decision Date: 05 July 2022

Proposal: Replacement roof

Address **5 Calvert Close Aldershot Hampshire GU12 4QX**

Application No 22/00223/FULPP Ward: Cove And Southwood

Applicant: Mr Hardeep Mahal

Decision: **Permission Granted**

Decision Date: 25 April 2022

Proposal: Conversion of existing garage to a habitable room

Address **5 Whitebeam Gardens Farnborough Hampshire GU14 0PS**

Application No 22/00224/TPOPP Ward: Manor Park
Applicant: Mr Vile
Decision: **Permission Granted**
Decision Date: 04 May 2022
Proposal: One Hornbeam (T1 of TPO 281) lift canopy to give no more than 5 metres ground clearance, crown thin remainder by no more than 20% and remove dead wood
Address **2 Elm Place Aldershot Hampshire GU11 3SU**

Application No 22/00226/TPOPP Ward: Knellwood
Applicant: Metropolitan Thames Valley Housing
Decision: **Permission Granted**
Decision Date: 19 May 2022
Proposal: Remove one Scots Pine (part of group G4 of TPO439A) TVH001141 on submitted plan
Address **Fairfax Mews Church Road East Farnborough Hampshire GU14 6QJ**

Application No 22/00229/FULPP Ward: Empress
Applicant: St. Modwen Properties PLC
Decision: **Permission Granted**
Decision Date: 20 May 2022
Proposal: Removal of blockwork, installation of shopfront glazing with signage above, repositioning of existing internally illuminated sign and power supply
Address **Kingsmead Shopping Centre Kingsmead Farnborough Hampshire**

Application No 22/00231/FULPP Ward: Knellwood
Applicant: Mr Ionut Ivanescu
Decision: **Permission Granted**
Decision Date: 20 May 2022
Proposal: Erection of a single storey rear extension and conversion of existing garage to a habitable room
Address **90 Woburn Avenue Farnborough Hampshire GU14 7EQ**

Application No 22/00237/FULPP Ward: Knellwood
Applicant: Mr David Mason
Decision: **Permission Granted**
Decision Date: 03 May 2022
Proposal: Erection of a single storey rear extension and re-positioning of front door to include a porch canopy roof
Address **95 Salisbury Road Farnborough Hampshire GU14 7AE**

Application No 22/00238/FULPP Ward: Fernhill
Applicant: Mrs S Burfield
Decision: **Permission Granted**
Decision Date: 09 May 2022
Proposal: Formation of four roof lights within the side facing roof slope with the addition of a window within both the front and rear elevation of the property to form a room within the roof
Address **13 Goddards Close Farnborough Hampshire GU14 9GU**

Application No 22/00239/PDCPP Ward: North Town
Applicant: Scott Russell
Decision: **Development is Lawful**
Decision Date: 03 May 2022
Proposal: Certificate of Lawfulness for Proposed Development: Formation of a rear dormer window and three front facing roof windows to facilitate a loft to a habitable room
Address **83 Field Way Aldershot Hampshire GU12 4UN**

Application No 22/00240/FULPP Ward: St John's
Applicant: Ray Grover
Decision: **Permission Granted**
Decision Date: 13 May 2022
Proposal: Demolition of existing conservatory and erection of a single storey front and rear extensions
Address **16 Collier Close Farnborough Hampshire GU14 9QL**

Application No 22/00242/TPOPP Ward: Knellwood
Applicant: Mr and Mrs D Salmond
Decision: **Permission Granted**
Decision Date: 17 May 2022
Proposal: One Cedar (T4 of TPO 374) T1 on submitted plan, crown reduction as per submitted photograph and crown thin by no more than 30% . Remove one Cedar (T3 of TPO 374) T2 on submitted plan
Address **9 The Sycamores Farnborough Hampshire GU14 7BE**

Application No 22/00243/ADVPP Ward: St Mark's
Applicant: Miss Tilly Whishaw
Decision: **Permission Granted**
Decision Date: 27 April 2022
Proposal: Advertisement Consent: Display of 1 x non-illuminated advertisement board fronting onto the A325 and 1 x non-illuminated stack sign at the junction of Shoe Lane and Government House Road in connection with the sale of new homes at Blandford House And Malta Barracks Development Site, Shoe Lane.
Address **Blandford House And Malta Barracks Development Site Shoe Lane Aldershot Hampshire**

Application No 22/00243/FULPP Ward: Empress
Applicant: Mr & Mrs Harikumar Shrestha
Decision: **Permission Granted**
Decision Date: 27 April 2022
Proposal: Erection of rear conservatory, single storey side extension and porch to front
Address **15 Queen Victoria Court Farnborough Hampshire GU14 8AR**

Application No 22/00244/FULPP Ward: St Mark's
Applicant: Wyeth Burrell Properties
Decision: **Permission Granted**
Decision Date: 01 July 2022
Proposal: External alterations and conversion of part of ground floor and upper floors of existing Class E shop into a total of 8 no. 1 bedroom flats
Address **87 Lynchford Road Farnborough Hampshire GU14 6ET**

Application No 22/00245/FULPP Ward: Manor Park
Applicant: Mrs Pabitra Gurung
Decision: **Permission Granted**
Decision Date: 30 May 2022
Proposal: Formation of a hip to gable roof extension with rear dormer along with dormer and two roof lights within the front facing roof slope
Address **23 Waterloo Road Aldershot Hampshire GU12 4NU**

Application No 22/00246/NMAPP Ward: Knellwood
Applicant: Mr And Mrs Barry
Decision: **Permission Granted**
Decision Date: 07 April 2022
Proposal: Non-material amendment to planning permission 22/00024/FULPP dated 10.01.22 for the erection of a single storey rear extension to allow for a reduction in size
Address **57 Fellows Road Farnborough Hampshire GU14 6NU**

Application No 22/00247/FULPP Ward: St Mark's
Applicant: British Telecom
Decision: **Permission Granted**
Decision Date: 27 May 2022
Proposal: Installation of 1 no. aluminium ventilation louvre within existing window opening on the first floor north elevation and 1 no. aluminium ventilation louvre within existing window opening on the first floor south elevation
Address **Telephone Exchange 1 Reading Road Farnborough Hampshire GU14 6NA**

Application No 22/00248/FULPP Ward: Knellwood
Applicant: Mr & Mrs Bullock
Decision: **Permission Granted**
Decision Date: 31 May 2022
Proposal: Removal of existing garage and erection of a part two storey and part single storey side extension
Address **46 Church Road West Farnborough Hampshire GU14 6QG**

Application No 22/00250/COND Ward: Cove And Southwood
Applicant: Rushmoor Borough Council
Decision: **Conditions details approved**
Decision Date: 26 May 2022
Proposal: Submission of details pursuant to Condition Nos.3 (External Materials), 5 (SUDS Drainage Scheme), 6 (Landscape & Planting Scheme) and 9 (Biodiversity Enhancement Plan) of planning permission 21/00844/FULPP dated 9 December 2021
Address **Proposed Visitor Centre Southwood Country Park Ively Road Farnborough Hampshire**

Application No 22/00253/FUL Ward: Knellwood
Applicant: Mrs Justine Burton
Decision: **Permission Granted**
Decision Date: 16 May 2022
Proposal: Replace 15 timber framed sash windows with White UPVC wood grain effect framed "Heritage Style" sliding sash windows and replacement of one casement with White UPVC wood grain effect frame
Address **1 Church Circle Farnborough Hampshire GU14 6QH**

Application No 22/00254/PDCPP Ward: Wellington

Applicant: Mr Neil Buckley

Decision: **Development is Lawful**

Decision Date: 17 May 2022

Proposal: LAWFUL DEVELOPMENT CERTIFICATE FOR PROPOSED DEVELOPMENT: Insert two rooflights to the front roof elevation and one rooflight to the rear roof elevation to facilitate a loft conversion

Address **13 Hatt Street Wellesley Aldershot Hampshire GU11 4AQ**

Application No 22/00255/FUL Ward: North Town

Applicant: Ken Weller

Decision: **Permission Granted**

Decision Date: 01 June 2022

Proposal: Retention of roof on existing conservatory

Address **28 Farm Road Aldershot Hampshire GU12 4UQ**

Application No 22/00256/TPOPP Ward: St John's

Applicant: Mrs Cook

Decision: **Permission Granted**

Decision Date: 19 May 2022

Proposal: One Oak (T1 on submitted plan) reduce in length by no more than 2 metres the lateral limbs in the bottom 2/3 extending to the South, West and North tapering reductions into the upper crown leaving a retained branch length of approximately 4 metres. Thin the remaining crown by no more than 10%. One Oak (T2) reduce in length by no more than 2 metres the lateral limbs in the bottom 2/3 extending to the North and South. Thin the remaining crown by no more than 10%. One Oak (T3) reduce in length by no more than 2 metres the lateral limbs in the bottom 2/3 extending to the South and South East leaving a retained branch length of approximately 4 metres. Thin the remaining crown by no more than 10%. All three Oaks are within group G6 of TPO 358A

Address **24 The Birches Farnborough Hampshire GU14 9RP**

Application No 22/00257/FULPP Ward: Aldershot Park
Applicant: Mr & Mrs Wade
Decision: **Permission Refused**
Decision Date: 05 July 2022
Proposal: Erection of a two storey building comprising 2x 2 bed flats and associated parking and landscaping
Address **Land To The West Of 334 High Street And 2 Newport Road At Waterloo Road Aldershot Hampshire**

Application No 22/00258/FUL Ward: North Town
Applicant: Mrs Sarah Fletcher
Decision: **Permission Granted**
Decision Date: 20 May 2022
Proposal: Erection of a single storey rear extension
Address **23 Connaught Road Aldershot Hampshire GU12 4RN**

Application No 22/00259/NMA Ward: West Heath
Applicant: Mr Karl Flodman
Decision: **Permission Granted**
Decision Date: 11 April 2022
Proposal: Non Material Amendment to application 21/00893/FUL dated 16.12.21 for the erection of a single storey front extension to allow changes to fenestration
Address **91 Giffard Drive Farnborough Hampshire GU14 8QB**

Application No 22/00261/FULPP Ward: Fernhill
Applicant: Mr AHSAN SIDDIQUI
Decision: **Permission Granted**
Decision Date: 06 May 2022
Proposal: Erection of single storey side and rear extensions
Address **6C Chapel Lane Farnborough Hampshire GU14 9BE**

Application No 22/00263/FULPP Ward: Cove And Southwood
Applicant: Mrs Rachael Job
Decision: **Permission Granted**
Decision Date: 01 June 2022
Proposal: Erection of a single storey front porch extension
Address **20 Ambleside Close Farnborough Hampshire GU14 0JY**

Application No 22/00265/FUL Ward: Wellington
Applicant: Mr A Nayudu
Decision: **Permission Granted**
Decision Date: 24 May 2022
Proposal: Retention of brick wall and erection of boundary railings
Address **7 Frost Drive Wellesley Aldershot Hampshire GU11 4DE**

Application No 22/00267/FULPP Ward: Knellwood
Applicant: Mr ANIL POONIA
Decision: **Permission Granted**
Decision Date: 27 May 2022
Proposal: Conversion of garage into habitable space
Address **4A Priory Street Farnborough Hampshire GU14 7HX**

Application No 22/00268/ADVPP Ward: North Town
Applicant: Mr Ryan Taylor
Decision: **Permission Granted**
Decision Date: 21 June 2022
Proposal: Display of a non-Illuminated totem sign
Address **72 North Lane Aldershot Hampshire**

Application No 22/00269/FULPP Ward: Cove And Southwood
Applicant: Mr and Mrs C Richards
Decision: **Permission Granted**
Decision Date: 27 May 2022
Proposal: First floor extension to front elevation
Address **4 Merlin Way Farnborough Hampshire GU14 0PF**

Application No 22/00270/FULPP Ward: North Town
Applicant: Cristian Sarpe
Decision: **Permission Granted**
Decision Date: 06 June 2022
Proposal: Erection of front porch
Address **65 Belle Vue Road Aldershot Hampshire GU12 4RY**

Application No 22/00271/FULPP Ward: North Town
Applicant: Cristian Sarpe
Decision: **Permission Granted**
Decision Date: 30 May 2022
Proposal: Erection of part single storey and part two storey rear extension
Address **65 Belle Vue Road Aldershot Hampshire GU12 4RY**

Application No 22/00272/FULPP Ward: North Town
Applicant: Mrs Amanda Blakeley
Decision: **Permission Granted**
Decision Date: 26 May 2022
Proposal: Erection of a single storey side and rear extension and porch to front
Address **54 Field Way Aldershot Hampshire GU12 4UJ**

Application No 22/00273/FULPP Ward: Aldershot Park

Applicant: Mr Colin Smith

Decision: **Permission Granted**

Decision Date: 06 July 2022

Proposal: Conversion of garage to form a habitable room and erection of a single storey rear extension

Address **10 Calton Gardens Aldershot Hampshire GU11 3TB**

Application No 22/00274/NMAPP Ward: Fernhill

Applicant: Hamberley Development Ltd

Decision: **Permission Granted**

Decision Date: 09 May 2022

Proposal: Non-Material Amendments: (a) increase in ground floor area by 64 sqm to the north-west to extend the entrance lobby and waiting area and create new office spaces and storage; (b) reconfiguration of the internal layout to include a visitation suite, treatment room, gym and staff changing; (c) the relocation of reception desk, office spaces, physiotherapy room, laundry and plant rooms, and storage; and (d) various external changes to elevations as approved by planning permission 18/00614/FULPP dated 11 April 2019

Address **Randell House Fernhill Road Blackwater Camberley Hampshire GU17 9HR**

Application No 22/00276/FULPP Ward: St Mark's

Applicant: Mr Andrew Betts

Decision: **Permission Granted**

Decision Date: 07 June 2022

Proposal: Alterations to front elevations of coach house to facilitate its continued use as an annexe ancillary to the main dwelling house, demolition of existing attached garage and erection of new detached garage

Address **103 Alexandra Road Farnborough Hampshire GU14 6BN**

Application No 22/00278/REXPD Ward: St Mark's
Applicant: Mr Neil England
Decision: **Prior approval is NOT required**
Decision Date: 16 May 2022
Proposal: Erection of a single storey rear extension measuring 3.76 metres from the original rear wall of the property x 2.55 metres to the eaves and 3.21 metres overall height
Address **104 Queens Road Farnborough Hampshire GU14 6JR**

Application No 22/00279/PDCPP Ward: Knellwood
Applicant: Joshua and Alex Fernandes
Decision: **Development is Lawful**
Decision Date: 06 May 2022
Proposal: Lawful Development Certificate for proposed development: Installation of replacement windows and doors
Address **37 Manor Road Farnborough Hampshire GU14 7HJ**

Application No 22/00281/FUL Ward: St John's
Applicant: Mr B Earnshaw
Decision: **Permission Granted**
Decision Date: 10 June 2022
Proposal: Retention of a 2.15 metre high brick boundary wall and a new hardstanding
Address **Modbury 155 Fleet Road Farnborough Hampshire GU14 9SL**

Application No 22/00283/FUL Ward: Knellwood
Applicant: Mr Neil Welsh
Decision: **Permission Granted**
Decision Date: 20 May 2022
Proposal: Demolition of existing conservatory and erection of a single storey side extension
Address **Linden Lodge 168 Sycamore Road Farnborough Hampshire GU14 6RG**

Application No 22/00284/FULPP Ward: Empress

Applicant: Mr & Mrs Maunders

Decision: **Permission Granted**

Decision Date: 14 June 2022

Proposal: Erection of outbuilding in rear garden

Address **22 Revelstoke Avenue Farnborough Hampshire GU14 8NQ**

Application No 22/00286/NMA Ward: St John's

Applicant: Bernadette And Alan Bashford-Payne An

Decision: **Permission Granted**

Decision Date: 13 April 2022

Proposal: Non material amendment to planning application 21/00430/FULPP dated 01.07.21 for the erection of a two storey side extension and changes to fenestration to allow a reduction in footprint

Address **44 Whetstone Road Farnborough Hampshire GU14 9SU**

Application No 22/00287/CONDPP Ward: Wellington

Applicant: Mr Jack Riggs

Decision: **Permission Granted**

Decision Date: 12 May 2022

Proposal: Submission of details part pursuant to condition 15 (remediation validation) of hybrid outline planning permission 12/00958/OUT dated 10th March 2014, in relation to Development Zone C, Cambridge Military Hospital - Phase 1

Address **Gun Hill House White Cross Place Wellesley Aldershot Hampshire GU11 4EX**

Application No 22/00291/FULPP Ward: Manor Park

Applicant: Sinead Merry

Decision: **Permission Granted**

Decision Date: 17 May 2022

Proposal: Erection of single storey front and side extension

Address **6 Lee Court Aldershot Hampshire GU11 3SY**

Application No 22/00293/TPOPP Ward: St John's

Applicant: Mr Steven Lee

Decision: **Permission Granted**

Decision Date: 07 June 2022

Proposal: One Oak (T49 of TPO 407) thin by no more than 20% remove deadwood and crown reduction of lateral spread by no more than 3.5 metres. One Oak (T50 of TPO 407) thin by 20% remove deadwood, raise the crown to no more than 5 metres from ground level and crown reduction of lateral spread by no more than 2 metres

Address **4 Thyme Court Farnborough Hampshire GU14 9XT**

Application No 22/00295/FULPP Ward: Aldershot Park

Applicant: Mr Steven Joiner

Decision: **Permission Granted**

Decision Date: 01 July 2022

Proposal: Siting of 2no. 20ft x 8ft shipping containers for storage in connection with Unit 5

Address **Unit 5 The Beck Industrial Estate Blackwater Way Aldershot Hampshire GU12 4DJ**

Application No 22/00297/FULPP Ward: Manor Park

Applicant: Mr Oliver Kitching

Decision: **Permission Granted**

Decision Date: 18 May 2022

Proposal: Demolition of existing garage and erection of a two storey side extension

Address **65 Highfield Gardens Aldershot Hampshire GU11 3DB**

Application No 22/00298/PDCPP Ward: Manor Park

Applicant: Mr Yogesh Rai

Decision: **Development is Lawful**

Decision Date: 18 May 2022

Proposal: Lawful Development Certificate for proposed development: Erection of a single storey rear extension

Address **2 Boulders Road Aldershot Hampshire GU11 1TL**

Application No 22/00301/TPOPP Ward: Empress

Applicant: Lipscombe

Decision: **Permission Granted**

Decision Date: 07 June 2022

Proposal: T1 Sycamore - lateral reduction of canopy from above the garden of 70 Chingford Ave, a reduction of no more than 4 metres, to suitable lateral growth points, leaving a canopy spread of 5 metres (T1 of TPO108)

Address **185 Rectory Road Farnborough Hampshire GU14 8AJ**

Application No 22/00304/TPOPP Ward: Knellwood

Applicant: David Jones

Decision: **Permission Granted**

Decision Date: 07 June 2022

Proposal: Remove and replace one declining Sweet Chestnut tree (part of group G12 of TPO 431A) T1 in submitted sketch

Address **25 Ashley Road Farnborough Hampshire GU14 7EZ**

Application No 22/00305/CONDPP Ward: St Mark's

Applicant: Miss Tilly Wishaw

Decision: **Permission Granted**

Decision Date: 09 May 2022

Proposal: Submission of details pursuant to Condition 16 (Archaeological Investigation), 17 (Archaeological Mitigation) and 18 (Archaeological Assessment) of planning permission 17/00914/OUTPP dated 15th May 2020.

Address **Blandford House And Malta Barracks Development Site Shoe Lane Aldershot Hampshire**

Application No 22/00306/CONDPP Ward: St Mark's

Applicant: Miss Tilly Wishaw

Decision: **Permission Granted**

Decision Date: 23 May 2022

Proposal: Submission of details pursuant to Condition 11 (site investigation and remediation) of planning permission 17/00914/OUTPP dated 15th May 2020.

Address **Blandford House And Malta Barracks Development Site Shoe Lane Aldershot Hampshire**

Application No 22/00307/PDCPP Ward: St John's

Applicant: Ms Sarah Mirza

Decision: **Development is Lawful**

Decision Date: 20 June 2022

Proposal: Lawful Development Certificate For Proposed Development: Erection of single storey rear extension following demolition of existing single storey rear extension

Address **11 Harvey Road Farnborough Hampshire GU14 9TN**

Application No 22/00308/FULPP Ward: West Heath

Applicant: MR GOPI CHANDRA GURUNG

Decision: **Permission Granted**

Decision Date: 10 June 2022

Proposal: Erection of a single storey front extension, single storey side infill extension and internal alterations

Address **109 West Heath Road Farnborough Hampshire GU14 8QZ**

Application No 22/00309/FUL Ward: North Town

Applicant: Mr And Mrs I And D Brown

Decision: **Permission Granted**

Decision Date: 01 June 2022

Proposal: Erection of a single storey front and side extension

Address **75 Field Way Aldershot Hampshire GU12 4UN**

Application No 22/00312/FUL Ward: Aldershot Park
Applicant: Mr And Mrs Hemmings
Decision: **Permission Granted**
Decision Date: 14 June 2022
Proposal: Erection of a single storey rear extension following removal of existing conservatory
Address **7 Bryce Gardens Aldershot Hampshire GU11 3SZ**

Application No 22/00313/FULPP Ward: Manor Park
Applicant: Cardtronics UK Ltd, Trading As CASHZO
Decision: **Permission Granted**
Decision Date: 27 June 2022
Proposal: Retention of automated teller machine
Address **314 High Street Aldershot Hampshire GU12 4LT**

Application No 22/00314/ADVPP Ward: Manor Park
Applicant: Cardtronics UK Ltd, Trading As CASHZO
Decision: **Permission Granted**
Decision Date: 27 June 2022
Proposal: The retention of 1no illuminated logo panel, and 1no non-illuminated surround sign
Address **314 High Street Aldershot Hampshire GU12 4LT**

Application No 22/00315/FULPP Ward: Manor Park
Applicant: Gabriela Firpo
Decision: **Permission Granted**
Decision Date: 19 May 2022
Proposal: Demolition of existing conservatory and erection of a single storey rear extension
Address **17 Bittern Close Aldershot Hampshire GU11 3FL**

Application No 22/00317/FULPP Ward: Wellington
Applicant: Mr & Mrs Ferreira / Rente
Decision: **Permission Granted**
Decision Date: 01 July 2022
Proposal: Erection of a single storey glass roof to rear (Enlargement of existing roof)
Address **9 Inkerman Lane Wellesley Aldershot Hampshire GU11 4AB**

Application No 22/00318/FULPP Ward: St John's
Applicant: Miss Georgina Prior
Decision: **Permission Granted**
Decision Date: 25 May 2022
Proposal: Erection of an attached timber frame covered lean-to on the rear of Scout Hall
Address **11 Fleet Road Farnborough Hampshire GU14 9RB**

Application No 22/00319/PDCPP Ward: North Town
Applicant: Paula Goddard
Decision: **Development is Lawful**
Decision Date: 10 June 2022
Proposal: Lawful Development Certificate for proposed development: Erection of a single storey side and single storey rear extensions, formation of 'L' shape dormer window to rear roof elevation and insertion of a velux window to the front roof elevation
Address **112 Newport Road Aldershot Hampshire GU12 4PY**

Application No 22/00320/FULPP Ward: Knellwood
Applicant: Mr & Mrs Humphrey
Decision: **Permission Granted**
Decision Date: 22 June 2022
Proposal: Erection of a two storey side and rear extension following demolition of existing detached single garage
Address **69 Manor Road Farnborough Hampshire GU14 7HJ**

Application No 22/00322/FULPP Ward: North Town
Applicant: Mr Toby Sumner
Decision: **Permission Granted**
Decision Date: 05 July 2022
Proposal: Erection of single storey front extension, two storey side extension and loft conversion with rear facing dormer
Address **1 Clive Road Aldershot Hampshire GU12 4RE**

Application No 22/00323/NMA Ward: Fernhill
Applicant: Mr Pete DArdenne
Decision: **Permission Granted**
Decision Date: 03 May 2022
Proposal: Non Material Amendment to planning application 20/00033/FULPP dated 17.03.20 (Erection of a single storey front/side and rear extension and a detached timber car port) to allow changes to fenestration
Address **Ivy Cottage 388 Fernhill Road Blackwater Camberley Hampshire GU17 9HP**

Application No 22/00326/FULPP Ward: Rowhill
Applicant: Mr Assad Mir
Decision: **Permission Granted**
Decision Date: 01 June 2022
Proposal: Erection of balcony to front elevation
Address **212 Weybourne Road Aldershot Hampshire GU11 3NF**

Application No 22/00327/PDCPP Ward: Manor Park
Applicant: Mr Luke Berry
Decision: **Development is Lawful**
Decision Date: 06 June 2022
Proposal: Lawful Development Certificate for proposed development: Formation of hip to gable roof extension with dormer window to rear to facilitate a loft conversion and insertion of two roof lights within the front facing roof slope
Address **107 Boxalls Lane Aldershot Hampshire GU11 3QQ**

Application No 22/00329/TPOPP Ward: Manor Park
Applicant: Ms Mumford
Decision: **Permission Granted**
Decision Date: 09 June 2022
Proposal: One Copper Beech (T3 of TPO 272) 739 on submitted plans, cut back overhanging lateral branches from the dwelling by no more than 1.5 metres
Address **Eggars Court St Georges Road East Aldershot Hampshire GU12 4LN**

Application No 22/00331/FULPP Ward: Knellwood
Applicant: Mrs Helen Lecocq
Decision: **Permission Granted**
Decision Date: 15 June 2022
Proposal: Conversion of garage to form a habitable room and changes to fenestration
Address **8 Canterbury Gardens Farnborough Hampshire GU14 6ST**

Application No 22/00332/ADVPP Ward: Wellington
Applicant: Mr Anthony Riley
Decision: **Permission Granted**
Decision Date: 21 June 2022
Proposal: Display of 3no internally illuminated fascia sign, 2no internally illuminated projecting signage, 1no internally illuminated button sign, 1no internally illuminated ATM surround and ATM graphic, 1no opening times signage and 1no vinyl halftone logo
Address **30 Wellington Street Aldershot Hampshire GU11 1EA**

Application No 22/00333/FULPP Ward: North Town

Applicant: YBC Properties Ltd

Decision: **Permission Granted**

Decision Date: 01 July 2022

Proposal: Alterations to building (Use Class E(a)) (retail) to form two commercial units in Use Classes E(a) (retail) and E(g) (office), raising of part of roof to enlarge the first floor and associated external alterations to form balcony, new windows and doors and refurbish external appearance, addition of Photo-Voltaic Panels to roof and formation of new dropped kerb and closing up of part of existing dropped kerb

Address **World Wide Carpets Ltd Eastern Road Aldershot Hampshire GU12 4TD**

Application No 22/00335/FULPP Ward: North Town

Applicant: Ms DEEPA THAPA

Decision: **Permission Granted**

Decision Date: 09 June 2022

Proposal: Erection of single storey side and rear extension

Address **48 North Lane Aldershot Hampshire GU12 4QG**

Application No 22/00336/FULPP Ward: Manor Park

Applicant: Mr and Mrs Green

Decision: **Permission Granted**

Decision Date: 01 June 2022

Proposal: Demolition of chimney breast and erection of single storey rear extension

Address **Yimkin 12 Highfield Close Aldershot Hampshire GU11 3DF**

Application No 22/00337/FULPP Ward: Fernhill

Applicant: Mr Barry Read

Decision: **Permission Granted**

Decision Date: 14 June 2022

Proposal: Erection of a single storey side and rear extension and changes to the front elevation to form two bay windows

Address **4 Lockwood Close Farnborough Hampshire GU14 9EH**

Application No 22/00338/PDCPP Ward: West Heath
Applicant: Mr Ben Bradley
Decision: **Development is Lawful**
Decision Date: 08 June 2022
Proposal: Lawful Development Certificate for proposed development: Formation of dormer within rear facing roof slope and three roof lights within front facing roof slope to facilitate loft conversion
Address **3 Stake Lane Farnborough Hampshire GU14 8NP**

Application No 22/00339/ADVPP Ward: North Town
Applicant: Mr Ryan Taylor - MKM Building Supplies
Decision: **Permission Granted**
Decision Date: 30 June 2022
Proposal: Non illuminated and illuminated fascia signs inclusive of 1no illuminated totem
Address **Unit 1 Blackwater Park Aldershot Hampshire GU12 4PQ**

Application No 22/00341/TPOPP Ward: Empress
Applicant: Mr Geoff Baier
Decision: **Permission Granted**
Decision Date: 29 June 2022
Proposal: One Scots Pine (T1 of TPO 462A) crown reduce by no more than 1.5 metres. Three Sweet Chestnuts (T9,T6, T4, of TPO 462A) in rear garden to have epicormic re-growth removed up to nine metres from ground level and repeat as required
Address **24 St Michaels Road Farnborough Hampshire GU14 8NE**

Application No 22/00342/FUL Ward: Knellwood
Applicant: Mr S Bose
Decision: **Permission Granted**
Decision Date: 17 June 2022
Proposal: Retention of 2 metre high (maximum) boundary wall, gates and two globe lights (height 2.7 metres) and erection of railings between brick pillars
Address **17 The Crescent Farnborough Hampshire GU14 7AR**

Application No 22/00343/TPO

Ward: St John's

Applicant: Miss Kimberley Stillwell

Decision: **Permission Granted**

Decision Date: 22 June 2022

Proposal: Reduce by no more than 3m the west aspect of one Oak tree (T3 of TPO456) located in the garden of 76 Newfield Avenue and overhanging the rear of the applicants garden, to lift the canopies to give no more than 7m ground level clearance to the North aspect of four Oak trees located in the Cove school grounds alongside the applicants house and to reduce the canopy to the house aspect to give no more than 1m clearance from the building line of one large Oak tree (part of group G1 of TPO456) located in the front garden of 27 Loddon Road, Farnborough.

Address **Land Affected By TPO 456 - At Cove Secondary School, St Johns Road And Cripsey Road Farnborough Hampshire**

Application No 22/00344/TPO

Ward: St John's

Applicant: Mr Kelly

Decision: **Permission Granted**

Decision Date: 09 June 2022

Proposal: One Oak (T5 of TPO 412) reduce crown height and laterals by no more than 2.5 metres and crown lift to no more than 5 metres from ground level

Address **1 Herbs End Farnborough Hampshire GU14 9YD**

Application No 22/00346/TPOPP

Ward: Manor Park

Applicant: Miss Harriet Gemmell

Decision: **Permission Refused**

Decision Date: 04 July 2022

Proposal: Remove one Lime tree (T3 of TPO 450) as per submitted plan

Address **Aldershot Railway Station Station Road Aldershot Hampshire GU11 1HN**

Application No 22/00348/FULPP Ward: St Mark's
Applicant: Mr Harmeet Singh Khatri
Decision: **Permission Granted**
Decision Date: 30 June 2022
Proposal: Change of use from Sui Generis Dog Grooming Parlour to Class E Retail
Address **8 Alexandra Road Farnborough Hampshire GU14 6DA**

Application No 22/00349/CONDPP Ward: Empress
Applicant: Mr & Mrs Orriss
Decision: **Permission Granted**
Decision Date: 08 July 2022
Proposal: Submission of details pursuant to conditions 3 (External Materials) and 5 (Biodiversity enhancements) of planning application 21/00516/FULPP for the erection of side, rear and roof extensions
Address **81 Highgate Lane Farnborough Hampshire GU14 8AA**

Application No 22/00354/REXPD Ward: Aldershot Park
Applicant: Mr Awais Aslam
Decision: **Prior approval is NOT required**
Decision Date: 16 June 2022
Proposal: Erection of a single storey rear extension measuring 4m from the original dwelling house, 2.8m to the eaves and 3m in overall height
Address **136 Morland Road Aldershot Hampshire GU11 3SG**

Application No 22/00357/TPOPP Ward: Knellwood
Applicant: Ms Debbie Cole
Decision: **Permission Granted**
Decision Date: 22 June 2022
Proposal: T1 Beech - Fell to ground level as tree in a state of terminal decline (G4 of TPO 429A)
Address **204 Farnborough Road Farnborough Hampshire GU14 7JL**

Application No 22/00361/FULPP Ward: Aldershot Park

Applicant: Mr Hayes

Decision: **Permission Granted**

Decision Date: 17 June 2022

Proposal: Erection of a single storey front and rear extensions

Address **61 The Avenue Aldershot Hampshire GU12 4BL**

Application No 22/00364/REXPD Ward: North Town

Applicant: Mrs N Zuberni

Decision: **Prior approval is NOT required**

Decision Date: 23 June 2022

Proposal: Notification of a prior approval for a proposed larger home extension:
Erection of a single storey rear extension measuring 6m in depth from the original part of the rear wall, 3m to the eaves and 3m in overall height

Address **15 Roberts Road Aldershot Hampshire GU12 4RD**

Application No 22/00367/FULPP Ward: Cove And Southwood

Applicant: CHRISTINE BICKERSTAFF

Decision: **Permission Granted**

Decision Date: 27 June 2022

Proposal: Conversion of garage to form a habitable room

Address **9 Lodsworth Farnborough Hampshire GU14 0RT**

Application No 22/00370/PDCPP Ward: Manor Park

Applicant: Mr Stephen Bartusevics

Decision: **Development is Lawful**

Decision Date: 07 July 2022

Proposal: **LAWFUL DEVELOPMENT CERTIFICATE FOR PROPOSED DEVELOPMENT:-** Formation of hip to gable roof extension and rear dormer window

Address **11 Coronation Road Aldershot Hampshire GU11 3PY**

Application No 22/00374/TPO Ward: West Heath

Applicant: Mrs Jackson

Decision: **Permission Granted**

Decision Date: 29 June 2022

Proposal: Remove one Sycamore (T1 of TPO 199) in front garden. One Copper Beech (T4 of TPO 360) in rear garden remove damaged and crossing branches, as per submitted application

Address **57 Fernhill Road Farnborough Hampshire GU14 9SA**

Application No 22/00375/FULPP Ward: Rowhill

Applicant: Mr & Mrs Marengo

Decision: **Permission Granted**

Decision Date: 20 June 2022

Proposal: Erection of a single storey infill front extension with formation of a pitched roof across the width of front elevation to include a canopy above the new front door

Address **6 Belland Drive Aldershot Hampshire GU11 3NZ**

Application No 22/00378/FULPP Ward: North Town

Applicant: Mr Danny Elwin

Decision: **Permission Granted**

Decision Date: 07 July 2022

Proposal: Erection of a first floor rear extension and single storey front extension

Address **82 Connaught Road Aldershot Hampshire GU12 4RR**

Application No 22/00382/TPOPP Ward: St John's

Applicant: Mr Josh Dudley

Decision: **Permission Granted**

Decision Date: 29 June 2022

Proposal: One Oak (T1 of TPO 436) reduce higher and lower lateral limbs overhanging the driveway by no more than 2 metres to suitable secondary growth

Address **34 Haskins Drive Farnborough Hampshire GU14 9FP**

Application No 22/00384/FULPP Ward: Manor Park
Applicant: Mr & Mrs Watkins
Decision: **Permission Granted**
Decision Date: 29 June 2022
Proposal: Erection of a single storey rear extension and formation of side door on east facing elevation along with the removal of existing rear balcony and replacement of balcony doors with a window
Address **22 Church Hill Aldershot Hampshire GU12 4JS**

Application No 22/00385/FULPP Ward: Knellwood
Applicant: Mr and Mrs Udal
Decision: **Permission Granted**
Decision Date: 28 June 2022
Proposal: Erection of a single storey rear extension
Address **1 Cumbria Court Farnborough Hampshire GU14 6TB**

Application No 22/00388/FULPP Ward: Cove And Southwood
Applicant: Miss Sasha Cummins
Decision: **Permission Granted**
Decision Date: 30 June 2022
Proposal: Erection of a first floor side extension and ground floor alterations
Address **95 Southwood Road Farnborough Hampshire GU14 0JH**

Application No 22/00389/TPOPP Ward: St John's
Applicant: Shane Bujold
Decision: **Permission Granted**
Decision Date: 06 July 2022
Proposal: One Silver Birch (T18 of TPO 365) reduce garden aspect (North) of the crown by no more than 2.5 metres and shape into the remaining crown. Reduce height by no more than 2.5 metres and shape crown
Address **21 Maple Avenue Farnborough Hampshire GU14 9UR**

Application No 22/00393/TPO Ward: Cove And Southwood

Applicant: Mrs Hazel Harding

Decision: **Permission Granted**

Decision Date: 06 July 2022

Proposal: Two Oaks (part of group G1 of TPO 416A) near boundary of 7 Fox Heath, tree T1 on submitted plan reduce lateral branches encroaching into garden of 7 Fox Heath by no more than 3 metres and crown thin by no more than 10%. Tree T2 on submitted plan, remove three lowest lateral branches on garden aspect and crown thin by no more than 10%

Address **Land Affected By TPO 416A - Within Links Way, Fox Heath And Randolph Drive Farnborough Hampshire**

Application No 22/00395/FUL Ward: St John's

Applicant: Mr Niall Weeks

Decision: **Permission Granted**

Decision Date: 05 July 2022

Proposal: Erection of a single storey rear extension and infill front porch

Address **60 Sunnybank Road Farnborough Hampshire GU14 9NW**

Application No 22/00400/REXPD Ward: Rowhill

Applicant: Mrs S. Sultani

Decision: **Prior approval is NOT required**

Decision Date: 30 June 2022

Proposal: Erection of a single storey rear extension measuring 5.5m from the original rear wall, 3m to the eaves and 3m in overall height

Address **212 Weybourne Road Aldershot Hampshire GU11 3NF**

Application No 22/00411/FULPP Ward: Manor Park

Applicant: Mr Dale Hind

Decision: **Permission Granted**

Decision Date: 08 July 2022

Proposal: Erection of a single storey side and rear extension

Address **2 Croft Road Aldershot Hampshire GU11 3HR**

Application No 22/00421/NMA

Ward: Empress

Applicant: Mrs Pihan

Decision: **Permission Granted**

Decision Date: 15 June 2022

Proposal: Minor amendment to planning permission 21/00883/FULPP (Installation of external lift shaft to rear elevation of house to serve ground & first floors) approved 22.12.2021 to allow a reduction in size

Address **17 Jupiter Close Farnborough Hampshire GU14 7GJ**

Application No 22/00446/NMA

Ward: Fernhill

Applicant: Andrew Lewis

Decision: **Permission Granted**

Decision Date: 29 June 2022

Proposal: Non-material amendment to planning application 22/00057/FUL dated 22.02.2022 (Erection of a single storey rear extension) to allow a change in materials from brick to K-render

Address **10 Cheviot Close Farnborough Hampshire GU14 9HS**

Development Management Committee
22nd June 2022

**Head of Economy, Planning and
Strategic Housing**
Report No. EPSH2221

Urgent Action – Land to the rear of 162-170 Holly Road, Aldershot
Application Reference 21/00645/FULPP

1.0 Background

- 1.1 On 13 October 2021 the Development Management Committee resolved to grant planning permission for:

Erection of three 3-bedroom 5-person occupancy terraced two-storey houses following the demolition of existing garages; alterations to side elevation of No.170 Holly Road and provision of replacement parking spaces for Nos.162a, 164, 164a and 170 Holly Road.

The decision was to grant subject to completion of a s106 Planning Obligation by 26 November 2021 and, in the event the agreement was not completed, to refuse permission.

- 1.2 Despite efforts to complete the s106 by 26th November 2021, the work required to complete the s106 took a lot longer than expected due to a number of technical legal problems arising from the complex ownership of the application site. As a result the applicants requested, and the Council has agreed, a succession of extensions of time for the determination of the application, culminating in an extension of time expiring on 31 May 2022. Given that the legal issues involved were resolvable it was considered neither reasonable nor helpful to invoke the second part of the Committee resolution to trigger the refusal of the planning application after 26 November 2021.
- 1.3 On 12 May 2022 a satisfactory s106 was finally completed pursuant to the Committee resolution paving the way for planning permission to be granted. This s106 is set out in five counterparts that have been signed separately by four separate owners of the application site, plus the Council.
- 1.4 On 17 May the Chairman was contacted to set out the above situation; and to request confirmation whether they agreed that planning permission could be granted pursuant to the requirements of the Committee resolution in the circumstances set out.
- 1.5 In doing so, the Chairman was also advised of the receipt of a very late representation raising objection the proposals received from the occupier of 24 St. Augustine's Close received on 4 March 2022. This correspondent has been advised that their comments were received far too late to have been reported to the Council's Development Management Committee when they considered this planning application and resolved to grant planning permission at their meeting almost 6 months earlier. Nevertheless, they have been reassured that the points that they make were made by others whom did lodge objections to the

application in time and, indeed, were also issues raised by Members during the debate at the meeting; and, as such, the matters raised were taken into account by the Committee in making their decision. In reply this correspondent has indicated that their particular concern was to ensure that adequate boundary fencing is installed and retained between their property and the proposed development site. In this respect the site boundary fencing adjoining St Augustine's Close properties is variable in quality, but agreed Condition No.5 gives the Council the ability to control all means of enclosure associated with the proposed development, whether this be to agree the retention of any perfectly good sections of existing fence or the erection of new fencing. .

- 1.6 The Chairman subsequently agreed that the Committee resolution to grant planning permission had been satisfied, thereby authorising the grant of the planning permission. Accordingly, the planning permission was granted, recorded, issued and objectors notified on 18 May 2022. The planning permission includes the conditions set out in the original Committee Report, as amended with the Committee Amendments Sheet; and also the imposition of an additional condition requiring the side windows in the proposed houses to be obscurely glazed requested by the Committee at the meeting.

2.0 Recommendation

- 2.1 That the report be **NOTED**

Tim Mills
Head of Economy, Planning and Strategic Housing
Contact: David Stevens 01252 398738

BACKGROUND PAPERS: Planning Application File 21/00645/FULPP

Development Management Committee
20th July 2022

Agenda Item 6
Head of Economy, Planning and
Strategic Housing
Report No. EPSH2223

Enforcement and possible unauthorised development

1. Introduction

This report considers current matters of enforcement and possible unauthorised development. Authority to take planning enforcement action is delegated to the Head of Economy, Planning and Strategic Housing. Matters that require a Committee decision are reported, together with delegated decisions to take action.

It is not an offence to carry out works without planning permission and the National Planning Policy Framework (NPPF) states that enforcement action is discretionary and that local planning authorities should act proportionately in responding to suspected breaches of planning control. Local authorities are also advised to take action only where it is appropriate to do so. The purpose of this report is therefore to report to Committee decisions with regard to enforcement action and/or to seek approval for further action.

2. Policy

The Council's Approach to Planning Enforcement is set out in the adopted Local Enforcement Plan. The essential thrust of the Plan is that we will not condone wilful breaches of planning law, but we will exercise our discretion regarding enforcement action if it is considered expedient to do so. Our priorities with regard to enforcement are:

- To focus our resources to ensure that the most pressing and harmful issues are addressed appropriately.
- In determining the expediency of enforcement action we will have regard to the seriousness of any harm which is evident as a result of a breach of planning control.
- Matters which can potentially have a serious impact on the safety or amenity of residents or occupiers of property or on the natural environment will take priority over minor infractions and matters of dispute between neighbours.

3. Items

Each item contains a full description, details of any investigation, and an assessment of the situation and concludes with a recommendation.

This report relates to:

Item 1 Delegated Decisions on Enforcement Action

All information, recommendations and advice contained in this report are understood to be correct at the time of writing this report. Any change in circumstances will be updated verbally at the Committee meeting. Where a recommendation is either altered or substantially amended between preparing the report and the Committee

meeting, a separate sheet will be circulated at the meeting to assist Members in following the modifications proposed.

4. Human rights

The Human Rights Act 1998 (the Act) has incorporated part of the European Convention on Human Rights into English law. Any recommendation either to take or not to take enforcement action has been assessed to make sure that the decision is compatible with the Act. If there is a potential conflict this will be highlighted in the individual report on the relevant item.

5. Financial implications

There are no direct financial implications arising from this report. However, in the event of an appeal, further resources will be put towards defending the Council's decision. Rarely, and in certain circumstances, decisions on planning enforcement cases result in the Council facing an application for costs arising from a planning appeal. Officers will aim to alert Members where this may be likely and provide appropriate advice in such circumstances.

Tim Mills
Head of Economy, Planning and Strategic Housing

BACKGROUND PAPERS

Rushmoor Local Plan (2019)

Rushmoor Local Enforcement Plan (2016)

National Planning Policy Framework (NPPF)

Item1

Delegated decisions by the Corporate Planning Manager to take no further action in respect of alleged breaches of planning control.

The following decisions are reported for INFORMATION purposes only. They relate to enforcement cases that are in breach of planning but no application has been forthcoming and where a decision to take no further action has been taken in accordance with the Council's Scheme of Delegation.

Address	88/90 Queensmead Farnborough
Ward	Empress
Decision	No further action
Decision Date	20 th July 2022
Reasons	<p>The Council received a complaint from a residential property which is located above a new shop that was opening in Queensmead. The complaint was about noise coming from compressor units on the roof of the shop which was located close to the residential flats and keeping them awake all night. The units require planning permission as the premises are commercial.</p> <p>After discussions with the owner of the shop and the owner subsequently relocating the units, they are now at ground floor and no additional complaints have been received. The owner of the shop submitted a retrospective planning application for the units but it was invalid upon receipt and has never been validated.</p>
Alternatives	An enforcement notice could be issued but as the development is now considered acceptable due to the location of the units, it would not be expedient for the council to take further action
Case Officer	Tara Cowell
Associated Documents	Enforcement Reference 21/00013/OTHER



Item 2

Delegated decisions by the Corporate Planning Manager to take no further action in respect of alleged breaches of planning control.

The following decisions are reported for INFORMATION purposes only. They relate to enforcement cases that are in breach of planning but no application has been forthcoming and where a decision to take no further action has been taken in accordance with the Council's Scheme of Delegation.

Address	52 Sidlaws Road Farnborough
Ward	Fernhill
Decision	No further action
Decision Date	20 th July 2022
Reasons	<p>The Council received a complaint stating a porch had been erected at No 52 Sidlaws Road encroaching onto the adjacent property.</p> <p>A site visit was carried out and it is apparent that a pitched roof had been erected over the existing flat roofed garage to the front of the property. The roof requires planning permission as it projects forward of the principal elevation of the property.</p> <p>The owner was contacted and he wasn't aware planning permission was required as others in the same area had done the same recently. The two other properties in question had obtained planning permission before carrying out the works. The owner said that he would submit a retrospective planning application, but one has not been forthcoming.</p>
Alternatives	<p>The matter of encroachment is a civil matter between the two properties and the complainant has been advised of this.</p> <p>An enforcement notice could be issued but as the development is considered acceptable, it would not be expedient for the council to take further action</p>
Case Officer	Tara Cowell
Associated Documents	Enforcement Reference 22/00030/RESWRK



Development Management Committee
20th July 2022

Item 5
Planning Report No.EPSH2222

Appeals Progress Report

1. New Appeals

1.1 The White Lion Public House -

An appeal against refusal of planning application 21/00545/FULPP for two storey rear extension to facilitate the change of use of a Public House with ancillary accommodation into 4 flats (2 x 1 bed and 2 x 2-bed) (Use Class C3) at The White Lion Public House, 20 Lower Farnham Road, Aldershot, Hampshire GU12 4EA has now been made valid and given a start date. The planning appeal reference is APP/P1750/W/22/3291498. The appeal will be determined by the written representation method.

1.2 Asda, Westmead, Farnborough

An appeal against refusal of planning application 21/00074/FULPP for Construction of new Home Shopping storage areas and associated coldrooms, construction of new click & collect canopy and associated steelworks and associated works at Asda, Westmead, Farnborough, GU14 7LT has also been made valid and given a start date. The planning appeal reference is APP/P1750/W/21/3289492. The appeal will be determined by the written representation method. (Officer note: While the Council also refused an application for Express Advertisement Consent for the display of illuminated advertisements on the canopy – 21/00075/ADVPP refers, and an appeal was also lodged simultaneously against that refusal, the Planning Inspectorate turned away this appeal as it was submitted too late – the time period for lodging appeals against the refusal of applications Express Advertisement Consent being only 8 weeks rather than 6 months as applies to most planning applications).

2. Appeal Decision

2.1 71 Tongham Road, Aldershot.

An appeal against refusal of planning application 21/00331/FULPP for “Construction of an attached dwelling to the existing semi-detached property to create a terrace of 3 following the demolition of existing detached garage” at 71 Tongham Road, Aldershot. This application related to a semi-detached property in a corner plot at the junction of of Tongham Road and Chestnut Avenue. The proposal was to demolish an existing detached garage to the side of the property and to erect a part two storey and part single storey dwelling to the sided of the property. Planning permission was refused under delegated powers for the following reasons:

- 1 The site is located within Flood Zone 2 and it has not been satisfactorily demonstrated that there are no more sequentially preferable locations within the Local Planning Authority's area where the development proposed could be accommodated and accordingly, the proposal is contrary to Policy NE6 of the Rushmoor Local Plan and the relevant sections of the NPPF and NPPG.
- 2 The proposal would result in a cramped form of development that would be dominated by off-road parking, with no compensatory landscaping, that would be out-of-character with the surrounding area and due to its prominent location

at the junction of two roads, would have a detrimental impact upon the street scene and the character of the surrounding area, contrary to Policies DE1 and DE11 of the Rushmoor Local Plan and the National Planning Policy Framework/Practice Guidance.

- 3 It has not been satisfactorily demonstrated that off-road car and cycle parking in accordance with the requirements of Policy IN2 of the Rushmoor Local Plan and the Council's adopted Car & Cycle Parking Standards SPD 2017, and refuse/recycling bins will be provided and this may lead to further demand for on-street parking, to the detriment of highway safety and visual amenity and friction between the two households.
- 4 The proposal fails to make any provision for off-site Public Open Space improvements to support the addition dwelling and is thereby contrary to Policies DE6 and DE7 of the Rushmoor Local Plan.
- 5 The proposed development makes no provision to address the likely significant impact of the additional residential unit on the objectives and nature conservation interests of the Thames Basin Heaths Special Protection Area. The proposal does not include any information to demonstrate how the development will enhance bio-diversity within the site to produce a net gain in biodiversity. The proposals are thereby contrary to the requirements of retained South East Plan Policy NRM6 and Policies NE1 and NE4 of the Rushmoor Local Plan.

The Inspector considered that the main issues for the appeal were whether the proposal:

- a) is acceptable in relation to flood risk;
- b) the effect of the proposal on the character and appearance of the area;
- c) the effect of the proposal on highway safety, including car parking, cycle parking and refuse storage; and
- d) whether off site public open space improvements are necessary and suitably provided.

On the topic of flood risk and the application of sequential test under Paragraph 168 of the National Planning Policy Framework, the Inspector supported the Council's approach and concluded that the proposal fails to satisfy the sequential test and would not be in an acceptable location for housing in relation to flood risk. It would therefore conflict with Policy NE6 of the Rushmoor Local Plan 2019 and Paragraph 162 of the Framework and the Inspector dismissed the appeal on this ground. Key points in the Inspector's decision letter were that: "Paragraph 162 of the Framework is clear that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source." Additionally, "Development should not be permitted if there are reasonably available sites appropriate for the proposal in areas with a lower risk of flooding. Guidance is also clear that the aim should be to keep development out of flood zones with a medium or high probability of flooding." The Inspector also confirmed that unimplemented planning permissions for residential development in areas of lower flood risk did not need to be precisely equivalent to an application proposal in order to be considered in the sequential test, and that it was reasonable for the Council to include schemes for flats, residential conversions and replacement dwellings as they would be broadly comparable for the purposes of being treated as alternative sites. The Inspector stated: "it is clear that a number of alternative sites were reasonably available at the time of the original application, whilst alternative site6 were also reasonably available at the time of the appeal."

On the topic of impact upon character and appearance, the Inspector noted that the site “is in a prominent location next to a highway junction. Consequently, developing the site would have a more noticeable impact on the character and appearance of the street scene. Whilst the general principle and design of the proposal is not in dispute, it is clear that the amount of off street parking spaces required would lead to the erosion of existing landscaping and the cramped layout would limit opportunities for compensatory landscaping. Consequently, the frontage of the site would take on a starker appearance within the street scene, which would be prominent due to the nature of the location. Without landscaping to soften the built form of the dwellings and the hardstanding of the off street parking spaces there would be unmitigated harm from the predominance of built form and parked vehicles.” The Inspector added that “Whilst it is sometimes possible to secure landscaping, cycle parking and refuse storage by planning condition, it is not clear that the size of the site and scale of the proposal would enable these aspects of the proposal to be realised, whilst also maintaining the required dimensions and standards associated with other aspects of the proposal.” The Inspector concluded that: “Overall, the proposal would harm the character and appearance of the area and conflict with Policies DE1 and DE11 of the Rushmoor Local Plan 2019” and dismissed the Appeal on this ground also.

On the topic of Highway Safety, the Inspector agreed with the Council that the proposed parking arrangements and pedestrian access routes failed to meet the minimum dimensions as set out the Car & Cycle Parking Standards and that this could lead to an increase in on street parking demand and harm to highway safety and obstruction to access routes within the site. The Inspector concluded that the proposal would harm highway safety and conflict with Policy IN2 of the Rushmoor Local Plan 2019 and Car & Cycle Parking Standards Supplementary Planning Document 2017, and dismissed the appeal on this ground.

With respect to Public Open Space, the Inspector accepted that a financial contribution towards off-site public open space works, to be secured by a planning obligation would be required and, in the absence of such, the proposal would conflict with Policies DE6 and DE7 of the Rushmoor Local Plan 2019, and dismissed the appeal on this ground.

Under the heading of Other Matters, the Inspector noted that while the site is within the zone of influence of the Thames Basin Heaths Special Protection Area, since they were dismissing the appeal for other reasons it is not necessary for them to make a finding on the likely significant effects of the proposal. Additionally, while the Council had suggested that the lack of biodiversity enhancements could be addressed by planning condition, since they were dismissing the appeal for other reasons, and there is no evidence that such enhancement would outweigh the identified cumulative harm under the main issues, it has not been necessary to deal with this matter further.

Tim Mills
Head of Economy, Planning and Strategic Housing

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Development Management Committee
20th July 2022

Item 7
Planning Report No. EPSH2224

Planning (Development Management) summary report for the quarter Jan-Mar 2022 and for the Year 2021-22

1. Introduction

- 1.1 The purpose of this report is to advise Members of the position with respect to Performance Indicators for the Development Management function of Planning, and the overall workload of the Section. This report covers the quarter from 1st January to 31st March 2022 and the year 1st April 2021 to 30th March 2022.

2. Planning Applications

- 2.1 The three tables below set out figures relating to determination of Major, Minor and 'Other' planning applications for the fourth quarter and for the financial year. We are required to provide the government with statistical returns in relation to decision times. It should be noted that the returns required by government do not include some application types including applications for the approval of details pursuant to conditions, applications to fell or carry out works to TPO trees and trees in Conservation Areas, Non-Material Amendments, Screening Opinions, Adjacent Authority Consultations and applications for approval in relation to conditions. These however constitute a significant source of demand on our service numbering 84 cases in the quarter and 373 in the year. These are included in the total figures reflecting workload set out at 3.1 below.

Major and small scale major Applications determined within 13 weeks/PPA target

2020/2021 Total	Decisions in quarter	Jan-Mar 2022	Government Target	2021/2022 Total
100%	2	100%	60%	100%

Minor (Non householder) Applications determined within 8 weeks

2020/2021 Total	Decisions in quarter	Jan-Mar 2022	Government Target	2021/2022 Total
88.86%	21	95.2%	65%	91%

*Decisions on 7 applications determined in the quarter were outside the statutory period, 6 were the subject of agreed extensions of time and therefore recorded as 'in time'.

'Other' (Including Householder) Applications determined within 8 weeks

2020/2021 Total	Decisions in quarter	Jan-Mar 2022	Government Target	2021/2022 Total
89.85%	73	90.4%	80%	89%

- 2.2 The following table sets out figures relating to appeals allowed against the authority's decision to refuse permission.

% of appeals allowed against the authority's decision to refuse

Government Target	Jan-Mar 2022	Appeal Decisions
40% max	50%	4

% of appeals allowed against the authority's decision to refuse (Annual figures)

Government Target	Appeal Decisions	Appeals Allowed	2020/21 Total I	2021/22 Total
40% max	11	6	0%	54.5%

3. Workload

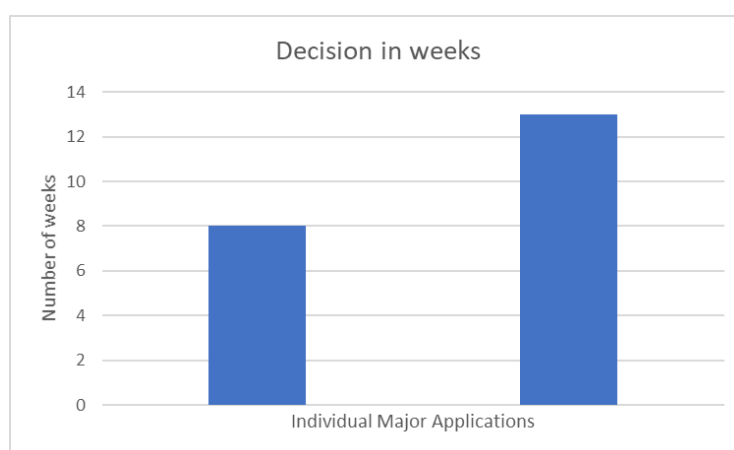
3.1 This section deals with workload demand on the Development Management Section in the first three months of 2022 and the financial year.

Departmental Work Demand Jan-Mar 2022 and financial year

	Applications Submitted (All types)	Pre-Application Cases	Applications Determined (All types)	Appeals Submitted
Q4	260	71	188	2
Year 2021-2022	1036	316	913	15

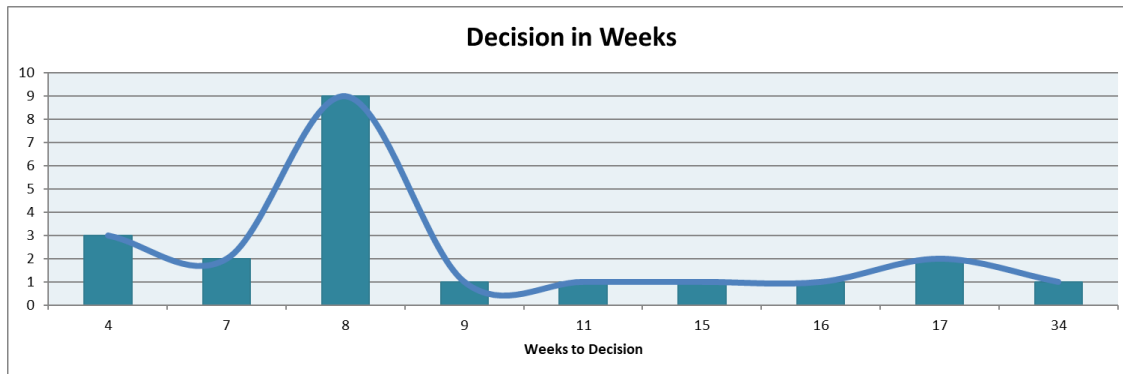
3.2 The following graphs present the time period being taken to determine different types of application in the fourth quarter of 2021-2022

Major and small-scale majors Total 2



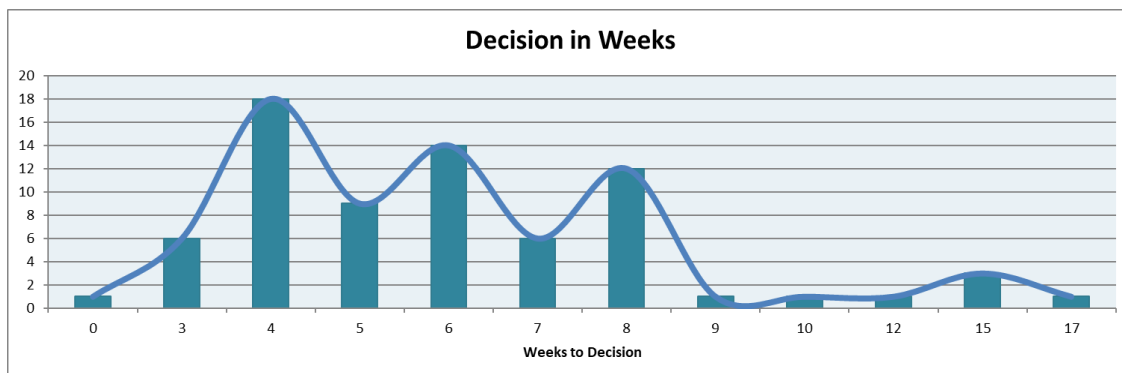
3.3 Performance with regard to Major applications remains well above the Government target with both cases determined within the statutory 13 week period or in accordance with agreed extensions of time or planning performance agreements. The figure for the ten major applications over the full year is 100%

Minor (Non householder) applications Total 21



3.4 This second graph illustrates the determination times for minor applications, 95.2% of which were determined within the statutory period or in accordance with agreed extensions of time in the fourth quarter of 2021-22. The figure for the full year is 91%.

'Other' (Including Householder) applications Total 73



3.5 This third graph shows that in the fourth quarter of this financial year the majority of householder applicants 90.4% received decisions in the fourth to eighth weeks after their validation date. The figure for determination within the statutory date for the full year is 89%.

4. Fee Income

4.1 The total planning fee income received for the fourth quarter was £103,791 against a budget estimate of £104,250.

4.2 The total planning fee income received for the year was £407,018 against a budget estimate of £417,600. This represents a negative variance of 2-3%.

4.3 The total pre-application income received for the fourth quarter was £5,243 against a budget estimate of £9,000.

4.4 The total pre-application income received for the year was £39,740 against a budget estimate of £36,000. This represents a positive variance of 10%

5. Section 106 contributions

5.1 Information in this section relates to financial contributions secured by way of section 106 planning obligations.

Section 106 contributions received	Jan-Mar 2022	2021-2022 total
Contributions received (Rushmoor and Hampshire) apportioned as set out below~	£124,822.06	£1,078,363.80
Open Space (specific projects set out in agreements)	£2,978.28	£213,871.52
SANGS a) Southwood II b) Southwood Country Park e) Hawley Meadows # f) Rowhill Copse #	a) £0 b) £0 e) £0 f) £0	a) £8,190 b) £59,701 e) £0 f) £594,540
SAMM* a) Southwood II b) Southwood Country Park c) Wellesley Woodland d) Bramshot Farm (Hart) e) Hawley Meadows # f) Rowhill Copse #	a) £0 b) £0 c) £54,935 d) £8,247 e) £0 f) £0	a) £895.63 b) £5361.50 c) £54,935 d) £12,709 e) £0 f) £64,875.26
Transport (specific projects set out in agreements)*	£0	£19,050

~This figure also includes monitoring charges, interest and receipts for the Farnborough Airport Community Environmental Fund.

*.SAMM contributions and Transport are paid to Hampshire County Council.

SANG capacity at Hawley Meadows and Rowhill is now fully allocated and there will be no further reports regarding them.

5.2 3 new undertakings/legal agreements were signed in the period Jan-Mar 2022. A total of 17 agreements were completed during the financial year.

6. Comment on workload for this quarter and year

6.1 This financial year saw a further increase in numbers of application submissions (1036 in comparison with the 1000 over the previous financial year) Fewer pre-application submissions but increased fee receipts reflect the new fee structure. As set out in section 4. Planning application fee income shows a small shortfall against the budgetary estimate, and pre-application income has exceeded it.

6.2 The only significant government target which has not been met during the past financial year is the 40% maximum for appeals allowed against the Council's decision to refuse planning permission. Over the whole year this figure (54.5%)

reflects six appeals allowed of a total of eleven decisions. This is a small total number of decisions (which is typical for Rushmoor) and consequently not grounds for concern on the basis of large numbers of the Council's planning decisions being successfully overturned. In monitoring local authority performance, the government looks at such statistics over an extended period. During the previous financial year there were a total of eight decisions of which none were allowed, consequently over the two year period 2020-2022 the figures show six of nineteen appeals (31%) were allowed.

7. Wellesley

- 7.1 There have been 1031 residential occupations to date at Wellesley. Maida Development Zone A is substantially complete. This contains 228 units of which 226 are occupied. Of the remaining two units, one is completed and has up until recently been in use as a show home. The other plot contained a temporary sales and marketing suite, which has recently been removed.
- 7.2 Corunna Development Zone (Zone B), opposite Maida on the west side of Queen's Avenue is at an advanced stage of completion and will provide 733 residential units, including six supported housing units. 584 of the units are now occupied.
- 7.3 Gunhill Development Zone (Zone E) lies west of the Cambridge Military Hospital and north of Hospital Road. The zone is completed and comprises 107 Private Rented Units, all of which have been occupied.
- 7.4 McGrigor Development Zone (Zone D) is nearing completion. This zone is to the north of the Cambridge Military Hospital, and to the east of Maida Zone, and will provide a total of 116 residential units. 102 of the units are occupied including the converted curtilage listed buildings of St Michael's House and Cambridge House.
- 7.5 Work continues on site for the first phases of the Cambridge Military Hospital Development Zone (Zone C) by Weston Homes. A temporary marketing suite has been created within the central Admin Block following the sales launch in March 2021. The units within Gunhill House & Water Tower are completed. 10 units are now occupied within the CMH Development Zone.
- 7.6 Taylor Wimpey has commenced work on the next phase of development at Stanhope Line East (Zone K) and part of Buller (Zone M) Development Zones, following permission granted on the 27th May 2021 for 430 dwellings. This phase will incorporate the eastern half of Stanhope Lines, Wellesley's linear park. The Council is currently considering various details applications in relation to the permission. A sales and marketing suite has been approved and is operating on Hope Grant's Road (East).

8. Recommendation

- 8.1 That the report be NOTED

Tim Mills
Head of Economy, Planning and Strategic Housing
Contact: John W Thorne 01252 398791

BACKGROUND PAPERS: None.