

Public Document Pack



RUSHMOOR BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT COMMITTEE

*at the Council Offices, Farnborough on
Wednesday, 9th November, 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 C.W. Card
Cllr A.H. Gani
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 - 4)

To confirm the Minutes of the meeting held on 12th October, 2022 (copy attached).

3. **PLANNING APPLICATIONS –** (Pages 5 - 164)

To consider the Head of Economy, Planning and Strategic Housing's Report No. EPSH2240 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	21/00271/FULPP	Block 3, Queensmead, Farnborough	For information
2	22/00193/OUTPP	Proposed Farnborough Civic Quarter Development Site, Meudon Avenue, Farnborough	For information
3	22/00138/REMPP	Blandford House and Malta Barracks Development Site, Shoe Lane, Aldershot	For information
4	22/00340/REMPP	Blandford House and Malta Barracks Development Site, Shoe Lane, Aldershot	For information

Section C of the report sets out planning applications for determination at this meeting:

Item	Pages	Reference Number	Address	Recommendation
5	11-84	20/00400/FULPP	Former Lafarge	Grant

			Site, Hollybush Lane, Aldershot	
6	85-114	22/00068/REM	Blandford House and Malta Barracks Development Site, Shoe Lane, Aldershot	Grant
7	115-142	22/00277/REMPP	Blandford House and Malta Barracks Development Site, Shoe Lane, Aldershot	Grant
8	143-154	22/00453/FULPP	Studio 40, Lynchford Road, Farnborough	Grant

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

4. **APPEALS PROGRESS REPORT – (Pages 165 - 166)**

To consider the Head of Economy, Planning and Strategic Housing's Report No. EPSH2241 (copy attached) on the progress of recent planning appeals.

5. **ENFORCEMENT AND POSSIBLE UNAUTHORISED DEVELOPMENT – (Pages 167 - 170)**

To consider the Head of Economy, Planning and Strategic Housing's Report No. EPSH2242 (copy attached) which reports on cases of planning enforcement and possible unauthorised development.

6. **PLANNING (DEVELOPMENT MANAGEMENT) SUMMARY REPORT FOR THE QUARTER JULY TO SEPTEMBER 2022 – (Pages 171 - 178)**

To receive the Head of Economy, Planning and Strategic Housing's Report No. EPSH2243 (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 July to 30th September 2022.

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, 12th October, 2022 at the Concorde Room, Council Offices, Farnborough at 7.00 pm.

Voting Members

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

Cllr Jib Belbase
Cllr C.P. Grattan
Cllr Michael Hope
Cllr Peace Essien Igodifo
Cllr S.J. Masterson
Cllr T.W. Mitchell
Cllr Sophie Porter

Apologies for absence were submitted on behalf of Cllr Mrs. D.B. Bedford and Cllr P.I.C. Crerar.

Non-Voting Member

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

31. DECLARATIONS OF INTEREST

There were no declarations of interest for this meeting.

32. MINUTES

The Minutes of the Meeting held on 14th September, 2022 were approved and signed as a correct record of proceedings, subject to the following amendment to paragraph 2, page 21, as follows:

The Committee noted that whilst drilling E-Power at TC17/18 (under Stakes Lane, Prospect Road and allotments) the drill failed. Investigations are being undertaken to determine how the works should continue going forward. It was estimated that delays in the region of 6-9 months could be incurred. It was proposed that the car park would be re-opened during the investigation period.

33. 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
22/00480/FULPP	209-211 Lynchford Road, Farnborough	Mr Mark Ford 213 Lynchford Road, Farnborough	Against
		Ms Kay Collins Solve Planning Cheyenne House, West Street, Farnham	In Support

34. PLANNING APPLICATIONS

RESOLVED: That

(i) 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. EPSH2237, be noted

(ii) the following applications be determined by the Head of Economy, Planning and Strategic Housing, in consultation with the Chairman:

* 22/00480/FULPP 209-211 Lynchford Road, Farnborough.

(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

** 22/00193/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

** 22/00277/REMPP Land at Blandford House and Malta Barracks Development Site, Shoe Lane, Aldershot

** 22/00340/REMPP Land at Blandford House and Malta Barracks Development Site, Shoe Lane, Aldershot

* The Head of Economy, Planning and Strategic Housing's Report No. EPSH2227 in respect of these applications was amended at the meeting.

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

35. **PLANNING APPLICATION NO. 22/00480/FULPP - 209-211 LYNCHFORD ROAD, FARNBOROUGH**

The Committee considered the Head of Economy, Planning and Strategic Housing's Report No. EPSH2237 (as amended at the meeting) regarding the erection of an apartment building and ten terraced houses comprising of 17 dwellings.

RESOLVED: That

subject to the completion of a satisfactory s106 Planning Agreement between the applicants and Rushmoor Borough Council by 10 November 2022 or unless otherwise agreed by an extension of time, to secure the required SPA SAMM and Public Open Space financial contributions as set out in the report; and receipt of a satisfactory updated independent assessment report supporting the revised viability case submitted by the applicants, the Head Economy, Planning and Strategic Housing in consultation with the Chairman be authorised to GRANT planning permission subject to the additional conditions and informatives set out in the amendment sheet and as agreed at the meeting regarding:

- i) additional condition (No. 24) on construction management hours; and
- ii) an informative (No. 13) regarding the planned highways work on the Lynchford Road.

36. **ESSO PIPELINE PROJECT**

The Head of Economy, Planning and Strategic Housing gave a verbal 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.

The Committee noted that the initial £50,000 for the environmental improvement plan had been received by the Council. It was hoped that it would be possible to undertake a management plan for the Queen Elizabeth Park (QEP) to inform expenditure. An additional £33,000 to fund other work, originally to be carried out by ESSO, was also expected as the Council were in discussions to undertake this work as well.

An update was provided on the current works, these included:

- QEP – the methodology had been changed from pipe push to a mini auger system, this had resulted in the removal of additional trees in the area. As a

result of the delays from the drill failure leaving QEP adjacent to the railway, it was being explored if the car park could be restored in the interim.

- Cove Road – It was noted that the works in Cove Road had been delayed by 2 weeks
- Nash Close – it was noted that the start date for these works would be 9th January, 2023. It was advised that a domestic gas pipe on the close would need to be relocated before work could commence

In response to a query, it was noted that removed trees would be replaced on a one for one basis, but not like for like. The replacement trees would likely be, subject to agreement, a more suitable native mix. ESSO were required to look after the saplings for a period of time following planting.

RESOLVED: that the Head of Economy, Planning and Strategic Housing Report No. EPSH2238 be noted.

The meeting closed at 8.37 pm.

CLLR CALUM STEWART (CHAIRMAN)

**Development
Management Committee
9th November 2022**

**Head of Economy, Planning
and Strategic Housing
Report No. EPSH2240**

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).*

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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	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>
2	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>

3	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>
4	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

There are no Items in this Section.

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.	20/00400/FULPP
Date Valid	26th June 2020
Expiry date of consultations	17th May 2022
Proposal	Development of site to create a leisure facility comprising aquatic sports centre including restaurant, indoor childrens' play area, equestrian centre and associated stabling; 9 floating holiday lodges (comprising 7 X 3-bedroom and 2 X 4-bedroom units) with associated car parking, landscaping and bund (revised proposals submitted 24 August 2022)
Address	Land at former Lafarge Site, Hollybush Lane Aldershot
Ward	St Mark's
Applicant	Drayparcs Developments Ltd
Agent	Baca Architects
Recommendation	Grant subject to s106 Planning Obligation

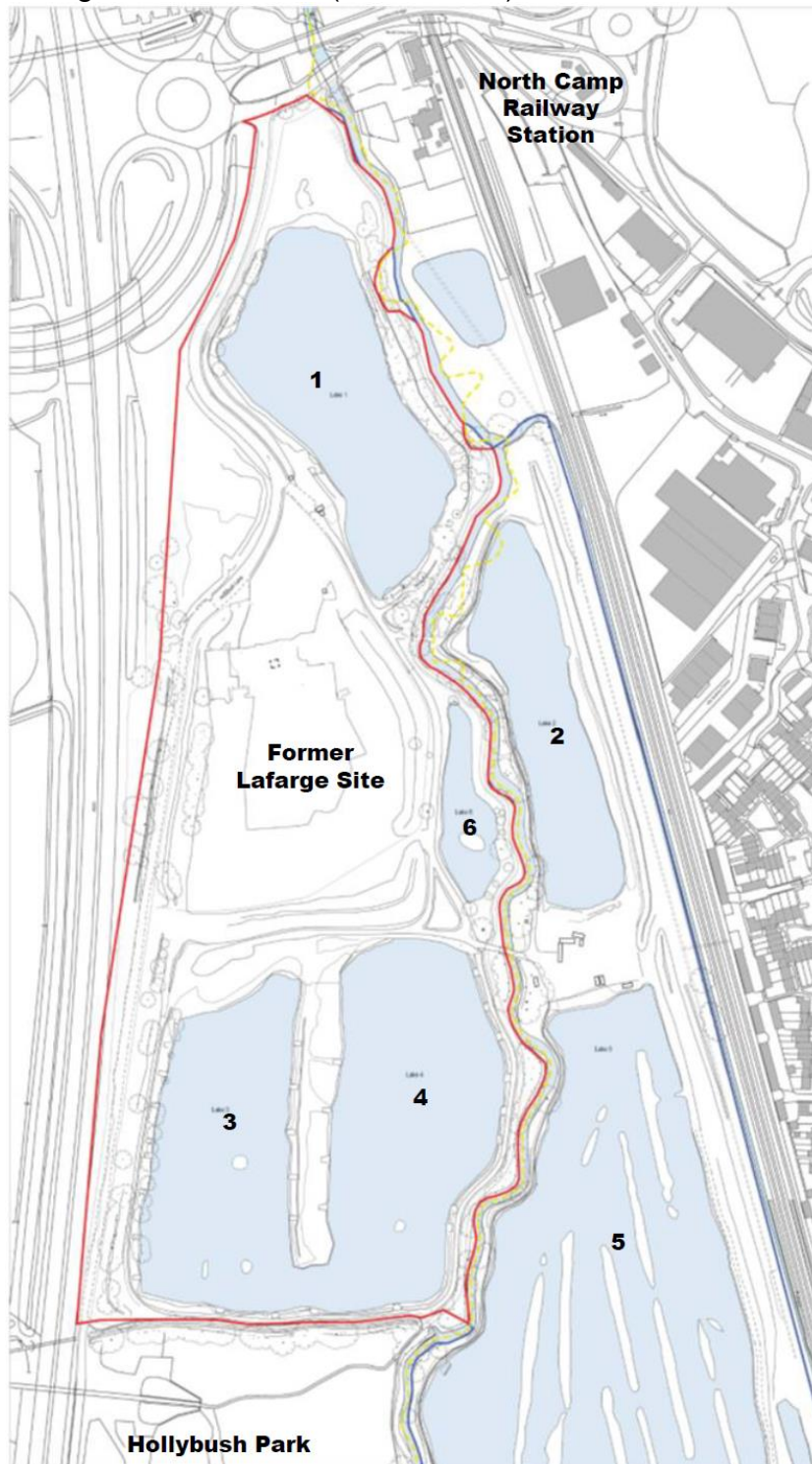
Description

The Site & Surroundings –

The application site has an irregular shape and measures 15.65 hectares. It is an area of land and former gravel-pit lakes on the margins of Rushmoor Borough to the east of Hollybush Lane, where it runs parallel and to the east of the A331 road (BVR) to the south of North Camp railway station. The A331 North Camp Interchange and the North Camp Station approach road adjoin the north end of the application site. The site is also located to the west of the Blackwater River, which adjoins the entire eastern side of the site. The River is the eastern boundary of Rushmoor Borough and Hampshire at this point, with the administrative areas of Guildford Borough Council and Surrey County Council located to the east of the River. To the south the site abuts a drainage channel; with the Hollybush Park local nature reserve beyond, which is land owned by Rushmoor Borough Council and managed by the Blackwater Valley Countryside Partnership.

The application site (see Existing Site Plan on next page) contains three lakes that are remodelled former gravel pits used for coarse fishing (Lake 1 to the north and Lakes 3 & 4 to the

south). A low-lying area between the former Lafarge site separated from the River by a thin strip of raised land contains a small pond (Lake 6) that receives drainage water from elsewhere within the site. The central section of the site largely comprises vacant unused land, partially hard-surfaced and largely enclosed with earth bunds, which is the site of the former Lafarge concrete batching plant. A rusty hopper tower structure near the entrance gate is the one remaining remnant of the abandoned concrete batching plant. The site also contains a gated car park for people using the fishing lakes, which is situated between the former Lafarge site and Lake 1, with a signed gateway from Hollybush Lane. A track was been formed from the car park gate around the east margin of the former Lafarge site to provide onward access to another two lakes in the Applicants' ownership that are located on the east side of the River within Guildford Borough Council's area (Lakes 2 & 5).



Existing Site Plan : Not to Scale

Vehicular access to the site is currently possible from the north only, where Hollybush Lane, (at this end a private gated road), has a T-junction with the North Camp Station approach road (technically a remnant section of Lynchford Road) close to the eastern roundabout of the North Camp interchange. Hollybush Lane has a metalled surface to the south as far as the current entrance into the former Lafarge site. However, beyond this, the Lane is somewhat overgrown and the surface is rough and comprises loose mud, sand, gravel and building rubble; and contains some substantial potholes and puddles. From the former Lafarge site gates until level with the south side of Hollybush Park, travel along Hollybush Lane is restricted to being by foot or bicycle only by large concrete blocks. Hollybush Lane runs southwards parallel with the A331 road for approximately 1 km before it becomes a metalled road once again at the Hollybush Lane Industrial Estate near to the other end of the Lane; and where it joins Government Road and Lakeside Road (Ash Vale).

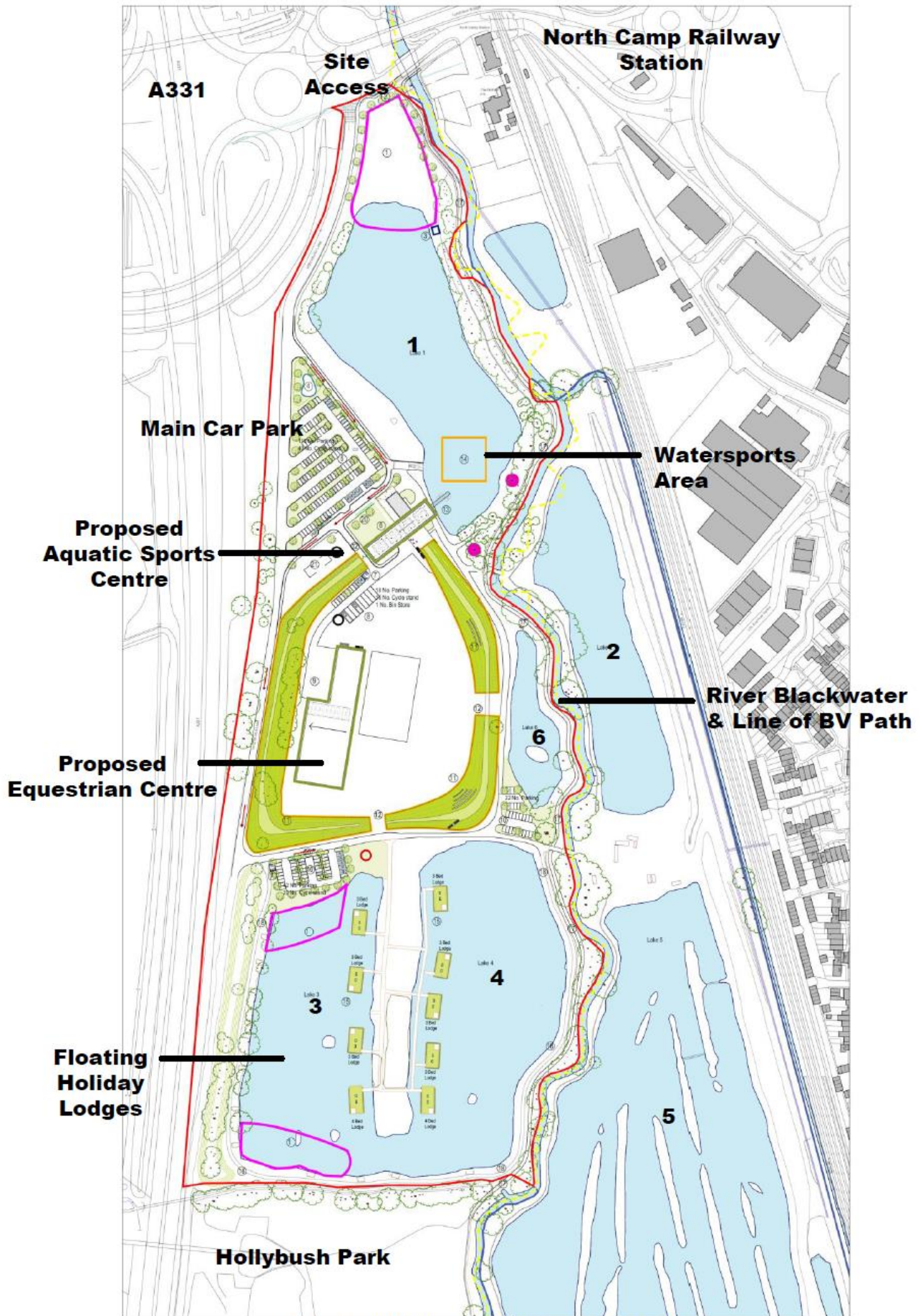
A closed and now overgrown section of the Blackwater Valley Path runs along the western side of the River and is also situated just within the east boundary of the application site. This section of footpath was closed by the Applicants in June 2014, with a diversion route provided instead which runs alongside the drainage channel to the south of Lakes 3 & 4 to join Hollybush Lane west of the site. The Blackwater Valley Path runs both north and south of the closed section and is interlinked with various footpaths and roads to provide public access from the adjoining urban areas on both sides of the County boundary. The vicinity of the application site is accessible from the Blackwater Valley Path, or via a footbridge over the A331 from Ramilles Park military housing estate into Hollybush Park.

The Proposals –

The current application proposals have been subject to significant amendments to reduce the proposed scheme since the original application was submitted in June 2020, largely seeking to address objections raised by some statutory consultees. There have also been a number of additional and/or amended supporting documents submitted. The most significant amendments in this respect were submitted to the Council on 2 February 2021 and 24 August 2022. As amended, the current proposals are for *“development of site to create a leisure facility comprising aquatic sports centre including restaurant, indoor childrens' play area, equestrian centre and associated stabling; 9 floating holiday lodges (comprising 7 X 3-bedroom and 2 X 4-bedroom units) with associated car parking, landscaping and bund”*.

The Proposed Site Layout Plan (copied overleaf) shows the position of the main elements of the proposed development, which are described in more detail as follows:-

- (a) Aquatic Sports Centre: This proposed building would be situated adjacent to the south end of Lake 1, aligned and built into a new section of earth bund to complete the enclosure of the adjoining proposed Equestrian Centre [see (b) below] to the south. This building is primarily to provide changing rooms and storage for the proposed use of the site for watersport activities. The plans show the provision of a jetty projecting into Lake 1 adjoining the building and the use of a nearby zone on the lake where a floating “Aqua Activity Zone” would be moored. The proposed building is also shown to include a restaurant at first-floor incorporating three separate external seating/dining areas and/or viewing decks; and, as a result of the amendments received on 24 August 2022, the provision of a Childrens’ Indoor Play Area occupying a two-storey space with the building incorporating a food servery and party room at ground-floor level; and a further two party rooms and a viewing gallery at first-floor level.



Proposed Site Layout Plan : Not to Scale

The proposed Aquatic Sports Centre building would provide 1389 sqm of internal floorspace, together with an additional 445 sqm of external space at first-floor level accessible via the restaurant to be used as seating/dining and/or viewing areas. The uses of the proposed building floorspace are split as follows:-

Use(s)	Ground-Floor (Sqm)	First-Floor (Sqm)	Totals (Sqm)
<u>Aquatic Sports Centre:</u> (a) Foyer and circulation spaces, stairways/lifts, storage space, changing rooms, toilets, office and multi-function classroom;	619	100	719
<u>Childrens' Indoor Play Area:</u> including 3 party rooms, food servery and viewing gallery	286	94	380
<u>Restaurant:</u> (a) 80-seat internal area with bar;	118 (Kitchen)	172	290
(b) external seating/dining areas (x2)	-	275	275
<u>External first-floor Lake viewing deck and/or further external seating area for Restaurant</u>	-	170	170
Totals : Internal Space	1023	366	1389
External Space	-	445	445

The proposed Aquatic Sports Centre building would have a cruciform footprint and be of part single- and part two-storey height with flat roofs to minimise building bulk and visibility. It would have a modern design bespoke to fit its position within the application site. The height above ground level would taper from a minimum of 7.69 metres up to 9.52 metres; with a particular feature being that the tallest portion of the building (containing the restaurant) would be cantilevered to partly oversail the building entrance without the need to use support columns. Externally, it is indicated that the elevations would be finished with a fibre cladding system punctuated by glazing. The roof is shown to have some rooflights and solar panels, but be mainly a green roof.

(b) Equestrian Centre with Stabling: This is shown to be located on the vacant former Lafarge site land that is, as existing, already partially enclosed with earth bunding in a central position within the application site. It is proposed that the enclosure of this area be completed to the north side by the re-modelling of the existing earth bunds and their extension to join the proposed Aquatic Sports Centre building [see (a) above]. Three gated openings are shown to be provided : the vehicular entrance to be constructed to the immediate west of the Aquatic Sports Centre building; the retention of an existing opening in the bund to the south of the proposed Equestrian area; and a new opening to the east opposite Lake 6. It is indicated that the tops of the bunds be partially accessible to provide access to some tiered spectator seating on the interior slopes.

Within the banded Equestrian Centre enclosure, an area measuring approximately 15,000 sqm, it is proposed to erect a building to provide an covered and partially enclosed sand school measuring 60 X 35 metres (2,100 sqm); and an attached stable block measuring 20 X 40 metres. This building would be sited to the west side of the enclosure and have a shallow mono-pitched green roof with a maximum height of 5

metres above ground level. The proposed stable block is shown to contain 5 stable stalls, a feed store, a trailer store, tack room, a small office, and covered delivery and circulation spaces. There would also be a delivery yard to the west side. The vehicular access into the enclosure would serve a car park containing space for 10 cars and 8 horsebox spaces, in addition to the stable delivery area. The proposed building is shown to be timber-clad and to have a green roof punctuated by rooflights.

An uncovered sand school enclosure measuring 60 X 35 metres is shown to be provided adjacent to the east of proposed Equestrian Centre building, with the remainder of the bunded enclosure measuring approximately 9,350 sqm also being secure open space to be used for equestrian purposes.

(c) Floating Holiday Lodges: These are shown to be moored adjacent to, and accessible on foot from walkways mounted to, the promontory of land dividing Lakes 3 & 4. As a result of the amendments received on 24 August 2022 a total of 9 floating holiday lodges are proposed, comprising 7 X 3-bedroom and 2 X 4-bedroom units. The proposed Lodges are all 8.9 metres wide by 4.15 metres tall with flat green roofs; with the 3-bedroom lodges being 17 metres, and the 4-bedroom lodges 19.95 metres, long. Externally the proposed Lodges would be finished with the same fibre sheet cladding system and composite timber/aluminium-framed glazing as the proposed Aquatic Sports Centre. Vehicular access serving the holiday lodges would be provided to a 42-space car park from Hollybush Lane to the south of the proposed Equestrian Centre and north of Lake 3.

(d) Car Parking: The other significant element of the proposals in terms of land use and construction work is the provision of car parking and associated access roads. The main car park for the proposed development, containing a total of 118 spaces and landscape planting, is shown to occupy a triangular-shaped area of land measuring 150 by 75 metres to the north of the proposed Aquatic Sports Centre and to the south-west side of Lake 1. The submitted plans indicate that the existing line of Hollybush Lane to the side of Lake 1 would be retained, but as one side of a one-way traffic flow split around the new car park area, with a new section of road returning traffic flow past the west side. A slipway into Lake 1 would be provided from the access road at the eastern corner of the proposed car park.

A separate 42-space parking area would be provided for occupiers of the proposed holiday lodges; and a further 22-space car park is also shown on the small area of land between Lakes 4 and 6.

The application is accompanied by a Design & Access Statement, Planning Statement, Arboricultural Impact Assessment; BREEAM Pre-Assessment Report; Transport Assessment; Framework Travel Plan; Parts 1 & 2 Preliminary Environmental Risk Assessment Reports; Landscape & Visual Impact Assessment; Leisure Need Assessment (June 2020) and Addendum (August 2022); Noise Impact Assessment; Stage 1 Habitats Regulation Assessment Revised Habitats Regulation Assessment (March 2021); Ecological Appraisal (May 2020) and Revised Ecological Appraisal (January 2021); Biodiversity Impact Assessment Technical Briefing Note BN04 (originally January 2021, but amended version May 2022 and Further Revised October 2022 incorporating revised Biodiversity Net Gain DEFRA Metric 2.0 spreadsheet (October 2022); Flood Risk & Drainage Assessment including Appendices A-I inclusive; Bell Cornwell Flood Risk Sequential Test and Exception Test Report and Update Report dated April 2022; Flood Storage Volume & Level Assessment (February 2021) with Drawing Nos WYG A092227-1-21-C-D112 to 116 inclusive Rev.P1; Tetrattech response to

LLFA & Updated Surface-Water Drainage Strategy (April 2022); Infiltration Test Results (May & August 2021); Flood Management Evacuation Plan; and formal responses to the consultation comments of the Council's Ecology Officer TN02 (February 2021), the Environment Agency TN03 (including in respect of the EA 8-metre River margin buffer zone) (February 2021) and the Environment Agency and HCC Lead Local Flood Authority (Drainage issues (February 2021).

It is proposed to re-open the current closed section of the Blackwater Valley Path that traverses the application site alongside the Blackwater River.

The applicants have acquired SPA SANGS mitigation capacity from Hart District Council in respect of the Bramshot Lane SANG scheme; and are also seeking to complete a s106 Planning Obligation with Rushmoor in respect of securing the SAMMs SPA financial contribution and the re-instatement of the original river-side section of the Blackwater Valley Path that crosses the application site.

A Members' Site Visit was undertaken on Saturday 1 October 2022.

Relevant Planning History

A part retrospective 'County Matter' planning application complete with an Environmental Impact Assessment was submitted to Hampshire County Council in November 2012 in respect of the former Lafarge portion of the current application site proposing the *"development to provide an end of life vehicle treatment facility and metal recycling facility [derived from waste electrical and electronic equipment], comprising new buildings, hardstandings, weighbridges, perimeter screening and fencing, an extension to the road and associated road improvements, a footpath, and a new car park for staff and public use."* The proposed development also included landscaping proposals, the provision of a sustainable drainage system and demolition of the concrete batching tower (HCC ref.RM035 refers). The proposals the subject of this application were to involve the whole-scale re-arrangement of an existing unauthorised facility and its division into three operational areas for treatment of: ferrous metal, non-ferrous metal, and the end of life vehicles.

Rushmoor Borough Council was consulted in respect of this application and the matter was considered by the Council's Development Control Committee in January 2013, 12/00912/HCC refers). Objection was raised to the application on the following grounds:-

"1. The proposed continued and expanded developed commercial use of the land is an unacceptable and unjustified intrusion and expansion of commercial land use into the countryside to the detriment of the quiet open visual character and landscape of the area contrary to Rushmoor Core Strategy Policies SS1 and CP14 and saved Local Plan Policies ENV14, ENV16 and E9.

2. It has not been satisfactorily demonstrated that the proposed development would have an acceptable impact in terms of:-

- (a) Undue noise impacting upon the amenities of nearby residential properties; and*
- (b) The safe use and function of the North Camp Roundabout and North Camp station road junction as a result of traffic associated with the development."*

In January 2014 Hampshire County Council refused planning permission for the following reasons:-

“1. The development is contrary to the requirements of Policy 29 (2) and contrary to Policy 29 (3b) of the Minerals and Waste Development Plan (MWDP) 2013 in that it is located within countryside and no special need has been demonstrated for the location and the suitability of the site has not been justified.

2. The development is considered to be contrary to Policy 11 of the MWDP 2013 in that the Flood Risk Assessment (FRA) submitted with the planning application is inadequate. The drawings indicate that the applicant has installed an earth bund around the site. The bund restricts the flood plain of the River Blackwater and the loss of flood plain has not been compensated for within the FRA. Therefore there is an increased flood risk.

3. The development is considered to be contrary to Policy 12 of the MWDP 2013 and Policy CP16 Rushmoor Local Development Framework Core Strategy in that the applicant has not demonstrated that the public could walk to and from the proposed car park and the North Camp Railway station on a safe and secure pedestrian route.

4. The development is considered to be contrary to Policy 10 of the MWDP 2013 and Rushmoor Local Plan saved Policy ENV14, ENV16, and E9 , and the BVS, in that the proposal would have a significant adverse impact on local amenity and quality of recreational use of the Blackwater Valley and its associated footpath.

5. The development is considered to be contrary to Policy 5 and 13 of the MWDP 2013, the BVS and RBCLP ENV16 in that it will have an unacceptable adverse visual impact to the distinctive character of the Blackwater Valley landscape in this countryside location.”

There was no subsequent appeal against this refusal. However, in January 2015, the applicant submitted a second partially retrospective County Matter planning application to HCC proposing *“Development of the site to provide an end of life Treatment Facility, incorporating the existing hardstanding and perimeter screening. Including the provision of office accommodation and workshop (retrospective). The development also includes a new car park for private and public use, with a footpath along Hollybush Lane, together with landscaping and drainage works.”* Rushmoor Borough Council were consulted on this application and raised objection on grounds very similar to those raised with the first application, namely conflict with the countryside policy. This application was subsequently withdrawn by the applicants in May 2015 when it was obvious that HCC were preparing to refuse the application, again for fundamental policy reasons, including the unjustified incursion into the Blackwater Valley countryside gap.

In January 2015 Rushmoor Borough Council’s Development Management Committee resolved to take enforcement action against the applicants’ unauthorised development of the central portion of the current application site centred on the former Lafarge site. The Enforcement Notice was served in September 2015 in respect of the *“material change of use of the land from agriculture to a mixed use comprising 1. The sale of motor vehicles; 2. The storage of motor vehicles; 3. Storage of de-polluted motor vehicle bodies and vehicle parts; 4. General storage; 5. Siting of a mobile home used for residential purposes; 6. The siting of portable buildings; 7. The creation of earth bunds; 8. The creation of a hardstanding area; 9. The creation of a tarmac car park; and 10. The erection of a watchtower/camera gantry.”*

The reasons cited for the service of the Enforcement Notice were:

“1. The unauthorised use of the Land (including use of Land for the siting of a Mobile Home

annotated “M” on the attached plan) is an unacceptable and unjustified intrusion of commercial land use into the countryside to the detriment of the quiet open visual character and landscape of the area contrary to Rushmoor Core Strategy Policies SS1 and CP14 and saved Local Plan Policies ENV16 and E9.

2. In order to facilitate, contain and screen the unauthorised uses of the Land earth bunds have been created or substantially modified/enlarged in the positions marked between “Y and Y” on the plan enclosing the Land. The Land is located within Flood Zones 2 and 3 (land at intermediate to high risk of flooding) and the enclosure of the Land is thereby likely to give rise to unacceptable risk of flooding on other land as a result of the impedance of floodwater flows, reduction in floodplain storage and consequent displacement of floodwaters. The unauthorised development is thereby unacceptable having regard to National Planning Policy Guidance and Practice, Rushmoor Core Strategy Policy CP1, and saved Local Plan Policies ENV16 and ENV41-44

3. The unauthorised use and associated ancillary development of the Land has taken/is taking place on land located within Flood Zones 2 and 3 (land at intermediate to high risk of flooding) and increased surface water flows. The unauthorised use and associated activities on the Land are thereby likely to give rise to the uncontrolled release of pollutants into the water environment. The unauthorised development is thereby unacceptable having regard to National Planning Policy Guidance and Practice, Rushmoor Core Strategy Policies CP1 and CP4, and saved Local Plan Policies ENV14-16 and ENV48-49.

4. The unauthorised mobile home fails to make provision for an appropriate Special Protection Area Mitigation and Avoidance contribution towards Suitable Alternative Natural Green Space and Strategic Access Management Measures in order to address the impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area contrary to the requirements of Policies CP13 and CP15 of the Rushmoor Core Strategy adopted October 2011.

5. On the 2 April 2015 the Council issued a screening opinion pursuant to regulation 4(7) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011(the Regulations) that the development, the subject of this Notice, is an EIA development within the meaning of the Regulations, being development within the description at paragraph 11(b) and exceeding the threshold in column 2 of the table in schedule 2 to the Regulations. Having taken account of the criteria in Schedule 3 of the Regulations, the Council formed the opinion that the unauthorised development is likely to have significant effects on the environment by virtue of factors such as the characteristics of the development, the location of the development and characteristics of the potential impact; including in particular, flood risk and the potential for the unquantified escape of pollutants from the site into the water environment.”

The subsequent appeal against this Notice was subject to an appeal heard at a Public Inquiry in October 2016. The appeal was dismissed by two subsequent Inspector’s decisions dated 30 November 2016 and 23 August 2017 and the Enforcement Notice upheld with some variations and an amended Enforcement Notice Plan. The amended Enforcement Notice took effect from 23 August 2017 requiring the cessation of the unauthorised uses and the removal of all vehicles, buildings, and some of the bunding and hardstanding, from the land. The Notice was substantially complied with by August 2018 and the portion of the site the subject of the appeal has remained vacant and unused since. As a consequence of the appeal decision, the former Lafarge portion of the application site has a ‘nil’ use in planning terms, meaning that planning permission is required for all use(s) and built development on the land.

The lakes within the application site have been used for many years for coarse fishing and this is, therefore, a long-established existing planning use of these portions of the application site.

In May 2020, the Council responded to an EIA Screening Opinion Request in respect of the *“Proposed development for 21 floating holiday lodges, 1 equestrian centre, 1 sports centre with up to 6 units for staff accommodation and 6 used guest accommodation (including boat house, water assault course, wakeboarding centre, changing facilities and community cafe) and 4 areas for car parking with up to 225 spaces”* to confirm that an Environmental Impact Assessment was not required, 20/00250/SCREEN.

Consultee Responses

Planning Policy	No objections.
Lead Local Flood Authorities (Hampshire County Council)	<p>Response Letter dated 15 August 2022 : No objections:</p> <p>The County Council has reviewed the following documents relating to the above application:</p> <ul style="list-style-type: none">• Response to LLFA Comments dated April 2022• Flood Risk and Drainage Assessment dated June 2022• Supporting email from TetraTech dated July 2022 <p>The current drainage proposals are still utilising infiltration with defined flow paths to allow surface water to drain into the adjacent pond when infiltration is not viable. The groundwater levels are extremely high in places so while there will be some limited infiltration at higher levels, others will not drain effectively and will have limited benefit. This is not in accordance with best practise.</p> <p>We note that the site is currently brownfield and the development will provide a slight reduction in impermeable area. We also note that a green roof is proposed for the water centre.</p> <p>Based on the above, we do not believe that the proposals will increase runoff or increase downstream flood risk but the existing site will remain vulnerable to flooding from both surface and fluvial sources. As a result, there is an ongoing risk in relation to contamination, particularly from the equine centre, as the proposed filter drains will not function and runoff will reach the lakes untreated during high rainfall and high groundwater periods.</p> <p>Although there remains a contamination risk, there would be no detriment in terms of volume and flow of surface water leaving the site so this is not something we would object on the basis of. We would however highlight that if this site was greenfield, we would consider it to be unviable.</p>
Natural England	<p>Response Letter dated 14 April 2021 : No Objections/Objection Removed subject to an appropriate SPA financial contribution being secured with a s106 Planning Obligation to address SPA impact.</p> <p>On 07 April 2021 we received an updated report to inform a Habitats Regulations Assessment (HRA), document dated 31 March 2021 and referenced 5831 HRA vf5/MRD, which gives further information on the</p>

issues we have previously raised, particularly air pollution.

As submitted this application could have potential adverse impacts on the Thames Basin Heaths Special Protection Area (SPA). In order to avoid these impacts, and make the development acceptable, mitigation measures should be secured.

Based on the updated information provided, we are also now satisfied that the application has sufficiently addressed the potential air pollution from the site which can now be screened out as having no likely significant effects on designated sites. Overall, we agree with the conclusions of the submitted HRA report.

Environment Agency Response Letter dated 4 August 2021 : **No Objections Subject to Conditions:**

Following consideration of amended proposals, plans and details, we are able to remove our objections to the proposed development **subject** to the following conditions being imposed on any planning permission granted. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would wish to object to this application. The EA's position is set out under the headings of the previous objections as follows:-

1) Proposed development incompatible with Flood Zone: We have reviewed the response by WYG dated 17 December, reference A092227-1/FRDA Consultation Response. We have also reviewed the documents related to flood storage volume assessment and the level and volume assessments. We have also reviewed the Technical Briefing Note by aspect ecology, which discusses the proposed boundary treatments on the eastern boundary of the site. The North Car Park that was proposed within land shown to be in the 5% annual probability flood, designated as functional floodplain, has now been removed from the proposal. We can remove our objection for inappropriate development within the functional floodplain.

2) Inadequate Flood Risk Assessment (FRA): The Proposed Masterplan (Drawing No.279-200-100, Rev A) shows openings within the bund structure. Number 12 on this plan shows that it is proposed to include gates on the bund openings. No information has been supplied to show the design of this bund opening or gate design. As shown on the drawing named "Existing and proposed flood storage volumes 1 in 100 year plus 35CC return period event, reference D114, P1", we can see that the area to the west of the bund floods in the 1% annual probability flood with a 35% allowance for climate change. It is therefore imperative that the openings to the bund are maintained to enable floodwater to enter this area. If gates are proposed they should be permeable to floodwater. The FRA states, 'The proposals do not reduce floodplain storage given that extreme event floodwater will be able to enter into the equestrian area. A gap in the bund will be maintained to allow the continued conveyance of floodwater during climate change events.' We can see the applicant does intend to

maintain this as open. However, we consider that a planning condition should be imposed to ensure it will remain open over the lifetime of the development and if any gates are proposed they should be permeable to floodwater to enable this and this detail should be supplied to the local planning authority.

Our response dated 13 August 2020 highlighted some reservations about the proposed boundary treatment proposed 10 metres back from the River Blackwater. The Security & Boundary Treatment Site Plan (Drawing No.279-200-139) shows fencing and boundary treatments for the proposed development. The Technical Briefing Note by Aspect Ecology states: *'A revised boundary treatments drawing has been submitted which supersedes the original drawing (which showed the replacement of the southern section of palisade fence with a gabion wall barrier). This will also allow the retention of a recently established hedge which is alongside the fence.'* The revised boundary treatment plan now shows that the fencing within the floodplain on the eastern boundary of the site close to the River Blackwater is now intended to be palisade fencing that is similar to the existing fencing on the site, and will be permeable to floodwater. We are satisfied within the revised fencing design as shown on the plan.

We need to see a planning condition imposed to ensure the fencing within the floodplain remains permeable to floodwater. We are able to remove our objection for an inadequate flood risk assessment subject to the following conditions:-

Requested Condition A: Openings in the bund as shown on drawing proposed masterplan, reference 279-200-100, Rev A, shall remain open to floodwater for the lifetime of the development. If gates are installed on the openings they shall be permeable to floodwater. Details of fencing for the bunds shall be submitted to the local planning authority for approval prior to installation.

Reason: To ensure flood risk is not increased elsewhere. This condition is supported by paragraph 167 of the National Planning Policy Framework (NPPF).

Requested Condition B: Fencing and boundary treatments within land shown to be within Flood Zone 3 shall be permeable to floodwater.

Reason: To ensure flood risk is not increased elsewhere. This condition is supported by paragraph 167 of the National Planning Policy Framework (NPPF).

3) Works within 8 metres of a main river - inadequate evidence that the risk to nature conservation/fisheries/ecology and physical habitats has been assessed - unable to advise on environmental permit: We have reviewed the document named "TN03: Response to EA Objection 3 (Proposals within 8m of Blackwater River)" and have the following comments. We are able to remove objection 3 subject to requesting a condition to address management of the 8 meter ecological buffer zone

in the long term. The information provided has addressed most of our concerns, however, it is not been demonstrated how the buffer zone will be managed over the longer term. In our response dated 13 August 2020 we stated:

“• details demonstrating how the buffer zone will be protected during development and managed over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan, including how invasive, non-native species, including Himalayan balsam will be controlled.” The applicant states that maintenance “path and associated corridor” of the Blackwater River Trail is subject to an existing management agreement between the applicant and Rushmoor Borough Council (RBC). We have not seen this, nor has the Biodiversity Officer at RBC when we queried it. Furthermore, the management of the Blackwater River Trail elsewhere in the valley is largely aligned to the requirements of the path. What we are seeking here is the protection and enhancement of the 8 metre buffer zone along the river Blackwater.

We require conditions to secure delivery and maintenance of the 8 meter ecological buffer zone, and for the buffer zone to be formally incorporated in to the management of the site during construction and when in use as intended. Much of this detail has been provided, but management of the site and how it cross references with the treatment of other habitats across the site needs to be covered. We request to be consulted on the CEMP and LEMP in this regard. We understand that other consultees may also require CEMP and LEMP conditions which go beyond what we are requesting. Development that encroaches on watercourses can have a potentially severe impact on their ecological value. The proposed development will therefore be acceptable if a planning condition is included requiring a scheme to be agreed to protect a minimum 8 metre wide buffer zone around the watercourse.

Requested Condition C: No development shall take place until a scheme for the provision and management of an 8 metre wide buffer zone alongside the watercourse known as the Blackwater, has been submitted to, and approved in writing by, the local planning authority. Thereafter, the development shall be carried out in accordance with the approved scheme. Any subsequent variations shall be agreed in writing by the local planning authority, in which case the development shall be carried out in accordance with the amended scheme. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping, and will need to be referred to in the CEMP and LEMP for the development. The scheme shall include:

- plans showing the extent and layout of the buffer zone;*
- details of any proposed planting scheme. This should native species and ideally of local provenance, with an aim to create a mosaic of different habitats;*
- details of how the non-native species such as Himalayan balsam will be eradicated from the site;*
- details demonstrating how the buffer zone will be protected during development and managed over the longer term*

including adequate financial provision and named body responsible for management plus production of detailed management plan for nature conservation;

- *details of any proposed footpaths, fencing, etc; and*
- *details of how the river channel morphology and bankside habitat will be enhanced for nature conservation e.g. with gravel, large woody material, deflectors, native planting.*

Reasons: Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected.

This approach is supported by paragraphs 174 and 180 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused.

This condition is also supported by legislation set out in the Natural Environment and Rural Communities Act 2006 and Article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity.

4) Presence of/impact on priority habitat and no/inadequate evidence that the risks have been assessed and addressed satisfactorily: We are able to remove objection 4. We are pleased to see that the Northern Car Park has been removed from the proposal which removes the impact on protected habitats. We acknowledge the treatments given to drainage of the equestrian land, and expect the SuDS to be covered by other statutory consultees.

The proposed development will be acceptable if a planning condition is included requiring the production of a Construction Environmental Management Plan (CEMP) demonstrating how sensitive areas such as the river Blackwater and its corridor will be protected during construction.

Requested Condition D: No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. This shall deal with the treatment of any environmentally sensitive areas. It will detail the works to be carried out showing how the environment will be protected during construction works. Such a scheme shall include details of the following:

- *The timing of the works;*
- *The measures to be used during construction to minimise any environmental impacts of the works, including potential disturbance;*
- *A map or plan showing habitat areas to be specifically protected (identified in the ecological report) during the works;*

- Any necessary mitigation for protected species;
- Construction methods;
- Any necessary pollution prevention methods; and
- Information on the persons/bodies responsible for particular activities associated with the CEMP that demonstrate they are qualified for the activity they are undertaking. The works shall be carried out in accordance with the approved method statement.

Reasons: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy.

This approach is supported by paragraphs 174 and 180 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity.

The proposed infrastructure presented as part of this development could have an unacceptable effect on the ecological value of river Blackwater and associated riparian corridor. Ecological enhancements and the ongoing maintenance of the site will require a management plan to be in place. The proposed development will only be acceptable if a planning condition requiring a landscape management scheme is included.

Requested Condition E: No development shall take place until a Landscape and Ecological Management Plan (LEMP), including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), has been submitted to, and approved in writing by, the local planning authority. The LEMP shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. The scheme shall include the following elements:

- Details of maintenance regimes;
- Details of treatment of site boundaries and/or buffers around water bodies;
- Details of any new habitat created on site; and
- Details of management responsibilities.

Reasons: This condition is necessary to ensure the protection of wildlife and supporting habitats and to secure opportunities for enhancing the site's nature conservation value in line with national planning policy and local policies.

This approach is supported by paragraphs 174 and 180 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be

avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused.

Advice to LPA - Sequential Test: In accordance with the National Planning Policy Framework paragraph 162, development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for you to determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk as required by the Sequential Test in the National Planning Policy Framework. Our flood risk standing advice reminds you of this and provides advice on how to do this.

Flood Risk - Safe Access and Egress: The proposed development and/or the access route is located within the 1% annual probability (AP) plus an appropriate allowance for climate change flood extent. In accordance with paragraph 167 of the National Planning Policy Framework (NPPF), you must ensure that 'the development is appropriately flood resistant and resilient' and that 'safe access and escape routes are included where appropriate, as part of an agreed emergency plan...'. This is on the understanding that you have concluded that the proposed development has passed the flood risk sequential test as required. Within the application documents the applicant should clearly demonstrate to you that a satisfactory route of safe access and egress is achievable. It is for you to assess and determine if this is acceptable. We enclose a copy of our safe access and egress guidance statement to assist you with your assessment. Please note we have not assessed the proposed access and egress route.

Requested Informative: Environmental permit – Main river. The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal);
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal);
- on or within 16 metres of a sea defence;
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert; or
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-riskactivitiesenvironmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environmentagency.gov.uk. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Final Comments: Our comments are based on our available records

and the information as submitted to us.

Ecologist Officer	No objections subject to conditions following receipt of revised Biodiversity Net Gain DEFRA 2.0 Metric spreadsheet in October 2022.
Hampshire County Council Planning Policy Team	No objections: Having reviewed the available data, I cannot see a reason for us to object to the application, although I would like to make you aware of the following, for consideration. The south-western corner of the site is within the safeguarded buffer zone of Aldershot Garrison Sewage Treatment Works, this site is safeguarded under Policy 26 (Safeguarding - waste infrastructure) of the adopted Hampshire Minerals and Waste Plan (HMWP) (2013). The development site is also within close proximity to the following safeguarded sites in Stubs Industrial Estate. Units 3 & 4 Stubs Industrial Estate, Specialist Waste Facility Hollybush Lane and Aggregate Recycling Facility Hollybush Lane. Upon further assessment it has been deemed that the proposed development should not pose a risk to the above-named safeguarded waste infrastructure. Further information on safeguarding and Hampshire County Council's approach to it is available in the adopted Minerals and Waste Safeguarding in Hampshire Supplementary Planning Document, which can be found on our website: https://www.hants.gov.uk/landplanningandenvironment/strategic-planning/hampshire-minerals-waste-plan/supplementary-planning-documents
HCC Highways Development Planning	No highway objections.
Scottish & Southern Energy	No comments in respect of the proposals the subject of the application. We have made the decision to move our data to Linesearch which allows users to access records for a wider range of utilities from one source. To obtain a copy of SSEN's cable records please visit www.linesearchbeforeudig.co.uk
Southern Gas Network (Formerly TRANSCO)	No comments received during the consultation period.
Guildford Borough Council	Consultation acknowledged : but no further response received.
Ash Parish Council	No comments received during the consultation period.
Surrey County Council	#1 : No objection : The proposed development is within close proximity to the Ash Vale Waste Transfer Station (WTS) (which is safeguarded

under policy DC1 of our adopted Surrey Waste Plan) and the waste consultation area that surrounds the site.

The Ash Vale WTS site is safeguarded waste infrastructure essential to support a modern economy. Thus, it is important that you are aware of the potential that other forms of development have to prejudice the operation of this important strategic waste site when considering applications for non-waste development in close proximity.

Typically, the Waste Planning Authority would be concerned at the prospect of new development within such close proximity to the existing waste site at Ash Vale and the risk this poses in terms of prejudicing the existing operations at the site. However, in this instance, due to the type of development being proposed (leisure facility rather than permanent residential dwellings), the railway line that separates the proposed development site to the Ash Vale WTS, the surrounding uses and the layout of the proposed site this is not expected to be an issue. In summary, the MWPA raise no objection but would like to make the applicant aware of the proximity of the proposed development to a safeguarded waste facility. The extent of the Ash Vale WTS site can be viewed on our online Minerals and Waste Map Viewer Tool.

#2 : Comments in respect of submitted Travel Plan:

- o Embedded sustainable travel principles para 2.10 looks to encourage cycle-rail trips, how will the cycles be returned to the site? For people arriving to the site by rail, how will you ensure there are sufficient cycles already at the station?

- o Walking and cycling accessibility para 2.12, what is the current demand for cycle parking? Will more need providing in order to encourage cycle-rail trips mentioned above?

We will need to consult our internal teams such as passenger transport and our rights of way team for comment but if there is a transport assessment I would like access to that first.

South East Water

No comments received during the consultation period.

Thames Water

Waste Comments

The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has **No Objection**, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.

The planning application proposal sets out that FOUL WATER will NOT be discharged to the public network and as such Thames Water has no objection. Should the applicant subsequently seek a connection to discharge Foul Waters to the public network in the future, we would consider this to be a material change to the application details, which would require an amendment to the application and we would need to review our position.

Water Comments

With regard to water supply, this comes within the area covered by the South East Water Company. For your information the address to write to is - South East Water Company, Rocfort Road, Snodland, Kent, ME6 5AH, Tel: 01444-448200

The Blackwater
Valley Countryside
Partnership

Comment : This is a key site in the Blackwater Valley for which we have a long standing wish to see brought into positive use that meets the aims for the Valley of providing recreation and public access within a high quality environment.

Overall the proposal meets these aims, although we are concerned over some details.

We are pleased to see the proposal to re-open the Blackwater Valley footpath on its previous riverside route and away from traffic on Hollybush Lane. Ideally we would like this to be open to cyclists as we are of high demand for this use and it is the only missing link in the valley long cycle route. Arrangements to secure public access in perpetuity rather than the time limited arrangements as at present would greatly strengthen our support for the scheme. It would be helpful if vehicle access to the path can be incorporated to enable its maintenance.

It should be noted that there are no bridleway links to the site and we consider horse access on the Blackwater Valley path would not be compatible with pedestrian or cycle use so any equestrian activity should be limited to on-site only.

Parking to serve the North Camp Railway station seems sensible and we would be happy for the currently closed footbridge to be used to facilitate access the railway station.

All the proposed uses fit within the recreational aims we have for the Valley. We are aware that lakes in the Valley offering open water swimming have high demand but times are often limited due to other uses of the waterbody. A dedicated lake for this use would be an improvement of current Valley facilities.

This is a sensitive site, adjacent to the River Blackwater but the construction of road, rail and industrial uses have reduced the green corridor of the Valley preventing further encroachment is essential to maintain landscape and ecological function. Lakes, marshes and woodland created by previous gravel extraction had developed sufficient ecological value to be designated a Site of Importance for Nature Conservation with many notable and BAP priority species present. Extensive earth-moving, tree felling and lake infilling has destroyed most of that value. We would like to see a positive approach to Biodiversity Net Gain based on its previous condition as a base line rather than its current damaged state.

The construction of bunds around and within the site and other earth

moving will also impacted the function of the floodplain and so this needs to be addressed in any flood impact assessment. As the proposals rely on infiltration to dispose of surface and foul water, site drainage also needs to address the potential for pollution to the lakes themselves and the river from both groundwater movement through potentially contaminated ground, and surface water drainage of car parks and storage of manure heaps from the stables. We note that Hampshire County Council as Lead Local Flood Authority requires further information and the Environment Agency has not yet responded. *[Officer Note: Since these comments were made, the Council has now received responses from both the LLFA and the EA raising no objections.]*

Environmental Health	No objections subject to conditions.
Arboricultural Officer	No objections : no trees worthy of retention would be adversely affected.
Hampshire & I.O.W. Wildlife Trust	No comments received during the consultation period.
Neighbourhood Policing Team	No comments received during the consultation period.
Hampshire Fire & Rescue Service	No objections and provides generic advice concerning fire safety precautions.

Neighbours notified

In addition to posting a site notice and press advertisement, 35 individual letters of notification were sent to properties in Hollybush Lane, Slim Close and Gort Close, being properties located nearest to the application site within Rushmoor BC's area.

Neighbour comments

At the time of writing the report, a total of 8 representations have been received, as follows:-

Rickwood, Pound Farm Lane, Ash Green	Representation received from the owners of The Gables, Rose Cottage, Stubbs Industrial Site and adjacent lands at Hollybush Lane, Aldershot. We would like to raise the issue of re-opening Hollybush Lane access at both ends as the Lane is currently blocked at two places at the northern end. Clearly this is not satisfactory for the residents/workers of Hollybush Lane. We have asked the current owner of the Lane to re-open as it was blocked from May 2019. For 100 years we have had Right of Way through this Lane at both ends and yet it still remains closed. This issue is important in relation to the current planning application because of health and safety concerns for residents/workers. <i>[Officer Note: Hollybush Lane is a private, largely un-made, roadway linking with Lynchford Road to the north; and the roundabout junction with Government Road and Lakeside Road to the south. It is owned by the</i>
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applicants from Lynchford Road as far south as the south end of Hollybush Park. Hollybush Lane serves both the application site and the Hollybush Lane industrial estates towards the south end, plus a small number of residential properties (at Brocton, Rose Cottage and The Gables) in-between. The blocking of the Lane to the west of the application site by the applicant, and whether other property owners adjoining the Lane have rights of access via the Lane to Lynchford Road that have been denied as a result of the blocking of the Lane by the applicants, are solely private property matters between the applicants and the other property owners concerned. These are not matters pertinent to the consideration of the current planning application.]

78 Hinton Wood
Avenue, Highcliffe,
Christchurch,
Dorset

Objection on behalf of the owners of Stubs Industrial Estate, Hollybush Lane on the following grounds:-

1. We are concerned that the proposal for a leisure facility at the northern end of Hollybush Lane will lead to an increased and illegal access denial to all vehicles of both ourselves and our tenants;
2. Hollybush Lane is currently blocked for all vehicle access at two points of its length, by the owner.
3. Stubs Industrial Estate together with adjacent property owners retain a statutory right of access and use of Hollybush Lane 365 days of the year.
4. Stubs Industrial Estate have upwards of 100 vehicular (lorry and car) movements daily and requires 24 hour guaranteed secondary access should safety or roadworks over Army or Hampshire County Council road networks be closed off. The constrictive local railway bridge prevents lorry access from the A321 Ash Wharf direction.
5. Should this planning application succeed then road widening provision is imperative to accommodate passing lorry movements at its access point. In the meantime all current barriers within Hollybush Lane must be removed permanently to comply with our statutory rights.

[Officer Note: the issue of the alleged blocking of rights of access along Hollybush Lane is solely a private property matter in which the Council can have no involvement – as previously noted.]

19 Wellington
Place, Ash Vale

Objection : My interest is any potential effects on the river drainage downstream particularly at the road bridge on Lakeside Road where the river bursts it's banks in prolonged high rain situations.

You may be aware that there has been many incidents of flooding of the area affecting the adjacent Avondale Estate. The latest was 2013-14 over Christmas. Avondale is across the border in Guildford Borough Council domain. There is a lot of history related to that event with even Michael Gove MP being involved. My own concerns are that any flood prevention scheme does not have a risk of affecting a larger catchment area as I live about 1/2 mile from the southern border of the site the area is on the BW floodplain and has flooded before.

Are there any plans to pump floodwater into the Blackwater River or let the water drain naturally into the lakes? My concern if there is any pumping into an already swollen river system there maybe significant catchment issues extending outside the Rushmoor boundaries. I live close to the River Blackwater. Has the EA done any modelling to determine the lakes can take any excess flood water? Is there any work proposed on the River

Blackwater banks that could prevent the natural flooding of the lake area as this could also impact a larger catchment.

- 42 Wellington Place, Ash Vale Representation : I request that planning permission is only granted conditional to the re-opening of the identified section of the Blackwater River Path to the public prior to commencing of the development of the site for the following reasons:-
I believe that without this legal requirement the applicant has no incentive to reopen the path, which they only describe as "an aim" as it divides their planned developments either side of the river. The currently re-routed narrow path alongside the drainage ditch to the south of the development areas is clearly unsafe plus the hard-standing surfaces of the re-route to the north west will become a major safety issue for pedestrians and cyclists alike due to the planned increase in vehicular traffic.
- 3 Gables Close, Ash Vale Objection to this application as it currently stands. For this to be passed there needs to be a guarantee that the Blackwater valley footpath is re-opened and maintained to provide public access, with the stipulation that it remains open to the public in perpetuity. Secondly vehicular access to Hollybush Lane should be permitted, and the road surface re-laid to provide suitable access for HGV access to Stubs Lane at the south of Hollybush Lane.
- 191 Avondale, Ash Vale Objection : I live at the bottom of the Avondale estate near the park area and next to the Hollybush Lakes. The floating holiday lodges will not be far away from my house and my main concern is how much noise will be made from the people staying in the floating lodges. These people may drink alcohol, play loud music and became very loud. Smelly barbeques. The people will not realise that there 550 houses next door to them as there a trees and bushes screening the estate and will think no houses around make as much noise as they like. We already have noise problems with noise from Hollybush Lane that sounds like dropping of metal. This can start at 5 am (summer) and not finish until late at night. Plus, the horrendous traffic noise from the A331. We never heard these noises until the trees in Hollybush Lake area were cut down (the trees used to block the noise).
- 12 Woodlands Avenue, Farnham Objection : These lakes are part of English carp fishing history and developing them as proposed will unfortunately mean an end to the special place that is Hollybush.
- 102 Reading Road, Farnborough Objection: I am writing to you as a concerned resident about the above proposed development.
I am in favour of improving the area for the community. Since the applicant closed off the path following the river and put that awful diversion in the Blackwater Valley River path route has been severely compromised. The fencing around the lakes is horrid and it would be great if the land could be opened up a bit to be accessible for more people.
[Officer Note: the application site is private land to which the public have no right of access, with the sole exception of the current discretionary time-limited right of way provided by the applicants linking between the sections of the Blackwater Valley Path north and south of the application site.]

I just want to raise awareness to my concerns that anyone could think that the land is located in an area and suitable for "equestrian centre accommodation and ancillary facilities; equestrian, centre and associated stabling." There is little detail but I don't see how it can work.

I am not without experience of horses. I owned a Connemara x Thoroughbred in my younger adult life. I bought her for my 30th birthday, 30 years later she was put down and was still with my family. I now help my daughter with a Thoroughbred which came off the tracks. My daughter has retrained as a show jumper/dressage horse. She competes locally at Tweseldown, Parwood, Merrist Wood and the Priory. I act as a groom (reluctantly) and read dressage tests. Whilst there is little detail available at the moment I want to raise awareness to the issues. Horses need grazing. If they can't be grazed they need loads of exercise, hay, and hard feed and this lifestyle is not suitable for that many breeds of horse. I can't imagine where the grazing is going to be and if it is to be made there is a biodiversity loss issue. The hacking from the site is really restricted and so horses will need to be boxed in and out. Where is the manure going to be stored? - hopefully a way back from the water facilities. People are currently struggling to keep horses. The cost of horse feed has risen and with climate change etc hay prices will go up and the supply will be erratic. Bad years for hay will increase in frequency. The local yards - I mention earlier are struggling. Horses will probably be needed to be transported into and out of the site. This requires boxed or large (usually diesel) with trailers. With this come road danger and air pollution. In all of this we have a climate emergency and a biodiversity crisis. With this I think private ownership of horses will become too expensive for most people and possibly should not be encouraged. There are plenty of neglected horses out there. I am simply sharing my thoughts with you. I am not anti-horse and have total respect for all living things. I just think that this is the wrong place for an equestrian centre. Let's have a facility that the community can afford to go to and that is future proof in terms of the climate crisis and biodiversity with decent cycling and walking access and a focus on inclusion.

[Officer Note: the proposals are for provision of private commercial leisure facilities open to customers and, as such, the proposed development is not proposing the opening-up of the land for general community use and access. The need or otherwise for the proposed Equestrian Centre, and the suitability of the site to provide one, are not matters relevant to the consideration of the planning application.]

Policy and determining issues

The application site is land located wholly outside the defined built-up areas of the Borough on land that is identified as 'Countryside'. With the exception of the land proposed to be occupied by the main car park and most of Hollybush Lane itself, the site is also identified as being in a 'flood zone'. The entirety of Lake 1 (including sections at the north end that are now infilled) is also identified as being a Site of Importance for Nature Conservation (SINC), a local non-Statutory nature conservation designation. The Hollybush Park Local Nature Reserve outside, but adjoining the application site, within Rushmoor BC's area to the south is also designated as a SINC. Lakes 2 and 5 located near the application site on the east side of the River Blackwater within Guildford BC's area are also designated as a 'Site of Nature Conservation Importance'

(SNCI), which is an equivalent nature conservation designation to a SINC as defined by Surrey Local Authorities. The A331 Blackwater Valley Road and the Blackwater River are both identified as 'green corridors'.

Policies SS1 (Presumption in Favour of Sustainable Development), SS2 (Spatial Strategy), IN2 (Transport), IN3 (Telecommunications), DE1 (Design), DE4 (Sustainable Water Use), DE6 (Open Space, Sport & Recreation), DE10 (Pollution), PC8 (Skills, Training & Employment), NE1 (Thames Basin Heaths Special Protection Area), NE2 (Green Infrastructure), NE3 (Trees & Landscaping), NE4 (Biodiversity), NE5 (Countryside), NE6 (Managing Fluvial Flood Risk), NE7 (Areas at Risk of Surface Water Flooding), NE8 (Sustainable Drainage Systems) of the adopted Rushmoor Local Plan (2014-2032) are relevant.

Retained Policy NRM6 (Thames Basin Heaths Special Protection Area) of the otherwise deleted South East Plan is also relevant.

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) are also relevant.

It was the conclusion of the Council's Screening Opinion in May 2020 that similar proposals in nature, scope and scale to those now being proposed with the current application did not 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. Accordingly, it is considered that the same conclusion applies to the current proposals.

In this context, the main determining issues are considered to be:-

1. The Principle of the Proposals, including the Flood Risk Sequential and Exception Tests;
2. The Visual Impact upon the Countryside, including the surrounding landscape and trees;
3. Impacts on Neighbours;
4. Highways Considerations;
5. Ecology and Biodiversity;
6. Flooding and Drainage Issues;
7. Sustainability;
8. Access for People with Disabilities; and
9. Other Issues : Blackwater Valley Path, Employment & Skills Plan.

Commentary

1. Principle -

Planning Policy : The site is, as existing, and with the exception of the existing coarse fishing activity, currently vacant and unused previously-developed land that, partly, has no current lawful or authorised planning use at all.

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

Local Plan Policy SS1 sets out a general presumption in favour of sustainable development in line with central Government policy and guidance. In this respect, any adverse impacts of granting planning permission must be significantly and demonstrably outweighed by the benefits. There is a general presumption that development within 'countryside areas' of the Borough should be strictly limited, with Local Plan Policy SS2 stating:

"SS2 : New development will be directed to within the defined urban areas as shown on the Policies Map. In the countryside surrounding Aldershot and Farnborough, new development will be strictly limited in line with Policy NE5."

Local Plan Policy NE5 then states the specific circumstances under which limited development in countryside areas could be considered acceptable in principle :

"NE5 : Development within the countryside (outside the Defined Urban Area of Aldershot and Farnborough) 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."

The application site is an existing location used for small-scale leisure/recreational use and contains some significant expanses of water that lend themselves, in particular, to water-based recreation and leisure activities. Indeed, the existence of a water body is clearly a necessary requirement for the undertaking of water-based activities. Such uses are undertaken at a number of other sites elsewhere within the Blackwater Valley outside the Borough. The application is accompanied by a Leisure Needs Assessment that identifies other leisure uses for which there

is considered to be a surrounding catchment demonstrating a need; and, indeed, that the overall mix of proposed uses would be complementary and, overall, create a viable commercial proposition. Notwithstanding the objection questioning the suitability of the site for the proposed Equestrian Centre, it is inappropriate for the Council to question the commercial judgement of the applicants for the facilities proposed - the Council must consider the proposals solely on their planning merits.

In the circumstances it is considered that the proposed development would be appropriate in principle in terms of sustainability, leaving consideration of the proposals having regard to Policy NE5 in respect of criteria b. and c : whether or not the proposals would preserve the character and appearance of the countryside; and not lead to harmful physical or visual coalescence between surrounding built-up areas. These matters are considered in the **Visual Impact** section of this report later in this report.

Site Investigation : By its very nature and position, the application site has a direct and proximal relationship with the water environment, whether this be fluvial-, surface- and/or ground-waters. The application site has been used historically for commercial purposes for mineral extraction and/or minerals processing. The section of the site to the west of Lake 1 and Hollybush Lane is an historic former landfill site displaced by the construction of the Blackwater Valley Road (A331). Some land within the application has also historically been subject to unauthorised tipping/disposal of waste materials from elsewhere; 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. The former Lafarge site was developed and used on an unauthorised basis for, inter alia, reception and assessment of crash-damaged vehicles; the storage of motor vehicles; storage of de-polluted motor vehicle bodies and vehicle parts; all being uses that may have, or have, resulted in ground contamination. The extent of contamination arising from the unauthorised vehicle and vehicle parts storage use removed by Council enforcement action is equally unknown. The site has also been subject to extensive disturbance, clearance, and parts used for burning of other materials on large bonfires, from time to time over the last 10 years.

Given this previous historical uses of the site, the Council's Environmental Health Team consider that the submitted Preliminary Environmental Risk Assessment correctly identifies the appropriate range of ground contamination sources that may exist; and the attendant environmental risks that could arise as a result of the mobilisation of such contamination into the wider water environment, and having regard to the activities and uses the subject of the proposed development. The proposed uses of the site give rise to some potential risk of users of the development coming into contact with the ground and, especially, the water environment. In this respect the Council's Environmental Health Team request that intrusive site investigation be undertaken to establish the nature and extent of any contamination and, if found, appropriate remediation commensurate with the level of risk to the environment having regard to the proposed construction activities to be involved and to future occupiers/visitors to the development. It is considered that this can be required by imposition of the usual standard planning conditions.

Flood Risk Sequential Test : This is a matter of principle for the consideration of the application and has been the subject of discussions between the Council and the applicants' consultants since the pre-application stage. The consideration of the issues involved has been responsible for some of the delay in the consideration of the application because it has required the preparation, submission and consideration of a revised Flood Risk Sequential Test Update Report : April 2022 (received 26 April 2022) on behalf of the applicants to replace the previous submissions found to be inadequate.

The process involved with the Flood Risk Sequential Test is set out in Government Planning Policy and Guidance. Consideration of the Sequential Test is applicable to the proposed development simply because the proposed development involves land at elevated risk of fluvial flooding; i.e. it is situated on land within Flood Risk Zones 2 and/or 3. The basic principle of the Sequential Test is that land at lower flood risk be favoured over land at greater flood risk and, as such, the Test considers whether or not the proposed development is an acceptable use of the application site in principle based upon whether or not there are any potential alternative sites available for the proposed development that have a lower flood risk status situated within an appropriate search area.

It is for applicants to address the Sequential Test by submitting appropriate evidence to seek to demonstrate that there are no suitable alternative sequentially preferable sites for the proposed use(s) the subject of their planning application in flood risk terms. *“The [alternative site search] area to apply the Sequential Test across will be defined by local circumstances relating to the catchment area for the type of development proposed”*. In this respect, Government guidance clearly does not rule out the possibility of a search area being cast larger than the area covered by the local planning authority where an application site is located. Indeed, for nationally or regionally important infrastructure, the Guidance acknowledges that *“the area of search to which the Sequential Test could be applied will be wider than the local planning authority boundary”*. Current Government guidance advises that *“When applying the Sequential Test, a pragmatic approach on the availability of alternatives should be taken”*, which is considered to mean that a sensible, realistic, proportionate and practical (rather than overly theoretical) approach should be taken in the consideration of both the search area, but also the subsequent assessment of the suitability of any alternative sites that may be identified within the search area.

In this context it is considered that ‘pragmatism’ does not mean that the Flood Risk Sequential Test can be addressed by making untested and/or irrelevant arbitrary assumptions and without providing relevant robust justification. Whilst it may be pragmatic to seek to avoid an unduly complex or large alternative site search and assessment, it also does not mean that large and complex developments such as the current proposals should not be subject to an appropriate level of scrutiny commensurate with, and proportionate to, their scale and nature.

The Council has to decide whether or not the Sequential Test has been satisfactorily discharged, so any submissions prepared on behalf of applicants must be a demonstration of a robust and genuine search for alternative sites – and the Council needs to be convinced that this has been the case. Government guidance says, under the title, *“Who is responsible for deciding whether an application passes the Sequential Test?”*.....that: *“It is for local planning authorities, taking advice from the Environment Agency as appropriate, to consider the extent to which Sequential Test considerations have been satisfied, taking into account the particular circumstances in any given case. The developer should justify with evidence to the local planning authority what area of search has been used when making the application. Ultimately the local planning authority needs to be satisfied in all cases that the proposed development would be safe and not lead to increased flood risk elsewhere”* [Paragraph: 034 Reference ID: 7-034-20140306].

Development should not be permitted as a matter of principle if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The Council cannot waive or relax the requirements of the Sequential Test in favour of other suggested planning considerations or benefits relating to the proposals. The Flood Risk Sequential Test is a stand-alone technical consideration. How the Council applies and considers the Sequential Test is subject to regular scrutiny by others and it is considered that the Council cannot prejudice its position in dealing with other cases by failing to properly and appropriately apply the Test

under any circumstances.

The principal matter of dispute between the Council and the applicants with the Sequential Test in this case has been the extent of the search area to be used to look for, and consider, potential alternative sites. The extent of the search area is a matter to be agreed in discussion between the Council and applicants. However, whilst Government Guidance and EA Standing Advice describes how the Sequential Test should be applied and considered as summarised above, there is no specific advice on how to define an appropriate 'search area' or, indeed, 'catchment area'. Whilst defining the catchment area for a proposed development can be relatively straightforward in many cases, this cannot be said of the current proposed development since they are for a major development comprising a number of distinct individual elements that are a composite entity where a range of different catchment areas are likely to be applicable – rather than one single discrete catchment area.

The applicants have suggested that the Test should be set aside on 'impracticability' grounds. They seek to explain that this is, in part, on the basis of a sentence in the Guidance providing an example of a pragmatic approach: "...*that it would be impractical to consider alternative sites where the development proposal was an extension to existing premises*". However, whilst this is a particular circumstance that is well understood, it clearly does not apply to this case. Other than use for coarse fishing, the application site has no existing lawful planning use and cannot be 'existing premises' where this particular example could be considered relevant. The current planning application is seeking to establish a planning use for the site that does not currently exist. Additionally, the fact that the applicants have owned the application site for approximately 10 years and have no intention of acquiring an alternative site for the proposed development, does not amount to 'impracticability'. The Sequential Test simply establishes, ownership blind, whether or not, as a matter of principle, a proposed development is an appropriate land use for a site having regard to flood risk considerations.

Agreement was not reached on an appropriate search area before the application was submitted : a 30-minute drivetime radius was suggested by the Council as a possible search area, but rejected by the applicants on the grounds that the area was thought to be too large and, thereby to involve too much work, although this is not considered to be an objective or convincing reason. A 7.8 mile (12.5km) radius from the application site (equating to perhaps a 10 to 15-minute drive time) was preferred instead and, indeed, subsequently submitted with the application from the outset in 2020. Although this area was said to 'encompass' 9 local authority areas, in fact it includes just small areas of 8 adjoining or nearby local authorities in addition to Rushmoor BC's area, and this search area was considered inadequate and not accepted by the Council. This was not least because the submitted Leisure Needs Assessment (LNA) Report evidence also submitted with the application by the applicants indicates that the estimated catchment area for the proposed development extends considerably further afield than this and it is clear that the proposed development would clearly not serve a catchment largely restricted to Rushmoor BC's area. Indeed, the LNA Report notes that the Aqua Sports element of the proposals is the "anchor attraction for the site" and is estimated to have a likely 1-hour drivetime catchment (approximately 55 km or 34 miles radius). The proposed floating holiday lodges may also have a similar customer catchment. The proposed Equestrian Centre is estimated to have a 17km (or 10.6 mile) radius catchment, with the proposed childrens' indoor play area considered to have a much smaller catchment area of perhaps 3km (2 miles).

The search area must have some reasonable and justifiable relationship to the nature of the proposed development. As the submitted LNA Report indicates, the proposed development is not primarily intended, or expected, to be a local facility; and customers will be attracted from a catchment including, but considerably wider than, Rushmoor. Whilst it was suggested by the

applicants that the LNA report is considering best estimates for the catchment of the proposed development in a different way to that which should be applied with the Sequential Test, this argument is also considered unconvincing. If the LNA catchment area estimates are not considered adequate for the purposes of the Sequential Test, this would cast doubt on the conclusions of the LNA Report. Indeed, the whole purpose of the Sequential Test is to demonstrate that there are no possible alternative sequentially preferable sites that could provide the same development and serve the same or similar customer catchment.

Whilst there is clear evidence supporting the selection of a 55 km radius on the basis that this reflects the likely catchment for the anchor elements of the proposed development, it is accepted that this radius is probably a maxima and does not reflect the smaller catchments for other elements of the proposed development. Furthermore, all alternative sites for aqua sports and floating holiday chalets will also be land adjoining and including water bodies and, consequently, subject to similar flood risk to the application site by their very nature. In addition, it is also considered reasonable for account to be taken of the catchment area being distorted and truncated as a result of competing Aquatic Sports facilities. On this basis, the Sequential Test Update Report : April 2022 submitted by the applicants identified and considered a search area of variable radius measuring approximately 1500 square km (579 square miles). This is approximately three-times the extent of the original Sequential Test search area and encompasses land within four counties; and substantial land areas within ten local planning Authorities in addition to Rushmoor : namely Basingstoke & Deane BC, Bracknell Forest DC, East Hampshire BC, Guildford BC, Hart DC, Mole Valley DC, Surrey Heath BC, Waverley BC, Woking BC, and Wokingham BC. The submitted Report then identifies the most up-to-date information sources for available sites within the catchment area within each of these local authority areas, seeking to identify any sites of a comparable size to the application site containing a minimum 5ha water body area and having a lower flood risk than the application site. A total of 27 possible sites were identified in these local authority areas, which were then considered on the basis of whether or not they were located within the site search catchment area, had already secured a planning permission, had significant planning constraints resulting in refusal of permission, and/or were already in the process of being developed such that they could be considered to be unavailable. Having followed this screening process, the submitted Sequential Test report concludes that there are no suitable sequentially preferable sites available within the defined search area for the application site.

It is considered that the Updated Sequential Test submissions are a reasonable and appropriately robust attempt at identifying and assessing alternative sites and, as such, it is considered that the Flood Risk Sequential Test has been passed.

Exception Test : The applicability of the Flood Risk Exception Test must also be considered where it is the conclusion of the Flood Risk Sequential Test, as in this case, that suitable sites at lower risk of flooding are not available. The Exception Test requires two additional elements to be satisfied (as set out in paragraph 164 of the NPPF) before allowing development to be permitted. If applicable, the Exception Test should be demonstrate that: (a) development that has to be in a flood risk area will provide wider sustainability benefits to the community that outweigh flood risk; and (b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. Table 2 of the relevant Government Guidance sets out the circumstances within which the Exception Test must be applied based upon the flood risk vulnerability classifications of the various elements of the proposed development. In this case all of the proposed development would be located on land situated within Flood Risk Zone 2, where Table 2 says that the Exception Test is only required in respect of forms of development designated as **'Highly Vulnerable'**. However, it is considered that none of the elements of the proposed

development would fall into this vulnerability classification. “Buildings used for shops; financial, professional and other services; **restaurants**, cafes and hot food takeaways; **offices**; general industry, storage and distribution; non-residential institutions not included in the ‘more vulnerable’ class; and **assembly and leisure** uses are all classified as ‘Less Vulnerable’. Furthermore “**Water-based recreation and amenity open space, nature conservation and biodiversity, outdoor sports and recreation and essential facilities such as changing rooms**” are classified as ‘Water-compatible development’. Although the proposed floating holiday lodges should be safe from flooding in themselves because they would remain above water level in a flood event, even “**Sites used for holiday or short-let caravans and camping, subject to a specific warning and evacuation plan**” are classified as ‘More Vulnerable’. It is considered that no element of the proposed development is designated as ‘Highly Vulnerable’. In the circumstances it is concluded that the Flood Risk Exception Test is not applicable to the consideration of the development the subject of the current planning application.

Subject to the caveats and issues to be considered in forthcoming paragraphs of this report, it is considered that the proposed development is acceptable in principle having regard to planning policy, ground contamination and flood risk.

2. Visual Impact –

The application site is isolated from the remainder of the Borough by the A331 road and has limited visibility from publicly-accessible places, albeit the proposed re-opening of the original line of the Blackwater Valley Path to the east of the application site would enable people to pass the site at close quarters. In a wider context, the Blackwater Valley contains a substantial suburban conurbation of closely adjoining built-up areas containing the towns of Farnham, Aldershot, Farnborough, Camberley and Sandhurst and a number of expanded villages. The countryside gaps between these built-up areas are narrow and vulnerable to development, especially so with the corridor of land alongside and occupied by the River Blackwater itself. The application site occupies a central position in a narrow ribbon of more natural/naturalising land use separating the built-up areas of Farnborough and Aldershot (including the Military Town) from those in Surrey at Frimley Green, Mytchett, Ash Vale, Ash and Tongham. This gap is partly occupied by the A331 road and also railway lines, which further reduce the extent of more open and natural land within the gap. As a result it is clearly not a location where significant built development can or should be permitted since this would erode what remains of the gap both physically and visually.

According to Local Plan Policy NE5, development within countryside areas, such as including the application site, must preserve the character and appearance of the countryside; and must not lead to a harmful physical or visual coalescence between the adjoining urban areas. In this latter respect, it is clear that it is not simply necessary for the proposed development to remain largely unseen, since the physical presence of buildings occupying significant land in the countryside would be sufficient alone to render development in conflict with the policy, even if they were not visible. Furthermore, the proposed development would involve activity both on-site involving outdoor pursuits; and also vehicle movements to and from the site along Hollybush Lane such that it could not be expected to operate entirely silently and unobtrusively. The development would also involve the provision and use of a variety of lighting, since some of the elements of the scheme are clearly intended to be operated in the evening and all year around; and, indeed, the existence of the proposed development would be likely to be more evident in the autumn/winter months when leaf-cover on surrounding trees is absent. As a result, people passing the site and using the Blackwater Valley for recreational purposes are likely to be aware that elements of the proposed development exist and are operating. In this context, bearing in mind that the use of the land for open recreational use(s) is entirely appropriate, the key question

is whether or not, in the circumstances, the proposed built elements of the development would be likely rise to harmful physical and visual intrusion into the Blackwater Valley countryside gap.

However, in this respect, it is considered that the applicants propose a design and layout of development that does have due regard to the countryside policy constraints applicable to the site. A Landscape & Visual Impact Assessment report has been submitted with the application to consider the impacts of the proposed development on the surrounding landscape. The proposed development is designed to minimise both its visibility, and also its physical presence in terms of the extent to which the proposed buildings would occupy land and be evident to passers-by, having regard to its vulnerable gap location. Both the proposed Aquatic Sports Centre and the Equestrian Centre buildings, although relatively large buildings are specifically designed to be low-rise, sited to minimise their visibility and would use external materials to ensure that they would blend into their surroundings. Furthermore, although both of the proposed buildings contain significant floorspace, the overall building footprint is a minor proportion of the land area of the application site : including the proposed Holiday Lodges, the combined building footprints would comprise less than 5% of the area of the application site.

The proposed Equestrian building would have a maximum height of 5 metres above ground level and be largely enclosed within an earth-bunded enclosure of similar height. Indeed, it would be sited to the west side of the bunded enclosure near Hollybush Lane where the existing bund is heavily treed. The building would have a simple mono-pitch roof largely green roof and be finished with natural timber elevations. This building would not be visible from Hollybush Lane and the A331 beyond and, although it is proposed that the bund enclosure to the east side would have a gap in it, it is considered unlikely to be visible, and, even then, partially and at some considerable distance from, the Blackwater Valley Path. It is not considered that the proposed Equestrian building would give rise to any material visual or physical intrusion.

The proposed Aquatic Sports Centre building would be the only two-storey structure, and would have a flat green roof tapering from 7.69 metres to 9.52 metres in height above ground level. However, it has been specifically designed to be built into the northern closure of the earth-bunded enclosure of the Equestrian area, such that, in effect, the roof of the building would project tapering upwards from just 2.5 and 5 metres above the top of the adjacent bunds. The building would be finished externally with a palette of materials designed to blend in the surroundings. It is considered that it would be the proposed restaurant and adjacent viewing galleries that would be the only elements that would be partially visible from outside the site, however it is not considered that this would be to such an extent that this would be a material and harmful visual and physical intrusion.

The proposed Holiday Lodges would each be a maximum of 4.15 metres high above lake water level with shallow mono-pitched green roofs and have external finishes designed to help them blend in with their surroundings. Individually, these would also be smaller-scale structures that would be dispersed around the central promontory separating Lakes 3 & 4. As such, it is not considered that the proposed provision of nine Lodges would appear visually and physically intrusive.

Various ancillary elements of the proposed development, most notably the proposed parking areas, would potentially be partially visible, however they would be obscured by existing vegetation and additional planting such that they would blend into their surroundings. In addition to conditioning the provision and maintenance of landscape planting and means of enclosure, it is considered appropriate to impose controls on the extent of external lighting at the site in order to maintain the naturalistic character and appearance of the site.

Ultimately the leisure use of the site will be apparent to people passing by the site on the Blackwater Valley Path, however it is considered unlikely that the proposed development would be evident from the A331 road and only fleetingly and distantly visible from the North Camp interchange footbridge. The use of the land for leisure uses would not, in itself, be an unusual or unexpected use for land within the Blackwater Valley. Due to the careful design of the proposed buildings and their small scale within the extent of land involved, it is considered that the proposed development would be sympathetic to its surroundings and not give rise to any unacceptable visual and physical intrusion into the Blackwater Valley countryside gap. As such, the proposals are considered to be acceptable having regard to Local Plan Policy NE5.

The Blackwater Valley in general is identified as a 'green corridor' by the Local Plan. It is considered that the proposed development provides clear proposals and opportunities for the amenities of the Valley to be enhanced and, as such, the proposals are considered acceptable having regard to Local Plan Policy NE2.

No trees worthy of retention would be removed as a result of the proposed development, albeit that elements of the proposals will require the removal of a small number of trees, clearance of existing overgrowth of vegetation (such as the reinstatement of the Blackwater Valley Path) and the management of existing vegetation. The proposals involve the introduction of new landscape planting where required; and the retention and enhancement of existing vegetation for ecology and biodiversity purposes. It is considered that the proposals are acceptable having regard to Local Plan Policy NE3.

It is considered that the proposals would have an acceptable visual impact.

3. Impacts on Neighbours –

The application site has no immediate neighbours and any impacts on neighbours arising from the proposed development, such as nuisance issues of noise, cooking odours and general activity would be diminished by the separation distances from neighbours and, indeed, are considered likely to be surpassed by existing nuisances arising from even closer proximity to the A331 road and the railway lines.

The nearest neighbours to the proposed Aquatic Sports Centre and main car park area are industrial premises on the far side of the railway lines off Lysons Avenue, Ash Vale, a minimum of approximately 180 metres distant to the east. The Old Ford Public House (which includes residential accommodation over) and North Camp railway station are approximately 270 metres to the north. The proposed Aquatic Sports Centre building is also approximately 270 metres distant from the nearest residential property within the Avondale Estate, Ash Vale, situated on the far side of the railway lines; and the proposed Holiday Lodges a minimum of 250 metres from the nearest Avondale Estate dwellings also. Within Rushmoor, the nearest residential neighbours are houses within the Ramilles Park military housing estate a minimum of approximately 100 metres from the proposed nearest Holiday Lodge beyond a wooded area on the far side of the A331; and approximately 250 metres from the proposed Aquatic Sports Centre. There is also a small number of residential properties on Hollybush Lane south of the Hollybush Park hill, which are situated over 200 metres from the south boundary of the application site.

The Applicants' acoustic consultants were unable to undertake noise monitoring surveys at the application site due to the 2020 Covid lockdown, however the Council's Environmental Health Team consider that the alternative approach of using baseline data from a noise assessment carried out in 2012 for a previous application (ref: 12/00912/HCC) was reasonable and

appropriate. The Applicants' Noise Impact Assessment concludes that road traffic noise associated with the proposed development would be insignificant alongside the noise generated by road traffic on the A331. It is also noted that the watersport activities would be primarily kayaking and the water assault course, neither of which are known to generate high and undue levels of noise at the significant separation distances from all neighbours that arise with this site – and, of course, the existing noise generated by the A331 road and the railway is also a factor to consider. The acoustic consultants have also considered noise emissions associated with the proposed restaurant and associated outdoor seating areas with the same conclusions. Environmental Health agree with the assessment of the Applicants' acoustic consultants. Notwithstanding the concerns raised by an objector about the possibility of undue noise arising from the activities of people occupying the proposed Holiday Lodges, it is considered that the separation distances involved and other existing nearer noise sources would render any such nuisance insignificant for the same reasons.

The main concern in terms of potential noise nuisance arises from any activities taking place at the site in the evening and during night-time hours, when existing background noise levels would generally be lower and, accordingly, specific noise emissions from the site could become discernible outside the site, especially if they are mechanical in origin, of longer duration and/or involve amplification. In this respect, noise from plant and equipment running at the site (such as for the restaurant); the possible use of public address systems or similar; and the possible playing of amplified music at the proposed Holiday Lodges are potential sources. It is, however, considered that appropriately-worded planning conditions can be used to prevent or control noise emissions : this is the approach that is recommended by the Council's Environmental Health Team.

The Council's Environmental Health Team has also considered whether it would be prudent to restrict opening hours of the proposed restaurant to prevent disturbance at night, however they are comfortable that such matters can be addressed more appropriately by the Licensing regime. Additionally, the granting of planning permission does not remove the obligations on the developer/operator to ensure on-going compliance with Environmental and Nuisance legislation and that action can be taken should material nuisance issues arise in this respect.

Subject to conditions it is considered that the proposed development would have acceptable impacts on neighbours.

4. Highways Considerations –

Local Plan Policy IN2 sets out a number of criteria on which proposed developments are to be assessed in terms of highways impacts, including that the proposal:-

“b. provides safe, suitable and convenient access for all potential users;

d. provides appropriate parking provision;

f. does not have a severe impact on the operation of, safety of, or accessibility to the local or strategic road networks;”

In order to raise reasons for refusal to planning applications on highways grounds it is necessary for the Local Planning Authority to demonstrate with clear evidence that the proposals would give rise to a 'severe' impact to the safety and/or convenience of highway users. Accordingly, it is not possible to merely cite an adverse impact on highway safety and/or convenience : the adverse impact must be demonstrably 'severe' and this is reflected in the wording of Policy IN2. The various elements of the proposals conceivably impacting upon highways issues are considered in the following paragraphs:-

Access/Egress Arrangements and Traffic Generation: The existing vehicular entrance into the application site from the North Camp Station Approach section of Lynchford Road would, as now, be the sole means of vehicular access and egress from the proposed development. It has good direct access to the national highway network via the A331. The Highway Authority (Hampshire County Council) is satisfied that this junction and its sight-lines are adequate to serve the proposed development and its anticipated associated traffic generation. Indeed, HCC's consideration of this matter took into account traffic generating elements of the original application proposals that have since been deleted from the application, including the provision of a commuter car park and a larger number of floating holiday lodges. As a result, the Highway Authority have confirmed that they are satisfied that the traffic generation arising from the proposed development would not result in severe detrimental impact on the operation or safety of the local highway network.

Bus Lay-by: It is proposed to create a bus lay-by on the Lynchford Road station approach frontage of the site by using a small piece of land within the application site. This would enable buses to pull-over without blocking traffic flow along the station approach road whilst the bus is stationary. This will require some minor works to the margin of the public highway at this point to provide a revised pavement and the cutting back of some vegetation to maintain adequate sight-line visibility from the adjacent site access road junction. The Highway Authority is content that this work, insofar as it relates to the public highway, can be dealt with separately under a Section 278 Highway Works Agreement between the developer and themselves. From the planning perspective it is considered that an appropriately-worded planning condition can be imposed to require that the bus lay-by is constructed and made available for use prior to the first use of the proposed development and thereafter retained.

Internal Site Layout: It is considered that the access and layout of the proposed development is satisfactory in terms of the arrangement and accessibility of parking spaces, sight-lines, bicycle parking, accessibility for bin collections, specialist parking facilities for coaches and horse-boxes, coach drop-off points etc. It is considered that conditions can be imposed to require the provision and retention of these elements of the proposed development.

Parking: The proposed development makes provision for a main parking area comprising 118 spaces alongside the proposed Aquatic Sports Centre building. A total of 42 separate parking spaces would be provided south of the proposed Equestrian Centre for the use of occupiers of the floating holiday lodges. Additional smaller areas of parking are provided at the Equestrian Centre (18 spaces) and 22 spaces on the land between lakes 4 and 6 that appear likely to be reserved for staff parking. Provision is also made for coach parking and horse boxes. It is considered that this parking provision is sufficient to meet the functional parking needs of the proposed development and the construction and retention of the on-site parking can be secured by planning condition. The proposed development also has good access for users that would travel to and from the site using non-car modes of transport, whether this be via train, bus, bicycle or on foot. It is considered that acceptable provision is made for bicycle parking on-site and this can be secured and retained using a planning condition. Overall, it is considered that the proposed development makes acceptable provision for on-site parking.

Refuse Collection and Service Deliveries: All of the refuse generated by the site would be commercial waste subject to private contract collection arrangements and, as such, is a matter for arrangement and management by the developer/operators. It is, however, clear that thought has been given to the provision of appropriate refuse storage facilities within the development. The proposed restaurant and equestrian centre would require servicing and deliveries – and provision is also made for these activities within the layout design of the development.

Transport Contributions: The Highways Authority does not seek a Transport Contribution in this case because the traffic generation potential of the proposed development is not considered to be significantly different from that potentially arising from the existing uses of the application site. Nevertheless, in response to the submitted Framework Travel Plan, HCC Highways indicate that a Travel Plan will need to be secured with a s106 Agreement, although they do not mention the need to secure the usual Travel Plan financial contributions. At the time of writing this report, clarification on this matter is awaited from HCC Highways.

Construction Access and Arrangements : Although the construction and other impacts of the implementation of a planning permission cannot be taken into material account in the determination of a planning application, the Highway Authority have recommended the preparation and submission to the Council for approval of a Construction Management Plan to be required by condition. It is considered that this is entirely appropriate given the large scale and likely duration of the proposed development.

Highways Conclusions : The Highway Authority are satisfied that, subject to the Travel Plan being secured with a s106 Planning Obligation, the proposed development would be not have a severe impact on the operation of, safety of, or accessibility to, local or strategic road networks. Accordingly, it is considered that the proposals comply with the requirements of Local Plan Policy IN2 and are acceptable in highways terms.

5. Ecology and Biodiversity-

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 Habitats Regulations E.C 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. Maintaining the populations of these birds in favourable condition constitutes the primary conservation objectives of the Thames Basins Heaths SPA.

Heathland is prone to adverse impacts of eutrophication and acidification due to nitrogen deposition resulting from increases in aerial Nitrogen Oxide emissions. 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 net residential development within this catchment contributing to increased 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), Thames Basin Heaths Delivery Framework (2009) and Rushmoor's SPD Thames Basin Heaths Avoidance & Mitigation Strategy (2022)], 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 9 net new residential units in the form of holiday accommodation that Natural England have identified as being likely to result in additional recreational pressure on the SPA. 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, and Natural England agree in their consultation response following receipt of the applicants revised Habitats Regulation Assessment (March 2021), that it is not considered that the proposed development would result in a net increase in traffic movements in excess of 1000 vehicular movements per day in proximity to the SPA.

All new residential 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 objectives 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 lead to a likely significant effect on the conservation objectives of the Thames Basin Heaths SPA.

Appropriate Assessment under Regulation 63(1) of the Habitats Regulations : As there is a likely significant effect upon the Thames Basin Heaths SPA as a result of the proposed development, the Council, as competent authority, must undertake an appropriate assessment of the implications of the proposals in view of the Thames Basin Heaths SPA's objectives. The applicant must submit information as required by the Council to undertake the Appropriate Assessment and may suggest avoidance and/or mitigation measures to allow an Appropriate Assessment to be made. If so, the Applicant must also provide details that demonstrate any long

term management, maintenance and funding of any such solution.

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 9 new residential units proposed, costing the applicants £98,583.21, that has already been paid to Hart DC. Furthermore, the applicants are seeking to complete a s106 Planning Obligation with Rushmoor BC to secure a financial contribution of £8,793.47 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 subject to the prior completion of the necessary s106 Planning Obligation.

Site-Specific Ecology Issues : This proposed development site has significant existing ecological value, alongside the immediately adjacent Blackwater River corridor and other adjoining and nearby land within the Blackwater Valley.

In terms of habitats, the site is dominated by several fishing lakes surrounded by areas of hardstanding, rough grassland, bare ground and scattered trees. The northern part of the site (including Lake 1 and the surrounding terrestrial habitats), is of County importance for ecological features, formally selected as the Ramillies Park/North Camp Lakes Site of Importance for Nature Conservation (SINC); and, at the time of selection, supported an assemblage of aquatic plants, including floating, submerged, and emergent plant species. A second County important SINC, the Hollybush Hill Country Park, is located immediately to the south of the application site,

designated on the basis of the grasslands that it contains. Additionally, to the east of the site (within Surrey and outside the application site, but also within the ownership of the Applicants), Lakes 2 & 5 are designated as the Ash Vale Gravel Pits Site of Nature Conservation Importance (SNCI : the Surrey equivalent of a SINCI); and are described as “Former gravel pits supporting a mosaic of open water (with developing fen swamp margins) interspersed by secondary Oak-Birch woodland”.

Detailed Ecological Surveys of the lakes and surrounding terrestrial habitats have been undertaken on behalf of the Applicants in order to assess both the current ecological condition of the application site and the impacts of the proposed development. These have been prepared by suitably qualified ecological consultants. In this respect, the current versions of the submitted ecology documents are a Revised Ecological Appraisal (January 2021) and, more recently, an amended Biodiversity Impact Assessment Technical Briefing Note (May 2022); and, on the recommendation of the Council’s Ecology Officer, a revised Biodiversity Net Gain DEFRA Metric 2.0 spreadsheet submitted in October 2022 reflecting the latest amendments to the proposals. The site was surveyed in April 2020, based on standard extended Phase 1 methodology. In addition, a general appraisal of faunal species was undertaken to record the potential presence of any protected, rare or notable species (including badgers), with specific (Phase 2) surveys in respect of foraging and commuting bats, reptiles, riparian mammals and breeding & wintering birds. Botanical surveys were also carried out for aquatic plants. Additional faunal surveys were carried out for roosting bats (ground level tree inspections), water voles and wintering birds between August 2020 and January 2021.

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) requires that new development avoids significant harm to biodiversity and, if not possible, that adequate mitigation or avoidance measures are proposed such that no adverse effects 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 status of priority species;*
4. *There will be no adverse effect to locally designated sites;*
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.”

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 supported by the NPPF.

All of the lakes within the Applicants' ownership, former gravel pits, have variously been subject to significant works within the last 10 years, involving their whole or partial draining and re-filling, re-modelling, the infilling of the marshy northern end of Lake 1, removal of refuse and many strip islands, tree and vegetation clearance and stocking with fish in connection with the use of the lakes for coarse fishing. A condition assessment survey of the SINC including Lake 1 carried out on behalf of Rushmoor Borough Council in 2014 provides a snapshot summary of the site's condition at that time and notes that it once supported many notable species that have disappeared over time. The 2014 condition assessment identified four notable botanical species. In addition, the 2014 condition assessment identified the presence of New Zealand Pigmyweed (*Crassula helmsii*), a non-native invasive species considered likely to have had a negative effect on the native aquatic plant component in Lake 1. New Zealand Pigmyweed is listed on Schedule 9 of the Wildlife & Countryside Act 1981 (as amended) making it an offence to allow or cause this species to spread in the wild. Although deciduous woodland is a priority habitat that has previously been recorded as covering the site more extensively, it is noted that the extent of tree cover is now much reduced due to extensive clearance and is restricted to the margins of the lakes and their remaining islands, the River corridor and, indeed, the margins of the site. A single hedgerow habitat is present at the site, located to the east of Lake 6 and is a recently planted native-mix hedgerow used to screen the site from the adjacent boundary fence.

Whilst the nature conservation interest of the lakes and margins that prompted SINC designation has been degraded, it is evident that the lakes are now recovering following the cessation of the unauthorised commercial uses on the site, albeit not necessarily reverting with all of the qualities and nature conservation interest that previously existed. Much new vegetation is colonising the application site generally and the Applicants undertook some significant tree planting alongside their unauthorised works; and also, later, to comply with the requirements of the subsequent Enforcement Notice. The application site is, therefore, in a state of transition in terms of habitat development and the wildlife species present.

The habitats within the site have been found to support several protected species, including species protected under national legislation : namely a small population of Slow Worm *Anguis fragilis* and a low population of Grass Snake *Natrix natrix helvetica*; whilst at least 6 species of bat were found to be foraging and commuting within the site, including Soprano Pipistrelle bats *Pipistrellus pygmaeus*, Noctule bats *Nyctalus noctula* and Brown Long-eared bats *Plecotus auratus*. A number of breeding and overwintering birds were also found to be present and, given the extent of the water environment, amphibian species are also present – albeit great crested newts (a protected species) have not been found and are, indeed, considered unlikely to be present at the site. In addition, although not actually found to be present, some of the habitats present at the site are considered potentially suitable for other protected species such as badger, dormouse, water vole and otter; and other mammals such as hedgehog and fox.

The habitat features of ecological importance that are identified in this case include the lakes, river, and woodland areas, which are to be retained under the proposals and would be protected during construction; and mitigation and avoidance measures employed to protect them from the proposed leisure uses and activity. Those habitats within the site considered to be of least ecological value, comprising large areas of hard-standing and ruderal herbs, are proposed to contain the majority of built elements of the proposed development.

Detailed mitigation measures are proposed to safeguard the protected and priority species found

to be present at the site and, as a precaution, to also safeguard the occupation of habitat at the site that is potentially suitable for other protected species that have not currently been found as present within the application site to date. These are set out in Chapter 6 of the submitted Revised Ecological Appraisal (January 2021) and are set out as follows:-

Hedgerow and Tree Protection. All hedgerows and trees to be retained within the proposed development shall be protected during construction in line with standard arboriculturalist best practice (BS5837:2012) or as otherwise directed by a suitably competent arboriculturalist. This will involve the use of protective fencing or other methods appropriate to safeguard the root protection areas of retained trees / hedgerows.

Watercourses and Lakes: Pollution Prevention. In order to safeguard the River Blackwater, together with the lakes within the site, against any potential run-off or pollution events during construction, the following safeguards to be implemented:-

- Storage areas for chemicals, fuels, etc. will be sited well away from the watercourse (minimum 10m), and stored on an impervious base within an oil-tight bund with no drainage outlet. Spill kits with sand, earth or commercial products approved for the stored materials shall be kept close to storage areas for use in case of spillages;
- Where possible, and with prior agreement of the sewage undertaker, silty water should be disposed of to the foul sewer or via another suitable form of disposal, e.g. tanker off-site;
- Water washing of vehicles, particularly those carrying fresh concrete and cement, mixing plant, etc. will be carried out in a contained area as far from the watercourse as practicable (minimum 10m), to avoid contamination; and
- Refuelling of plant will take place in a designated area, on an impermeable surface, away from the watercourse (minimum 10m).

Post-development, the drainage system for the development to ensure the watercourse is not subject to adverse changes in surface water run-off or quality.

Bats:

Felling of Trees Supporting Bat Roosting Potential : the small number of trees to be lost to the proposals are all identified as providing low potential for roosting bats. Nevertheless, felling of these trees to be undertaken under an ecological watching brief, and will be carried out using the 'soft-felling' technique, whereby sections of the tree will be cut and lowered to the ground, followed by leaving the felled sections on the ground for a period of at least 24 hours to allow any bats, should these be present, to escape. If any evidence for the presence of roosting bats is seen, works on that tree will be suspended and consideration will be given to the need to undertake works under a European Protected Species (EPS) development licence, and a licence application will be made to Natural England as required.

Sensitive Lighting : Light-spill onto retained and newly created habitat, in particular the retained hedgerows, tree lines and scrub (especially along the western boundary) to be minimised in accordance with good practice guidance to reduce potential impacts on light-sensitive bats (and other nocturnal fauna). This may be achieved through the implementation of a sensitively designed lighting strategy, with consideration given to the following key factors:

- Light exclusion zones – ideally no lighting should be used in areas likely to be used by bats. Light exclusion zones or 'dark buffers' may be used to provide interconnected areas free of artificial illumination to allow bats to move around the site;
- Appropriate luminaire specifications – consideration to be given to the type of luminaires used, in particular luminaries should lack UV elements and metal halide and fluorescent sources should be avoided in preference for LED luminaries. A warm white spectrum (ideally <2,700K) should be adopted to reduce the blue light component;
- Light barriers/screening – new planting (e.g. hedgerows and trees) or fences, walls and buildings can be strategically positioned to reduce light spill;
- Spacing and height of lighting units – increasing spacing between lighting units will minimise the area illuminated and allow bats to fly in the dark refuges between lights. Reducing the height of lighting will also help decrease the volume of illuminated space and give bats a chance to fly over lighting units. Low level lighting options to be considered for any parking areas and pedestrian / cycle routes, e.g. bollard lighting, handrail lighting or LED footpath lighting;

- Light intensity – light intensity (i.e. lux levels) should be kept as low as possible to reduce the overall amount and spread of illumination;
- Directionality – to avoid light spill lighting should be directed only to where it is needed. Particular attention should be paid to avoid the upward spread of light so as to minimise trespass and sky glow;
- Dimming and part-night lighting – lighting control management systems can be used, which involves switching off/dimming lights for periods during the night, for example when human activity is generally low (e.g. 12.30 – 5.30am). The use of such control systems may be particularly beneficial during the active bat season (April to October). Motion sensors can also be used to limit the time lighting is operational.

Badger:

Badger Construction Safeguards. In order to safeguard Badger should they enter the site during construction works, the following measures will be implemented:-

- Any trenches or excavations within the site that are to be left open overnight will be provided with a means of escape should a Badger enter. This could simply be in the form of a gently graded ramp or roughened plank of wood placed in the trench as a ramp to the surface. This is particularly important if the trench fills with water;
- Any temporarily exposed open pipes (>150mm outside diameter) should be blanked off at the end of each working day so as to prevent Badgers gaining access as may happen when contractors are off-site;
- Any trenches/pits will be inspected each morning to ensure no Badgers have become trapped overnight. Should a Badger become trapped in a trench it will likely attempt to dig itself into the side of the trench, forming a temporary sett. Should a trapped Badger be encountered a suitably qualified ecologist will be contacted immediately for further advice;
- The storage of topsoil or other 'soft' building materials in the site to be given careful consideration. Badgers will readily adopt such mounds as setts. So as to avoid the adoption of any mounds, these will be kept to a minimum and any essential mounds subject to daily inspections with consideration given to temporarily fencing any such mounds to exclude Badgers;
- The storage of any chemicals at the site will be contained in such a way that they cannot be accessed or knocked over by any roaming Badgers;
- Fires will only be lit in secure compounds away from areas of Badger activity and not allowed to remain lit during the night; and
- Unsecured food and litter will not be left within the working area overnight.

Badger Update Survey. Although no evidence of Badgers has been recorded within or adjacent to the site it is considered that Badgers do not currently pose a constraint to development. Nonetheless, Badgers are dynamic animals and levels of Badger activity can rapidly change at a site, with new setts being created at any time. It is therefore recommended that an update survey is carried out prior to commencement of site works in order to confirm the current status of Badgers at the site.

Replacement habitat provision. To compensate for losses of habitat under the proposals, new tree and shrub planting to be provided throughout the proposed areas of built development and surrounding greenspace areas. Nest boxes will also be provided in retained habitat areas to increase breeding opportunities.

Water Voles Precautionary Checks. As a precaution, a further check to be carried out by a suitably qualified ecologist, for any evidence of water voles that might be using small areas of marginal habitats to be affected prior to their clearance to facilitate the installation of the holiday lodges on Lakes 3 & 3, the proposed installation of a pontoon on Lake 1, and prior to habitat creation in Lakes 1, 3 & 4 and 6. This to be carried out immediately prior to the works being carried out. In the event that evidence of water voles is found, it is possible that a Natural England site-specific licence for the species may be required.

Reptiles: Destructive Search. Small numbers of reptiles have been found within the site, accordingly, as a precautionary measure to minimise the risk of harm to reptiles, a destructive search to be undertaken, involving cutting the grassland within the development footprint to a short height (~15cm) so as to encourage reptiles to disperse to suitable areas of retained/nearby habitat, whilst also allowing for a fingertip search of the area. This exercise to be carried out under the supervision of a competent ecologist during the active reptile season where practicable (generally March/April to September/October, depending on prevailing weather). Any potential refuge features, e.g. piles of rubble, heavy logs, brush piles, to be fingertip-searched by an ecologist prior to being

carefully disassembled. Any reptiles encountered during the destructive search to be carefully rescued by the supervising ecologist and relocated to suitable nearby habitat.

Should a reptile translocation be deemed necessary, this is to be achieved by the erection of suitable temporary reptile fencing, with individuals moved to a new location, either within the site, or to an off-site receptor area, with the exact details to be confirmed via a Planning Condition.

Nesting Birds: Timing of Works. To avoid a potential offence under the relevant legislation, no clearance of suitable vegetation to be undertaken during the bird-nesting season (1st March to 31st August inclusive). If this is not practicable, any potential nesting habitat to be removed should first be checked by a competent ecologist in order to determine the location of any active nests. Any active nests identified would then need to be cordoned off (minimum 5m buffer) and protected until the end of the nesting season or until the birds have fledged. Checking surveys to be carried out no more than three days in advance of vegetation clearance.

Invasive Species:

Invasive Species Safeguards (Japanese Knotweed – found growing on the west side of Lake 3). All relevant precautions to be taken when carrying out actions that could potentially spread these plants during the proposed development works. Such measures to involve providing appropriate protective barriers around affected areas. Additionally, a long-term treatment regime to be put in place, necessarily involving the application of herbicide and/or excavation, and removal of any material within the site itself to then be disposed of appropriately to prevent colonisation of off-site areas.

Invasive Species Safeguards (New Zealand Pigmyweed *Crassula helmsii* - found within the lakes at the site). All relevant precautions to be taken when carrying out construction activities that could potentially spread these plants.

Bio-security : There is a risk that *Crassula* plant material can be inadvertently transferred from the lakes at the site to other off-site lakes and waterbodies, primarily by participants in water sports, who may bring equipment to and from the site. To prevent this occurring, appropriate biosecurity measures to be put in place to ensure that all equipment is suitably cleaned, disinfected, and stored after use. A system where dedicated equipment which could be kept and hired at the site would be preferable to one where water sports users bring their own. If considered necessary, such measures could be subject to a Planning Condition.

Crassula monitoring : Although the options for controlling or eliminating *Crassula* within the site are limited, long-term monitoring of the plant's growth and distribution to be put in place, and new developments in control technology to be explored should they become available.

Some considerable time has been expended considering the ecological impacts of the proposals; and with the applicants and their consultants responding to comments of consultees, including the Council's Ecology Officer. The Council's Ecology Officer has carefully considered the survey and other information relating to the application site and its surroundings that has been submitted with the current application. They consider the site surveys and assessment of the ecology and biodiversity interest of the site as revised and updated to be acceptable and, furthermore, that the proposed mitigation measures are appropriate and proportionate to the circumstances of the site and the proposed development. However, in addition to the proposed mitigation measures as set out, it is considered that the success of the proposed development will, in no small part, also be defined by the degree to which the proposed leisure uses of the site are able to co-exist with the on-site ecology interests. In this respect, the Ecology Officer considers that the following additional measures, in part picking up on some of the recommendations made by the Applicants' ecology consultants, are also required:-

- (a) A scheme for the formation (including the provision of the proposed wildlife fence underpasses) and management of the 8-metre wide wildlife buffer zone alongside the River Blackwater to bolster the requirements of the Environment Agency in this respect. This recognises the importance of the River corridor for inter-connecting wildlife habitats;
- (b) No development and site clearance to take place until a Construction Environmental Management Plan has been submitted to and approved by the Council to include, inter

alia, measures for hedgerow/tree protection, wildlife protection during construction, pollution prevention, ecological supervision of wildlife sensitive works such as site clearance etc;

- (c) No development and site clearance shall take place until an Ecological Design Strategy for the site has been submitted to and approved by the Council – this would build on, add detail and tie-together the recommendations set out in the submitted Revised Ecological Appraisal and Biodiversity Impact Assessment;
- (d) No development shall take place until a Sensitive Lighting Design and Management Strategy for the application site and proposed development has been submitted to and approved by the Council;
- (e) No fish-stocking to take place within Lakes 1 and 6;
- (f) Leisure visitor access to be restricted to prevent access to the open water and northern banks of Lake 1, the open water and banksides of lake 6 and the western banks of Lake 3;
- (g) No motorised water sports to take place at the application site;
- (h) The proposed leisure uses not to commence until Bio-Security Management measures to be operated at the site at all times have been submitted to and approved by the Council. This is because the proposed water-sport activities give rise to the risk of invasive non-native plant species spreading beyond the site with visitors and, in particular, those taking to the water. These measures must also include the on-going monitoring and management of all invasive non-native plant species on site;
- (i) Use and occupation of the proposed Equestrian Centre not to commence until measures for the safe on-site collection and storage of horse manure and stable waste for appropriate off-site disposal – the potential pollution of the water environment with such waste would be likely to have adverse impacts on ecology and biodiversity on- and off-site in addition to affecting water quality generally; and
- (j) Update ecological surveys to be undertaken immediately prior to site clearance or works commencing to ensure no adverse impacts on protected habitats or species.

Combined with the specific landscaping and wildlife mitigation proposals proposed to be incorporated into the scheme, and subject to conditions, the Ecology 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 therefore recommended that planning permission can be granted subject to conditions in respect of ecology and biodiversity matters.

Biodiversity: 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 this respect, 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. Accordingly, for the time being, Rushmoor Borough Council have an expectation that all major planning applications, including those with 10 or more dwellings or over 10000 sqm of commercial floorspace, should seek to attain a minimum of 10% net gain in biodiversity value as a result of development on a voluntary basis ahead of the statutory obligation.

The reduction in the number of floating lodges has presented opportunities to improve ecological

enhancements and increase the certainty with which a biodiversity net gain can be secured as a result of the proposed development.

In submitting the current application, the applicant has provided information for consideration in respect of biodiversity gain comprising a Biodiversity Net Gain Metric V2.0 DEFRA spreadsheet completed by the Applicants' Ecology Consultant, with the most recent iteration submitted in October 2022. This calculates a 12.45% increase in habitat units as a result of the proposed development to be achieved with the implementation (to be secured by planning condition) of the following proposed biodiversity enhancements of the application site:-

Habitat Creation :

Creation of Compensatory Marginal Habitats. To compensate for the loss of an area of marshy grassland in the north of the site, two areas have been identified within the site for the creation of new areas of marginal aquatic habitats that will provide a range of opportunities for wildlife : within Lakes 1 and 3. These will be created by modification of the existing banks, and where necessary placement of suitable clean spoil to create a shelving marginal bank profile. Areas of water would be created with a depth of between 0.5m and 1m around the margins of the lakes at these locations, to encourage the growth of a range of suitable aquatic plant species which, through natural colonisation (or carefully sourced native planting), are likely to result in areas of reedbed, and other more diverse communities.

Lake 6. To be maintained as a self-contained wetland area since none of the proposals will affect it. The Lake would be deepened and a range of wetland plants provided similar to those proposed for Lakes 1, 3 & 4. Details of proposed wetland habitat creation could be provided by a Landscape Architect, with input from the scheme ecologist, in response to a relevant Planning Condition.

Wildlife Pond. Creation of a Wildlife Pond adjacent to the main car park area, together with other wetland habitats within the drainage swales and infiltration trench areas.

New Planting. Where practicable, new planting within the site to be comprised of native species of local provenance, including trees and shrubs appropriate to the local area. In particular, a native hedge is proposed on the east side of Lake 1.

Wildflower Grassland. It is proposed to create new areas of wildflower grassland within the site. In particular, the existing bund on the east side of the proposed Equestrian area (currently colonised by tall ruderal vegetation) is to be sown with a suitable grass-seed mix and managed appropriately to ensure that a diverse sward becomes established.

Bat Boxes. A number of bat boxes to be incorporated within the proposed development either tree or building-mounted (where appropriate) to provide new roosting opportunities for bats.

Birds:

Sand Martin Bank. Considered likely to be colonised by this migratory species, to be located adjacent to open water at the north-east side of Lake 1.

Bird Boxes. A number of bird nesting boxes to be incorporated within the proposed development, thereby increasing nesting opportunities for birds at the site.

Reptiles and Amphibians:

Habitat Piles. A proportion of any deadwood arising from vegetation clearance works to be retained within the site in a number of wood piles located within areas of new planting, new wetland habitats or areas of wildflower grassland in order to provide potential opportunities for hibernating reptiles and amphibians.

Invertebrates:

Bug Hotel. A 'bug hotel' to be created out of suitable materials, such as canes, dry plant stems, reeds and sticks, stacked within a supporting framework to provide opportunities for numerous species of insects, including solitary bees, bumblebees, ladybirds and woodlice.

Bee Bricks. A number of bee bricks to be incorporated within the proposed development thereby increasing nesting opportunities for declining populations of non-swarming solitary bee populations.

Green Roofs. In addition to being a SUDS drainage feature, the provision of green roofs would provide new habitat

for invertebrates.

These are measures that are considered to be proportionate to the scale and opportunities provided by the proposed development and, indeed, are robustly demonstrated to achieve in excess of 10% biodiversity net gain.

Ecology & Biodiversity Conclusions : It is considered that the proposed development the subject of the current application has satisfactorily addressed the previous ecology/biodiversity issues and that the proposals are acceptable having regard to the relevant adopted Local Plan Policies and Government Guidance.

6. Flooding and Drainage Issues –

The *Principle* section of this report has considered the Floor Risk Sequential Test and Exception Test matters of principle raised by the proposals, concluding that these Tests are passed and do not apply respectively. As such, the proposed development is considered to be appropriate for the site having regard to flood risk considerations. However, what now follows below is consideration of the flooding and surface water drainage issues having regard to whether or not the proposed development can be made safe throughout its lifetime without increasing food risk elsewhere. Indeed, that any measures to avoid, control, manage and mitigate flood risk do not also increase flood risk elsewhere.

Some considerable time has been expended in the extended consideration of this application seeking to resolve concerns raised in this respect by the Environment Agency (EA) and the Lead Local Flood Authority (Hampshire County Council : LLFA). Both of these consultees have eventually removed their objections and/or requests for more information following the receipt of significant amended plans and other details; and they now raise no objections subject to conditions : the full text of their no objections are set out in the **Consultations** section earlier in this report.

Fluvial Flood Risk : As a result of the flood risk status of the application site, the application is accompanied by a full Flood Risk Assessment (FRA). The site is located on land largely at intermediate risk of fluvial flooding (Flood Risk Zone 2), with some smaller areas of land at highest risk of flooding (Flood Risk Zone 3 : functional flood plain), including at the north end of Lake 1. The only parts of the site that are situated within Flood Risk Zone 1 (land at lowest risk of fluvial flooding) are Hollybush Lane itself, and the area to the west of Hollybush Lane to the west of Lake 1. In this latter case, this is land currently at a higher level than the remainder of the site (excluding the existing bunds), but is to be reduced in level to construct the proposed main car park.

In addition to passing the Sequential and Exception Tests, adopted Local Plan Policy NE6 (Managing Fluvial Flood Risk) states that development proposals in areas at identified risk of flooding, such as the current application site, will be appropriately flood resilient and resistant, including safe access and escape routes where required, and ensure that any residual risk can be safely managed. Furthermore, such proposals should include an assessment of the impact of climate change using appropriate climate change allowances over the lifetime of the proposed development so that future flood risk is taken into account.

The EA has carefully considered the submitted FRA and the subsequent amended plans and details submitted at their request – and have indicated that they are satisfied that the amended proposals have overcome their concerns. Firstly, a proposal for a commuter car park at the north end of Lake 1 within Flood Risk Zone 3 was deleted from the scheme. Secondly, short-comings

in the original submitted FRA concerning the extent of flood-plain storage to be retained as a result of the bunded area to be used for the Equestrian Centre have been resolved with the clarification that openings are to be provided to allow the movement of flood water into this area in the event of river flooding. The nature of the enclosure of the proposed development near the River Blackwater, which is the retention of the existing 2.5 metre high palisade fencing has also been clarified and confirmed and agreed to be permeable to floodwater. NE also confirm that the impact upon their 8-metre river wildlife buffer zone is also considered satisfactory as a result of proposals to ensure that the fence is also permeable to wildlife, including with the provision of animal underpasses under the fence and appropriate management measures. Overall, no objection is raised subject to the imposition of a number of conditions as set out in the **Consultations** section of this report. It is considered that, subject to the essential conditions required by the EA that form the basis of their no objections, the proposed development is acceptable having regard to fluvial flood risk considerations taking into account an appropriate allowance for climate change for the lifetime of the development, and, in doing so, would not give rise to an unacceptable risk of flooding elsewhere.

The EA note that, in accordance with Paragraph 167 of the NPPF (and to meet the requirements of adopted Local Plan Policy NE6), the Council must ensure that 'the development is appropriately flood resistant and resilient' and that 'safe access and escape routes are included where appropriate, as part of an agreed emergency plan...'. In terms of flood resistance and resilience it is noted that the majority of the application site is open land or water not subject to development and to be used for outdoor leisure purposes. The proposed Holiday Lodges float and, as such, are not at risk of flooding in themselves, but are to be provided with raised decking walkways for access and egress. The proposed Aquatic Sports Centre would have two-storeys and access to the raised bund areas. Even taking into account climate change, it is not anticipated that the proposed stables at the Equestrian Centre, which are located towards the west side of the site near Hollybush Lane, would only be subject to flooding with the most severe, and thereby least likely and most predictable, fluvial flooding events. As a result, it is considered that the proposed development has been designed with appropriate flood resilience and resistance in mind. The Applicants have submitted a Flood Management Evacuation Plan (FMEP) that considers the depths of flood-water for several flood scenarios in order to inform the means of evacuation of the site in the event of flooding or the receipt of a flood alert. The application site is located within the area within which the EA's free 24-hour flood warning service is provided. It is stressed that the FMEP is a 'living document' to be evolved and subject to regular review, and especially in the light of any lessons to be learned from any flood events that may occur. It is considered that the content and means and measures set out in the FMEP are satisfactory and, as such, subject to an appropriately-worded condition to require the proposed development to be used and operated at all times in accordance with the content of the FMEP, that an appropriate flooding emergency evacuation plan would be in place.

Surface Water Drainage : The surface water drainage of the proposed development is subject to licencing (in this case by seeking a Land Drainage Consent from the LLFA) 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.

There has been much correspondence between the Applicants' drainage consultants and the Council seeking to address the surface water drainage concerns raised and, until recently, maintained by the Lead Local Flood Authority (HCC : LLFA). This is since the LLFA's first objections received in response to the Council's consultation in July 2020. The LLFA finally

raised no objection in August 2022 following the receipt of revised and updated surface water drainage information and proposals for the proposed development earlier this year. The proposals for site drainage are shown illustratively at Appendix H of the submitted Flood Risk & Drainage Strategy subject to later updates and clarification.

The LLFA notes that the site is, and would remain, vulnerable to flooding from both fluvial and surface water sources : proximity to the River and Lakes mean that groundwater levels within the application site are extremely high in places, even in the summer months. This is considered to be inevitable given the general low-lying site topography and the consequent close relationship that the site has with the water environment. As a result, whilst there is some limited opportunity to provide infiltration drainage for the more elevated parts of the site, lower areas may not always, if ever, drain effectively by this method. Generally, the proposed drainage features for the site comprise infiltration trenches and wet or dry swales. The parking areas are indicated to be constructed with permeable surfacing; and the large expanse of existing concrete hardstandings on the land proposed to be the Equestrian Centre area are indicated to be removed and replaced with natural permeable meadow ground. The proposed drainage scheme takes account of the poor drainage characteristics of the site by providing defined paths for surface water drainage into the Lakes when or where infiltration drainage would be ineffective. The LLFA notes that this approach does not accord with their best practice principles for surface water drainage schemes. However, it is evident that there is no effective means of draining low-lying ground that is at risk of flooding and the LLFA have conceded that the application site is, in part at least, a brownfield previously-developed site where there would be a reduction in the existing extent of impermeable surfacing at the site as a result of the proposed development. Furthermore, that green roofs are proposed, which are a form of SUDS feature that would also help to apply some control and improvement to surface water run-off rates from the proposed buildings. The basic objective of the LLFA is to ensure that proposed developments do not cause harm as a result of changes in the drainage characteristics of sites arising from new development. Accordingly, because of the likely volumetric improvements in the drainage characteristics of the site arising from the proposed development, the LLFA has concluded that they do not consider that the proposals would increase run-off or increase downstream flood-risk : any issues in this respect would be contained within the site and a matter for site management. In this respect it is noted that the Flood Management Evacuation Plan (FMEP) for the site takes into account the impact of surface-water flooding in addition to flooding from a fluvial source.

The long-term maintenance and management of drainage schemes is important to ensure that they continue to operate as originally specified at all times. In this respect, the submitted Flood Risk & Drainage Strategy document indicates that a management company would be set up by the developer for this purpose; and notes the need for a SUDS Maintenance Plan to be produced. It is considered that the indicated approach is sound in principle and that this can be secured by planning condition.

Whilst the technical details/specification of this proposed surface-water drainage installations for the site are the subject of separate consideration and licence approval by the LLFA, it is considered that the proposed indicative drainage scheme submitted with the current planning application 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.

Foul Drainage and Contamination of the Water Environment : Although not a matter for the LLFA, they note that the vulnerability of the site to flooding gives rise to an on-going risk in relation to water contamination, particularly from horse manure at the Equestrian Centre, since surface-water run-off could potentially reach the Lakes untreated during high rainfall and high

groundwater periods. This is important in terms of both water quality, but also the knock-on impact on the ecology and biodiversity of the application site and further afield. It is considered that this issue can be addressed by requiring collection and storage of horse manure for off-site disposal – and a planning condition can be imposed to require appropriate details of the means and methods for safe on-site storage and off-site disposal of this material.

In terms of foul drainage facilities for the proposed development the application site has no connection into a public foul sewerage system and no such connection would be feasible. As a result, it is proposed that a package treatment plant be installed on site, which is shown indicatively by the Drainage Layout Plan at Appendix H of the submitted Flood Risk & Drainage Assessment document to be situated west of the proposed Aquatic Sports Centre building. It is considered that details of the proposed treatment plan, in addition to full details of the proposed drainage scheme for the proposed development as a whole can be secured with a planning condition.

7. Sustainability -

Criterion b. of Policy DE1 requires new developments to *“promote designs and layouts which take account of the need to adapt to and mitigate against the effects of climate change, including the use of renewable energy”*. Criterion n. then requires that *“All development proposals will demonstrate how they will incorporate sustainable construction standards and techniques.”* And: *Major commercial developments over 1,000 sqm gross floorspace will be required to meet BREEAM ‘very good’ standard overall (or any future national equivalent) and BREEAM ‘excellent’ standard for water consumption (or any future national equivalent).”* In this respect, the application is supported by a BREEAM Pre-Assessment Report that demonstrates that it would be possible for the proposed development to achieve BREEAM ‘Very Good’ rating.

Local Plan Policy DE4 also requires new non-residential development of 1000 square metres gross external area or more, which applies in respect of the proposed Aquatic Sports Centre, to provide evidence on completion of achievement of the BREEAM ‘excellent’ standard for water consumption. This can typically be achieved by undertaking measures such as the installation of water fittings with restricted flow rates.

It is considered that an appropriate conditions can be imposed to secure compliance with the requirements of this policy.

8. Access for People with Disabilities –

It is considered that there is no reason why the proposed development would be unable to provide adequate access for people with disabilities, as necessary and appropriate, in accordance with the Building Regulations and/or, indeed, in doing so, there would be any adverse and material planning consequences. In the circumstances it is considered that adequate facilities would be provided for people with disabilities using the proposed development.

9. Other Issues -

Blackwater Valley Path : The Blackwater Valley Path (BVP) is a 23-mile long route that is used and promoted for use by both pedestrians and cyclists. It is not a bridleway on which equestrian activity can take place. It comprises a mixture of paths and tracks that follow the River Blackwater from near its source at Rowhill Nature Reserve to Swallowfield near the Wellington Country Park south of Reading, where the Blackwater joins the River Lodden. Much of the

sections of the BVP in Rushmoor were created as a consequence of the construction of the Blackwater Valley Road (A331) and the BVP (in Rushmoor BC's area at least) is not a public right of way recorded on the Hampshire County Council definitive rights of way map. Instead, much of the BVP has been formed using 'permissive' rights of way agreed with private landowners. The section of the Blackwater Valley Path crossing the application site is a permissive pedestrian right of way created as a result of a peppercorn Leasehold Deed of Grant dated 16th August 1989 by the then landowner (Redland Aggregates Limited) to Rushmoor Borough Council. It is the only section of the BVP that, technically, has no rights for use by cyclists. This leasehold deed of grant is for a term of 50 years, thereby expiring after 16 August 2039. Responsibility for the on-going maintenance of the original line of the BVP crossing the site lays with the Council and is work undertaken by the Blackwater Valley Countryside Partnership.

The original line of the BVP crossing the application site ran along the west side of the River and, as such, within the eastern margin of the application site. However, the applicants, having acquired the land at the application site in 2011, closed the section of the BVP crossing the site in 2014. When the original line of the path was closed, the applicants provided an alternative route to maintain the BVP as a long-distance route. This diversion route runs along the south side of the application site to join Hollybush Lane, to then turn north to re-join the open section of the Path at Lynchford Road west of North Camp railway station.

The line of the closed section of the BVP still remains intact, but has become heavily overgrown due to the lack of access for maintenance. This largely involved vegetation management, albeit there may be some need for the provision and maintenance of gates and fencing. There may also be need for some vegetation clearance and maintenance of a timber footbridge over the River located beyond the north end of the application site beside the Old Ford Public House car park. This is because, although technically remaining open, this section of the BVP was rendered a dead-end by the closure of the applicants' portion of the Path and the opening of the diversion route by-passing this small section of the Path outside the application site.

The application proposes that the original line of the BVP crossing the application site be re-opened. This arises because the proposed leisure uses of the site necessitate better connectivity into the remainder of the Valley and, as such, this is an essential element of the proposals. Additionally, it is proposed that traffic be re-introduced to the section of Hollybush Lane that is currently used to provide the diversion route, in order to serve the proposed leisure uses and it is clearly desirable to separate vehicular traffic from pedestrians and cyclists or, at least, provide a vehicle-free leisure route to, from and past the proposed development.

It is considered that the restoration and on-going retention for the lifetime of the proposed development of the original line of the BVP crossing the site accords with the requirements of Local Plan Policy NE2 (Green Infrastructure), which identifies the Blackwater Valley as a principal Green Corridor and states that: "Development proposals within or adjoining green corridors, as shown on the Policies Map, will be expected to enhance their landscape and amenity value." The re-opening of the currently closed section of the BVP would play an important part in re-integrating the application site into its surroundings and enhance the leisure use and amenities of the Blackwater Valley. It is a proposal that is supported by the Blackwater Valley Countryside Partnership in their comments on the application, whom also ask for use of the re-instated route by cyclists to be formalised, and for vehicular access to be provided to facilitate their resumed maintenance of the Path.

Given the circumstances and the existing time-bound arrangements under which the section of the BVP crossing the site are currently provided, it is considered that the restoration and

retention for the lifetime of the proposed development of the original river-side route of the BVP across the application site is secured with appropriately-worded clauses within a s106 Planning Obligation. Since the proposed BVP reinstatement proposals made with the application are considered necessary for the development; to accord with the requirements and objectives of adopted Local Plan policy; and are also directly, fairly and reasonably related to the scale and nature of the proposed development, it is considered that use of a s106 Planning Obligation to secure this is entirely appropriate and to accord with Government policy and guidance for the use of s106.

Once restored and re-opened, the on-going maintenance of the original river-side line of the BVP at the application site would return to being undertaken by the Blackwater Valley Countryside Partnership on behalf of the Council. This on-going work would be facilitated by provision of vehicular access, the details of which would be a matter for discussion and agreement between the applicants/operators of the proposed development and the Council and the Blackwater valley Countryside Partnership. Nevertheless, vehicular access routes to the vicinity of the BVP within the application site are to be retained intact as a result of the proposed development.

Employment & Skills : The Council holds National Skills Academy for Construction status and works in partnership with the construction industry to generate skills, training and employment opportunities on large development sites in the Borough. In addition to benefitting local employment opportunities, this initiative also benefits employers, especially where there are skill shortages that make it difficult to find appropriately skilled staff. Where it is considered appropriate to do so, early engagement with developers is fostered, often through commencing a dialogue with developers even when planning applications are still under consideration : consequently his process must operate outside of the planning system and the consideration of planning applications. In this case the Council's Employment & Skills Officer has contacted the applicants' agent to seek to explore what employment opportunities may arise from the proposed development.

Overall Conclusions –

It is considered that the proposals are 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 not give rise to any material and adverse visual and physical intrusion into the Blackwater Valley countryside gap; neighbours; would have acceptable impacts on neighbours; satisfactorily address the Flood Risk Sequential Test; are acceptable having regard to fluvial flood risk considerations taking into account an appropriate allowance for climate change for the lifetime of the development, and, in doing so, would not give rise to an unacceptable risk of flooding elsewhere; provide appropriate 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. The proposals are therefore considered to be acceptable having regard to the criteria of Policies SS1, SS2, DE1, DE2, DE3, IN2, DE1, DE2, DE3, IN2, NE1, NE2, NE3, NE4, NE5, NE6, NE7 and NE8 of the adopted Rushmoor Local Plan (2014-2032).

Full Recommendation

It is recommended that subject to the completion of a satisfactory s106 Planning Agreement between the applicants and Rushmoor Borough Council by 30 November 2022 or in accordance with an agreed by an extension of time, to secure:-

- (a) the required SPA SAMM financial contributions as set out in the report;
- (b) any provisions required by Hampshire County Council concerning formulation,

- administration and monitoring of a Travel Plan; and
- (c) appropriate clauses to secure the restoration and retention for the lifetime of the development of the original line of the Blackwater Valley Path through the application site

the Head Economy, Planning and Strategic Housing in consultation with the Chairman be authorised to GRANT planning permission subject to the following conditions and informatives:-

In the event that no satisfactory s106 Agreement and/or confirmation of the viability case to justify no provision of affordable housing are received by 30 November 2022 and no extension of time has been agreed, the Head of Economy, Planning and Strategic Housing 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 fails to secure appropriate amenity improvements to the Blackwater Valley Green Corridor contrary to adopted Local Plan Policy NE2.

- 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 and documents:

BACA Architects Drawing Nos.279-200-001 Rev.A; -002 Rev.A; -003 Rev.A; -004 Rev.A; -100 Rev.B; -101 Rev.B; -102 Rev.A; -103 Rev.A; -110 Rev.A; -111 Rev.A; -112 Rev.A; -113 Rev.A; -114 Rev.A; -115 Rev.A; -116 Rev.A; -117 Rev.A; -118 Rev.A; -120 Rev.A; -121 Rev.A; -122 Rev.A; -123 Rev.A; -124 Rev.A; -132 Rev.A; -133 Rev.A; -134 Rev.A; -135 Rev.A; -136 Rev.A; -139 Rev B; & 279-200-EA; Aspect Ecology 7055.PP 4.0, -4.1, -4.2, -4.3, -4.4 & -4.5; 7055.HSP 5.0, -5.1, -5.2, -5.3, -5.4, & -5.5; and Tetrattech D110 Rev.P.02; Design & Access Statement, Planning Statement, Arboricultural Impact Assessment; BREEAM Pre-Assessment Report; Transport Assessment; Framework Travel Plan; Parts 1 & 2 Preliminary Environmental Risk Assessment Reports; Landscape & Visual Impact Assessment; Leisure Need Assessment (June 2020) and Addendum (August 2022); Noise Impact Assessment; Stage 1 Habitats Regulation Assessment Revised Habitats Regulation Assessment (March 2021); Ecological Appraisal (May 2020) and Revised Ecological Appraisal (January 2021); Biodiversity Impact Assessment Technical Briefing Note BN04 (originally January 2021, but amended version May 2022 and Further Revised October 2022 incorporating revised Biodiversity Net Gain DEFRA Metric 2.0 spreadsheet (October 2022); Flood Risk & Drainage Assessment including Appendices A-I inclusive; Bell Cornwell Flood Risk Sequential Test and Exception Test Report and Update Report dated April 2022; Flood Storage Volume & Level Assessment (February 2021) Drawing Nos WYG A092227-1-21-C-D112 to 116 inclusive Rev.P1; Tetrattech response to LLFA & Updated Surface-Water Drainage Strategy (April 2022); Infiltration Test Results (May & August 2021); Flood Management Evacuation Plan; and formal responses to the consultation comments of the Council's Ecology Officer TN02 (February 2021), the Environment Agency TN03 (including in respect of the EA 8-metre River margin buffer zone)

(February 2021) and the Environment Agency and HCC Lead Local Flood Authority (Drainage issues (February 2021)).

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/door frames
 - Balustrades
 - Ground surfacing materials.

Reason - To ensure satisfactory external appearance. *

- 4 Prior to occupation or use of the development hereby approved, screen and boundary walls, fences, hedges or other means of enclosure shall be installed in accordance with the details submitted with the application hereby approved and approved. The development boundary treatment shall be completed and retained thereafter at all times as approved.

Reason - In the interests of visual amenity. *

- 5 Prior to occupation or use of any part of the development hereby approved, details of satisfactory provision for the storage and removal of refuse from the premises shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and retained in accordance with the details so approved.

Reason - To safeguard the amenities of the area. *

- 6 Prior to occupation or use of any part of the Equestrian Centre hereby approved, details of satisfactory measures for the safe on-site collection and storage of horse manure and stable waste for appropriate off-site disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and retained in accordance with the details so approved.

Horse-riding and other equine activities in connection with the development hereby approved shall be retained within the Equestrian Centre bunded enclosure only.

Reason - To avoid the potential for contaminated run-off polluting the water environment in the interests of maintaining water quality and ecology and biodiversity.*

- 7 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.

- 8 Prior to first occupation or use of the development hereby approved a fully detailed landscape and planting scheme in respect of both landscape planting and ecological enhancement shall be first submitted to and approved in writing by the Local Planning Authority. 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 buildings or the practical completion of the development, whichever is the sooner and shall be so retained. [See also the requirements of Condition Nos.20 and 21 below.]

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

- 9 The development hereby approved shall not be occupied until the car/van, coach, bicycle and horsebox/lorry parking facilities shown on the approved plans have been completed, surfaced, marked-out and made ready for use by the occupiers/users of the development. The parking facilities shall be thereafter retained solely for parking purposes (to be used by the occupiers of, and visitors to, the development). The on-site parking hereby approved shall not be used for commuter parking. *

Reason - To ensure the provision and availability of adequate off-street parking to serve the functional parking needs of the development hereby approved.

- 10 The use of the development hereby permitted shall not commence until the bus lay-by adjacent to the site access on Lynchford Road shown to be provided on the approved plans has been constructed, marked-out and made available for use. The lay-by shall thereafter be retained at all times thereafter for bus use only.

Reason - In the interests of the safety and convenience of highway users.

- 11 No lift housing rooms, tank rooms, plant or other structures shall be erected on the roof of the buildings hereby permitted without the prior permission of the Local Planning Authority.

Reason - To ensure that the appearance of the premises is satisfactory and to safeguard the appearance of the surrounding Blackwater Valley countryside.

- 12 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. *

- 13 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.

- 14 No sound reproduction equipment, conveying messages, music, or other sound which is audible outside the application site shall be installed and/or used on the site.

Reason - To protect the amenities of neighbours and the area in general.

- 15 All plant and machinery to be installed at any time in connection with the development hereby permitted shall be enclosed with soundproofing materials and mounted in a way which will minimise transmission of structure- and air-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 amenities of the area. *

- 16 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.

- 17 No construction works pursuant to this permission shall take place until detailed surface and foul water drainage schemes for the site along the lines show illustratively with the Flood Risk & Drainage Assessment Report and Appendices submitted with the planning application has been submitted and approved in writing by the Local Planning Authority.

The submitted details should also include details for the long-term maintenance arrangements for the surface water drainage and/or SUDS systems together with 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 and use 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). *

- 18 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 with appropriate protective fencing during site clearance and works in accordance with the detail indicated within the submitted Aspect Ecology Revised Ecological Appraisal (January 2021) hereby approved. 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 and ecology/biodiversity interest of the site and the locality in general.

- 19 No development or site clearance shall commence until, as indicated within the submitted Aspect Ecology Revised Ecological Appraisal (January 2021) hereby approved and in accordance with industry best practice guidance, 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 works to be undertaken. 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. *

- 20 No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall follow the recommendations set out in the submitted Aspect Ecology Revised Ecological Appraisal Report (January 2021) and industry best practice guidance, and include the following;
- 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) Construction methods;

- g) Any necessary pollution prevention methods;
- h) Risk assessment of potentially damaging construction activities;
- i) Identification of 'biodiversity protection zones';
- j) Any necessary mitigation for protected wildlife species;
- k) Practical measures (both physical measures and sensitive working practices) to avoid or reduce nuisance, wildlife disturbance and other adverse impacts that may arise during construction (this may be provided as a set of method statements);
- l) The location and timing of sensitive works to avoid harm to wildlife and biodiversity features;
- m) The times during construction when a specialist ecologist needs to be present on site to oversee works;
- n) Responsible persons and lines of communication;
- o) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; and
- p) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

- 21 No development shall take place including demolition, ground works and vegetation clearance, until an Ecological Design Strategy has been submitted to and approved in writing by the Local Planning Authority, addressing how adverse impacts to biodiversity are to be avoided, adequately mitigated for, or, as a last resort, compensated for, in line with the planning mitigation hierarchy along the lines indicated by the submitted Aspect Ecology Revised Ecological Appraisal Report (January 2021) and industry best practice guidance. The Ecological Design Strategy shall demonstrate in detail how a quantified net gain in biodiversity is secured in line with Environment Act ambitions.

The Ecological Design Strategy shall include, but not be limited to following:-

- a) Identification of baseline habitat ecological conditions as at application submission, including extent and location/area of habitats on appropriate scale maps and plans
- b) Evaluation of how permitted development activities will result in loss or deterioration of baseline habitat ecological conditions including extent and location/area of habitats on appropriate scale maps and plans
- c) Details of measures to be implemented in line with the mitigation hierarchy, to secure biodiversity net gain for a minimum of 30 years,
- d) Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of these measures will be monitored
- e) Appropriate management options for achieving biodiversity net gain
- f) Preparation of a work schedule implementing management (including an annual work plan capable of being rolled forward over a five year period)
- g) Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved Strategy shall be adhered to and implemented throughout a 30-year timeframe strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

The Ecological Design Strategy shall also include details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management body responsible for its delivery specified. Biodiversity

losses and gains referenced within the Strategy should be supported by a suitably detailed metric using best practice quantification methodologies.

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. *

22 The occupation and use of the development hereby permitted shall not commence until, as indicated within the submitted Aspect Ecology Revised Ecological Appraisal (January 2021) hereby approved and in accordance with industry best practice guidance, a Sensitive Lighting Management Plan (SLMP) has been submitted to and approved in writing by the Local Planning Authority. The SLMP shall:

(a) identify the areas or features on the site that are particularly sensitive for 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, for example for foraging and commuting; 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. No other external lighting shall be installed without prior express consent from the Local Planning Authority.

Reason - In the interests of the character and appearance of the Blackwater Valley countryside in the area9; and to ensure the protection of wildlife in the interests of nature conservation in accordance with the National Planning Policy Framework. *

23 Prior to first occupation of the development hereby approved details of all external lighting to be installed within the site and/or on the exterior of the buildings hereby permitted shall be submitted to and approved by the Local Planning Authority. The submitted details shall indicate the purpose/requirement for the lighting proposed and specify the intensity, spread of illumination and means of controlling the spread of illumination (where appropriate). The external lighting proposals as may subsequently be approved shall be implemented solely in accordance with the approved details and retained thereafter solely as such unless otherwise first agreed in writing by the Local Planning Authority. With the possible exception of lighting identified and agreed as being necessarily required for maintaining the security of the site/building during night-time hours, no other external lighting shall be used/operated during night-time hours (2300 to 0700 hours daily) unless otherwise first agreed in writing by the Local Planning Authority.

Reason - To ensure that there is no inappropriate or unnecessary use of lighting at the site in the in the interests of the amenities of the Blackwater Valley countryside.

24 No fish stocking shall take place within Lakes 1 and 6.

Reason - In the interests of preserving and enhancing the ecology and biodiversity of these lakes.

- 25 Leisure visitor access to the open water and northern banks of Lake 1, the open water and banksides of Lake 6 and the western banks of Lake 3 shall be restricted in accordance with a scheme of means and measures to be submitted to and approved in writing by the Local Planning Authority. The details subsequently approved in this respect shall be implemented in full and retained thereafter at all times.

No motorised water craft shall be used or motorised water sports activities take place within the application site.

Reason - In the interests of preventing undue disturbance of the wildlife and biodiversity enhancement features to be provided in these locations; and in the interests of the ecology and biodiversity value of the site in general; and to prevent the potential undue disturbance of neighbours with noisy outdoor sports activities.

- 26 No development shall take place until a scheme for the provision and management of an 8-metre wide buffer zone alongside the River Blackwater watercourse has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved scheme. Any subsequent variations shall be agreed in writing by the local planning authority, in which case the development shall be carried out in accordance with the amended scheme. With the sole exception of the provision of the proposed wildlife fence underpasses, the buffer zone shall be kept free from further built development including lighting and formal landscaping, and will need to be referred to in the CEMP and LEMP for the development required by Condition Nos.20 and 27. The scheme shall include:

- plans showing the extent and layout of the buffer zone;
- details of any proposed planting scheme. This should native species and ideally of local provenance, with an aim to create a mosaic of different habitats;
- details of how the non-native species such as Himalayan balsam will be eradicated from the site;
- details demonstrating how the buffer zone will be protected during development and managed over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan for nature conservation;
- details of any proposed footpaths, fencing, etc; and
- details of how the river channel morphology and bankside habitat will be enhanced for nature conservation e.g. with gravel, large woody material, deflectors, native planting.

Reason - Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected.

- 27 No development shall take place until a Landscape and Ecological Management Plan (LEMP), including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas has been submitted to, and approved in writing by, the Local Planning Authority. The LEMP shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. The scheme shall include the following elements:

- Details of maintenance regimes;
- Details of treatment of site boundaries and/or buffers around water bodies;
- Details of any new habitat created on site; and

- Details of management responsibilities.

Reason - To ensure the protection of wildlife and supporting habitats and to secure opportunities for enhancing the site's nature conservation value in line with national planning policy and local policies.

- 28 Openings in the bund as shown on Proposed Masterplan Drawing Ref.79-200-100 Rev A, shall remain open to floodwater for the lifetime of the development hereby permitted. If gates are installed in the openings they shall be permeable to floodwater. Details of fencing for the bunds shall be submitted to the local planning authority for approval prior to installation.

Reason - To ensure flood risk is not increased elsewhere. This condition is supported by paragraph 167 of the National Planning Policy Framework (NPPF). *

- 29 Fencing and boundary treatments within land shown to be within Flood Risk Zone 3 shall be permeable to floodwater.

Reason - To ensure flood risk is not increased elsewhere. This condition is supported by paragraph 167 of the National Planning Policy Framework (NPPF).

- 30 Prior to first occupation of the development hereby approved, the recommendations and actions set out in the Flood Management Evacuation Plan (FMPE) hereby approved shall be implemented in full and retained thereafter at all times whilst the site is occupied and/or in use.

Reason – In the interests of ensuring that occupiers and users of the site are protected from the potentially harmful impacts of fluvial and/or surface water flooding arising at the development site.

- 31 Prior to the first use and occupation of the development hereby approved appropriate biosecurity controls and monitoring measures in respect of the suppression, isolation and, if possible, elimination of any non-native invasive plant species at the site (such as Himalayan balsam, Japanese knotweed and New Zealand pygmyweed), shall be put in place and operated in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. Those means and measures as may subsequently be approved shall be operated at all times thereafter at the site.

Reason – To prevent non-native invasive plant species spreading within and from the application site in the interests of ecology and biodiversity interests.

- 32 On completion of the Aquatic Sports Centre building within the development hereby approved, certification of the compliance of this building with the BREEAM 'Very Good' rating overall and 'excellent' rating for water consumption shall be submitted to, and approved by, the Local Planning Authority.

Reason - To ensure the development is sustainable and in order to meet the requirements of Policies DE1 and DE4 of the adopted Rushmoor Local Plan (2014-2032).

Informatives

- 1 INFORMATIVE - The Council has granted permission because:-

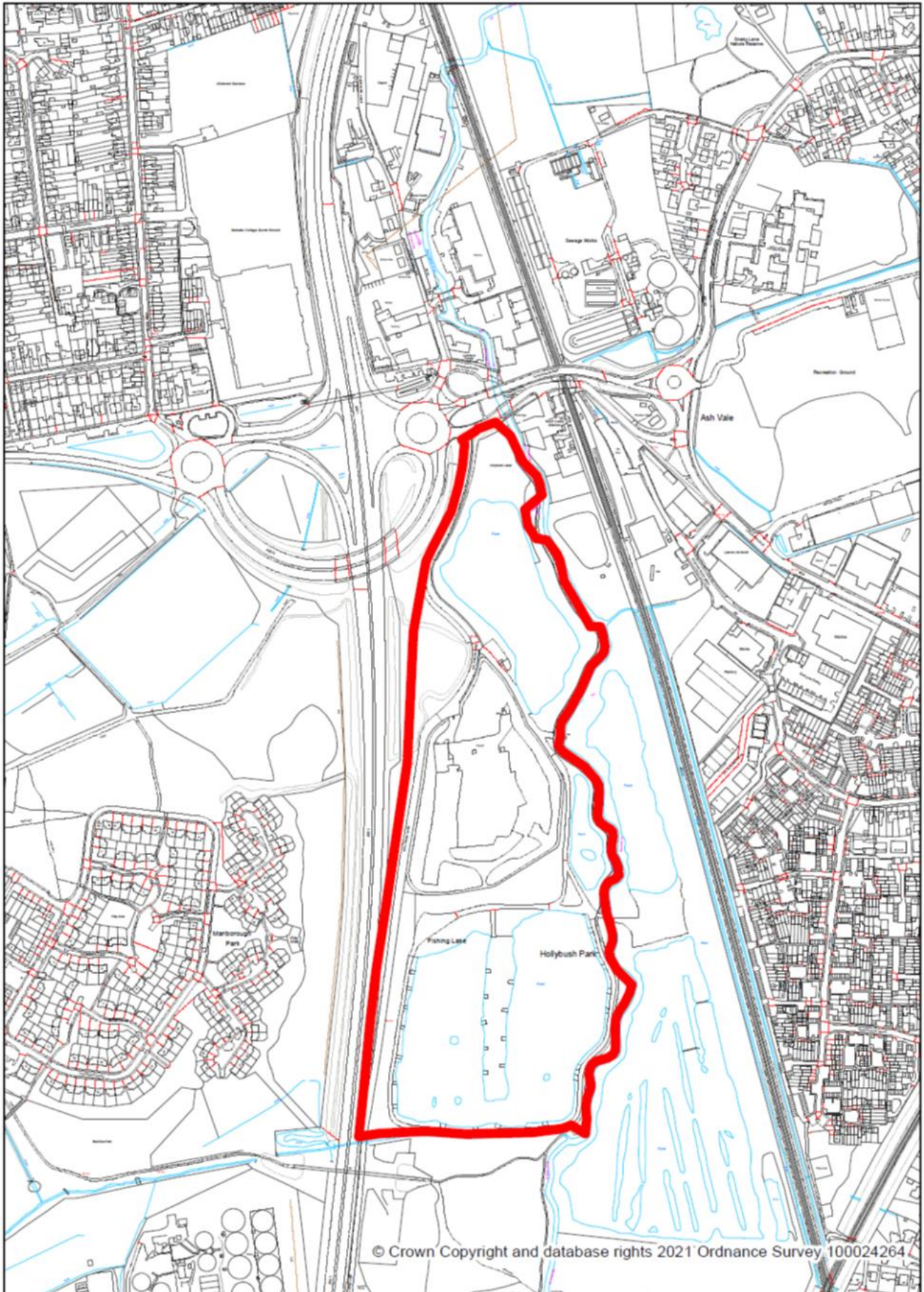
It is considered that the proposals are acceptable in principle and in highways terms; would have no material and harmful impact upon the overall visual character and appearance of the area and trees worthy of retention; would not give rise to any material and adverse visual and physical intrusion into the Blackwater Valley countryside gap; neighbours; would have acceptable impacts on neighbours; satisfactorily address the Flood Risk Sequential Test; are acceptable having regard to fluvial flood risk considerations taking into account an appropriate allowance for climate change for the lifetime of the development, and, in doing so, would not give rise to an unacceptable risk of flooding elsewhere; provide appropriate 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. The proposals are therefore considered to be acceptable having regard to the criteria of Policies SS1, SS2, DE1, DE2, DE3, IN2, DE1, DE2, DE3, IN2, NE1, NE2, NE3, NE4, NE5, NE6, NE7 and NE8 of the adopted Rushmoor Local Plan (2014-2032).

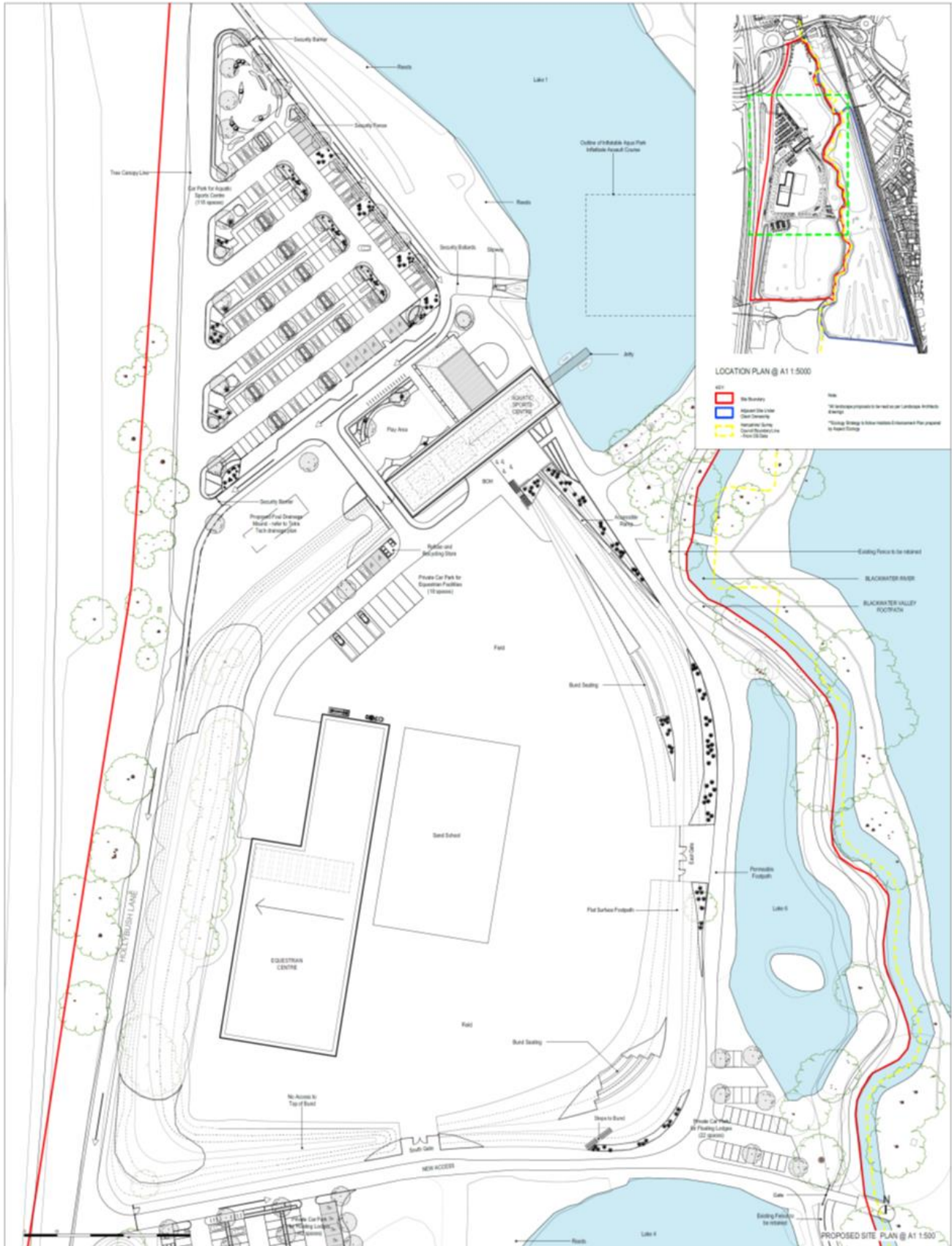
It is therefore considered that subject to compliance with the attached conditions, and taking into account all other material planning considerations, including the provisions of the development plan, the proposal would be acceptable. This also includes a consideration of whether the decision to grant 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 - 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.
- 6 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.

- 7 INFORMATIVE - In the UK protected wildlife species, which includes badgers and all species of bats and nesting birds, are afforded statutory protection such that unlicensed 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.
- 8 INFORMATIVE – Industry best practice guidance for avoidance of adverse impacts on nocturnal species as a result of artificial lighting is set out 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.
- 9 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.
- 10 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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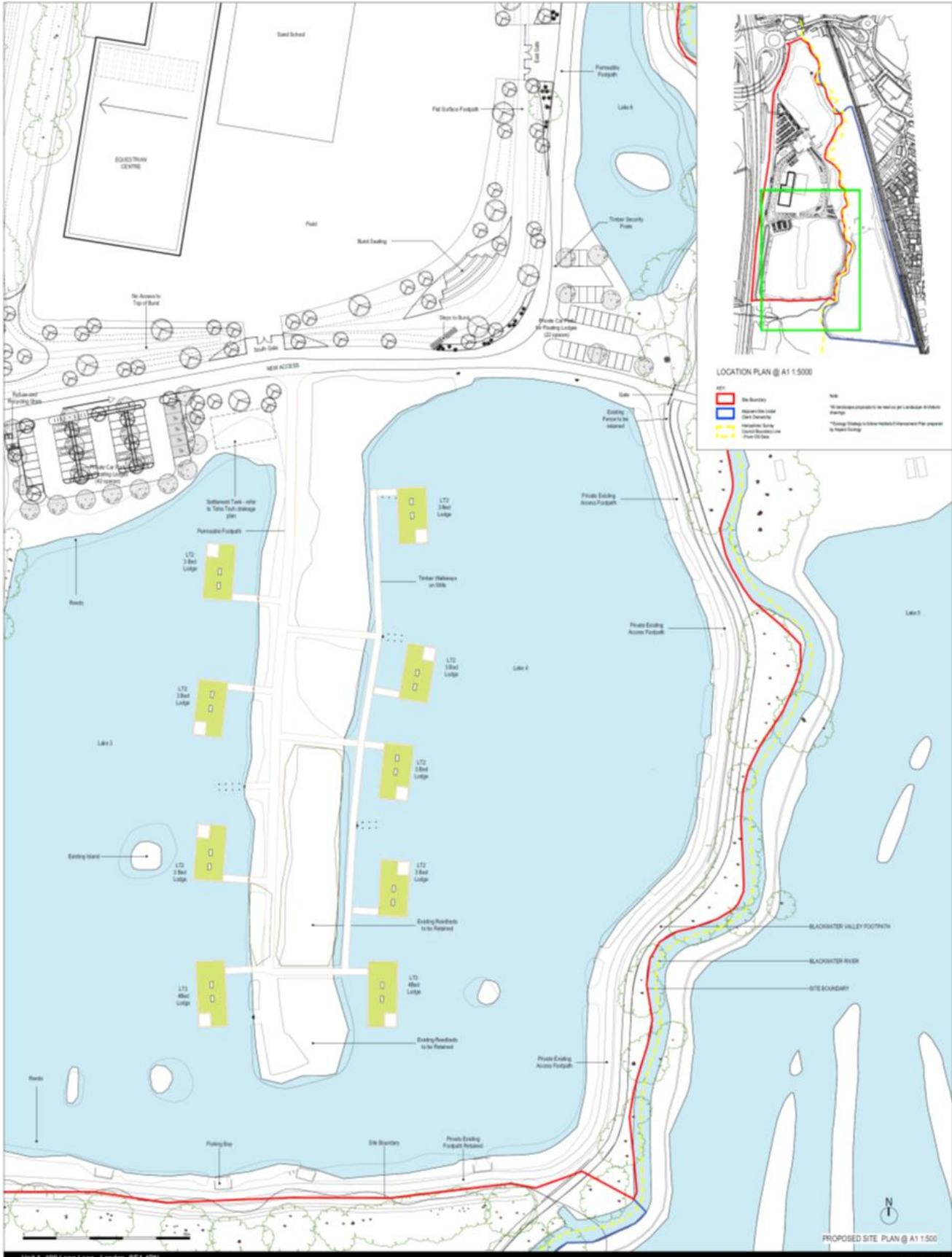
NOTES

- All dimensions to be verified by the contractor before work is commenced.
- Architect to be notified immediately if any discrepancies are found.
- All shop drawings to be approved by Architect before work commences.
- All details to be in accordance with relevant British Standards and manufacturers recommendations and specifications.
- This drawing is the property of Baca Architects Limited, copyright reserved. This drawing is not to be copied, reproduced, altered or disclosed to any unauthorised person other than in part without the specific consent in writing of Baca Architects Limited.

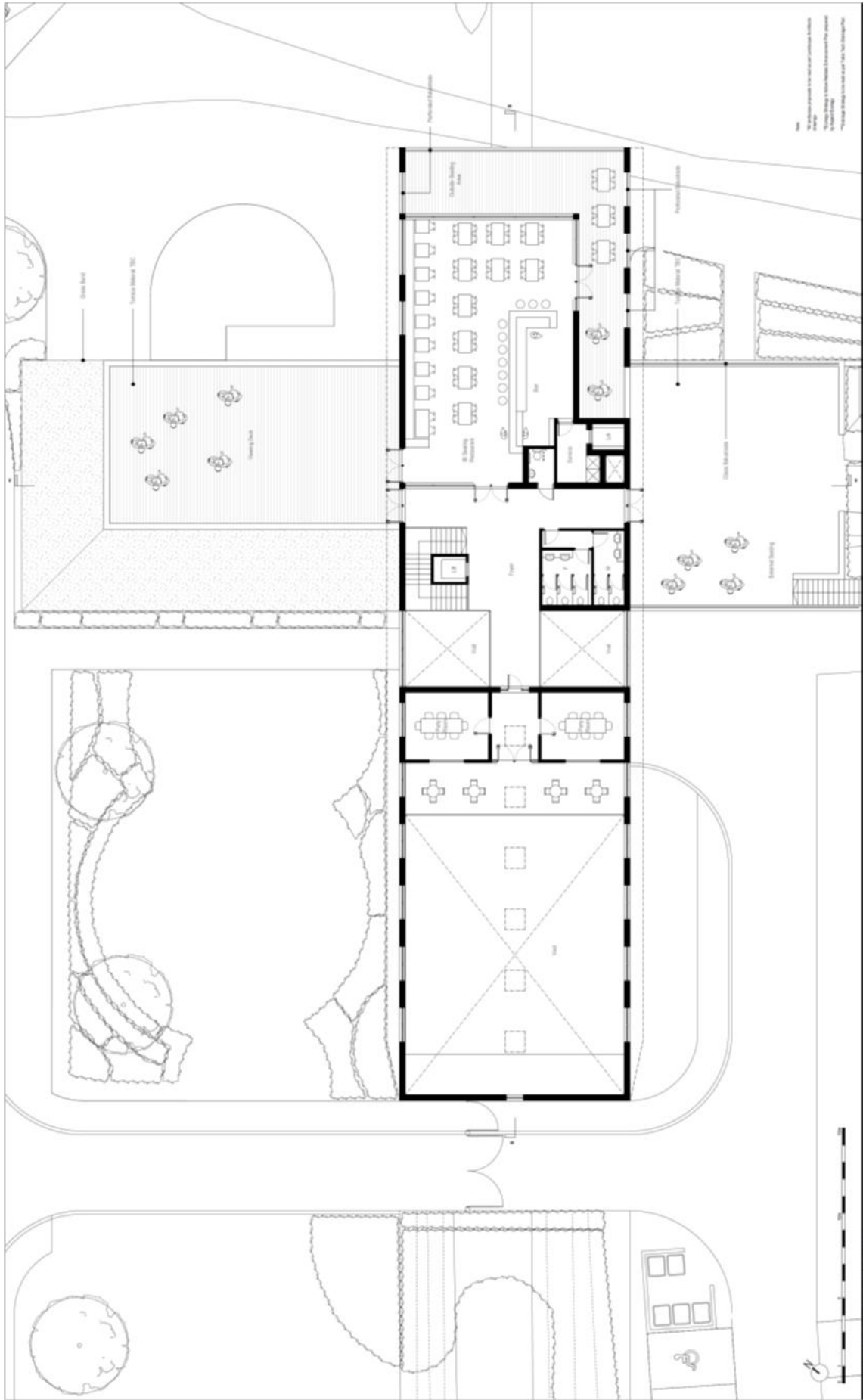
All Dimensions in mm

Notes	Significant Health, Safety & Environmental information relating to CDM
Health	
Safety	
Environmental	
It is assumed that all works will be carried out by a competent contractorking, where appropriate.	

Project No.	279	Project Name	Holybush Lakes
Client	Dragages Development Ltd	Project Address	Holybush Lakes, Aldenham (D12) SQ
Scale	1 to 500 @ A1 1 to 1000 @ A3	Drawing No.	279-200-102
Author	PLANNING	Sheet	A



Unit 1, 199 Long Lane, London, SE1 4PH T +44 (0) 20 7397 5620 mail@baca.uk.com		ARCHITECTS baca	
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Health: Safety: Environmental: It is assumed that all works will be carried out by a competent contracting organisation, where appropriate.		Drawing No: 279-200-103 Rev: A Date: 22/08/22 Description: Floating lodges retained in 3 lodges Scale: 1:1000 Author: J. D. P.	
Project No: 279 Project Name: HAYBUSH LLAGS Project Address: HAYBUSH Ln, Ashford GU24 5JN		Client: Draysons Development Ltd Project No: 279 Project Name: HAYBUSH LLAGS Project Address: HAYBUSH Ln, Ashford GU24 5JN	
Scale: 1 to 1250 @ A1 1 to 5000 @ A3		Status: PLANNING Drawing No: 279-200-103 Rev: A	



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 2. Architect to be notified immediately if any discrepancies are found.
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 6. All work to be completed in accordance with the programme of works and to be completed in accordance with the programme of works.

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 info@baccarchitects.co.uk

Scale: 1:100
 Date: 15/10/2011

Client: City of London Development Corporation
 Project Name: Proposed Sports Centre
 Project Address: 109 Long Lane, London, SE1 4PN

Architect: bacc architects
 Project No: 275-200-111
 Date: 15/10/2011

Proposed Sports Centre
 First Floor Plan

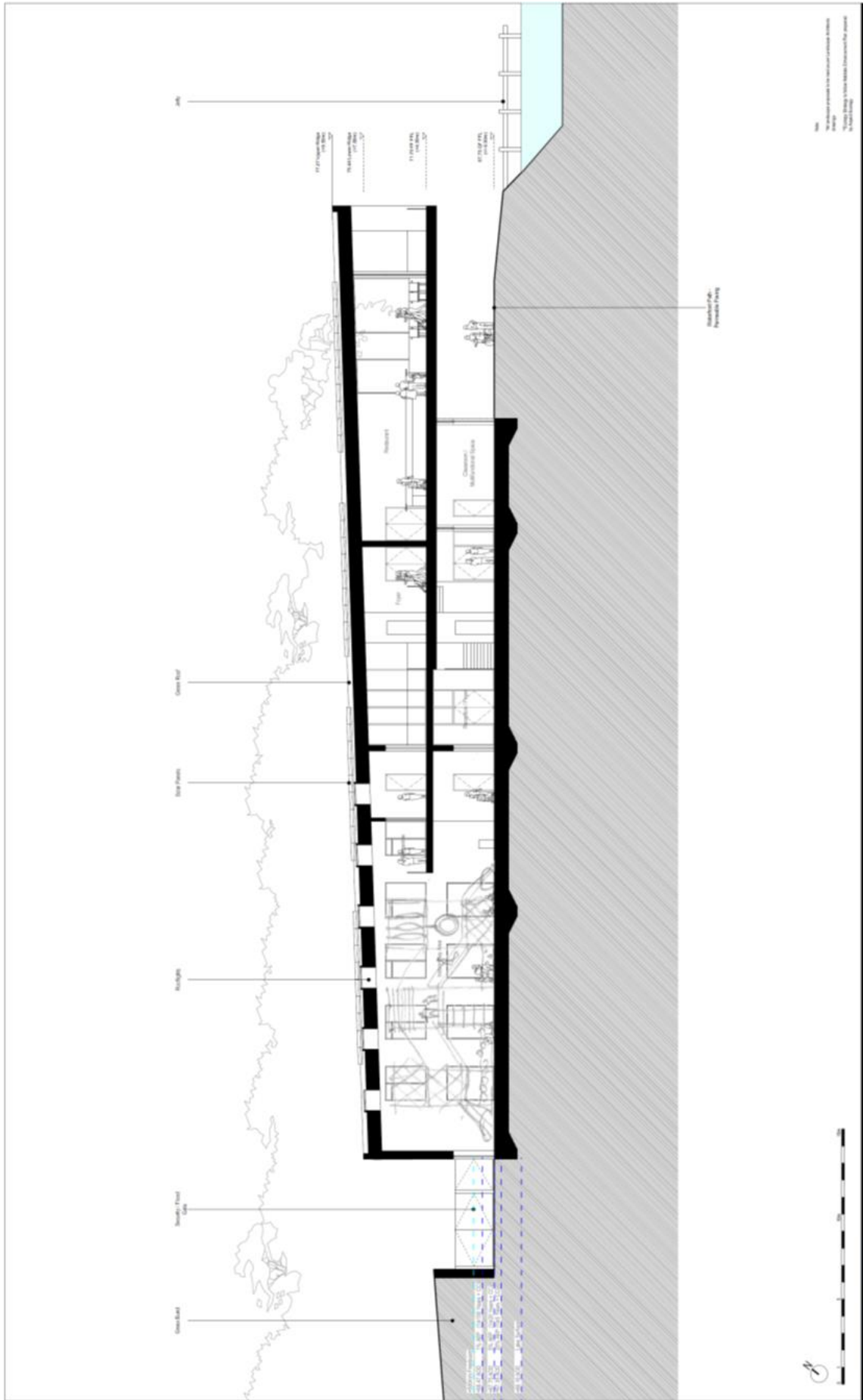
City of London Development Corporation Ltd
 109 Long Lane, London, SE1 4PN

Architect: bacc architects
 109 Long Lane, London, SE1 4PN

Scale: 1:100
 Date: 15/10/2011

Client: City of London Development Corporation
 Project Name: Proposed Sports Centre
 Project Address: 109 Long Lane, London, SE1 4PN

Architect: bacc architects
 Project No: 275-200-111
 Date: 15/10/2011



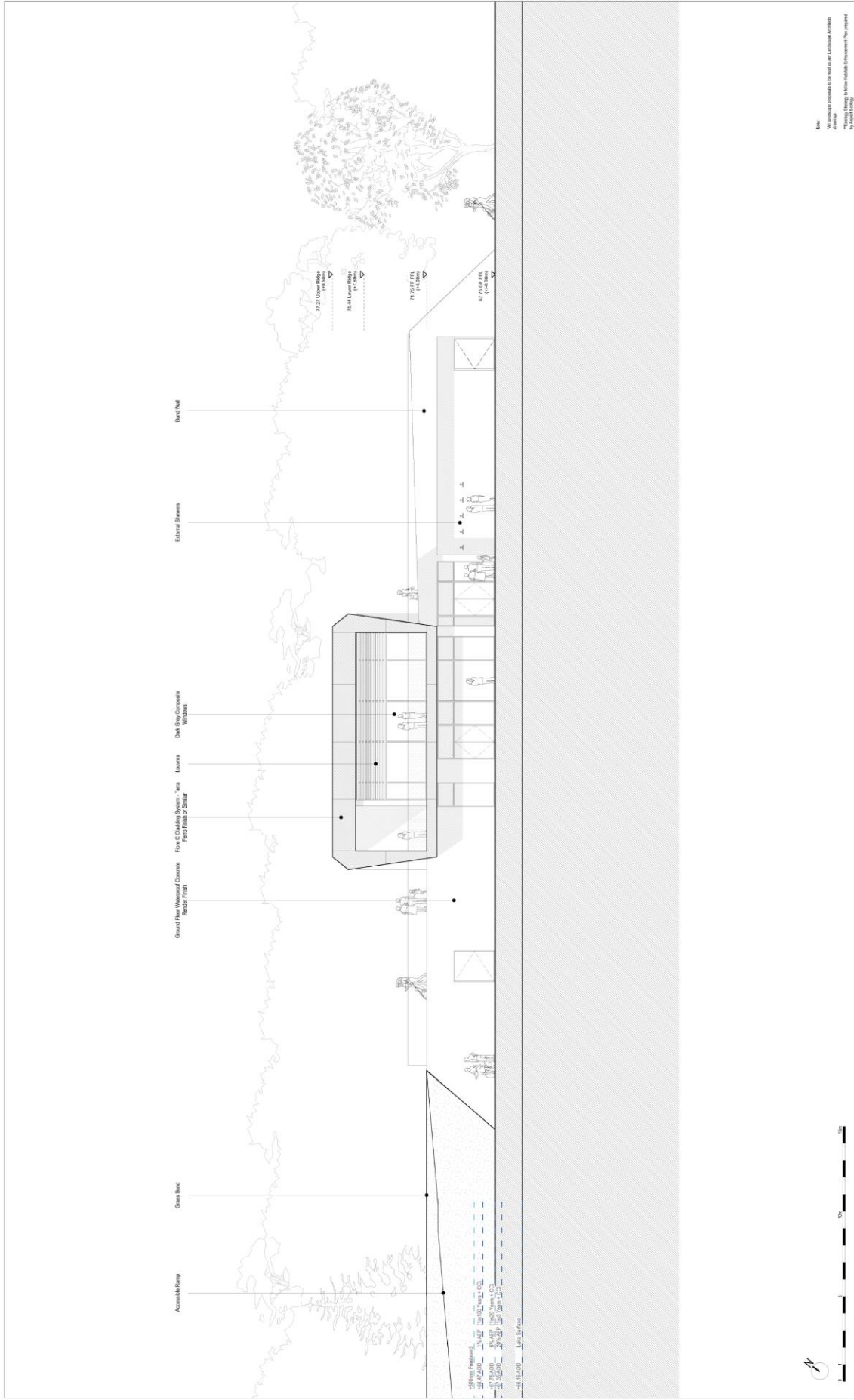
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ARCHITECTS
baccd

Project Name: Proposed Sports Centre Section BB
 Client: City of London Development Corporation, L32
 Date: 27/07/2018
 Drawing No: 275-200-118

Scale: 1:100
 Date: 27/07/2018
 Author: [Name]
 Checker: [Name]
 Project Manager: [Name]
 Project Location: [Address]

Notes:
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 2. All work to be carried out in accordance with the specifications and standards.
 3. All materials to be used in accordance with the specifications and standards.
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 5. The contractor shall be responsible for obtaining all necessary permits and approvals.
 6. The contractor shall be responsible for ensuring that all work is carried out in accordance with the specifications and standards.
 7. The contractor shall be responsible for ensuring that all work is carried out in accordance with the specifications and standards.
 8. The contractor shall be responsible for ensuring that all work is carried out in accordance with the specifications and standards.
 9. The contractor shall be responsible for ensuring that all work is carried out in accordance with the specifications and standards.
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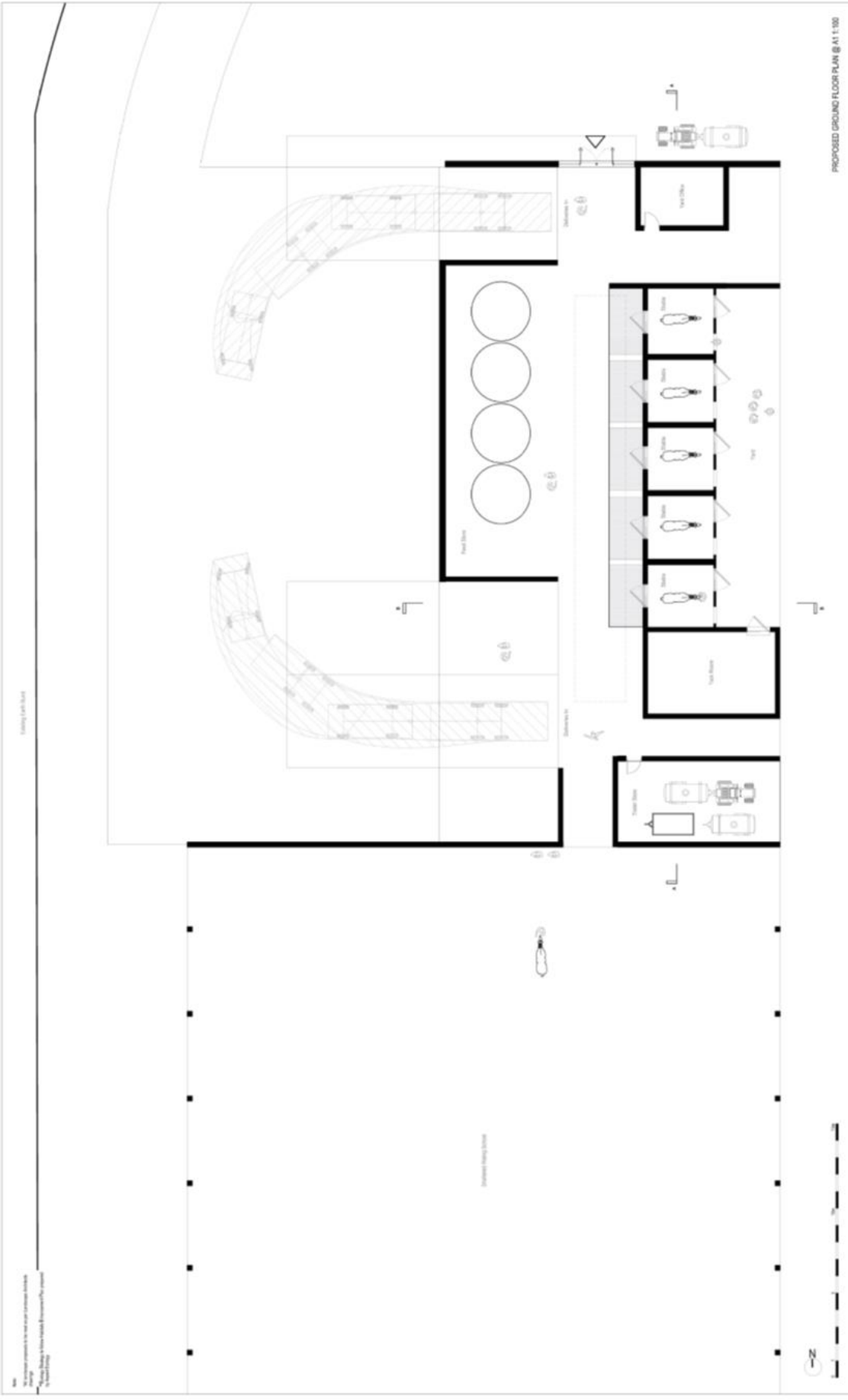
Notes:
 Significant Health, Safety & Environmental information relating to CDM
 Health:
 Safety:
 Environmental:
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Drawing Title		Drawing No.		Sheet	
Proposed Sports Centre East Elevation		279-200-114		A	
Client		Project Name		Project Address	
Dynamics Developments Ltd		Hoffmann Lane		Hoffmann Lane, Alderley, GU11 3DA	
Class		Project No.		Project Name	
Dynamics Developments Ltd		279-200-114		Hoffmann Lane	
Scale		Drawing No.		Sheet	
1 to 100 @ A3 1 to 200 @ A4		279-200-114		A	
Scale		Drawing No.		Sheet	
PLANNING		279-200-114		A	



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PROPOSED GROUND FLOOR PLAN @ 1:100

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<p>Client: Proposed Equestrian Centre Ground Floor Plan Client: Chiffers Developments Ltd Address: [Redacted]</p>		<p>Project No: 275-205-125 Rev: A</p>	
<p>Drawn: [Redacted] Checked: [Redacted] Approved: [Redacted]</p>		<p>Discipline: PLANNING</p>	



PROPOSED WEST ELEVATION @ A1:100

Site: 1, 199 Long Lane, London, SE 4 9PN
Tel: +44 (0) 20 7397 3650
www.bacc.co.uk

Client: Proposed Equestrian Centre East & West Elevations
Project Name: Proposed Equestrian Centre East & West Elevations
Project Number: 276-200-02

Scale: 1:100
Date: 16/05/16
Drawing No: 276-200-02

Issue: 1
Date: 16/05/16

Author: [Name]
Check: [Name]
Project Manager: [Name]

Drawn by: [Name]
Checked by: [Name]
Project Manager: [Name]

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Scale: 1:100
Date: 16/05/16
Drawing No: 276-200-02

Issue: 1
Date: 16/05/16

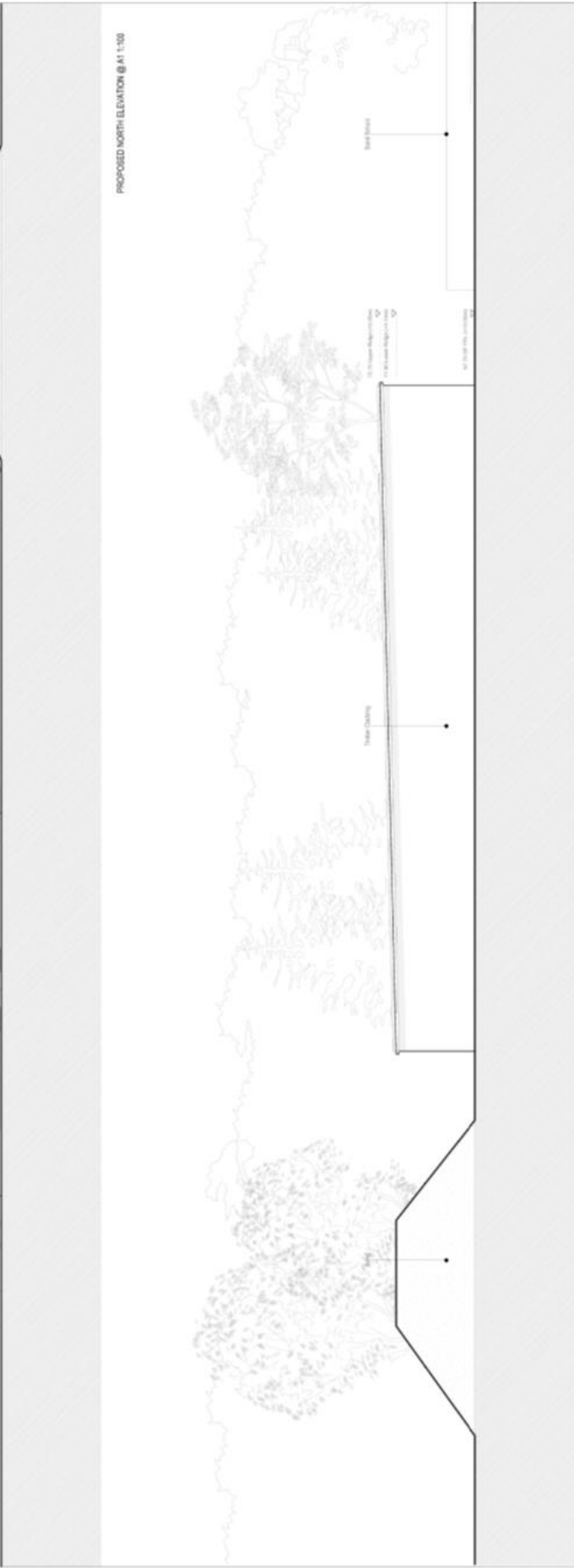
Author: [Name]
Check: [Name]
Project Manager: [Name]

Drawn by: [Name]
Checked by: [Name]
Project Manager: [Name]

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PROPOSED NORTH ELEVATION @A1:100



PROPOSED SOUTH ELEVATION @A1:100

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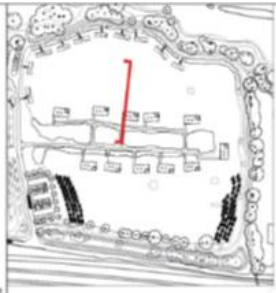
bacc
 15.10.2018 @A1
 16.10.2018 @A1
PLANNING
 Drawing No: 2/19-205-123

Proposed Equestrian Centre North & South Elevations
 Client: Equestrian Developments Ltd
 Project Name: Equestrian Centre North & South Elevations
 Project Address: Equestrian Centre North & South Elevations

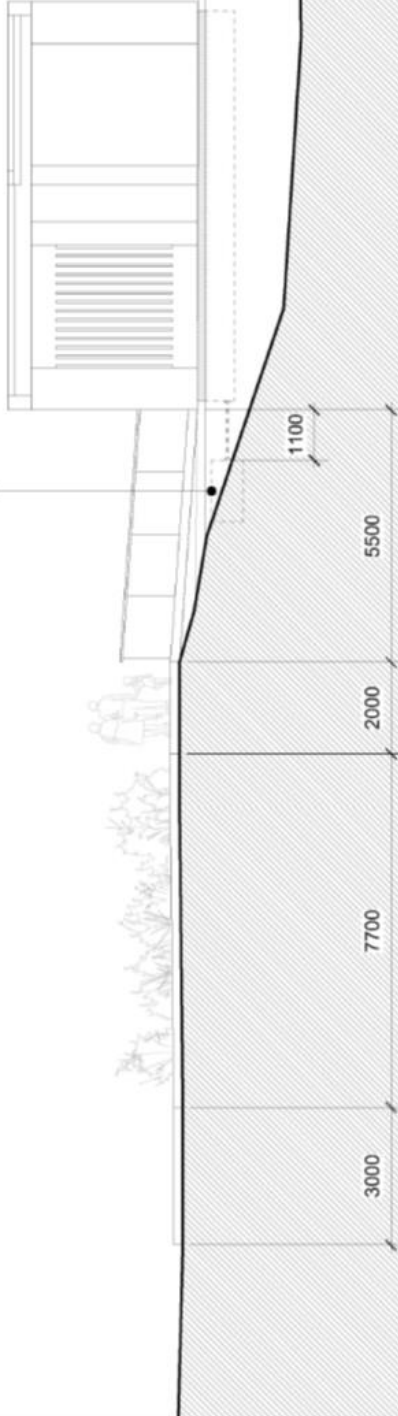
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 2. Dimensions to be applied consistently if any dimensions are listed.
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- 3. All dimensions to be noted by the landscape architect work to be implemented
- 4. All dimensions to be noted by the landscape architect work to be implemented
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Dual Docker system or similar to tie floating lodges back to lakeside



Note:

PROPOSED TYPICAL MOORING SECTION AA @ 1:100

*All landscape proposals to be read as per Landscape Architects drawings

**Ecology Strategy to follow Habitats Enhancement Plan prepared by Aspect Ecology

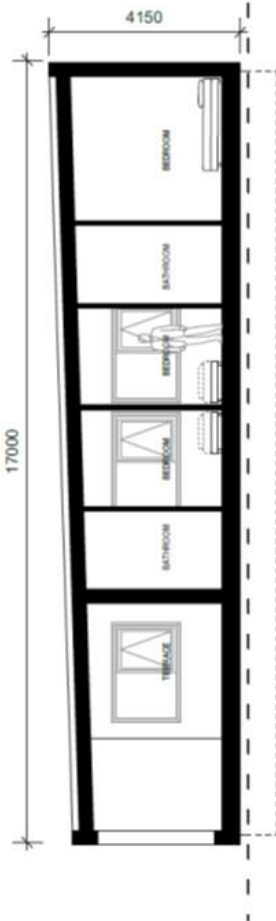
Project No.	279
Project Name	Highjacks Development LP
Project Address	Highjacks Ln, Adenhead GU12 5QA
Client	Highjacks Development LP
Scale	1 to 100
Project Status	PLANNING
Project Reference	279-200-136
Sheet No.	A

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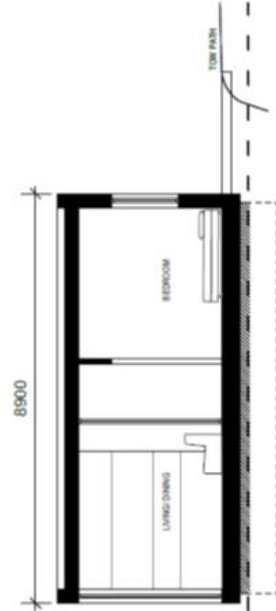


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2. Architect to be notified immediately if any discrepancies are found
3. All dimensions to be taken from the finished floor level unless otherwise stated
4. All doors to have a minimum width of 800mm
5. All windows to have a minimum width of 600mm
6. This drawing is for information only and does not constitute a contract
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PROPOSED SECTION BB @ 1:100



PROPOSED SECTION AA @ 1:100

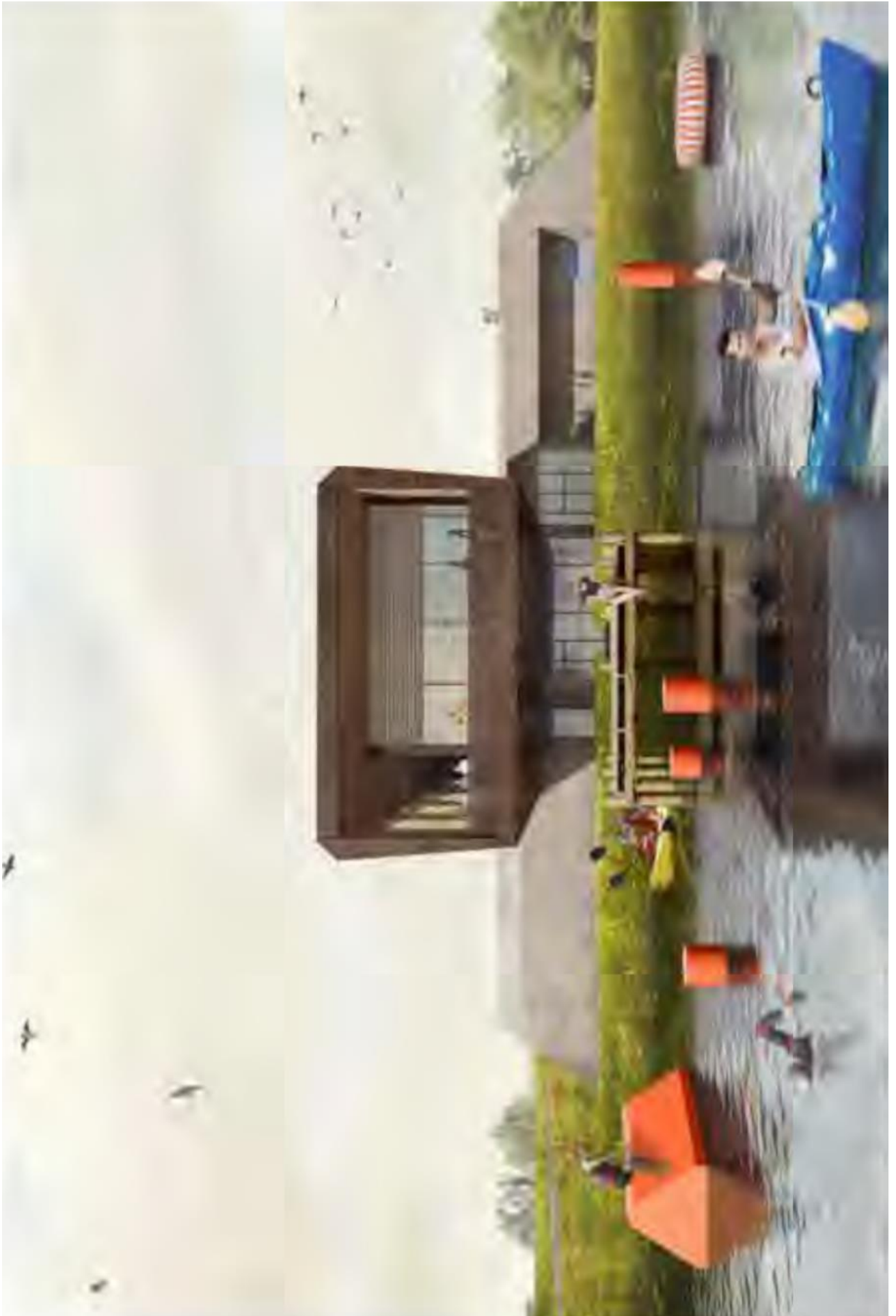


PROPOSED GROUND FLOOR PLAN @ 1:100
GIA: 138SQM

NOTE:
 *All landscape proposals to be read as per Landscape Architects drawings
 **Ecology Strategy to follow Habitats Enhancement Plan prepared by Aspect Ecology
 ***Drainage Strategy to be read as per Tetra Tech Drainage Plan



bacon 191 Lymington Lane, London, SE1 4PN T +44 (0) 20 7397 5620 info@bacon.co.uk		Date: 11/11/2024 Scale: 1:100 Project: Floating Lodge Type 2 3 Bed Lodge Client: Draypara Development Ltd Project No: 279 Project Name: Hollybush Drawing No: 279-200-132 Drawing Title: A
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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	Maggie Perry
Application No.	22/00068/REM
Date Valid	14 th January 2022
Expiry date of consultations	18 th February 2022
Proposal	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
Address	Blandford House and Malta Barracks Development Site, Shoe Lane, Aldershot, Hampshire
Ward	St. Marks
Applicant	Miss Tilly Wishaw, Redrow Homes Ltd
Agent	Savills
Recommendation	Grant

BACKGROUND

On the 15th May 2020 the Council granted hybrid outline planning permission ref: 17/00914/OUTPP for the development of up to 180 dwellings (including the conversion of Blandford House and retention of three existing dwellings) including access, internal roads, demolition of buildings, amenity space, green infrastructure and sustainable drainage systems (Matters for Approval - Access Only) to include FULL approval of details for the provision of 13.7ha of Suitable Alternative Natural Greenspace (SANG) and associated car park (18 spaces). The planning permission was granted subject to a s106 legal agreement.

Redrow Homes Ltd are delivering the residential element of the development. The Blandford Woods SANG (Full Planning Permission) will be delivered by Grainger Plc and The Land Trust. This Reserved Matters Application represents Phase 1 of the residential development.

PHASE 1 SITE

The Phase 1 Reserved Matters Application Site relates to an area towards the north west corner of the Outline Application Site, bounded by and taking access from Shoe Lane to the west. This is the first and smallest phase proposed at approximately 1.23ha. The site contains part of an existing building and associated hardstanding which has been identified for demolition. The eastern half of the site rises in height and includes an area of Beech woodland which is to be retained as Strategic Open Space (Amenity Open Space). Residential properties within Vine Close back on to part of the southern boundary along a proposed internal road and the retained woodland. The nearest part of the proposed Blandford Woods SANG lies further to the north, separated by the Phase 3 RMA Site.

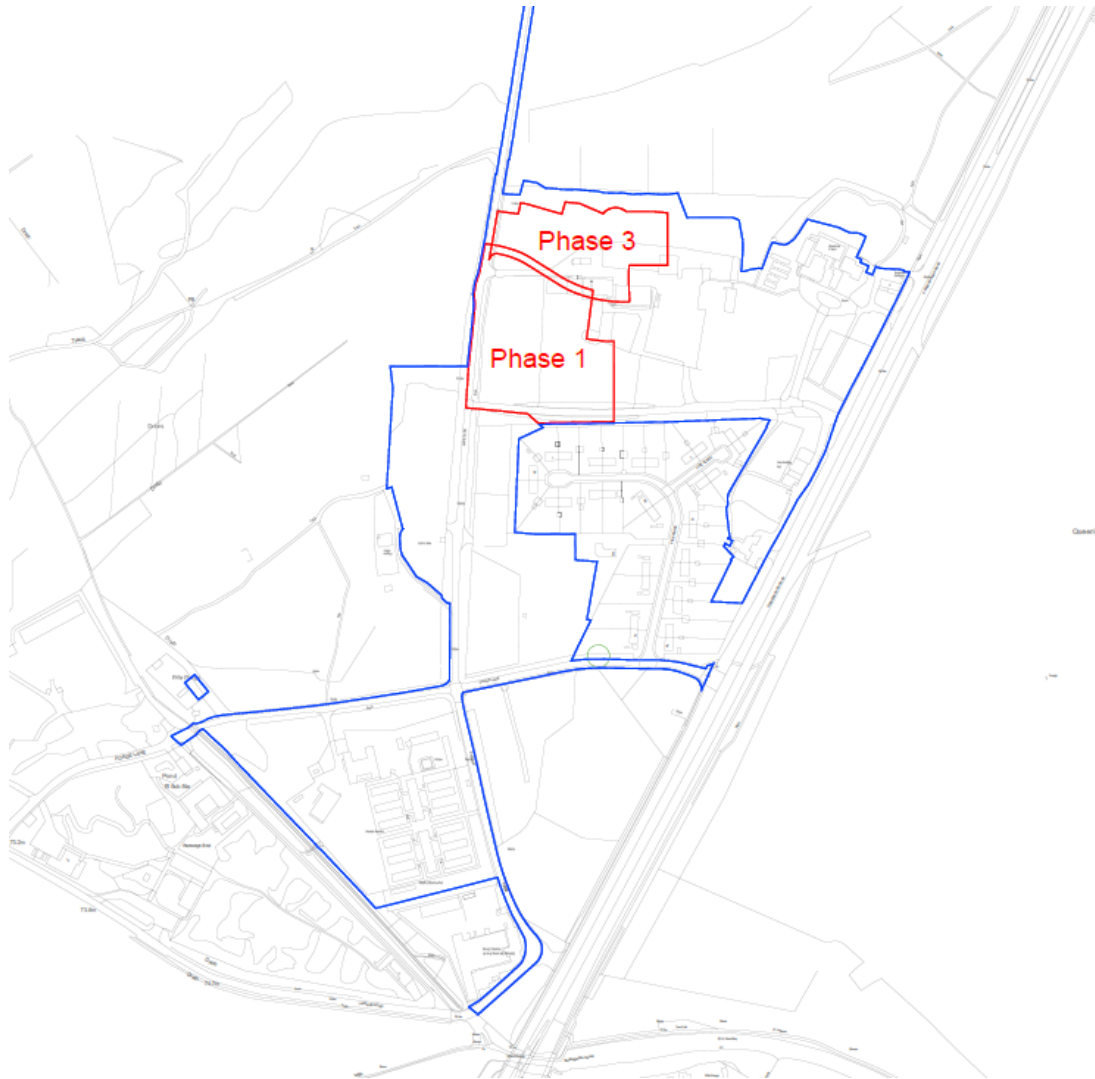


Figure 1 – Phase 1 & 3 in context

WIDER BLANDFORD HOUSE AND MALTA BARRACKS DEVELOPMENT SITE

The wider Blandford House and Malta Barracks Development Site of approximately 26.1 hectares lies on land between the Army Golf Club to the west, the A325 to the east and immediately to the north of the Basingstoke Canal. The site comprises previously developed land within a woodland setting. The land was made surplus to requirements by the Ministry of Defence (MoD) and Defence Infrastructure Organisation (DIO).

Access to the development site is from Farnborough Road via Forge Lane from the south/southeast, and from Government Road to the north, via Shoe Lane. Forge Lane and Shoe Lane both intersect the site and connect to Laffan's Road at the southern end of the site.

The site includes Blandford House, a large detached former military residence, which is designated as a Building of Local Importance and set within extensive grounds. There are several other Buildings of Local Importance within the grounds of Blandford House. Aldershot Military Conservation Area lies outside the site, to the east side of Farnborough Road.

Malta Barracks, a former disused army barracks, is located in the south of the site, immediately to the north of the TA Centre and to the east of Runways End Outdoor Centre. Malta Barracks comprises a number of low-level buildings and hard standing.

The site wraps around Vine Close, a small development of military housing, which was not included in the allocation for the development site. Forge cottage, a single property to the west of Shoe Lane, falls within the site allocation but was not included in the Hybrid Outline Application Site

Extensive areas of woodland surround both Blandford House and Malta Barracks. The woodland largely comprises of the consented Blandford Woods SANG and the existing Wellesley SANG. The northern areas of woodland lie adjacent to the Army Golf Course. The Basingstoke Canal (Conservation Area and Site of Special Scientific Interest) and Wellesley Woodlands SANG lie immediately to the south.

The northernmost part of the application site (within the consented SANG) falls within a Site of Importance for Nature Conservation Interest (SINC) that largely covers the adjacent golf course (Army Golf Course – East). Shoe Lane, includes a Road Verge of Ecological Importance. These are both sites of local importance.

The site is close to two statutory designated sites of European Importance: The Thames Basin Heaths Special Protection Area (TBH SPA) (nearest part 700m to the west) and Thursley, Ash, Pirbright and Chobham Special Area of Conservation (TAPC SAC) which lies 3.5km to the north-east of the site.

Bourley and Long Valley SSSI lies 0.8km lies to the south-west of the site. The Basingstoke Canal Site of Special Scientific Interest lies adjacent to the southern boundary of the site. These are both sites of national importance. Watts Common Site of Importance for Nature Conservation (SINC) lies directly adjacent to the northern boundary of the site and is of local importance.

Phasing and Retained Buildings of Local Importance

Redrow have submitted a phasing plan in accordance with Condition 5 of the Outline Consent. There are no buildings of local importance (locally listed buildings) in Phase 1. The Phase 1 Reserved Matters Area represents a relatively small phase located in the northernmost part of the development site, with access from Shoe Lane. At the time of writing this report four RMAs have been submitted to the Local Planning Authority for consideration. Phase 2, which is currently undergoing substantial amendments, incorporates the locally listed Vine Cottage, which is proposed to be retained in residential use in accordance with the Outline Consent. Whilst not a material planning consideration, Redrow are aware of the local interest in Vine Cottage, specifically in the existing mature vine growing within its glazed lean-to. In this regard, Redrow have engaged with a vine specialist who has reviewed the health and condition of the

vine and has carried out some maintenance works to retain it.

Blandford House, the key locally listed building within the development site, falls within Phase 6. This phase is yet to be submitted as part of a Reserved Matters Application. The Outline Consent identifies Blandford House as delivering residential accommodation through conversion. However, Redrow have confirmed that they are *“in the process of preparing an application for the area around Blandford House. This will be submitted to the Council in the coming months. Blandford House is currently being marketed for sale with the potential to be re-used as offices or a nursery, in line with the current use class. The application, which will include the area around the building will therefore assume an office use or similar. It is of no benefit to Redrow to keep this building vacant and we are committed to ensuring an appropriate use which retains the original and historic elements of the building.”*

THE PROPOSAL

This Reserved Matters Application (RMA) is for Phase 1 of the residential redevelopment of the Blandford House & Malta Barracks Development Site. Phase 1 would deliver 9 private detached two-storey houses together with an area of Strategic Open Space. The red line of the application site incorporates 3 vehicular access points off Shoe Lane. Six of the houses would be arranged along an internal access road (green lane/drive) facing Shoe Lane to the west, set behind a landscaped buffer and retained trees. Three houses would be clustered along the southern side of the proposed secondary road to the north, with access Shoe Lane.

During the course of the application amendments to the proposals have been secured to ensure compliance with the Council's parking standards and to demonstrate adequate vehicular access and tracking for service vehicles. A considerable amount of work has been undertaken in relation to the preparation of site-wide Ecological Management Plan, to demonstrate Biodiversity Net Gain as a result of the development.

NOTIFICATION

Application Publicity & Neighbours Notified

In addition to posting two (2) site notices and a press advertisement, thirty-nine (39) letters of notification were sent to neighbouring owner/occupiers. The overall consultation period expired on 18th February 2022.

A representation of objection has been received from one (1) individual address, 24A Vine Close, Aldershot.

The comments have been received via Public Access and by follow up email. The comments are summarised below:

- Beneficial economic development
- Contrary to Government advice
- Contrary to local planning policies
- Damage to SSSI's
- Effect upon Air Quality
- Environmental improvements
- Good development
- Ground contamination
- Loss of light

- Loss of trees
- Noise & Disturbance
- Overlooking / loss of privacy
- Traffic Congestion – Highway Safety
- Unacceptable design or appearance
- Unacceptable size, layout or density
- Visual harm

Summary of further written comments (paraphrased):

- The development appears to be steamrolling ahead without regard to an agreed consultation process
- The affordable housing should be distributed throughout the wider development
- Concern regarding impact on existing utilities and services
- Concern regarding management responsibilities/covenants
- Concerns regarding the impact of the construction process on existing residents

Case Officer's Response:

It is noted that the objector's comments relate to the site wide development without specific reference to the design of Phase 1. Any material planning considerations which have been raised above are addressed in the relevant sections of the committee report below.

The objector has commented that a consultation process has not been agreed. There is no statutory mechanism to agree the planning consultation process with neighbouring owners/occupiers. The objector was consulted in relation to the Hybrid Outline Planning Permission and has been consulted on each of the Reserved Matters Applications received to date. The consultation process has been carried out fully in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015

Consultees & Other Bodies

HCC Highways Development Planning: Provided detailed comments and advice on road layout and vehicle tracking, noting that the roads will not be offered for adoption.

Noted that Conditions 6 and 7 of the Outline Permission concern pedestrian and cycle access to and from the site/wider site and require details to be approved.

Response: Amendments and further tracking diagrams have been submitted during the course of the application to address HCC comments. Details have also been submitted by the Applicant in relation to Conditions 6 & 7 (ref: 22/00397/CONDPP) and are currently under consideration in consultation with the Local Highway Authority (HCC).

HCC Senior Archaeologist: (Summarised/Paraphrased):

The application should not be determined until a Written

Scheme of Investigation for Archaeological Evaluation is submitted and approved in relation to Phase 1.

Case Officer's Response: During the course of this application, details relating to archaeology have been submitted and approved (ref: 22/00305/CONDPP dated 05.09.2022) in respect of Conditions 16, 17 and 18 of hybrid outline planning permission ref:17/00914/OUTPP. The conditions require details of a Written Scheme of Investigation, a Programme of Archaeological Mitigation of Impact and a Post-excavation Assessment to be submitted to the local planning authority for approval, in accordance with Local Plan Policy HE4 (Archaeology). These details relate to the wider development site.

Hampshire Fire and Rescue Service Provided detailed advice which has been forwarded to the developer for consideration

Hampshire Constabulary: Provided detailed advice which has been forwarded to the developer for consideration.

Severn Trent Services Ltd: No comments received.

South East Water Ltd: No comments received.

Southern Gas Network: No comments received.

Thames Water: No comments received.

Grainger Plc: No comments received.

Internal Consultees

RBC Environmental Health: Confirmed no objection.

RBC Housing Enabling Officer: Confirmed no objection.

RBC Ecology Officer: Confirmed no objection following detailed discussions and updates to the Ecological Management Plan as informed by the submission of a Biodiversity Net Gain Assessment.

RBC Conservation Officer: Confirmed no comment.

RBC Arboricultural Officer: No objections received.

RBC Community - Contracts: Confirmed no objection provided any private drives relied upon for access are constructed to withstand the weight of a large refuse truck.

Response: The Applicant has confirmed that the surfaces

would be would be suitable for a 32-tonne vehicle.

RBC Planning Policy: No comments received.

POLICY AND DETERMINING ISSUES

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 relevant to this proposal:

SS1	Presumption in Favour of Sustainable Development
SS2	Spatial Strategy
SP10	Blandford House and Malta Barracks
IN1	Infrastructure & Community Facilities
IN2	Transport
HE1	Heritage
HE3	Development within or adjoining a Conservation Area
HE4	Archaeology
DE1	Design in the Built Environment
DE2	Residential Internal Space Standards
DE3	Residential Amenity Space Standards
DE4	Sustainable Water Use
DE6	Open Space, Sport & Recreation
DE10	Pollution
LN1	Housing Mix
LN2	Affordable Housing
NE1	Thames Basin Heaths Special Protection Area
NE2	Green Infrastructure
NE3	Trees and Landscaping
NE4	Biodiversity
NE5	Countryside
NE8	Sustainable Drainage Systems

The Council's adopted supplementary planning documents (SPDs) 'Car and Cycle Parking Standards', 2017, Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy (AMS) as updated April 2022 and Aldershot Military Conservation Area Appraisal and Management Plan (RBC, February 2021) are also relevant.

The *National Planning Policy Framework (NPPF)*, which was revised and came into force on 19th February 2019 (amended June 2021), 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:

- The principle of development

- Housing tenure & mix
- Layout, design and appearance
- Transport, parking & access
- Impact on neighbours
- Living environment created for future residents
- Nature conservation and trees
- Pollution & remediation
- Flood risk & drainage
- Sustainable development
- Archaeology

COMMENTARY

The Principle of Development –

The principle of the residential redevelopment of the application site was established by Hybrid Outline Planning Permission ref: 17/00914/OUTPP and is consistent with Local Plan Policy SP10 (Blandford House and Malta Barracks). The proposed Phase 1 scheme would deliver residential dwellings together with an area of Strategic Open Space (Amenity Open Space) and Play Space (Equipped Play Space) in accordance with the principles set out in the approved Hybrid Outline Planning Permission’s Land Use Parameter Plan and Movement Parameter Plan (as amended by application ref: 22/00371/NMAPP).

The current application takes the form of a comprehensive Reserved Matters Application for Phase 1 of the residential development. In this regard, Condition 3 of the Outline Consent states *“No development (with the exception of the SANG and SANG car park and the demolition of the Category 1 buildings identified on drawing number 6048/PO1 Rev A shall take place in any Development Zone identified on Phasing Plan 2491-C-1106-SK3, until an application for details relating to appearance, landscaping, layout and scale of the development hereinafter called “the reserved matters” shall be submitted to and approved in writing by the Local Planning Authority in respect of that Development Zone/Reserved Matters Area...”* The RMA has been submitted in accordance with Condition 3, which includes a full list of the details to be addressed by each Reserved Matters Application (RMA).

Housing Tenure & Mix –

The scheme represents Phase 1 of the Blandford House and Malta Barracks residential development and would provide 9 private market detached two-storey dwellings (3 x 3-bedroom, 4 x 4-bedroom and 2 x 5-bedroom).

The following site wide quantum of affordable housing has been agreed as part of the approved Affordable Housing Strategy, and secured by the s106 legal agreement, in accordance with Local Plan policies LN1 (Housing Mix) and LN2 (Affordable Housing):

Total No. Units (not including existing dwellings)	Private (70%)	Total Provision (AHU) 30%	Affordable Rent (AR) 70%	Shared Ownership (SO) 30%
176	123	53	37	16

The Applicant has advised that it is intended that Phase 1 will be used as temporary sales

units/show homes. A planning condition is proposed to seek further details of this proposed use. Given this and due to the relatively small size of this phase (9 of the 176 new dwellings proposed), the Council's Housing Enabling Officer has raised no objection to the absence of any affordable housing in Phase 1.

Layout, Design & Appearance -

The Planning Statement and Design Statement submitted with this Reserved Matters Application (RMA) refer to the Design and Access Statement (DAS) approved as part of the Outline Planning Permission. The application demonstrates how the proposed Phase 1 scheme has been guided by the DAS and the approved Parameter Plans of the Outline Consent.

The approved Land Use Parameter Plan details pockets of residential development focussed on areas of previously developed land, set in the context of retained buildings and wooded areas. In respect of Phase 1, the submitted Design Statement identifies this site as being located in the Shoe Lane Character Area. In this regard the submitted Planning Statement confirms *"The Shoe Lane Character Area emphasises the quiet rural nature of the road, and states that buildings proposed within this area should be set back from the road and screened by trees. As such the illustrative masterplan proposes predominantly detached, two-storey dwellings within this character area, allowing for existing hedgerows, trees and vegetation to be retained in places to provide natural screening and retaining the rural character of the road."*

Phase 1 would deliver 9 private detached two-storey houses together with an area of Strategic Open Space in accordance with the Outline Planning Permission's approved Land Use and Access & Movement Parameter Plans. Six of the proposed houses would be arranged along an internal access road (green lane/drive) fronting on to Shoe Lane to the west, set behind a landscaped buffer. A further three houses would be clustered at the northern end of the application site, along the southern side of the proposed secondary road leading off Shoe Lane.

The Blandford House & Malta Barracks Development Site is not within a conservation area and the Phase 1 scheme would not involve or affect the setting of any locally or statutory listed buildings. A variety of house types are proposed. The RMA confirms that the architectural character of the proposed houses will complement the local vernacular using similar and established materials, details and features. In this regard the Planning Statement confirms *"the materials will primarily include red or red-brown brick, with some render and timber with contrasting bricks used for details. Roofs will be finished in brown roof tiles, and white framed windows will be used across the development."*

It is considered that the layout of the development would comply with the approved Outline Planning Permission Parameter Plans and the detailed design and appearance of the scheme would accord with the principles set by the approved Design & Access Statement. As such, subject to the imposition of a planning conditions to seek further details of the proposed materials; it is considered that the proposed scheme would result in good quality residential development which would be compatible with the existing character and appearance of the area. The proposal therefore accords with Local Plan policies SP10 (Blandford House and Malta Barracks), DE1 (Design in the Built Environment) and HE1 (Heritage).

Highways Considerations -

Details of the site layout, roads, footpaths, means of access, have been submitted with the Reserved Matters Application in accordance with the requirements of Condition 3 of the Hybrid

Outline Planning Permission. A Transport Assessment, Travel Plan and Highways Improvements were approved/secured as part of the Outline Permission for the wider development.

It is considered that the proposed road layout and means of access for Phase 1 is consistent with the principles set out in the approved Hybrid Outline Planning Permission's Movement Parameter Plan (as amended by 22/00371/NMAPP).

Access & Parking

Policy IN2 (Transport) requires new development to provide appropriate parking provision in accordance with the Council's 'Car and Cycle Parking Standards' Supplementary Planning Document (SPD) (adopted in November 2017). There is a presumption that the parking standard (including the visitor parking requirement) should be provided in full.

The red-line polygon of the application site incorporates three vehicular access points off Shoe Lane. Six of the proposed houses would be arranged along an internal access road (private drive) facing Shoe Lane to the west, set behind a landscaped strip. The three proposed northernmost houses would be located on the southern side of a proposed primary road leading off Shoe Lane. A footpath would be provided through the amenity open space, in accordance with the approved Movement Parameter Plan. The Applicant has confirmed that the roads would be private and would not be adopted by the Highway Authority (Hampshire County Council).

The proposed development of nine houses (3 x 3-bedroom, 4 x 4-bedroom and 2 x 5-bedroom) would provide off-street parking in accordance with the Council's parking standards which require one car parking space per 1 bedroom dwelling, two spaces for 2/3 bedroom dwellings and three spaces for every residential property of 4 or more bedrooms. It is noted that Principle 10 of the SPD states that garages provided for new development will not be counted as parking spaces. Therefore, whilst some of the dwellings would benefit from garages, these spaces have not been counted.

The amended layout would provide two visitors' spaces in accordance with the Council's parking standards which require 1 visitor parking space for every 3 x 1 bedroom property and 1 visitor parking space for every 5 properties of 2 or more bedrooms.

The Council's parking standards require cycle storage provision of 1 space per 1-bed dwelling and 2 spaces per 2-bed plus dwelling. In the case of the individual houses proposed, it is envisaged that bicycles would be stored within the private garages or sheds within the curtilage of the dwellings.

Hampshire County Council (HCC) (Transport Planning) were consulted in relation to the Reserved Matters Application (and subsequent amendments) and have provided detailed comments and advice. Noting that the roads will not be offered for adoption, HCC are now satisfied with the amendments to the road layout and parking provision for Phase 1.

It is also noted that Conditions 6 and 7 of the Outline Permission concern pedestrian and cycle access to and from the site/ wider site. These details have been submitted by the Applicant (ref: 22/00397/CONDPP) and are currently under consideration in consultation with the Local Highway Authority (HCC).

A condition is proposed to ensure that the parking spaces are implemented and allocated as detailed on the approved plans and retained for the life of the development.

During the course of the planning application, amendments to the plans have been secured to ensure that the development would meet the Council's parking standards for the number of private parking and visitors' spaces provided, and to demonstrate adequate road layouts, visibility splays and tracking for service/refuse vehicles.

Refuse and Recycling Storage

The proposed development would be serviced by the Council's Community Contracts Team and they have been consulted in relation to the detail of the proposals. No concerns are raised in relation to bin storage given that the proposals comprise private detached houses. During the course of the planning application, amendments to the plans have been secured to improve vehicle tracking for service/refuse vehicles. The developer has also confirmed that where refuse vehicles would be expected to enter private road areas, the road surface would be suitable for a 32-tonne vehicle.

Construction Traffic Management Plan

A Construction Traffic Management Plan (CTMP) was submitted with the Reserved Matters Application in accordance with the requirements of Condition 3 of the Outline Approval. The report sets out the overall framework for managing the movement of construction and delivery traffic to and from the site, ensuring the use of appropriate routes and minimising any impacts. An updated version of the CTMP has been approved in respect of Condition 15 of the Outline Approval under planning reference 22/00985/CONDPP in consultation with the Council's Environmental Health Officer and the Highway Authority (HCC).

Impact on Neighbours –

The closest adjoining residential properties to Phase 1 are located within Vine Close to the south east. The back gardens of four of the existing houses adjoin the Phase 1 application site but would be separated by a proposed internal access road and landscaping. The proposed dwellings in Phase 1 primarily front Shoe Lane with a significant area of Strategic Open Space to the east/rear. This would buffer the proposed development from the existing dwellings in Vine Close.

A letter of objection has been received from one neighbouring occupier within Vine Close. The objections raised include concerns relating to overlooking, loss of privacy, loss of light and noise and disturbance. The objector's property does not adjoin the Phase 1 site and the comments appear to concern the wider residential development as a whole.

Given the scale and nature of the proposed development and the separation from existing dwellings, it is not considered that the proposed dwellings would result in any unacceptable impact on properties within Vine Close by reason of overlooking, loss of outlook, loss of privacy or disturbance. Taking into account the context of the site, the residential nature of the proposed use, and the proposals for future residential phases adjoining the site, is considered that proposed development would be compatible with and would not result in any demonstrable harm to the amenities of neighbouring occupiers and uses, in accordance with Local Plan policy DE1.

The objector also raised concerns relating to the construction period. In this regard, planning conditions are proposed to restrict the hours of construction and to ensure compliance with the approved Construction Traffic Management Plan and Construction Environmental

Management Plan (ref: 22/00985/CONDPP).

Living Environment Created for Future Residents –

Phase 1 would deliver nine (9) detached 3, 4 and 5-bedroom private market dwellings. The properties would all exceed the minimum internal space standards defined in The Ministry of Housing, Communities and Local Government's *Technical Housing Standards* (2015), which are reflected in Policy DE2 (Residential Space Standards) of the Rushmoor Local Plan. The properties would also benefit from private gardens which would exceed the minimum of 30m² required for family houses, in accordance with Rushmoor Local Plan Policy DE3.

It is considered that the proposed development would provide new dwellings of a generous size and efficient layout with sufficient natural light, ventilation, together with access to private and public amenity space. Adequate spacing would be provided between dwellings and habitable room windows to safeguard against loss of privacy and outlook. A condition is proposed to seek full details of external lighting for the development.

The proposed Strategic Open Space (Amenity Open Space) in the east of Phase 1 would incorporate an equipped area of play as shown on drawing 7550.P1_PSD.3.0A Playspace Plan. The Planning Statement explains that the play area "*...will be set within the existing trees at the site, utilising the woodland to provide areas of exploratory play. The proposed equipment includes a see saw, balancing ropes, stepping logs, hammock swing, wobble board and climbing logs. It is proposed for all of the materials to reflect the woodland setting of the playspace.*" The provision of open space and equipped play space within Phase 1 would comply with the outline planning permission's Land Use Parameter Plan. The Amenity Open Space and Equipped Play Space is secured by the terms of the s106 Legal Agreement and Conditions 19 and 20 of the Hybrid Outline Planning Permission.

A Noise Report was submitted with the Phase 1 RMA. Since the submission of the report, the site area for Phase 1 has been reduced in size, however the scope of the report remains relevant to the current scheme. The report recommends that standard double glazing with trickle ventilation will be sufficient to achieve a satisfactory internal noise environment for occupiers and confirms that external noise levels have also been assessed and are acceptable. The Council's Environmental Health Officer has reviewed the report and confirmed that the recommendations can be accepted.

Consultation comments and advice received from the County's Crime Prevention Design Officer and Fire and Rescue Services, have been forwarded to the Applicant for consideration.

It is therefore considered that the development would provide a satisfactory living environment for future residents, in accordance with Local Plan policies DE1, DE2, and DE3.

Environment, Nature Conservation & Trees

The Hybrid Outline Planning Application proposals were screened for the purposes of the Environmental Impact Assessment Regulations 2011 (as amended 2015) and was not considered to be EIA development (Planning Ref: 17/00245/SCREEN dated 05/05/2017). No significant environmental effects were identified, and it was considered that any potential environmental effects could be addressed satisfactorily and conventionally at the planning application stage through the submission of supporting information and/or imposition of planning conditions. The Hybrid Outline Planning Application was accompanied by an Ecological Impact Assessment and Shadow Habitats Regulations Assessment (HRA).

Details of landscaping together with an Ecological Management Plan and updated Arboricultural Development Statement have been submitted with the Reserved Matters Application in accordance with the requirements of Condition 3 of the Hybrid Outline Planning Permission. A Construction Environmental Management Plan (CEMP) has been approved (ref: 22/00985/CONDPP) in respect of Condition 14 of the Outline Approval in consultation with the Council's Environmental Health Officer and Ecology Officer.

The residential areas detailed on the Hybrid Outline Planning Permission's approved Land Use Parameter Plans (as amended by 22/00371/NMAPP) focus primarily on pockets of previously developed land. However, together with areas of hardstanding and structures, these areas do contain existing trees and vegetation, and given the relatively large size of the scheme, it was accepted that in granting the outline consent, a significant number of trees and vegetation would require removal to facilitate the development.

Ecology & Biodiversity Net Gain

Paragraph 174 of the National Planning Policy Framework (NPPF) (amended July 2021) states that "*Planning policies and decisions should contribute to and enhance the natural and local environment by; minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*". Paragraph 179 requires the promotion of "*the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity*".

Since the approval of the Outline Permission, the Environment Act 2021 has introduced a statutory footing for securing measurable net gains for biodiversity, requiring a 10% minimum uplift post-development. It is expected that this will become a statutory requirement from November 2023. Rushmoor Borough Council has an expectation that all major planning applications, including those with 10 or more dwellings or over 1000sqm of commercial floorspace, should seek to attain a minimum 10% net gain in biodiversity value as a result of development, ahead of statutory obligation.

Condition 3 (15) attached to the Hybrid Outline Planning Permission (17/00914/OUTPP dated 15/05/2020) requires the submission for approval in writing of an Ecological Management Plan in respect of each Reserved Matters Application (RMA). In this regard, a Phase 1 Ecological Management Plan (October 2021) was submitted in support of the first RMA.

The Council's Ecology Officer reviewed the RMA submission and commented that the Phase 1 Ecological Management Plan focussed primarily on protected species with less emphasis on addressing the impact of the proposed development on biodiversity at a habitat level. Measures to avoid, mitigate, and where appropriate, compensate for adverse impacts (on protected species) resulting from development were proposed but the plan lacked a comprehensive site-wide evaluation which quantified the extent to which existing habitats present would be retained, enhanced, or lost to development. This assessment does not cover the proposed Blandford Woods SANG site area, which already benefits from full planning permission.

Given the planning policy context outlined above, the Council's Ecology Officer has worked very closely with the Applicant to secure a site-wide Biodiversity Net Gain Assessment which has informed an updated Ecological Management Plan/s for the Blandford House & Malta Barracks Development Site (excluding the SANG).

The site-wide BNG strategy includes the following measures:

- Increasing the number of 'Urban Trees' originally proposed to compensate for some canopy loss
- Converting ornamental scrub in Phase 2 to native scrub
- Retention and enhancement of the woodland corridor located to the south-west of Vine Close (amounting to 547m²)
- Enhancement of beech woodland and in the central northern part of the site, along with other woodland areas
- Provision of 4 new permanent ponds
- Provision of native hedgerows, on a more than like for like basis.
- Provision of 22 bat boxes, 58 bee bricks, 24 bird boxes, 5 hedgehog domes and 10 reptile habitat features

Whilst not included in the BNG Assessment, the RMA acknowledges the 'off-site' enhancements that have already been secured by the approved Blandford SANG which include wide-scale woodland enhancement throughout the SANG, being brought under long-term management by the Land Trust. These include the removal of non-native scrub (Rhododendron and Cherry Laurel), and the creation of new rides. These off-site enhancements are secured through a SANG Environmental Management Plan (SANG EMP), which is required by Condition 23 of the Outline Planning Consent and has been approved under planning reference: 21/00882/CONDPP.

The Council's Ecology Officer has commented "*The Metric now concludes a biodiversity net gain of 13.72% post-development when assessed against a predevelopment ecological baseline. This enables a conclusion that the development as proposed is able to attain above a minimum of 10% net gain in biodiversity value and therefore achieves Rushmoor Borough Council expectations for this development in that regard.*" The Ecology Officer notes "*The DEFRA Metric referenced above addresses ecological losses and gains as relates to habitats only. Legally protected species present at the development site will need to be subject to separate consideration, in line with best practice impact avoidance and mitigation methodologies in order to ensure no breach of statutory obligations regarding these species.*"

Conditions are proposed to ensure that the development is implemented strictly in accordance with the approved Environmental Management Plan and to seek updated landscaping and planting plans to secure the detailed recommendations (biodiversity enhancements) of the approved Ecological Management Plan, specifically in respect of Phase 1.

It is therefore considered that subject to appropriate safeguarding conditions, the proposed scheme would mitigate any adverse impacts on wildlife and ecologically sensitive receptors and would secure opportunities for biodiversity enhancement in accordance with Local Plan policy NE4 (Biodiversity).

Thames Basin Heaths Special Protection Area

The wider Blandford House & Malta Barracks Development Site will deliver 13.7ha of Suitable Alternative Natural Greenspace (SANG) designed to avoid or mitigate any potential adverse effects on the Thames Basin Heaths Special Protection Area (TBH SPA) through increased recreational use such as dog walking. The SANG was approved as part of the hybrid outline planning permission ref: 17/00914/OUTPP and is secured by s106 legal agreement, together with Strategic Access and Monitoring (SAMM) contributions.

The SANG has been designed to serve as mitigation not only for the residential redevelopment of Blandford House and Malta Barracks, but also for other future 3rd party residential schemes within the Borough which lie within 5km of the SANG boundary, for example within Aldershot Town Centre. In this regard, the approved SANG Delivery Strategy confirms that the proposed SANG would provide sufficient capacity for 1,717 people. Therefore, based on an average occupancy rate of 2.4 people per dwelling (ppd) (as set out in RBC's TBH SPA Avoidance and Mitigation Strategy) the proposed Blandford Woods SANG would have capacity for 715 residential units, a significant overprovision.

The residents of Phase 1 would have direct access to the Blandford Woods SANG via Shoe Lane. The provisions of the s106 legal agreement and conditions of the Hybrid Outline Planning Permission would ensure that the development SANG is delivered and accessible prior to first occupation of any part of the residential development as approved.

It is therefore considered, taking into account these mitigation measures, that the proposals are not likely to have a significant effect, alone or in combination upon the nature conservation interest and objectives of the Thames Basin Heath Special Protection Area (SPA), in accordance with saved South East Plan Policy NRM6, Local Plan policy NE1 and Rushmoor's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy (AMS) as updated April 2022.

Trees

Notwithstanding the quantum of tree removal established in the Outline Approval, Condition 9 of the Hybrid Outline Planning Permission was imposed to seek details of an Arboricultural Development Statement (ADS), to include an updated Tree Removal Plan, prior to any removal of trees in any phase and prior to commencement in the relevant Reserved Matters Area (RMA). This was to ensure that no trees were removed unnecessarily prior to the detailed design stage of the development.

On 15/02/2022 an application for the removal of trees within an area that included the Phase 1 application site was approved under ref: 21/00989/CONDPP pursuant to Condition 9 of the Hybrid Outline Planning Permission. This was agreed on site with the Council's Tree Officer and Planning Officer in order to allow essential works to be carried out on site prior to the approval of the relevant RMA. The works included trenching for archaeology and to ensure that priority trees were removed before the bird nesting season. The trees in question were all located in areas identified for residential development on the approved outline parameter plans, and their removal was necessary to facilitate the development.

The Phase 1 RMA is accompanied by an updated Arboricultural Development Statement in accordance with Condition 3 (20) of the Hybrid Outline Planning Permission. The statement provides updates to the proposed tree removal together with tree retention plans. Details of protection measures for those trees to be retained are also included.

The Planning Statement submitted with the RMA describes how some of the existing significant mature trees located along the western boundary with Shoe Lane would be retained and have been incorporated into the design of Phase 1. Furthermore, a significant area of existing Beech woodland would be retained and enhanced to the east of the houses, within the proposed Strategic Open Space. The landscaping proposals submitted with the RMA include mitigation tree planting which includes both woodland planting and new street trees.

The Council's Arboricultural Officer was consulted in relation to the Phase 1 RMA and has raised no objection to the proposals. Conditions are proposed in respect of detailed planting

proposals and to ensure that the tree protection measures set out in the updated Arboricultural Development Statement, are fully implemented in accordance with Local Plan policy NE3 Trees and Landscaping.

Pollution & Remediation –

Local Plan policy DE10 (Pollution) seeks to ensure that developments do not give rise to or are not subjected to unacceptable levels of pollution.

Contaminated Land

A Geotechnical and Geo-environmental Site Investigation report relating to all phases of the proposed residential development, has been submitted to and approved in writing by the Local Planning Authority (ref: 22/00306/CONDPP). These details are pursuant to Condition 11 (site investigation and remediation) of the Hybrid Outline Planning Permission.

In this regard, the Council's Environmental Health Officer previously commented "*The report has identified elevated concentrations of lead and PAHs within some areas of made ground, and recommends that a 600mm capping layer of clean soil be laid in gardens and landscaped areas where made ground is present. All top soils and natural soils are considered suitable for re-use on site. No ground gas precautions are considered necessary and there are no apparent issues with regards ground water.*"

It is also noted that Condition 12 of the Hybrid Outline Planning Permission requires prior to first occupation of any Reserved Matters Area, the approval of a verification report, to be submitted to demonstrate effective compliance with the contamination remediation works as approved. Further, Condition 13 of the Hybrid Outline Planning Permission seeks to ensure that suitable additional remedial measures be submitted to the Council for approval, in the event that previously unidentified contamination is discovered during construction.

Air Quality & Construction Impacts

An Air Quality Assessment was submitted with the Hybrid Outline Planning Permission application and was assessed by the Council's Environmental Health Officer, who raised no objection to the findings and recommendations. The impact of the development on air quality when complete and operational would be negligible for both existing receptors and new occupants.

A Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority (ref: 21/00985/CONDPP). These details relate to all phases of the proposed residential development and are pursuant to Condition 14 (CEMP) of the Hybrid Outline Planning Permission. The purpose of the CEMP is to reduce the risk of adverse impacts resulting from the construction of the development (including from noise, dust and lighting) on sensitive environmental resources and to minimise disturbance to local residents and other sensitive receptors.

Lighting

A condition is proposed to seek full details of external lighting for the development. This is to ensure that any proposed lighting scheme will safeguard residential amenity without resulting in undue adverse impacts on local on ecological receptors in accordance with the approved Environmental Management Plan, in accordance with Local Plan policies DE10 (Pollution) and NE4 (Biodiversity).

Flood Risk & Drainage –

The Hybrid Outline Planning Application was accompanied by a Flood Risk Assessment and a Flood Risk & Utilities Statement. Potential flood risks in the area include surface water flooding and overtopping or breach of the Basingstoke Canal. However, the site is located in Flood Risk Zone 1, which means it is at the lowest risk of flooding. Taking into account the characteristics of the site and the nature of the wider proposals, and subject to mitigation measures in the form of Sustainable Drainage Systems (SuDS), the assessment concluded that there are no significant sources of flood risk that would affect the site.

Local Plan Policy NE8 (Sustainable Drainage Systems) requires the implementation of integrated and maintainable SuDS in all flood zones for both brown field and greenfield sites. The Applicant's Reserved Matters Application Planning Statement describes the Sustainable Urban Drainage Solution (SuDS) proposed for the wider Blandford House & Malta Barracks Development Site, which includes a pond located to the north of the Phase 1 and refers to SuDS treatment and storage beneath a permeable paved roadway within the Phase 1 site.

Technical details relating to a surface water drainage scheme have been submitted in relation to the northern part of the wider development site under application ref: 22/00372/CONDPP, in accordance with Condition 10 of Hybrid Outline Planning Permission ref:17/00914/OUTPP. Hampshire County Council (Lead Flood Authority) were consulted in relation to those details, and following a request and receipt of further technical details, they have confirmed no objection to the Phase 1 proposals.

Sustainable Development -

Local Plan Policy DE1 expects proposals to '*promote designs and layouts which take account of the need to adapt to and mitigate against the effects of climate change, including the use of renewable energy*'. In this regard, it is noted that the Planning Statement outlines that the dwellings will incorporate a range of design and energy efficiency measures which aim to minimise and reduce carbon dioxide emissions and confirms that the new dwellings will meet the water efficiency standard of 110 litres per person per day, in line with Policy DE4 (Sustainable Water Use). A compliance condition and informative is proposed in respect of the water efficiency standard.

Archaeology -

During the course of this application, details relating to archaeology have been submitted and approved (ref: 22/00305/CONDPP dated 09/05/2022) in respect of Conditions 16, 17 and 18 of hybrid outline planning permission ref:17/00914/OUTPP. The conditions require details of a Written Scheme of Investigation, a Programme of Archaeological Mitigation of Impact and a Post-excavation Assessment to be submitted to the local planning authority for approval, in accordance with Local Plan Policy HE4 (Archaeology).

The County Archaeologist was consulted in relation to the details, commenting "*I can confirm that I endorse the submitted archaeological evaluation report and that it meets the requirements of condition 16. Furthermore, the results from the archaeological evaluation indicate that the site has been the subject of wide ranging previous disturbance and that any archaeological potential has been compromised. As such, no further archaeological work should be required. On this basis, I can recommend that conditions 16, 17 and 18 be discharged.*" Therefore, no further conditions are proposed in relation to the RMA.

Conclusion

The Reserved Matters Application Phase 1 scheme sufficiently reflects the terms of the outline planning permission for the Blandford House and Malta Barracks Development Site, including the Land Use and Movement Parameter Plans (as amended). Subject to appropriate planning conditions, the development would not result in any unacceptable impacts on the character and appearance of the area, environmental conditions, on nature conservation or any adjoining heritage assets. The accommodation would provide an acceptable living environment for future occupiers and would not be harmful to the amenity of neighbouring occupiers or uses. The proposals would be acceptable in highway terms.

It is therefore considered that subject to compliance with the attached conditions, the existing planning conditions of the Hybrid Outline Planning Permission and the associated s106 legal agreement; taking into account the provisions of the Development Plan and all other material planning considerations, including consultee responses and representations, the proposal is acceptable. This also includes a consideration of whether the decision to grant permission is compatible with the Human Rights Act 1998.

FULL RECOMMENDATION

GRANT reserved matters approval subject to the following conditions and informatives:-

Time limit

- 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.

Approved Plans

- 2 The permission hereby granted shall be carried out in accordance with the following drawings:
 - 20212 - S101-2 Site Location Plan
 - 20212 - S102-2 Site Topographical Plan
 - 20212-P101 2D Proposed Site Layout Phase 1
 - 20212 P110-2 Plot 8 - Proposed Plans and Elevations
 - 20212 P111-2 Plot 9 - Proposed Plans and Elevations
 - 20212 P112-2 Plot 10 - Proposed Plans and Elevations
 - 20212 P113-2 Plot 11 - Proposed Plans
 - 20212 P114-2 Plot 11 - Proposed Elevations
 - 20212 P115-2 Plot 12 - Proposed Plans
 - 20212 P116-2 Plot 12 - Proposed Elevations
 - 20212 P117-2 Plot 13 - Proposed Plans and Elevations
 - 20212 P118-2 Plot 14 - Proposed Plans and Elevations
 - 20212 P119-2 Plot 15 - Proposed Plans
 - 20212 P120-2 Plot 15 - Proposed Elevations
 - 20212 P121-2 Plot 16 - Proposed Plans
 - 20212 P122-2 Plot 16 - Proposed Elevations
 - 20212 P130-2 Single Garage - Proposed Plans and Elevations

- 20212 P131-2 Twin Garage - Proposed Plans and Elevations
- 20212 - C101-2 Coloured Site Layout - Phase 1
- 20212 - C105-2 Coloured Street Scenes
- 20212 - P140 Phase 1 - Street Scene
- 20212-P107 2A Site Layout Building Materials
- 20212-P108 2A Site Layout Boundary Treatment
- 7550.P1_HSP.5.0 Rev E Hard Landscape Plan
- 7550.P1_PSD.3.0A Playspace Plan
- 20174-GS-Z1-XX-DR-C-1601-P5 Phase 1 Drainage Strategy
- 20174-GS-Z1-XX-DR-C-1801-P8 Phase 1 Site Levels and Contours
- 20174-GS-Z1-XX-DR-C-1958-P9 Phase 1 and 2 Refuse Vehicle Tracking
- 20174-GS-Z1-XX-DR-C-1959-P9 Phase 1 and 2 Fire Tender Tracking
- 20174-GS-Z1-XX-DR-C-1962-P7 Phase1 and 2 Junction and Forward Visibilities

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

Materials

- 3 A schedule of the materials (including samples where required by the Local Planning Authority) to be used for the external surfaces of the dwellings and the hard-surfaces within the development hereby approved, shall be submitted to and approved in writing by the Local Planning Authority, before the relevant part of the development to which they relate is commenced (excluding preparatory ground works), and this condition shall apply notwithstanding any indications to these matters which have been given in this application. The development shall be carried out in accordance with the approved details prior to first occupation of the relevant part of the development.

Reason – To ensure a satisfactory appearance for the development and to safeguard the character and appearance of the area.*

Ecological Management Plan

- 4 The development shall be carried out strictly in accordance with the Ecological Management Plan documents hereby approved (in so far as they relate to Phase 1), prior to first occupation of the development hereby approved:
 - Ecological Management Plan ref: Vf2 (Aspect Ecology, 21st October 2021);
 - Ecological Appraisal Addendum ref: Vf5 (Aspect Ecology, 21st October 2021); and
 - Biodiversity Net Gain Assessment ref: Vf4A (Aspect Ecology, 30th September 2022)

Reason - In the interests of nature conservation and biodiversity net gain.*

Landscaping, Planting and Biodiversity Enhancements

- 5 Prior to the first occupation of the residential development hereby approved, details of an updated landscaping, planting and biodiversity enhancement plan, to accord with the recommendations of the approved Ecological Management Plan, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to the first occupation of the residential development hereby approved and thereafter maintained in accordance with

the Ecological Management Plan. Any tree/shrub removed, dying or becoming seriously diseased within five years of planting shall be replaced by trees/shrubs of similar size and species to those originally approved.

Reason: In the interests of the character and appearance of the area, nature conservation and biodiversity net gain.*

Temporary Sales Units/Show Homes

- 6 No part of the site shall be used for temporary sales or marketing purposes associated with the development unless and until details have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the details shall include:
- (i) all operational development associated with the proposed sales and marketing activities; and
 - (ii) confirmation of the duration of the marketing/sales use and the timescale for the removal of any operational development that is not in accordance with a detailed planning permission in respect of the relevant part of the site. Once approved, the sales and marketing activities shall not be carried out other than in accordance with the agreed details. .

Reason: Due to the temporary nature of the proposals and in the interests of proper planning.*

External Lighting

- 7 Prior to the installation of any external lighting associated with the development hereby approved, a scheme for the provision of external lighting together with an Artificial Lighting Assessment (including the design, duration, intensity of illumination predicted lighting contours and retained dark corridors for the wider development site), to accord with the recommendations of the approved Ecological Management Plan, shall be submitted to and approved in writing by the Local Planning Authority. Any external lighting that is installed shall accord with the details so approved.

Reason: To safeguard the amenities of surrounding occupiers and to avoid any adverse impacts on ecologically sensitive local receptors.*

Parking spaces

- 8 The residents' and visitors' parking spaces shall be laid out and allocated in accordance with drawing 20212-P101 2D (Proposed Site Layout Phase 1) hereby approved prior to first occupation of the part of the development to which they relate, and shall be used only for the parking of vehicles ancillary and incidental to the residential use of the development.*

Reason - To ensure the provision and availability of adequate off-street parking and to safeguard residential amenity.

Arboricultural Development Statement

- 9 The development shall be carried out strictly in accordance with the Arboricultural Method

Statement V3 (RPS Group, March 2022) hereby approved, in so far as it relates to the Phase 1 RMA.

Reason - To safeguard retained trees on the site, to safeguard the character and appearance of the area and in the interests of biodiversity.

Construction Traffic/ Environmental Management Plan

- 10 The construction of the development shall be carried out strictly in accordance with the Construction Traffic & Environmental Management Plan Revision B (GHPC, March 2022 approved under details application ref: 21/00985/CONDPP granted 09/05/2022.

Reason - To safeguard the amenities of surrounding occupiers and to avoid any adverse impacts on ecologically sensitive local receptors, during the construction phases of the development.

Hours of Construction

- 11 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.

Sustainable Water Use

- 12 The dwellings hereby permitted shall be designed and implemented to meet the water efficiency standard of 110 litres per person per day.

Reason - To ensure that the development makes efficient use of mains water in accordance with Policy DE4 of the Rushmoor Local Plan.

Removal of PD Rights – Enlargement of dwellings

- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England), Order 2015 (or any Order revoking and re-enacting that Order) there shall be no enlargement or extension of the dwellings hereby permitted, including porches and any additions or alterations to the roof, without the prior permission of the Local Planning Authority.

Reason - To safeguard the character and appearance of the development and to protect the amenities of neighbouring occupiers.

Removal of PD Rights – Outbuildings

- 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 new building or enclosure shall be constructed within the curtilage of the dwellings hereby permitted, without the prior permission of the Local Planning Authority.

Reason - To safeguard the character and appearance of the development and to protect

the amenities of neighbouring occupiers.

INFORMATIVES

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

The proposal has been assessed against following policies of the Council's Development Plan (Adopted 21st February 2019): SS1 Presumption in Favour of Sustainable Development; SS2 Spatial Strategy; SP10 Blandford House and Malta Barracks; IN1 Infrastructure & Community Facilities; IN2 Transport; HE1 Heritage; HE3 Development within or adjoining a Conservation Area; HE4 Archaeology; DE1 Design in the Built Environment; DE2 Residential Internal Space Standards; DE3 Residential Amenity Space Standards; DE4 Sustainable Water Use; DE6 Open Space, Sport & Recreation; DE10 Pollution; LN1 Housing Mix; LN2 Affordable Housing; NE1 Thames Basin Heaths Special Protection Area; NE2 Green Infrastructure; NE3 Trees and Landscaping; NE4 Biodiversity; NE5 Countryside; NE8 Sustainable Drainage Systems.

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 Council's adopted supplementary planning documents (SPDs) 'Car and Cycle Parking Standards', 2017, Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy (AMS) as updated April 2022 and Aldershot Military Conservation Area Appraisal and Management Plan (RBC, February 2021) are also relevant.

The *National Planning Policy Framework (NPPF)*, which was revised and came into force on 19th February 2019 (amended June 2021), and The Department for Communities and Local Government's Technical Housing Standards (2015) are material considerations.

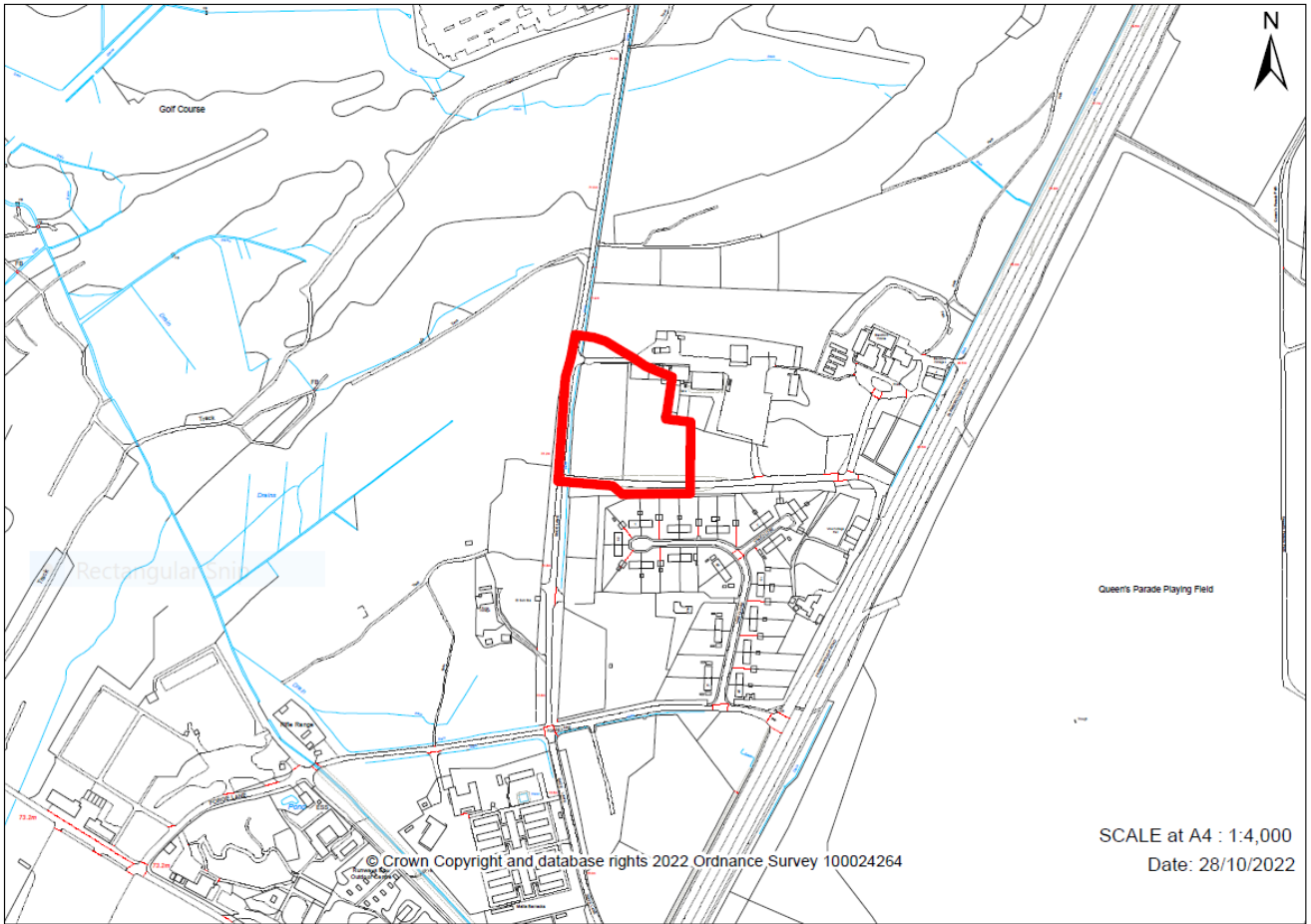
The Reserved Matters Application Phase 1 scheme sufficiently reflects the terms of the outline planning permission for the Blandford House and Malta Barracks Development Site, including the Land Use and Movement Parameter Plans (as amended). Subject to appropriate planning conditions, the development would not result in any unacceptable impacts on the character and appearance of the area, environmental conditions, on nature conservation or any adjoining heritage assets. The accommodation would provide an acceptable living environment for future occupiers and would not be harmful to the amenity of neighbouring occupiers or uses. The proposals would be acceptable in highway terms.

It is therefore considered that subject to compliance with the attached conditions, the existing planning conditions of the Hybrid Outline Planning Permission and the associated s106 legal agreement; taking into account the provisions of the Development Plan and all other material planning considerations, including consultee responses and representations, the proposal is acceptable. This also includes a consideration of whether the decision to grant permission is compatible with the Human Rights Act 1998.

2. 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 WORKS START ON SITE or, require works to be carried

out BEFORE COMMENCEMENT OF USE OR FIRST OCCUPATION OF ANY BUILDING. 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 discharge conditions or requests for confirmation that conditions have been complied with must be accompanied by the appropriate fee.

3. INFORMATIVE -The Applicant is reminded that there are a number of conditions attached to the original hybrid outline planning permission (ref:17/00914/OUTPP dated 15/05/2020) which remain applicable to the Reserved Matters Area and may also require details to be approved prior to the commencement of development.
4. INFORMATIVE - The Applicant is reminded that this permission and the original hybrid outline planning permission ref:17/00914/OUTPP dated 15/05/2020) is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
5. INFORMATIVE - The Applicant is advised in respect of Condition 12 (Sustainable Water Use) that compliance with this condition will need to be demonstrated when applying for Building Control Approval for the development. The Council strongly recommends that this condition is implemented having regard to the “fittings approach” set out in Table 2.2 of The Building Regulations 2010 (Part G).
6. 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.
7. INFORMATIVE - All wild birds and their nests are protected under the Wildlife and Countryside Act 1981 (as amended). If any trees are to be removed or buildings demolished during the bird breeding season (March-September inclusive) they should first be inspected by an experienced ecologist to ensure that no active nests are present. If an active nest is discovered it should be left in situ until the young have fledged.
8. 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.







Plots As: 11
Handed: 11



Front Elevation



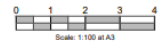
Side Elevation A



Rear Elevation



Side Elevation B

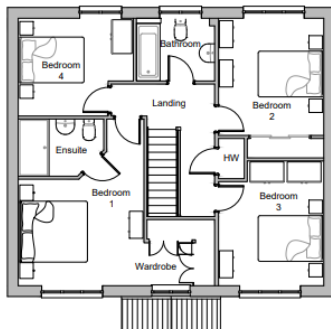


Scale: 1:100 at A3

Richmond
Heritage Collection
F Series
1000F 1000F
Revision Code: 01
Date: May 2019
R17/1000F 1000F
Rev. A



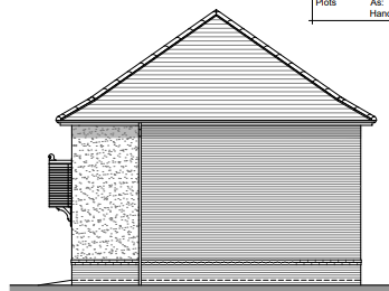
Plots As: 10
Handed: 10



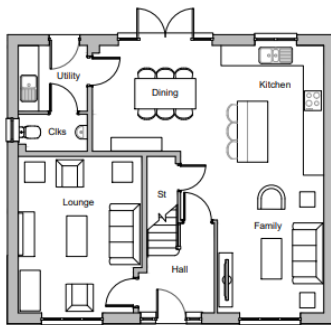
First Floor Plan



Front Elevation



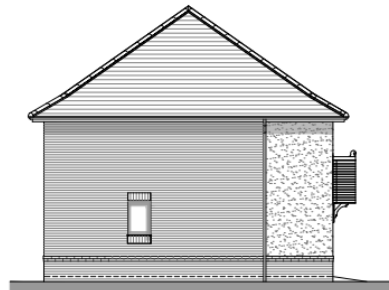
Side Elevation



Ground Floor Plan



Rear Elevation



Side Elevation

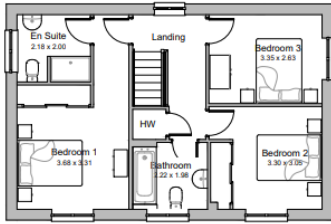


Scale: 1:100 at A3

Harrogate
Heritage Collection
F Series
1000F 1000F
Revision Code: 01
Date: Apr 2018
R17/1000F 1000F
Rev. A



Plots	As:
	Handed: 8

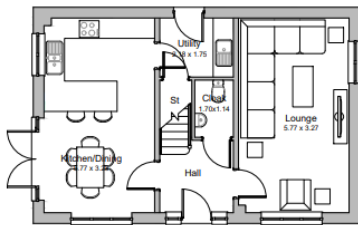


First Floor Plan



Front Elevation

Side Elevation



Ground Floor Plan



Rear Elevation

Side Elevation



Amberley
Heritage Collection
F Series
1:100 at A3
Amberley Group Ltd
Date: May 2018
Ref: 2008_041_2_Rev A



Plots	As:
	Handed: 12



Front Elevation



Side Elevation



Rear Elevation



Side Elevation



Henley
Heritage Collection
F Series
1:100 at A3
Amberley Group Ltd
Date: May 2018
Ref: 2008_041_2_Rev A



Plots
As: 3
Handed:



Front Elevation



Side Elevation A



Rear Elevation



Side Elevation B



Scale: 1:100 at A3

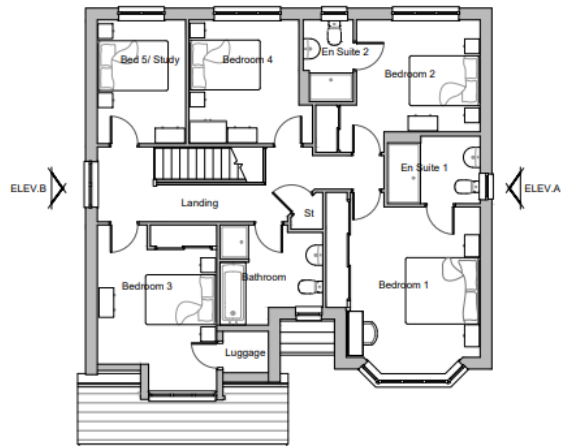
Hampstead
Heritage Collection
F Series
1000' 171.66m'
1000' 171.66m'
Date: 04.2021
RP: 24/08/2021



Plots
As: 3
Handed: 5



Ground Floor Plan



First Floor Plan



Scale: 1:100 at A3

Hampstead
Heritage Collection
F Series
1000' 171.66m'
1000' 171.66m'
Date: June 2021
RP: 24/08/2021





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	Maggie Perry
Application No.	22/00277/REMPP
Date Valid	14 th April 2022
Expiry date of consultations	14 th May 2022
Proposal	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.
Address	Blandford House and Malta Barracks Development Site, Shoe Lane, Aldershot, Hampshire
Ward	St. Marks
Applicant	Miss Tilly Wishaw, Redrow Homes Ltd
Agent	Savills
Recommendation	Grant

BACKGROUND

On the 15th May 2020 the Council granted hybrid outline planning permission ref: 17/00914/OUTPP for the development of up to 180 dwellings (including the conversion of Blandford House and retention of three existing dwellings) including access, internal roads, demolition of buildings, amenity space, green infrastructure and sustainable drainage systems (Matters for Approval - Access Only) to include FULL approval of details for the provision of 13.7ha of Suitable Alternative Natural Greenspace (SANG) and associated car park (18 spaces). The planning permission was granted subject to a s106 legal agreement.

Redrow Homes Ltd are delivering the residential element of the Outline Consent. The Blandford Woods SANG (Full Planning Permission) will be delivered by Grainger Plc and The Land Trust. This Reserved Matters Application represents Phase 3 of the residential development.

PHASE 3 SITE

The Phase 3 Reserved Matters Application Site is located in northwest corner of the Outline Application Site, bounded by and taking access from Shoe Lane to the west. This phase is located adjacent to the approved Blandford Woods SANG, directly north of Phase 1 and is approximately 0.73ha. The site comprises of a largely cleared area of woodland together with grassland, existing hardstanding and former military buildings consented for demolition. No existing residential or other uses adjoin the site. The Phase 3 site does not incorporate or affect the setting of any existing heritage assets.

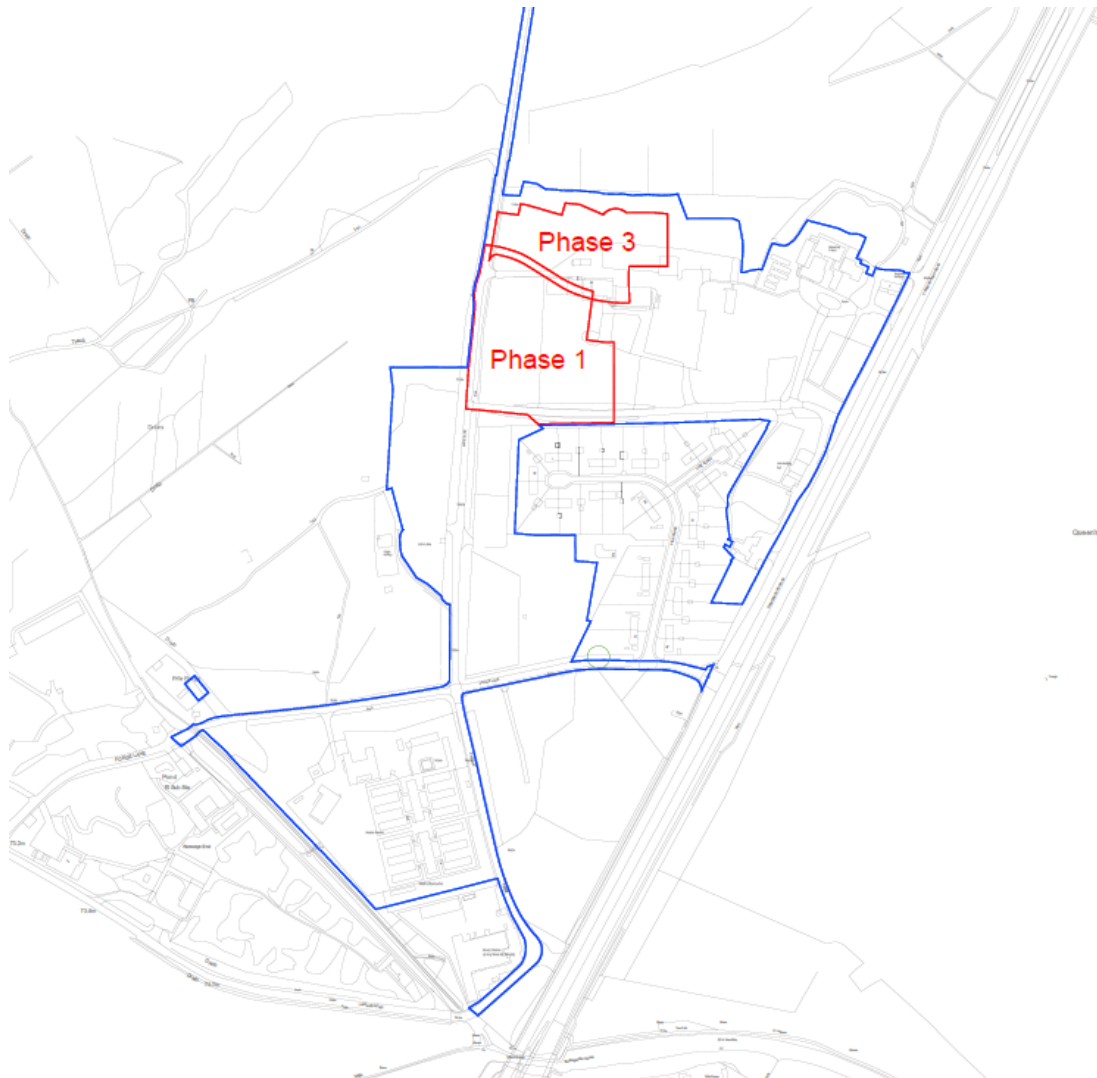


Figure 1 – Phase 1 & 3 in context

WIDER BLANDFORD HOUSE AND MALTA BARRACKS DEVELOPMENT SITE

The wider Blandford House and Malta Barracks Development Site of approximately 26.1 hectares lies on land between the Army Golf Club to the west, the A325 to the east and immediately to the north of the Basingstoke Canal. The site comprises previously developed land within a woodland setting. The land was made surplus to requirements by the Ministry of Defence (MoD) and Defence Infrastructure Organisation (DIO).

Access to the development site is from Farnborough Road via Forge Lane from the south/southeast, and from Government Road to the north, via Shoe Lane. Forge Lane and Shoe Lane both intersect the site and connect to Laffan's Road at the southern end of the site.

The site includes Blandford House, a large detached former military residence, which is designated as a Building of Local Importance and set within extensive grounds. There are also several Buildings of Local Importance located within the grounds of Blandford House. Aldershot Military Conservation Area lies outside of the site, to the east side of Farnborough Road.

Malta Barracks, a former disused army barracks, is located in the south of the site, immediately to the north of the TA Centre and to the east of Runways End Outdoor Centre. Malta Barracks comprises a number of low-level buildings and hard standing.

The site wraps around Vine Close, a small development of military housing, which was not included in the allocation for the development site. Forge cottage, a single property to the west of Shoe Lane, falls within the site allocation but was not included in the Hybrid Outline Application Site

Extensive areas of woodland surround both Blandford House and Malta Barracks. The woodland largely comprises of the consented Blandford Woods SANG and the existing Wellesley SANG. The northern areas of woodland lie adjacent to the Army Golf Course. The Basingstoke Canal (Conservation Area and Site of Special Scientific Interest) and Wellesley Woodlands SANG lie immediately to the south.

The northernmost part of the application site (within the consented SANG) falls within a Site of Importance for Nature Conservation Interest (SINC) that largely covers the adjacent golf course (Army Golf Course – East). Shoe Lane, includes a Road Verge of Ecological Importance. These are both sites of local importance.

The site is close to two statutory designated sites of European Importance: The Thames Basin Heaths Special Protection Area (TBH SPA) (nearest part 700m to the west) and Thursley, Ash, Pirbright and Chobham Special Area of Conservation (TAPC SAC) which lies 3.5km to the north-east of the site.

Bourley and Long Valley SSSI lies 0.8km lies to the south-west of the site. The Basingstoke Canal Site of Special Scientific Interest lies adjacent to the southern boundary of the site. These are both sites of national importance. Watts Common Site of Importance for Nature Conservation (SINC) lies directly adjacent to the northern boundary of the site and is of local importance.

Phasing and Retained Buildings of Local Importance

Redrow have submitted a phasing plan in accordance with Condition 5 of the Outline Consent. There are no buildings of local importance (locally listed buildings) in Phase 3. The Phase 3 Reserved Matters Area represents a relatively small phase located in the northernmost part of the development site, with access from Shoe Lane. At the time of writing this report four RMAs have been submitted to the Local Planning Authority for consideration. Phase 2, which is currently undergoing substantial amendments, incorporates the locally listed Vine Cottage, which is proposed to be retained in residential use in accordance with the Outline Consent. Whilst not a material planning consideration, Redrow are aware of the local interest in Vine Cottage, specifically in the existing mature vine growing within its glazed lean-to. In this regard, Redrow have engaged with a vine specialist who has reviewed the health and condition of the vine and has carried out some maintenance works to retain it in good condition.

Blandford House, the key locally listed building within the development site, falls within Phase 6. This phase is yet to be submitted as part of a Reserved Matters Application. The Outline Consent identifies Blandford House as delivering residential accommodation through conversion. However, Redrow have confirmed that they are *“in the process of preparing an application for the area around Blandford House. This will be submitted to the Council in the coming months. Blandford House is currently being marketed for sale with the potential to be re-used as offices or a nursery, in line with the current use class. The application, which will include the area around the building will therefore assume an office use or similar. It is of no benefit to Redrow to keep this building vacant and we are committed to ensuring an appropriate use which retains the original and historic elements of the building.”*

THE PROPOSAL

This Reserved Matters Application (RMA) is for Phase 3 of the residential redevelopment of the Blandford House & Malta Barracks Development Site. Phase 3 would deliver 11 private detached two-storey houses together with a drainage attenuation pond (SuDS) and landscaped amenity open space. The red line of the application site incorporates vehicular access via Shoe Lane. Three of the houses would be arranged along a proposed internal access road (green lane/drive) facing Shoe Lane to the west, set behind a landscaped buffer and retained trees. The remaining houses would be clustered around the proposed pond area and internal access road.

During the course of the application a considerable amount of work has been undertaken in relation to the preparation of site-wide Ecological Management Plan, to demonstrate Biodiversity Net Gain as a result of the development.

NOTIFICATION

Application Publicity & Neighbours Notified

In addition to posting two (2) site notices and a press advertisement, forty-one (41) letters of notification were sent to neighbouring owner/occupiers. The overall consultation period expired on 18th May 2022.

A representation of objection has been received from one (1) individual address, 24A Vine Close, Aldershot.

The comments have been received via Public Access. The comments are summarised below:

- Contrary to Government advice
- Contrary to local planning policies
- Damage to SSSI's
- Effect upon Air Quality
- Loss of light
- Loss of trees
- Noise & Disturbance
- Overlooking / loss of privacy
- Smells
- Traffic Congestion – Highway Safety
- Unacceptable design or appearance
- Unacceptable materials

- Unacceptable size, layout or density
- Visual harm

Summary of further written comments (paraphrased):

- The development appears to be steamrolling ahead without regard to an agreed consultation process and without consideration of neighbours' representations

Case Officer's Response:

It is noted that the objector's comments relate to the site wide development without specific reference to the design of Phase 3. Any material planning considerations which have been raised above are addressed in the relevant sections of the committee report below.

The objector has commented that a consultation process has not been agreed. There is no statutory mechanism to agree the planning consultation process with neighbouring owners/occupiers. The objector was consulted in relation to the Hybrid Outline Planning Permission and has been consulted on each of the Reserved Matters Applications received to date. The consultation process has been carried out fully in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015

Consultees & Other Bodies

HCC Highways Development Planning: Confirmed no objection to the details of Phase 3.

HCC Senior Archaeologist: Confirmed no objection subject to conditions 16, 17 and 18 of the Outline Consent.

Case Officer's Response: Details relating to archaeology have been submitted and approved in consultation with HCC (ref: 22/00305/CONDPP dated 05/09/2022.)

Hampshire Fire and Rescue Service: No comments received.

Hampshire Constabulary: Provided detailed advice which has been forwarded to the developer for consideration.

Severn Trent Services Ltd: No comments received.

South East Water Ltd: No comments received.

Southern Gas Network: No comments received.

Thames Water: Confirmed no comments.

Grainger Plc: No comments received.

Internal Consultees

RBC Environmental Health:	Confirmed no objection.
RBC Housing Enabling Officer:	Confirmed no objection.
RBC Ecology Officer:	Confirmed no objection following detailed discussions and updates to the Ecological Management Plan as informed by the submission of a Biodiversity Net Gain Assessment.
RBC Conservation Officer:	Confirmed no comment.
RBC Arboricultural Officer:	No objections received.
RBC Community - Contracts:	Confirmed no objection.
RBC Planning Policy:	No comments received.

POLICY AND DETERMINING ISSUES

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 relevant to this proposal:

SS1	Presumption in Favour of Sustainable Development
SS2	Spatial Strategy
SP10	Blandford House and Malta Barracks
IN1	Infrastructure & Community Facilities
IN2	Transport
HE1	Heritage
HE3	Development within or adjoining a Conservation Area
HE4	Archaeology
DE1	Design in the Built Environment
DE2	Residential Internal Space Standards
DE3	Residential Amenity Space Standards
DE4	Sustainable Water Use
DE6	Open Space, Sport & Recreation
DE10	Pollution
LN1	Housing Mix
LN2	Affordable Housing
NE1	Thames Basin Heaths Special Protection Area
NE2	Green Infrastructure
NE3	Trees and Landscaping
NE4	Biodiversity
NE5	Countryside
NE8	Sustainable Drainage Systems

The Council's adopted supplementary planning documents (SPDs) 'Car and Cycle Parking Standards', 2017, Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy (AMS) as updated April 2022 and Aldershot Military Conservation Area Appraisal and Management Plan (RBC, February 2021) are also relevant.

The *National Planning Policy Framework (NPPF)*, which was revised and came into force on 19th February 2019 (amended June 2021), 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:

- The principle of development
- Housing tenure & mix
- Layout, design and appearance
- Transport, parking & access
- Impact on neighbours
- Living environment created for future residents
- Nature conservation and trees
- Pollution & remediation
- Flood risk & drainage
- Sustainable development
- Archaeology

COMMENTARY

The Principle of Development –

The principle of the residential redevelopment of the application site was established by Hybrid Outline Planning Permission ref: 17/00914/OUTPP and is consistent with Local Plan Policy SP10 (Blandford House and Malta Barracks). The proposed Phase 3 scheme would deliver residential dwellings together with a detention pond (SuDS) and amenity open space in accordance with the principles set out in the approved Hybrid Outline Planning Permission's Land Use Parameter Plan and Movement Parameter Plan (as amended by application ref: 22/00371/NMAPP).

The current application takes the form of a comprehensive Reserved Matters Application for Phase 3 of the residential development. In this regard, Condition 3 of the Outline Consent states *“No development (with the exception of the SANG and SANG car park and the demolition of the Category 1 buildings identified on drawing number 6048/PO1 Rev A shall take place in any Development Zone identified on Phasing Plan 2491-C-1106-SK3, until an application for details relating to appearance, landscaping, layout and scale of the development hereinafter called “the reserved matters” shall be submitted to and approved in writing by the Local Planning Authority in respect of that Development Zone/Reserved Matters Area...”* The RMA has been submitted in accordance with Condition 3, which includes a full list of the details to be addressed by each Reserved Matters Application (RMA).

Housing Tenure & Mix –

The scheme represents Phase 3 of the Blandford House and Malta Barracks residential

development and would provide 11 private market detached two-storey dwellings (1 x 3-bedroom, 8 x 4-bedroom and 2 x 5-bedroom).

The following site wide quantum of affordable housing has been agreed as part of the approved Affordable Housing Strategy, and secured by the s106 legal agreement, in accordance with Local Plan policies LN1 (Housing Mix) and LN2 (Affordable Housing):

Total No. Units (not including existing dwellings)	Private (70%)	Total Provision (AHU) 30%	Affordable Rent (AR) 70%	Shared Ownership (SO) 30%
176	123	53	37	16

Due to the relatively small size of this phase (11 out of the 176 new dwellings proposed), the Council’s Housing Enabling Officer has raised no objection to the absence of any affordable housing in Phase 3.

Layout, Design & Appearance -

The Planning Statement and Design Statement submitted with this Reserved Matters Application (RMA) refer to the Design and Access Statement (DAS) approved as part of the Outline Planning Permission. The application demonstrates how the proposed Phase 3 scheme has been guided by the DAS and the approved Parameter Plans of the Outline Consent.

The approved Land Use Parameter Plan for the wider development details pockets of residential development focussed on areas of previously developed land, set in the context of retained buildings and wooded areas. In respect of Phase 3, the submitted Planning Statement confirms *“The dwellings will be set back from the site boundaries, with existing trees and vegetation along the boundaries retained, creating a backdrop and screening to the site”*

Phase 3 would deliver 11 private detached two-storey houses together with a detention pond (SuDS) and amenity open space in accordance with the Outline Planning Permission’s approved Land Use and Access & Movement Parameter Plans. Three of the houses would be arranged along a proposed internal access road (green lane/drive) facing Shoe Lane to the west, set behind a landscaped buffer and retained trees. The remaining houses would be clustered around the proposed pond area and internal access roads.

A Phase III Heritage impact Assessment was submitted with the RMA. The Blandford House & Malta Barracks Development Site is not located within a conservation area and the Phase 3 scheme would not be located within or affect the setting of any locally or statutory listed buildings. A variety of house types are proposed. The submitted Planning Statement confirms that the character of the proposed houses will complement the local vernacular *“...utilising similar materials, such as red and brown brickwork, and design features, such as hipped roofs and gables”*.

It is considered that the layout of the development would comply with the approved Outline Planning Permission Parameter Plans and the detailed design and appearance of the scheme would accord with the principles set by the approved Design & Access Statement. As such, subject to the imposition of a planning conditions to seek further details of the proposed materials; it is considered that the proposed scheme would result in good quality residential development which would be compatible with the existing character and appearance of the

area. The proposal therefore accords with Local Plan policies SP10 (Blandford House and Malta Barracks), DE1 (Design in the Built Environment) and HE1 (Heritage).

Highways Considerations -

Details of the site layout, roads, footpaths, means of access, have been submitted with the Reserved Matters Application in accordance with the requirements of Condition 3 of the Hybrid Outline Planning Permission. A Transport Assessment, Travel Plan and Highways Improvements were approved/secured as part of the Outline Permission for the wider development.

It is considered that the proposed road layout and means of access for Phase 3 is consistent with the principles set out in the approved Hybrid Outline Planning Permission's Movement Parameter Plan (as amended by 22/00371/NMAPP).

Access & Parking

Policy IN2 (Transport) requires new development to provide appropriate parking provision in accordance with the Council's 'Car and Cycle Parking Standards' Supplementary Planning Document (SPD) (adopted in November 2017). There is a presumption that the parking standard (including the visitor parking requirement) should be provided in full.

Vehicular access to Phase 3 would be from Shoe Lane via a primary road, which would run along the southern edge of the site and would also serve Phase 1 and further phases of the development to the east. Three of the proposed houses would be arranged along an internal access road (private drive) which would run parallel with Shoe Lane to the west, set behind a landscaped strip. A secondary road is proposed around the detention pond which would serve the cluster of six of the houses. The applicant has confirmed that the roads would be private and would not be adopted by the Highway Authority (Hampshire County Council).

The proposed development of eleven houses (1 x 3-bedroom, 8 x 4-bedroom and 2 x 5-bedroom) would provide off-street parking in accordance with the Council's parking standards which require one car parking space per 1 bedroom dwelling, two spaces for 2/3 bedroom dwellings and three spaces for every residential property of 4 or more bedrooms. It is noted that Principle 10 of the SPD states that garages provided for new development will not be counted as parking spaces. Therefore, whilst some of the dwellings would benefit from garages, these spaces have not been counted.

The development would provide 4 visitors' spaces which would exceed the Council's parking standards which require 1 visitor parking space for every 3 x 1 bedroom property and 1 visitor parking space for every 5 properties of 2 or more bedrooms. The additional spaces would contribute towards visitors' parking for the wider development

The Council's parking standards require cycle storage provision of 1 space per 1-bed dwelling and 2 spaces per 2-bed plus dwelling. In the case of the individual houses proposed, it is envisaged that bicycles would be stored within the private garages or sheds within the curtilage of the dwellings.

Hampshire County Council (HCC) (Transport Planning) were consulted in relation to the Reserved Matters Application and have confirmed no objection in relation to the details of Phase 3, in respect of parking provision, road layout, visibility and geometry, noting that the roads will not be offered for adoption.

It is also noted that Conditions 6 and 7 of the Outline Permission concern pedestrian and cycle access to and from the site/ wider site. These details have been submitted by the Applicant (ref: 22/00397/CONDPP) and are currently under consideration in consultation with the Local Highway Authority (HCC).

A condition is proposed to ensure that the parking spaces are implemented and allocated as detailed on the approved plans and retained for the life of the development.

It is therefore considered that the Phase 3 development would provide private parking and visitors' spaces in accordance with the Council's parking standards, and has demonstrated adequate road layouts, visibility splays and tracking for service/refuse vehicles.

Refuse and Recycling Storage

The proposed development would be serviced by the Council's Community Contracts Team and they have been consulted in relation to the detail of the proposals. No concerns are raised in relation to bin storage given that the proposals comprise private detached houses. The application drawings demonstrate vehicle tracking for service/refuse vehicles. The developer has also confirmed that where refuse vehicles would be expected to enter private road areas, the road surface would be suitable for a 32-tonne vehicle.

Construction Traffic Management Plan

A Construction Traffic Management Plan (CTMP) was submitted with the Reserved Matters Application in accordance with the requirements of Condition 3 of the Outline Approval. The report sets out the overall framework for managing the movement of construction and delivery traffic to and from the site, ensuring the use of appropriate routes and minimising any impacts. An updated version of the CTMP has been approved in respect of Condition 15 of the Outline Approval under planning reference 22/00985/CONDPP in consultation with the Council's Environmental Health Officer and the Highway Authority (HCC).

Impact on Neighbours –

The Phase 3 RMA application does not adjoin any existing neighbouring residential development or uses. A letter of objection has been received from one neighbouring occupier within Vine Close. The objections raised include concerns relating to overlooking, loss of privacy, loss of light, noise and disturbance and visual harm. The objector's property does not adjoin the Phase 3 site and the comments appear to concern the wider residential development as a whole.

Given the scale and nature of the proposed development and the significant separation from any nearby dwellings or uses, it is not considered that the proposed dwellings would result in any unacceptable impact on properties within Vine Close by reason of overlooking, loss of outlook, loss of privacy or disturbance. Taking into account the context of the site, the residential nature of the proposed use, and the proposals for future residential phases adjoining the site, it is considered that proposed development would be compatible with and would not result in any demonstrable harm to the amenities of neighbouring occupiers and uses, in accordance with Local Plan policy DE1.

The objector also raised concerns relating to the construction period. In this regard, planning conditions are proposed to restrict the hours of construction and to ensure compliance with the

approved Construction Traffic Management Plan and Construction Environmental Management Plan (ref: 22/00985/CONDPP).

Living Environment Created for Future Residents –

Phase 3 would deliver eleven (11) detached 3, 4 and 5-bedroom private market dwellings. The properties would all exceed the minimum internal space standards defined in The Ministry of Housing, Communities and Local Government's *Technical Housing Standards* (2015), which are reflected in Policy DE2 (Residential Space Standards) of the Rushmoor Local Plan. The properties would also benefit from private gardens which would exceed the minimum of 30m² required for family houses, in accordance with Rushmoor Local Plan Policy DE3.

It is considered that the proposed development would provide new dwellings of a generous size and efficient layout with sufficient natural light, ventilation, together with access to private and public amenity space. Adequate spacing would be provided between dwellings and habitable room windows to safeguard against loss of privacy and outlook. A condition is proposed to seek full details of external lighting for the development, although it is acknowledged that this may be significantly restricted by the proximity of the site to the approved Blandford Woods SANG to the north.

The development would have access to the proposed Strategic Open Space (Amenity Open Space) to the south of the Phase 3 site, located within Phase 1. The open space would also incorporate an equipped area of play in accordance with the outline planning permission's Land Use Parameter Plan and secured by the terms of the s106 Legal Agreement and Conditions 19 and 20 of the Hybrid Outline Planning Permission.

A Noise Report was submitted with the Phase 3 RMA. The report recommends that standard double glazing with trickle ventilation will be sufficient to achieve a satisfactory internal noise environment for occupiers and confirms that external noise levels have also been assessed and are acceptable. The Council's Environmental Health Officer has reviewed the report and confirmed that the recommendations can be accepted.

Consultation comments and advice received from the County's Crime Prevention Design Officer and Fire and Rescue Services, have been forwarded to the Applicant for consideration.

It is therefore considered that the development would provide a satisfactory living environment for future residents, in accordance with Local Plan policies DE1, DE2, and DE3.

Environment, Nature Conservation & Trees

The Hybrid Outline Planning Application proposals were screened for the purposes of the Environmental Impact Assessment Regulations 2011 (as amended 2015) and was not considered to be EIA development (Planning Ref: 17/00245/SCREEN dated 05/05/2017). No significant environmental effects were identified, and it was considered that any potential environmental effects could be addressed satisfactorily and conventionally at the planning application stage through the submission of supporting information and/or imposition of planning conditions. The Hybrid Outline Planning Application was accompanied by an Ecological Impact Assessment and Shadow Habitats Regulations Assessment (HRA).

Details of landscaping together with an Ecological Management Plan and updated Arboricultural Development Statement have been submitted with the Reserved Matters Application in accordance with the requirements of Condition 3 of the Hybrid Outline Planning Permission. A Construction Environmental Management Plan (CEMP) has been approved (ref:

22/00985/CONDPP) in respect of Condition 14 of the Outline Approval in consultation with the Council's Environmental Health Officer and Ecology Officer.

The residential areas detailed on the Hybrid Outline Planning Permission's approved Land Use Parameter Plans (as amended by 22/00371/NMAPP) focus primarily on pockets of previously developed land. However, together with areas of hardstanding and structures, these areas do contain existing trees and vegetation, and given the relatively large size of the scheme, it was accepted that in granting the outline consent, a significant number of trees and vegetation would require removal to facilitate the development.

Ecology & Biodiversity Net Gain

Paragraph 174 of the National Planning Policy Framework (NPPF) (amended July 2021) states that "*Planning policies and decisions should contribute to and enhance the natural and local environment by; minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*". Paragraph 179 requires the promotion of "*the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity*".

Since the approval of the Outline Permission, the Environment Act 2021 has introduced a statutory footing for securing measurable net gains for biodiversity, requiring a 10% minimum uplift post-development. It is expected that this will become a statutory requirement from November 2023. Rushmoor Borough Council have an expectation that all major planning applications, including those with 10 or more dwellings or over 1000sqm of commercial floorspace, should seek to attain a minimum 10% net gain in biodiversity value as a result of development, ahead of statutory obligation.

Condition 3 (15) attached to the Hybrid Outline Planning Permission (17/00914/OUTPP dated 15/05/2020) requires the submission for approval in writing of an Ecological Management Plan in respect of each Reserved Matters Application (RMA). In this regard, a Phase 3 Ecological Management Plan (October 2021) was submitted in support of the first RMA.

The Council's Ecology Officer reviewed the RMA submission and commented that the Phase 1 and Phase 3 Ecological Management Plans focussed primarily on protected species with less emphasis on addressing the impact of the proposed development on biodiversity at a habitat level. Measures to avoid, mitigate, and where appropriate, compensate for adverse impacts (on protected species) resulting from development were proposed but the plan lacked a comprehensive site-wide evaluation which quantified the extent to which existing habitats present would be retained, enhanced, or lost to development. This assessment does not cover the proposed Blandford Woods SANG site area, which already benefits from full planning permission.

Given the planning policy context outlined above, the Council's Ecology Officer has worked very closely with the Applicant to secure a site-wide Biodiversity Net Gain Assessment which has informed an updated Ecological Management Plan/s for the Blandford House & Malta Barracks Development Site (excluding the SANG).

The site-wide BNG strategy includes the following measures:

- Increasing the number of 'Urban Trees' originally proposed to compensate for some canopy loss

- Converting ornamental scrub in Phase 2 to native scrub
- Retention and enhancement of the woodland corridor located to the south-west of Vine Close (amounting to 547m²)
- Enhancement of beech woodland and in the central northern part of the site, along with other woodland areas
- Provision of 4 new permanent ponds
- Provision of native hedgerows, on a more than like for like basis.
- Provision of 22 bat boxes, 58 bee bricks, 24 bird boxes, 5 hedgehog domes and 10 reptile habitat features

Whilst not included in the BNG Assessment, the RMA acknowledges the 'off-site' enhancements that have already been secured by the approved Blandford SANG which include wide-scale woodland enhancement throughout the SANG, being brought under long-term management by the Land Trust. These include the removal of non-native scrub (Rhododendron and Cherry Laurel), and the creation of new rides. These off-site enhancements are secured through a SANG Environmental Management Plan (SANG EMP), which is required by Condition 23 of the Outline Planning Consent and has been approved under planning reference: 21/00882/CONDPP.

The Council's Ecology Officer has commented "*The Metric now concludes a biodiversity net gain of 13.72% post-development when assessed against a predevelopment ecological baseline. This enables a conclusion that the development as proposed is able to attain above a minimum of 10% net gain in biodiversity value and therefore achieves Rushmoor Borough Council expectations for this development in that regard.*" The Ecology Officer notes "*The DEFRA Metric referenced above addresses ecological losses and gains as relates to habitats only. Legally protected species present at the development site will need to be subject to separate consideration, in line with best practice impact avoidance and mitigation methodologies in order to ensure no breach of statutory obligations regarding these species.*"

Conditions are proposed to ensure that the development is implemented strictly in accordance with the approved Environmental Management Plan and to seek updated landscaping and planting plans to secure the detailed recommendations (biodiversity enhancements) of the approved Ecological Management Plan, specifically in respect of Phase 3.

It is therefore considered that subject to appropriate safeguarding conditions, the proposed scheme would mitigate any adverse impacts on wildlife and ecologically sensitive receptors and would secure opportunities for biodiversity enhancement in accordance with Local Plan policy NE4 (Biodiversity).

Thames Basin Heaths Special Protection Area

The wider Blandford House & Malta Barracks Development Site will deliver 13.7ha of Suitable Alternative Natural Greenspace (SANG) designed to avoid or mitigate any potential adverse effects on the Thames Basin Heaths Special Protection Area (TBH SPA) through increased recreational use such as dog walking. The SANG was approved as part of the hybrid outline planning permission ref: 17/00914/OUTPP and is secured by s106 legal agreement, together with Strategic Access and Monitoring (SAMM) contributions.

The SANG has been designed to serve as mitigation not only for the residential redevelopment of Blandford House and Malta Barracks, but also for other future 3rd party residential schemes within the Borough which lie within 5km of the SANG boundary, for example within Aldershot Town Centre. In this regard, the approved SANG Delivery Strategy confirms that the proposed

SANG would provide sufficient capacity for 1,717 people. Therefore, based on an average occupancy rate of 2.4 people per dwelling (ppd) (as set out in RBC's TBH SPA Avoidance and Mitigation Strategy) the proposed Blandford Woods SANG would have capacity for 715 residential units, a significant overprovision.

The residents of Phase 3 would have direct access to the Blandford Woods SANG via Shoe Lane and a footpath to the north of the site. The provisions of the s106 legal agreement and conditions of the Hybrid Outline Planning Permission would ensure that the development SANG is delivered and accessible prior to first occupation of any part of the residential development as approved.

It is therefore considered, taking into account these mitigation measures, that the proposals are not likely to have a significant effect, alone or in combination upon the nature conservation interest and objectives of the Thames Basin Heath Special Protection Area (SPA), in accordance with saved South East Plan Policy NRM6, Local Plan policy NE1 and Rushmoor's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy (AMS) as updated April 2022.

Trees

Notwithstanding the quantum of tree removal established in the Outline Approval, Condition 9 of the Hybrid Outline Planning Permission was imposed to seek details of an Arboricultural Development Statement (ADS), to include an updated Tree Removal Plan, prior to any removal of trees in any phase and prior to commencement in the relevant Reserved Matters Area (RMA). This was to ensure that no trees were removed unnecessarily prior to the detailed design stage of the development.

On 15/02/2022 an application for the removal of trees within an area that included the Phase 3 application site was approved under ref: 21/00989/CONDPP pursuant to Condition 9 of the Hybrid Outline Planning Permission. This was agreed on site with the Council's Tree Officer and Planning Officer in order to allow essential works to be carried out on site prior to the approval of the relevant RMA. The works included trenching for archaeology and to ensure that priority trees were removed before the bird nesting season. The trees in question were all located in areas identified for residential development on the approved outline parameter plans, and their removal was necessary to facilitate the development.

The Phase 3 RMA is accompanied by an updated Arboricultural Development Statement in accordance with Condition 3 (20) of the Hybrid Outline Planning Permission. The statement provides updates to the proposed tree removal together with tree retention plans. Details of protection measures for those trees to be retained are also included.

The Planning Statement submitted with the RMA describes how some of the existing significant mature trees located along the western boundary with Shoe Lane would be retained and have been incorporated into the design of Phase 3. The landscaping proposals submitted with the RMA include mitigation tree planting which includes both woodland planting and new street trees.

The Council's Arboricultural Officer was consulted in relation to the Phase 3 RMA and has raised no objection to the proposals. Conditions are proposed in respect of detailed planting proposals and to ensure that the tree protection measures set out in the updated Arboricultural Development Statement, are fully implemented in accordance with Local Plan policy NE3 Trees and Landscaping.

Pollution & Remediation –

Local Plan policy DE10 (Pollution) seeks to ensure that developments do not give rise to or are not subjected to unacceptable levels of pollution.

Contaminated Land

A Geotechnical and Geo-environmental Site Investigation report relating to all phases of the proposed residential development, has been submitted to and approved in writing by the Local Planning Authority (ref: 22/00306/CONDPP). These details are pursuant to Condition 11 (site investigation and remediation) of the Hybrid Outline Planning Permission.

In this regard, the Council's Environmental Health Officer previously commented *“The report has identified elevated concentrations of lead and PAHs within some areas of made ground, and recommends that a 600mm capping layer of clean soil be laid in gardens and landscaped areas where made ground is present. All top soils and natural soils are considered suitable for re-use on site. No ground gas precautions are considered necessary and there are no apparent issues with regards ground water.”*

It is also noted that Condition 12 of the Hybrid Outline Planning Permission requires prior to first occupation of any Reserved Matters Area, the approval of a verification report, to be submitted to demonstrate effective compliance with the contamination remediation works as approved. Further, Condition 13 of the Hybrid Outline Planning Permission seeks to ensure that suitable additional remedial measures be submitted to the Council for approval, in the event that previously unidentified contamination is discovered during construction.

Air Quality & Construction Impacts

An Air Quality Assessment was submitted with the Hybrid Outline Planning Permission application and was assessed by the Council's Environmental Health Officer, who raised no objection to the findings and recommendations. The impact of the development on air quality when complete and operational would be negligible for both existing receptors and new occupants.

A Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority (ref: 21/00985/CONDPP). These details relate to all phases of the proposed residential development and are pursuant to Condition 14 (CEMP) of the Hybrid Outline Planning Permission. The purpose of the CEMP is to reduce the risk of adverse impacts resulting from the construction of the development (including from noise, dust and lighting) on sensitive environmental resources and to minimise disturbance to local residents and other sensitive receptors.

Lighting

The Planning Statement submitted with the Phase 3 RMA notes the proximity of Phase 3 to the Blandford Woods SANG to the north, and the sensitivities around providing streetlighting in respect of its potential impact on local ecological receptors. A condition is therefore proposed to ensure that no external lighting is installed unless agreed with the Local Planning Authority in accordance with the recommendations of the approved Ecological Management plan, in accordance with Local Plan policies DE10 (Pollution) and NE4 (Biodiversity).

Flood Risk & Drainage –

The Hybrid Outline Planning Application was accompanied by a Flood Risk Assessment and a Flood Risk & Utilities Statement. Potential flood risks in the area include surface water flooding and overtopping or breach of the Basingstoke Canal. However, the site is located in Flood Risk Zone 1, which means it is at the lowest risk of flooding. Taking into account the characteristics of the site and the nature of the wider proposals, and subject to mitigation measures in the form of Sustainable Drainage Systems (SuDS), the assessment concluded that there are no significant sources of flood risk that would affect the site.

Local Plan Policy NE8 (Sustainable Drainage Systems) requires the implementation of integrated and maintainable SuDS in all flood zones for both brown field and greenfield sites. The Applicant's Reserved Matters Application Planning Statement describes the Sustainable Urban Drainage Solution (SuDS) proposed for the wider Blandford House & Malta Barracks Development Site, which includes the proposed pond within Phase 1, and refers to SuDS treatment and storage beneath permeable paved roadways within the development.

Technical details relating to a surface water drainage scheme have been submitted in relation to northern part of the wider development site under application ref: 22/00372/CONDPP, in accordance with Condition 10 of Hybrid Outline Planning Permission ref:17/00914/OUTPP. Hampshire County Council (Lead Flood Authority) were consulted in relation to those details, and following a request and receipt of further technical details, they have confirmed no objection to the Phase 3 proposals.

Sustainable Development -

Local Plan Policy DE1 expects proposals to '*promote designs and layouts which take account of the need to adapt to and mitigate against the effects of climate change, including the use of renewable energy*'. In this regard, it is noted that the Planning Statement outlines that the dwellings will incorporate a range of design and energy efficiency measures which aim to minimise and reduce carbon dioxide emissions and confirms that the new dwellings will meet the water efficiency standard of 110 litres per person per day, in line with Policy DE4 (Sustainable Water Use). A compliance condition and informative is proposed in respect of the water efficiency standard.

Archaeology -

During the course of this application, details relating to archaeology have been submitted and approved (ref: 22/00305/CONDPP dated 09/05/2022) in respect of Conditions 16, 17 and 18 of hybrid outline planning permission ref:17/00914/OUTPP. The conditions require details of a Written Scheme of Investigation, a Programme of Archaeological Mitigation of Impact and a Post-excavation Assessment to be submitted to the local planning authority for approval, in accordance with Local Plan Policy HE4 (Archaeology).

The County Archaeologist was consulted in relation to the details, commenting "*I can confirm that I endorse the submitted archaeological evaluation report and that it meets the requirements of condition 16. Furthermore, the results from the archaeological evaluation indicate that the site has been the subject of wide ranging previous disturbance and that any archaeological potential has been compromised. As such, no further archaeological work should be required. On this basis, I can recommend that conditions 16, 17 and 18 be discharged.*" This position is also supported by the Phase III Heritage impact Assessment

submitted with the RMA. Therefore, no further conditions are proposed in relation to Phase 3.

Conclusion

The Reserved Matters Application Phase 3 scheme sufficiently reflects the terms of the outline planning permission for the Blandford House and Malta Barracks Development Site, including the Land Use and Movement Parameter Plans (as amended). Subject to appropriate planning conditions, the development would not result in any unacceptable impacts on the character and appearance of the area, environmental conditions, on nature conservation or any adjoining heritage assets. The accommodation would provide an acceptable living environment for future occupiers and would not be harmful to the amenity of neighbouring occupiers or uses. The proposals would be acceptable in highway terms.

It is therefore considered that subject to compliance with the attached conditions, the existing planning conditions of the Hybrid Outline Planning Permission and the associated s106 legal agreement; taking into account the provisions of the Development Plan and all other material planning considerations, including consultee responses and representations, the proposal is acceptable. This also includes a consideration of whether the decision to grant permission is compatible with the Human Rights Act 1998.

FULL RECOMMENDATION

GRANT reserved matters approval subject to the following conditions and informatives:-

Time limit

- 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.

Approved Plans

- 2 The permission hereby granted shall be carried out in accordance with the following drawings:
 - 20212-P3-301B Proposed Site Layout Phase 3
 - 20212-P3-303 Site Layout Phase 3 Building Materials
 - 20212-P3-304 Site Layout Phase 3 Boundary Treatments
 - 20212-P3-305 Street Scenes Phase 3
 - 20212-P3-310 Hampstead Proposed Floor Plans
 - 20212-P3-311 Hampstead Proposed Elevations – Brick
 - 2012-P3-312 Hampstead Proposed Elevations – Render
 - 20212-P3-313 Henley Proposed Floor Plans
 - 20212-P3-314 Henley Proposed Elevations – Brick
 - 20212-P3-315 Oxford Proposed Plans and Elevations – Brick
 - 20212-P3-316 Richmond Proposed Floor Plans
 - 20212-P3-317 Richmond Proposed Elevations – Render
 - 20212-P3-318 Warwick Proposed Plans and Elevations – Render
 - 20212-P3-319 Windsor Proposed Plans and Elevations – Brick
 - 20212-P3-320 Windsor Proposed Plans and Elevations – Render

- 20212-P3-C301 Coloured Site Layout Phase 3
- 20212-P3-C305 Coloured Street Scenes Phase 3
- 20212-S301 Site Layouts Phase 3 Site Location Plan
- 20212-S302 Site Layouts Phase 3 Site Survey
- 7550.P3_HSP.5.0 Hard Landscape Plan
- 20174-GS-Z1-XX-DR-C-1607-P1_Phase 3 Site Drainage Strategy
- 20174-GS-Z1-XX-DR-C-1960-P1_Phase 3 Refuse Vehicle Tracking
- 20174-GS-Z1-XX-DR-C-1961-P1_Phase 3 Fire Tender Tracking
- 20174-GS-Z1-XX-DR-C-1963-P1_Phase 3 Junction and Forward Visibility

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

Materials

- 3 A schedule of the materials (including samples where required by the Local Planning Authority) to be used for the external surfaces of the dwellings and the hard-surfaces within the development hereby approved, shall be submitted to and approved in writing by the Local Planning Authority, before the relevant part of the development to which they relate is commenced (excluding preparatory ground works), and this condition shall apply notwithstanding any indications to these matters which have been given in this application. The development shall be carried out in accordance with the approved details prior to first occupation of the relevant part of the development.

Reason – To ensure a satisfactory appearance for the development and to safeguard the character and appearance of the area.*

Ecological Management Plan

- 4 The development shall be carried out strictly in accordance with the Ecological Management Plan documents hereby approved (in so far as they relate to Phase 1), prior to first occupation of the development hereby approved:
- Ecological Management Plan ref: Vf2 (Aspect Ecology, 21st October 2021);
 - Ecological Appraisal Addendum ref: Vf5 (Aspect Ecology, 21st October 2021); and
 - Biodiversity Net Gain Assessment ref: Vf4A (Aspect Ecology, 30th September 2022)

Reason - In the interests of nature conservation and biodiversity net gain.*

Landscaping, Planting and Biodiversity Enhancements

- 5 Prior to the first occupation of the residential development hereby approved, details of an updated landscaping, planting and biodiversity enhancement plan, to accord with the recommendations of the approved Ecological Management Plan, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to the first occupation of the residential development hereby approved and thereafter maintained in accordance with the Ecological Management Plan. Any tree/shrub removed, dying or becoming seriously diseased within five years of planting shall be replaced by trees/shrubs of similar size and species to those originally approved.

Reason: In the interests of the character and appearance of the area, nature conservation and biodiversity net gain.*

Temporary Sales Units/Show Homes

- 6 No part of the site shall be used for temporary sales or marketing purposes associated with the development unless and until details have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the details shall include:
- (i) all operational development associated with the proposed sales and marketing activities; and
 - (ii) confirmation of the duration of the marketing/sales use and the timescale for the removal of any operational development that is not in accordance with a detailed planning permission in respect of the relevant part of the site. Once approved, the sales and marketing activities shall not be carried out other than in accordance with the agreed details. .

Reason: Due to the temporary nature of the proposals and in the interests of proper planning.*

External Lighting

- 7 Prior to the installation of any external lighting associated with the development hereby approved, a scheme for the provision of external lighting together with an Artificial Lighting Assessment (including the design, duration, intensity of illumination predicted lighting contours and retained dark corridors for the wider development site), to accord with the recommendations of the approved Ecological Management Plan, shall be submitted to and approved in writing by the Local Planning Authority. Any external lighting that is installed shall accord with the details so approved.

Reason: To safeguard the amenities of surrounding occupiers and to avoid any adverse impacts on ecologically sensitive local receptors.*

Parking spaces

- 8 The residents' and visitors' parking spaces shall be laid out and allocated in accordance with drawing 20212-P3-301B (Proposed Site Layout Phase 3) hereby approved prior to first occupation of the part of the development to which they relate, and shall be used only for the parking of vehicles ancillary and incidental to the residential use of the development.*

Reason - To ensure the provision and availability of adequate off-street parking and to safeguard residential amenity.

Arboricultural Development Statement

- 9 The development shall be carried out strictly in accordance with the Arboricultural Method Statement (RPS Group, April 2022) hereby approved, in so far as it relates to the Phase 3 RMA.

Reason - To safeguard retained trees on the site, to safeguard the character and

appearance of the area and in the interests of biodiversity.

Construction Traffic/ Environmental Management Plan

- 10 The construction of the development shall be carried out strictly in accordance with the Construction Traffic & Environmental Management Plan Revision B (GHPC. March 2022 approved under details application ref: 21/00985/CONDPP granted 09/05/2022.

Reason - To safeguard the amenities of surrounding occupiers and to avoid any adverse impacts on ecologically sensitive local receptors, during the construction phases of the development.

Hours of Construction

- 11 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.

Sustainable Water Use

- 12 The dwellings hereby permitted shall be designed and implemented to meet the water efficiency standard of 110 litres per person per day.

Reason - To ensure that the development makes efficient use of mains water in accordance with Policy DE4 of the Rushmoor Local Plan.

Removal of PD Rights – Enlargement of dwellings

- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England), Order 2015 (or any Order revoking and re-enacting that Order) there shall be no enlargement or extension of the dwellings hereby permitted, including porches and any additions or alterations to the roof, without the prior permission of the Local Planning Authority.

Reason - To safeguard the character and appearance of the development and to protect the amenities of neighbouring occupiers.

Removal of PD Rights – Outbuildings

- 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 new building or enclosure shall be constructed within the curtilage of the dwellings hereby permitted, without the prior permission of the Local Planning Authority.

Reason - To safeguard the character and appearance of the development and to protect the amenities of neighbouring occupiers.

INFORMATIVES

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

The proposal has been assessed against following policies of the Council's Development Plan (Adopted 21st February 2019): SS1 Presumption in Favour of Sustainable Development; SS2 Spatial Strategy; SP10 Blandford House and Malta Barracks; IN1 Infrastructure & Community Facilities; IN2 Transport; HE1 Heritage; HE3 Development within or adjoining a Conservation Area; HE4 Archaeology; DE1 Design in the Built Environment; DE2 Residential Internal Space Standards; DE3 Residential Amenity Space Standards; DE4 Sustainable Water Use; DE6 Open Space, Sport & Recreation; DE10 Pollution; LN1 Housing Mix; LN2 Affordable Housing; NE1 Thames Basin Heaths Special Protection Area; NE2 Green Infrastructure; NE3 Trees and Landscaping; NE4 Biodiversity; NE5 Countryside; NE8 Sustainable Drainage Systems.

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 Council's adopted supplementary planning documents (SPDs) 'Car and Cycle Parking Standards', 2017, Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy (AMS) as updated April 2022 and Aldershot Military Conservation Area Appraisal and Management Plan (RBC, February 2021) are also relevant.

The *National Planning Policy Framework (NPPF)*, which was revised and came into force on 19th February 2019 (amended June 2021), and The Department for Communities and Local Government's Technical Housing Standards (2015) are material considerations.

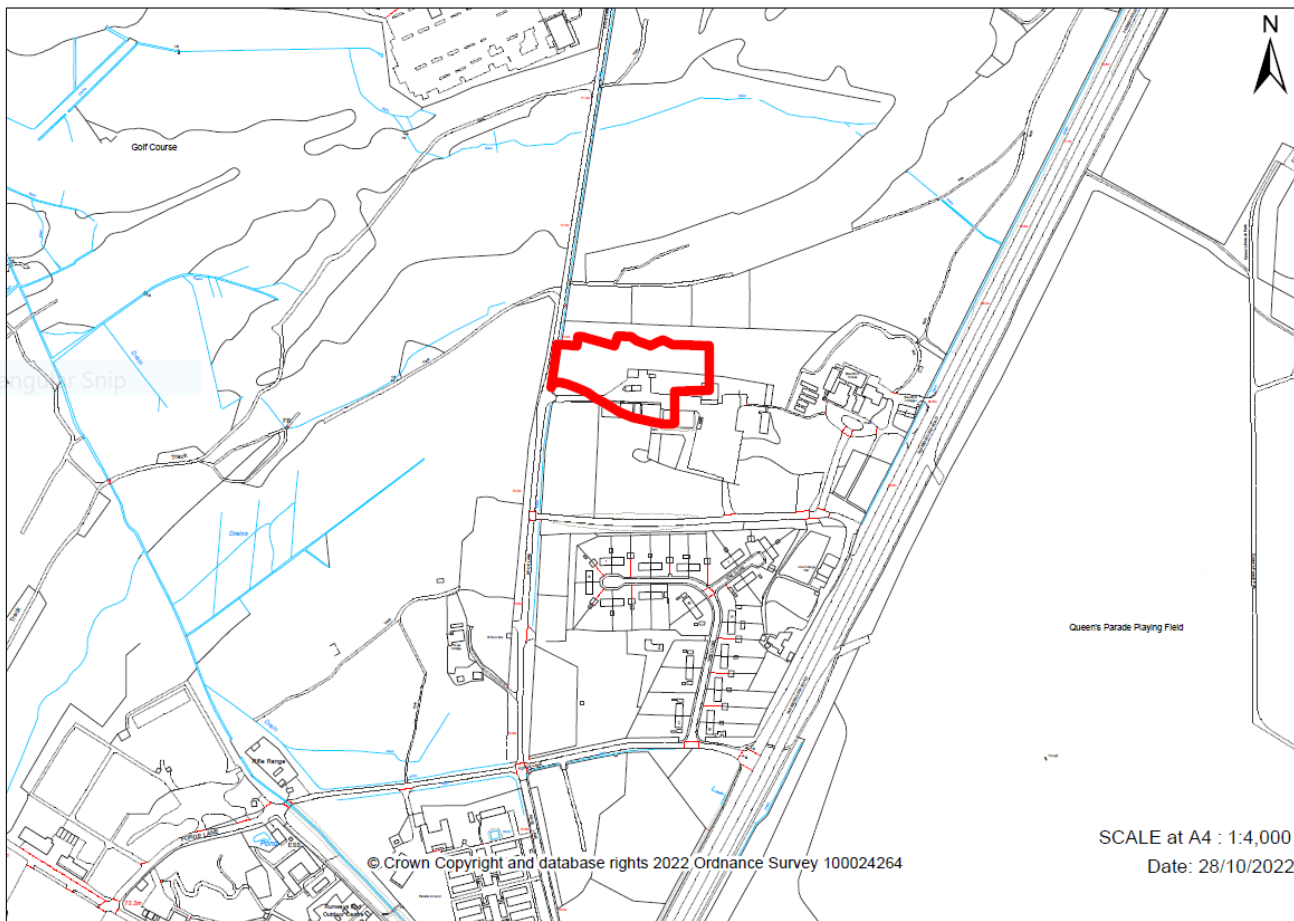
The Reserved Matters Application Phase 3 scheme sufficiently reflects the terms of the outline planning permission for the Blandford House and Malta Barracks Development Site, including the Land Use and Movement Parameter Plans (as amended). Subject to appropriate planning conditions, the development would not result in any unacceptable impacts on the character and appearance of the area, environmental conditions, on nature conservation or any adjoining heritage assets. The accommodation would provide an acceptable living environment for future occupiers and would not be harmful to the amenity of neighbouring occupiers or uses. The proposals would be acceptable in highway terms.

It is therefore considered that subject to compliance with the attached conditions, the existing planning conditions of the Hybrid Outline Planning Permission and the associated s106 legal agreement; taking into account the provisions of the Development Plan and all other material planning considerations, including consultee responses and representations, the proposal is acceptable. This also includes a consideration of whether the decision to grant permission is compatible with the Human Rights Act 1998.

2. 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 WORKS START ON SITE or, require works to be carried out BEFORE COMMENCEMENT OF USE OR FIRST OCCUPATION OF ANY BUILDING. 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 discharge conditions or requests for confirmation

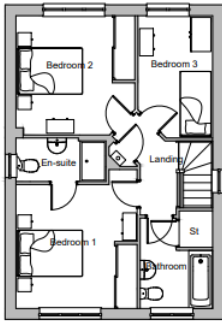
that conditions have been complied with must be accompanied by the appropriate fee.

3. INFORMATIVE -The Applicant is reminded that there are a number of conditions attached to the original hybrid outline planning permission (ref:17/00914/OUTPP dated 15/05/2020) which remain applicable to the Reserved Matters Area and may also require details to be approved prior to the commencement of development.
4. INFORMATIVE - The Applicant is reminded that this permission and the original hybrid outline planning permission ref:17/00914/OUTPP dated 15/05/2020) is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
5. INFORMATIVE - The Applicant is advised in respect of Condition 12 (Sustainable Water Use) that compliance with this condition will need to be demonstrated when applying for Building Control Approval for the development. The Council strongly recommends that this condition is implemented having regard to the “fittings approach” set out in Table 2.2 of The Building Regulations 2010 (Part G).
6. 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.
7. INFORMATIVE - All wild birds and their nests are protected under the Wildlife and Countryside Act 1981 (as amended). If any trees are to be removed or buildings demolished during the bird breeding season (March-September inclusive) they should first be inspected by an experienced ecologist to ensure that no active nests are present. If an active nest is discovered it should be left in situ until the young have fledged.
8. 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.

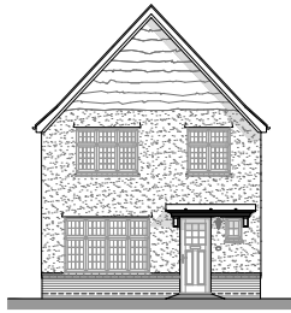




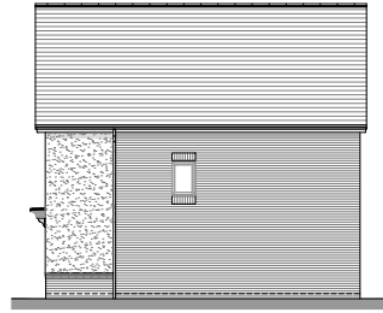




First Floor Plan

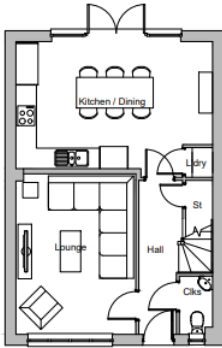


Front Elevation



Side Elevation

Plots:
As: 17
Handed:



Ground Floor Plan



Rear Elevation



Rear Elevation



Warwick
Heritage Collection
F Series
17007 16.12.17
17007/01/01/17
Date: May 2018
BY: 17007_01/01/17



Front Elevation



Side Elevation

Plots:
As:
Handed: 2



Rear Elevation



Side Elevation



Henley
Heritage Collection
F Series
17007 16.12.17
17007/01/01/17
Date: May 2018
BY: 17007_01/01/17



Plots:
As: 3
Handed:



Front Elevation



Side Elevation A



Rear Elevation



Side Elevation B



Scale: 1:100 at A3

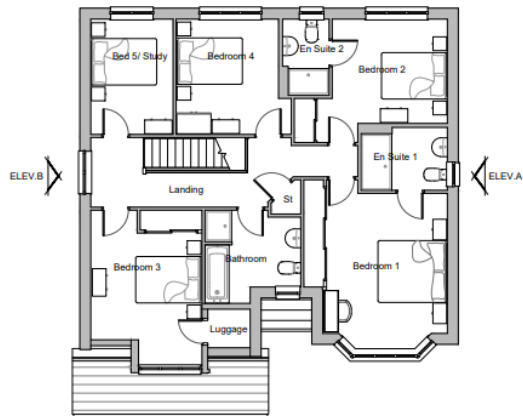
Hampstead
Heritage Collection
F Series
Model: 01/19/01
Revision Code: 01
Date: 24/01/2023
By: 01/08/2011



Plots:
As: 3
Handed: 5



Ground Floor Plan



First Floor Plan



Scale: 1:100 at A3

Hampstead
Heritage Collection
F Series
Model: 01/19/01
Revision Code: 01
Date: 24/01/2023
By: 01/08/2011





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.	22/00453/FULPP
Date Valid	8th July 2022
Expiry date of consultations	5th August 2022
Proposal	Change of use from suite of offices (Class E(g)) to day school (Class F1(a)), provision of car parking, drop-off point for mini bus, landscaping and associated works
Address	Studio Forty 40 Lynchford Road Farnborough Hampshire GU14 6EF
Ward	St Mark's
Applicant	Mr Tim Brown
Agent	Mr Ian Watts
Recommendation	Grant

Description

The site lies between the 'old' and 'new' Lynchford Road adjacent to the St Alban's Roundabout, with its vehicular access from the 'old' Lynchford Road. The site is occupied by a locally listed part-single-storey, part-two-storey late nineteenth and early twentieth century detached brick-built building that is currently in office use (Class E). There is also a small parking area and a grassed and wooded area to the East. The surrounding uses are predominantly commercial in nature, with residential above, and the site is close to North Camp District Centre.

The area to the west of the parking area is within the South Farnborough conservation area. This includes the building. To the East of the parking area (and incorporating a small area of it) is an area of designated Open Space. Opposite are two locally listed buildings (47 Lynchford Road and 2 Alexandra Road).

The proposal is for the change of use from Class E to a day school (Class F1), to be used by children and young people aged 11 to 18 years with special educational needs, the provision of a multi-sensory area and the installation of perimeter fencing. The parking area is to be remodelled to provide 22 spaces and a drop off area.

The day school will cater for the teaching needs of some 50 Special Educational Needs (SEN) children (both boys and girls) aged 11 to 18 years. The Transport demands of the school are materially different from those of a standard non-specialist school given the specialist needs of its students. The children are transported from their residential facilities to the day school by mini-bus (15- seater) and private taxi. A designated drop-off area is provided in front of the main entrance managed by the school.

Whilst no pre-application submission was submitted for this proposal, discussions during the processing of the application led to removal of a proposed hard surfaced play area (MUGA) shown within the designated Public Open Space.

Consultee Responses

Aboricultural Officer

No comments received.

Planning Policy

Raised concerns about the loss of POS

Ecologist Officer

The applicant has previously submitted report titled Preliminary Ecological Appraisal and Roost Assessment, author Arbtech Consulting Ltd, dated 16th June 2022, which identified a 'low' potential for active bat roosts to be present and affected by the proposed development. One further bat emergence survey was recommended.

The above referenced Bat Emergence and Re-entry Surveys report provides the results of that single bat emergence survey which was undertaken in accordance with good practice. No bats were seen to be actively roosting at the proposed development site and active roost are therefore presumed absent. Active roosts are therefore assumed to not be a constraint to development.

HCC Commissioning Manager

Has provided power-BI forecast for SEN for Hart and Rushmoor. There is a projected growing deficit of SEN school places over the coming years within Hart and Rushmoor.

2022-2023		2023-2024		2024-2025		2025-2026	
Pupils	+/-	Pupils	+/-	Pupils	+/-	Pupils	+/-
190	-178	208	-196	238	-226	254	262

Environmental Health

Air Quality - Information provided as part of previous applications demonstrated the site meets respective air quality objectives. Then submitted Transport assessment indicates that the number of trips

generated by the proposal will be similar to the existing use of the site. Therefore there would be no material change. No further information required on this issue.

Noise - Road traffic noise has the potential to adversely impact on the potential use of the site as an educational facility. If this facility can be classed as a school then acoustic conditions would likely be controlled by Part E of the Building Regulations. If Building regulations do not apply in this instance then EH would advise applying condition 61EH Sound Insulation to insure that class rooms meet acceptable acoustic standards, particularly important if children attending the facility have any special hearing or communicative requirements. BB93 sets out the minimum performance standards for acoustics in schools. EH also advises conditions 62EH (Sound Insulation plant).

Officer comment – As the proposal does not relate to residential amenity, it is not a matter of the planning system to require adequate sound insulation for the school. This is a matter for the provider to ensure.

Guidance regards to the MUGA has not been included as this element has been removed from the proposals.

HCC Highways Development
Planning

Holding Objection

Trip Rates – are satisfied with the trip rates provided.

Foot path extension – there is a conflict within the Planning, Design and Access Statement and the submitted plan, the latter of which shows an extension to the footpath. The Highway Authority seeks confirmation that no physical works will take place on the existing network of footpaths.

Accident data – the data provided was not from the Hampshire Constabulary, this needs to be provided.

Travel Plan – additional information required.

Conservation Team

The site is located within to the conservation area and the main building is locally listed. The internal works retain the layout and features of the building and there are not external alterations proposed, therefore no harm to the building. The additional development in the site, includes construction of fencing which would split the site, but could be reversed/removed, should the use no longer be retained. No objection to the proposed change of use.

Neighbours notified

In addition to posting a site notice and press advertisement, 103 individual letters of notification were sent to 2 Alexandra road; 1, 1A (Snooker Hall; sports bar) Camp road; 15, 16, 17, Chartwell Gardens; 33; 35; 37; 39; 41; 45 Lynchford Road & 2,3, 4 Wesley Chambers; 40 & 1 – 10; 41; 47 & ground floor; 49 & flat 1, 2; 51; 51A Lynchford Road & 1, 2, 3, 4 Rosemary House; 53; 53A; 53B; 55; 55a; 57 & ground, ground rear, first floor; 59 & flat 2, 3, 4, 5); 61; 63 & living accommodation; 65; 65A; 65B; 67A; 67B; 67C; 69 & flat; 69A; 69B; 71; 73-75; 73A; 77; 79-81; 83; 85 & Flat 1, 2, 3, 4, 5, 6, 7, 8; 87; 89; 89B; 91A; 91B; 93; 93A & flat 1, 2, 3, 4 Lynchford Road; 4, 6, 7, 8 Peel Court; and North Camp Garrison Methodist Church.

Neighbour comments

1 letter of support;

73A Lynchford Road -

I would like to say that I am in full support of this planning application. And with this email I was wanting to enquire if the building will remain the same on the outside in keeping with the area. Currently the surrounding grounds could benefit immensely from improvement, as I feel it has started to fall into disrepair. As a parent of a child with special needs, and not having access to a school with these facilities locally, it would be fantastic to see and be able to recommend a local service like this in our area. Any updates regarding this would be appreciated.

Policy and determining issues

The site is situated within the defined urban area of Farnborough within the South Farnborough conservation area and is occupied by a locally listed building. Accordingly, the following policies are considered most relevant; SS1 Presumption in Favour of Sustainable Development; IN2 Transport; Policy IN1 - Infrastructure and Community Facilities; IN2 Transport; HE1 Heritage; HE3 Development within or adjoining a Conservation Area; DE1 Design in the Built Environment; DE6 Open Space, Sport and Recreation; NE3 Trees and Landscaping of the Rushmoor Local Plan, along with the Rushmoor Car and Cycle Parking SPD and point 95 of the NPPF.

The determining issues pertinent to this application are; The principle of development; visual impact including heritage assets; Impact upon Open Space; Highways considerations; impact upon residential amenities; and ecological impacts.

Commentary

- Principle of development

Loss of Class E space -

The site is not within a designated employment zone and not located within a primary or secondary frontage. The submission has been accompanied by a marketing report and letter

demonstrating a limited interest in the site for uses within Class E uses. Taking these factors into account there would not be a conflict with development plan policy in that respect.

Specialist School use -

Schools, including specialist schools as per this application, are defined as types of Educational 'infrastructure' in the Local Plan. Policy IN1- *infrastructure and community facilities* requires that new community facilities and infrastructure are located and designed so that they are accessible to all and are compatible with the character and needs of the local community. There is a demonstrable need for such facilities with a projected growing deficit of SEN school places over the coming years within Hart and Rushmoor. However, it is understood that it cannot be guaranteed that all pupils will be necessarily local to Rushmoor itself. However, given the specialist nature of the school this is not considered to be unusual. Places must be available to meet the needs of existing and new communities.

On balance, the facility would provide or the needs for local and wider communities within Hampshire. The proposal would not conflict with the requirements of Policy IN1 and the NPPF.

- visual impact including heritage assets;

The site is located within the South Farnborough Conservation Area and is occupied by a locally listed building. The proposal is not seeking to make external alterations to the host building but will require the erection of a metal fence around the site and alter the layout of the car park within. The fencing will be of mesh form around the site aside from the existing wall where it would comprise a railing. The colour of the fence/ railing is to be secured by condition.

It is not considered that the erection of the fencing or the alterations proposed would detract from the heritage assets or otherwise result in harm to their significance. The proposal is not considered to result in visual harm to the character and appearance of the area.

The proposal would accord with Policy DE3 and HE1 in this respect.

- Impact upon Open Space

The East of the application site is an area of designated Public Open Space. The proposals have been revised to remove a MUGA from this area, but the proposals will still enclose this area and provide a sensory garden. The fencing does not enclose the wooded area to the East and is confined to the grassed area within, and positioned behind, the hedge/ trees that surrounding the site to the south, with a small area on Lynchford Road to the front of the vegetation.

Open Space, as defined by the Local Plan, includes those areas for recreation, open sport or visual amenity. Policy DE6 of the Local Plan sets out that Development will not be permitted on areas of open space used for recreation or outdoor sport or having visual amenity subject to exemptions. This exemptions apply where: Re-provision is made elsewhere of equivalent or better community benefit in terms of quality, quantity and accessibility; The development is for sports and recreation provision, the need for which clearly outweighs the loss; or an assessment has been undertaken, which has clearly shown that the open space to be surplus to requirements in meeting need in Rushmoor over the plan period.

The Open Space in this location is publicly accessible and the proposal would result in the

grassed area being made inaccessible to the public. Effectively this would change the nature of the open space from publicly accessible land to a community facility restricted to users of the application site.

This area of Open Space, whilst being physically accessible by the public, has the visual appearance of being private area within the curtilage of the offices rather than an area associated with the adjacent Napier Gardens – in part due to the extent of tree cover along the boundary, the proximity of the car park and building. The result is that it sees little use by the public. The proposed boundary treatment design would still retain its contribution to visual amenity. The proposal would retain the area as Open Space but would alter its function.

The loss of public access to this area would involve a degree of harm, balanced by the community benefit of an important recreational function for the pupils of the SEN school whilst retaining its visual attributes.

The proposal is not considered to conflict with Policy DE6 to the extent that it should sustain a refusal of planning permission.

The proposal includes a sensory garden. No detailed plans have been provided of its content, but this would normally include paths and planting. Providing the garden would have limited hardstanding, it is not considered that this would unduly erode the qualities of this Open Space. A condition has been recommended to require further details.

Subject to conditions, the proposal is not considered to conflict with Policy DE6 of the Local Plan.

- Highways considerations;

Policy IN2 (Transport) requires development to provide 'safe, suitable and convenient access' and 'an appropriate on-site movement layout' for all potential users, amongst other things. It also requires new development to provide appropriate parking provision and to submit a Transport Assessment and Travel Plan in accordance with the Council's Car and Cycle Parking Standards supplementary planning document (SPD, adopted in November 2017). For educational establishments, the SPD notes that a bus/coach loading area should be provided either on or off site (fn. 23) and that Hampshire County Council's On-Site School Parking Guidelines (adopted in April 2013) should be used to determine the requisite parking provision for primary and secondary schools (fn. 24).

In terms of car parking, Hampshire County Council recommends the provision of one space per teaching member of staff and two spaces per three non-teaching staff members. A Travel Plan and Transport Statement have been submitted with the application which states that the proposal will employ ten teaching staff and thirty support staff. On this basis, there is a requirement for thirty car parking spaces. The proposal involves the reconfiguration of the existing car park to provide a designated drop-off/collection area, two mini-bus parking spaces and 22 car parking spaces, which is a shortfall of eight spaces. However, it is noted that the Napier Gardens public car park is located opposite the site on Queen's Avenue and that pay-and-display on-street parking is available along 'old' Lynchford Road. Given the above, the proposal is unlikely to result in harm in that respect.

In terms of drop off and pick up of pupils, the arrangements of this SEN school is significantly different from that from a standard school. The pupils are taken to the school via mini-bus or private taxi, due to the specific care requirements associated with the pupils attending the

school. Based on existing facilities this amounts to around 61% of pupils using the mini-bus, which would make around 3 trips a day. The Transport Statement details the way in which staff can manage the drop off/ pick up area to avoid congestion on the highway. Statements from similar Outcomes First schools have been provided demonstrating the use of the same system of drop -off and pick up and the management of such¹.

Whilst no cycle parking is to be provided for pupils, it is noted that Hampshire County Council's Guidelines state that this should be assessed on a site-specific basis for special schools and that the submitted Travel Plan and Transport Statement highlight that the majority of pupils will arrive and depart by minibus and taxi. Letters from existing similar facilities operated by the same company have been provided that explain how this operates in practice and how the drop of/ and pick up facility is managed. Whilst a Travel Plan has been submitted, further information has been requested and this has been secured by condition. Such system of drop off and pickup is not unusual for specialist schools and shall be secured by way of a suitably worded travel plan, that shall include mechanisms for avoiding queuing on the public highway.

Hampshire County have reviewed the proposals and have recommended a holding objection for additional information. This relates to the alterations around the entrance, accident data and updates to the Travel Plan.

The proposed site plan shows extensions to the footpath on Lynchford Road on both sides of the existing bell mouth, however, the Planning Design and Access statement states that no physical works are to be made to the entrance. The Highways Authority have requested that the developer confirms that no physical works will take place on the public highway and amend the plan accordingly.

The agent has confirmed that changes are proposed to the path so that it provides continual passage within the site, however a response from Hampshire Highways has yet to be received. The changes to the public highway are not fundamental to the operation of the proposals and in the interest of not delaying the application further, a condition has been imposed requiring details and clarification in that regards.

Whilst accident data was provided by the applicant, the data was not from the Hampshire Constabulary, and Hampshire Highways have requested that the data from the latter source be provided. Such information has been provided to the county, but no response has been provided. Given the nature of the proposals in this instance it is considered that it would not be prudent to delay or refuse the application in this instance. Whilst the proposal is for a school, given their special educational needs the pupils are to be delivered to the site by Mini-bus or taxi. They will not be walking into the site. In addition, the site can be lawfully used for uses within Class E – a use that includes retail, restaurants, offices, indoor sport, recreation or fitness, medical or health services, and creche/ nursery and it is not considered that the proposals, given this particular context – would result in a materially different risk from this.

The proposal is for a school falling within Use Class F1. Use Class F1 incorporates uses such as ; The provision of education, the display of works of art, museum, public library, public reading room, public halls, public worship, law courts.

¹ Executive Headteacher of Hillingdon Manor School describing the arrangement for drop off and pick up (DOPU)of students for this school.

The proposal can change use without planning permission to any uses falling within Use Class F1, so the proposal needs to be sure that the highways demands of these uses can be met.

The concern here is that some of the uses within Class F1 may result in traffic impacts that could result in highway safety issues. This includes schools without the particular drop off and pick arrangement as described above. To control for this, a condition has been recommended requiring specific travel plans for any new users of the site outside that of this particular school provider (outcomes first group).

Subject to conditions, the proposal is considered to accord with the aimst of Policy IN2 of the Local Plan and the Rushmoor Car and Cycle SPD.

- Impact upon residential amenities;

The proposal would result in the provision of a SEN School that would operate during the day. It is not considered that the proposal would result in noise or other disturbance that would harm the amenities of residential occupiers nearby.

- Ecological impacts.

The proposal has been revised so that no trees would be removed. The applicant has previously submitted a report - Preliminary Ecological Appraisal and Roost Assessment, author Arbtech Consulting Ltd, dated 16th June 2022, which identified a 'low' potential for active bat roosts to be present and affected by the proposed development. One further bat emergence survey was recommended. The above referenced Bat Emergence and Re-entry Surveys report provides the results of that single bat emergence survey which was undertaken in accordance with good practice. No bats were seen to be actively roosting at the proposed development site and active roost are therefore presumed absent. Active roosts are therefore assumed to not be a constraint to development.

The proposal would be acceptable in this respect.

Conclusions

It is considered that the proposed development would be acceptable in principle, not result in harm to Heritage Assets or result in harm to visual amenity, would have satisfactory relationships with neighbours, and subject to conditions would not have a harmful impact upon highways. The proposals are thereby considered acceptable having regard to Policies SS1, IN1, IN2, HE1, HE3, DE1, DE6, NE3 of the adopted Rushmoor Local Plan (2014-2031) along with the Rushmoor Car and Cycle Parking SPD and point 95 of the NPPF.

Full recommendation

It is recommended that the Head Economy, Planning and Strategic Housing be authorised to **GRANT** planning permission 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:

100 - Location Plan

101 - Existing Site Plan

102 A - Proposed Site Plan

hn103 - Existing Elevations and Plan

104 - Proposed Elevations and Plan

Planning Design and Access Statement

Addendum to Planning, Design and Access Statement

Preliminary Ecological Appraisal and Roost Assessment. Arbtech. 16/06/2022/

Foundations Heritage - on behalf of SpaceM Studio. Report No. 1501 June 2022.

Studio 40 Marketing Report. Bernard Gordon & Company. June 2022.

Prelim Flood Risk Assessment and Surface Water Strategy - Innervision design. June 2022.

HighgateTransportation - Transport Statement 2291/TS/01

HighgateTransportation Technical Note September 2022

Arboricultural Planning Statement. RSK ADAS Ltd. June 2022.

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

3. The maximum number of pupils at the school shall not exceed 50 in any academic year.

Reason: in the interest of highway safety.

4. Notwithstanding the details within the submitted documents, tree T1 shall be retained on the site.

Reason: In the interest of visual amenity and biodiversity.

5. Any works affecting the public highway shall be carried out in accordance with details that shall be first submitted to and approved in writing by the Local Planning Authority in consultation with Hampshire County Council Highways. Such submission shall include any details relating to works to the public highway either side of the bell mouth. Such works shall be implemented in accordance with the details so approved and retained for the lifetime of the development.

Reason – In the interest of highway safety.

6. Prior to their erection, details of any refuse stores shall be submitted to and approved in writing by the Local Planning Authority. Such refuse stores shall be implemented in accordance as so approved and retained for the lifetime of the development.

Reason: In the interest of visual amenity and Heritage Assets.

7. Prior to the installation of boundary treatment, details of boundary treatment shall be first submitted to and approved in writing by the Local Planning Authority. Such

submission shall include their height, material and colour. Such boundary treatment shall be installed as so approved and retained for the lifetime of the development.

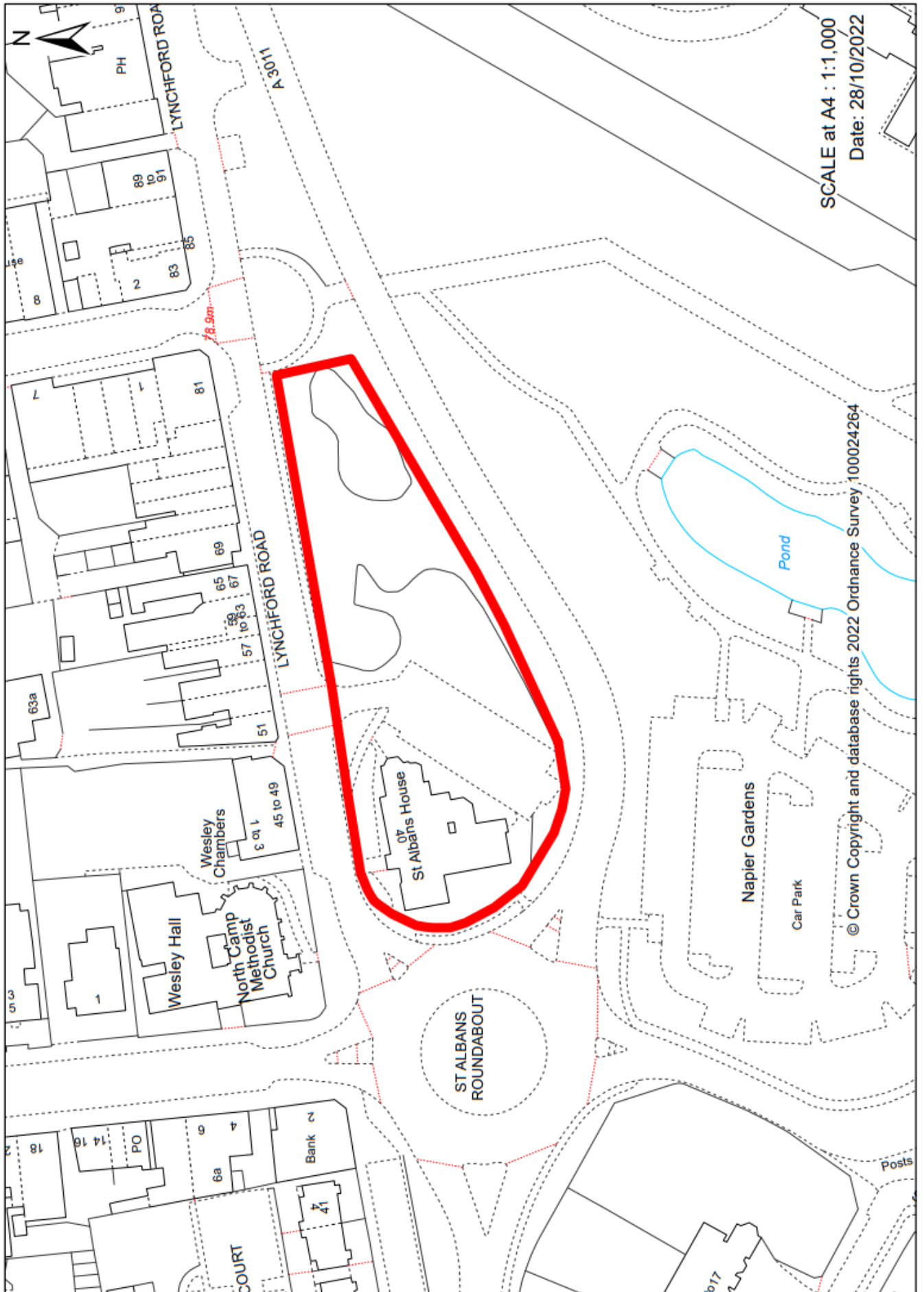
Reason: In the interest of visual amenity and Heritage Assets.

8. Prior to the installation of the sensory garden or other landscaping, details shall be first submitted to and approved in writing by the Local Planning Authority. Such submission shall include details of any hardstanding, planting, seating areas and structures. Such sensory garden/ landscaping shall be installed as so approved and retained for the lifetime of the development.

Reason: In the interest of visual amenity and Heritage Assets.

9. Notwithstanding the submitted information, prior to commencement of the use hereby approved, shall be submitted to and approved in writing by the Local Planning Authority. Where relevant this shall include the management of travel by pupils and staff, and the requirement for a new travel plan for each new occupier. The Travel Plan so approved shall be implemented prior to the occupation of the development and reviewed as agreed.

Reason: In the interest of highway safety.



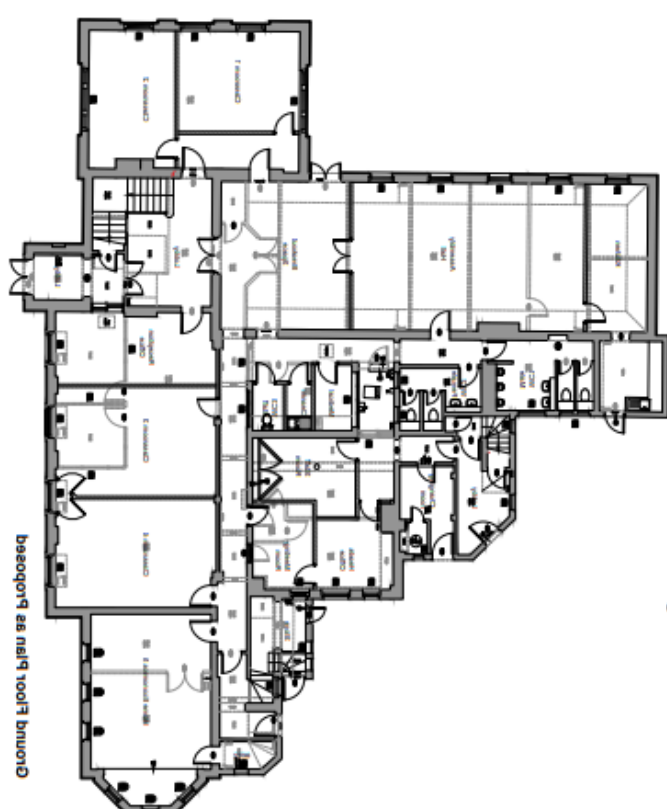
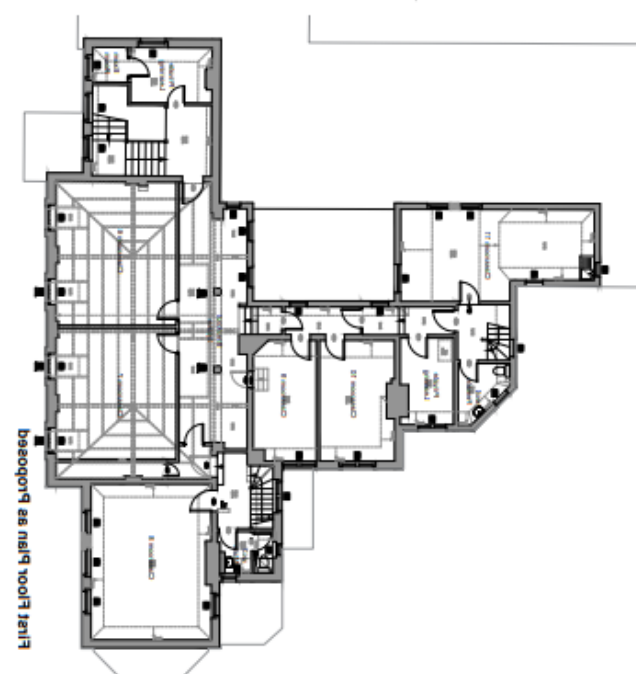
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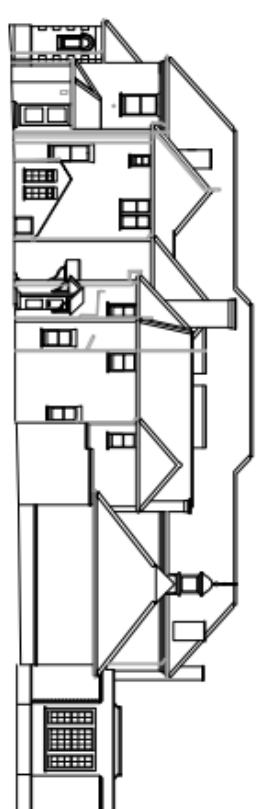
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 ΟΔΟΣ ΕΛΛΗΝΙΚΗΣ ΠΡΟΤΕΚΝΗΣ 15, ΑΘΗΝΑ 11527
 ΤΗΛΕΦΩΝΟ: +30 210 7723111
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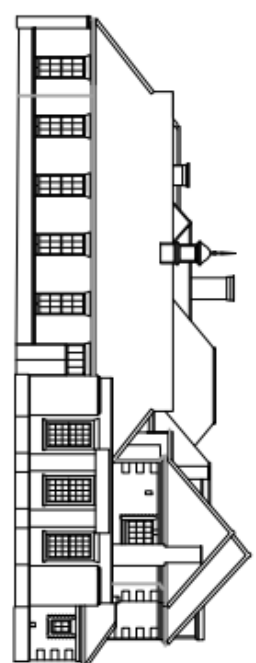
Εξωτερική Εlevation as Existing



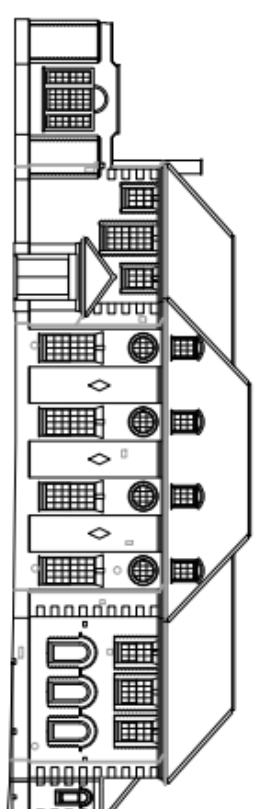
Εξωτερική Εlevation as Existing



Αριστερή Εlevation as Existing



Αριστερή Εlevation as Existing



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	21/00808/CONDPP	Ward: Wellington
Applicant:	C/o Agent	
Decision:	Conditions details approved	
Decision Date:	17 October 2022	
Proposal:	Submission of details pursuant to condition 3 (affordable housing strategy) of part reserved matters application 21/00108/REMPP dated 27th May 2021	
Address	Part Of Land At Stanhope Lines E And Part Of Buller Alisons Road Aldershot Hampshire	

Application No	21/00981/FULPP	Ward: St Mark's
Applicant:	Mrs Ruffle	
Decision:	Permission Granted	
Decision Date:	12 October 2022	
Proposal:	Demolition of outbuilding, erection of two storey rear extension with undercroft parking to provide 7 flats (6x 1 bed and 1 x 2 bed), along with alterations to fenestration and shopfront.	
Address	89 - 91 Lynchford Road Farnborough Hampshire GU14 6ET	

Application No 22/00084/FULPP Ward: Empress
Applicant: Mr And Mrs Haroon Sadiq
Decision: **Permission Granted**
Decision Date: 21 October 2022
Proposal: Single storey side and rear extension and conversion of garage to residential annexe
Address **14 Cabrol Road Farnborough Hampshire GU14 8NY**

Application No 22/00473/FULPP Ward: Wellington
Applicant: Andrew Martin
Decision: **Permission Granted**
Decision Date: 03 October 2022
Proposal: Installation of an insulated render system to the external elevations of nos. 1 - 15 (inc) Rutland Terrace, Aldershot
Address **Rutland Terrace Campbell Road Aldershot Hampshire GU11 1PR**

Application No 22/00531/TPO Ward: Rowhill
Applicant: Mrs Wendy Woodings
Decision: **Permission Granted**
Decision Date: 05 October 2022
Proposal: Remove one Pine in rear garden and crown reduce by no more than 3 metres one Oak in rear garden as per submitted plan (both trees are part of group G1 of TPO 171V)
Address **65 Rowhill Avenue Aldershot Hampshire GU11 3LP**

Application No 22/00554/FULPP Ward: Fernhill
Applicant: Mr & Mrs Vincent
Decision: **Permission Refused**
Decision Date: 20 October 2022
Proposal: Erection of two storey side extension, single storey front and rear extensions, and sub-division to form a new end of terrace two bedroom dwelling house with associated means of access, parking, landscaping and amenity space
Address **65 Blackthorn Crescent Farnborough Hampshire GU14 9AG**

Application No 22/00565/FULPP Ward: Manor Park
Applicant: PLG Consultants Ltd on behalf of our client
Decision: **Permission Granted**
Decision Date: 07 October 2022
Proposal: Erection of single storey rear extension following demolition of existing conservatory and formation of access ramps to front and rear
Address **157 Church Lane East Aldershot Hampshire GU11 3ST**

Application No 22/00580/FULPP Ward: Knellwood
Applicant: Mr Gareth Dickinson
Decision: **Permission Granted**
Decision Date: 10 October 2022
Proposal: External alterations and conversion of existing car-port to form part kitchen and storage area
Address **150 Reading Road Farnborough Hampshire GU14 6NY**

Application No 22/00581/FUL Ward: North Town
Applicant: Mr Jack Spires
Decision: **Permission Granted**
Decision Date: 07 October 2022
Proposal: Erection of outbuilding
Address **27 Holly Road Aldershot Hampshire GU12 4RL**

Application No 22/00598/NMAPP Ward: Cove And Southwood
Applicant: CALA Homes (Thames) Ltd
Decision: **Permission Granted**
Decision Date: 07 October 2022
Proposal: NON MATERIAL AMENDMENT: Re-positioning of acoustic fence approved with planning permission 16/00837/FULPP dated 19 March 2019 as amended by Non-Material Amendment 20/00234/NMAPP dated 30 April 2020
Address **The Crescent Southwood Business Park Summit Avenue Farnborough Hampshire**

Application No 22/00602/TPOPP Ward: Knellwood
Applicant: Mr Flack
Decision: **Permission Granted**
Decision Date: 05 October 2022
Proposal: One Beech (T5 of TPO 338V) reduce canopy by no more than 2 metres radially and reduce height by no more than 4 metres to suitable lateral growth points
Address **6 Pirbright Road Farnborough Hampshire GU14 7AD**

Application No 22/00603/FULPP Ward: Empress
Applicant: Frasers Property Ltd
Decision: **Permission Granted**
Decision Date: 19 October 2022
Proposal: External landscaping works to the south of Building 150 O'Gorman Avenue, including reducing the width of O'Gorman Avenue, installation of external seating, external lighting and new soft landscaping
Address **150 Pinehurst Road Farnborough Hampshire GU14 7BF**

Application No 22/00604/ADVPP Ward: Empress
Applicant: Frasers Property Ltd
Decision: **Permission Granted**
Decision Date: 19 October 2022
Proposal: Display of one internally illuminated sign to the southern elevation, 1no. non-illuminated sign to the northern elevation and 1no. illuminated totem sign
Address **150 Pinehurst Road Farnborough Hampshire GU14 7BF**

Application No 22/00606/FULPP Ward: Knellwood
Applicant: Mr & Mrs G Toor
Decision: **Permission Granted**
Decision Date: 18 October 2022
Proposal: Erection of a single storey side extension, single storey rear extension and infill of existing porch
Address **27 Ashley Road Farnborough Hampshire GU14 7EZ**

Application No 22/00608/TPO Ward: St Mark's

Applicant: Mr Peter Fotheringham

Decision: **Permission Granted**

Decision Date: 05 October 2022

Proposal: One Copper Beech (T1 of TPO 451) crown reduce by no more than 2.5 metres, crown lift by no more than 4.5 metres from ground level and crown thin by no more than 20%. One Tree of Heaven (T2 of TPO 451) crown reduce by no more than 3 metres

Address **Land Affected By TPO 451 44 Gravel Road Farnborough Hampshire**

Application No 22/00611/TPOPP Ward: Knellwood

Applicant: Mrs David Stroud

Decision: **Permission Granted**

Decision Date: 05 October 2022

Proposal: One Sycamore (T7 of TPO 446A) removal of one infected bough on tree 4 as per submitted report

Address **87 Abbey Way Farnborough Hampshire GU14 7DF**

Application No 22/00612/FULPP Ward: Fernhill

Applicant: Mr Nuruz Zaman

Decision: **Permission Refused**

Decision Date: 21 October 2022

Proposal: Conversion of various store rooms into dormitory accommodation for staff working in the take away restaurant and additional window at rear of property, patio and internal alterations

Address **106 Chapel Lane Farnborough Hampshire GU14 9BL**

Application No 22/00614/FUL Ward: West Heath
Applicant: Mr & Mrs Swift
Decision: **Permission Granted**
Decision Date: 13 October 2022
Proposal: Erection of replacement dwelling of 4-bedroom size (variation of domestic development for extensions approved with planning permission 22/00182/FUL dated 8 July 2022 following demolition of the existing dwelling)
Address **18 Glebe Road Farnborough Hampshire GU14 8QS**

Application No 22/00633/FULPP Ward: Empress
Applicant: Mr & Mrs Gomes
Decision: **Permission Granted**
Decision Date: 10 October 2022
Proposal: Insertion of roof lights and changes to doors within the rear and side elevation of the existing single storey rear extension, formation of a glazed roof over courtyard area and Glass balustrade above brick retaining wall of existing patio area
Address **4 Empress Avenue Farnborough Hampshire GU14 8LX**

Application No 22/00635/FUL Ward: Cherrywood
Applicant: Mr LAL BAHADUR GURUNG
Decision: **Permission Granted**
Decision Date: 14 October 2022
Proposal: Retention of a single storey side extension and front porch (Variation of planning permission 21/00685/FULPP dated 11th November 2021 for the Demolition of existing attached outbuilding and erection of a single storey side extension and front porch)
Address **10 Lancaster Way Farnborough Hampshire GU14 8JA**

Application No 22/00639/PDCPP Ward: Manor Park
Applicant: Mr Fraboni
Decision: **Development is Lawful**
Decision Date: 18 October 2022
Proposal: CERTIFICATE OF LAWFULNESS FOR PROPOSED DEVELOPMENT:
Erection of a side extension
Address **13 Windmill Road Aldershot Hampshire GU12 4NH**

Application No 22/00640/FULPP Ward: St John's
Applicant: Arun Vivek Ponnusamy
Decision: **Permission Granted**
Decision Date: 18 October 2022
Proposal: Erection of single storey extensions to side and rear, conversion of
existing garage to form a habitable room and porch to side
Address **11 Holmbrook Gardens Farnborough Hampshire GU14 9SH**

Application No 22/00659/FULPP Ward: St John's
Applicant: Mr & Mrs Adams
Decision: **Permission Granted**
Decision Date: 19 October 2022
Proposal: Erection of a part two storey and part single storey side extension
Address **14 Chiltern Avenue Farnborough Hampshire GU14 9SE**

Application No 22/00660/FULPP Ward: Fernhill
Applicant: Mr Rob Morgan
Decision: **Permission Granted**
Decision Date: 20 October 2022
Proposal: Erection of single storey rear extension
Address **12 Rowans Close Farnborough Hampshire GU14 9EJ**

Application No 22/00667/FULPP Ward: Manor Park

Applicant: Mr Karl Mackrory

Decision: **Permission Granted**

Decision Date: 21 October 2022

Proposal: Erection of a single storey rear extension

Address **7 Highfield Gardens Aldershot Hampshire GU11 3DB**

Application No 22/00677/FUL Ward: Empress

Applicant: Mr Martin Shelley

Decision: **Permission Granted**

Decision Date: 27 October 2022

Proposal: Demolition of existing garage and erection of new garage

Address **19 Baird Road Farnborough Hampshire GU14 8BP**

Application No 22/00678/ADJ Ward: Out Of Area

Applicant: Hart District Council

Decision: **No Objection**

Decision Date: 07 October 2022

Proposal: ADJACENT AUTHORITY CONSULTATION FROM HART DC:
Amendment to Full planning application 18/00334/FUL for the erection of 158 dwellings, vehicular access from Hawley Road, pedestrian access from Fernhill Lane and the provision of SANG, public open space, landscaping and associated works. Amendment to house types and layouts for plots 105-127 (condition 2 of 18/00334/FUL)

Address **Hawley Park Farm Hawley Road Blackwater Camberley GU17 9EF**

Application No 22/00682/NMA Ward: St John's

Applicant: Mr Osborne

Decision: **Permission Granted**

Decision Date: 19 October 2022

Proposal: Non Material Amendment to approved planning application 22/00443/FULPP dated 10.08.2022 : to allow changes in material in the two storey extension from brick to brick and grey render

Address **Dovedale 34 Minley Road Farnborough Hampshire GU14 9RS**

Application No 22/00691/CONDPP Ward: Wellington

Applicant: Mr Jack Riggs

Decision: **Conditions details approved**

Decision Date: 13 October 2022

Proposal: Re-submission (Block B7) 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 22/00692/FULPP Ward: St John's

Applicant: Mr and Mrs Jones

Decision: **Permission Granted**

Decision Date: 27 October 2022

Proposal: Erection of a single storey rear extension following demolition of existing conservatory, erection of a front extension and conversion of existing garage

Address **17 Chiltern Close Farnborough Hampshire GU14 9SF**

Application No 22/00711/COND Ward: Wellington

Applicant: Mr Jack Riggs

Decision: **Conditions details approved**

Decision Date: 13 October 2022

Proposal: Re-submission (Block B7) of details part pursuant (Cambridge Military Hospital Phases 2-10) to condition 4 (Post-Demolition Surveys) and condition 5 (detailed drawings) of listed building consent 15/00930/LBC2PP dated 18th October 2017

Address **Zone C - Cambridge Military Hospital Aldershot Urban Extension
Alisons Road Aldershot Hampshire**

Application No 22/00714/COND

Ward: Cove And Southwood

Applicant: Winckworth Sherwood

Decision: **Conditions not complied with**

Decision Date: 19 October 2022

Proposal: Request for confirmation that the requirements of Condition No.9 (Soil Investigation) of planning permission 91/00073/OUT dated 23 May 1991 have been complied with

Address **7 St Christophers Road Farnborough Hampshire GU14 0AH**

Development Management Committee
9th November 2022

Planning Report No. EPSH2241

Appeals Progress Report

1. New Appeal

- 1.1 An appeal against refusal of planning permission (application 21/00476/FULPP) for 'Change of use from public house (Sui Generis) to grocery shop (Use Class E), with continued use above ground floor of ancillary residential accommodation' in respect of **The Royal Staff Public House, Mount Pleasant Road Aldershot** originally lodged in October 2021, has been validated and given a start date by the Planning Inspectorate. The Council's Statement of Case is due on 10 November. The appeal will be determined by the written representation method.

2. Appeal Decisions

- 2.1 Appeal against refusal of planning permission 21/00912/FUL for "*Formation of a new driveway and vehicular access for off street parking*" at **66 Church Road Aldershot**. The Council refused planning permission under delegated powers on 3 February 2022 for the following reasons;

- 1 The proposed parking area in the front garden of the property is inadequate in both the depth and width to accommodate parking space size as required by the Highway Authority and would therefore be likely to result in conditions prejudicial to pedestrian and highway safety.
- 2 The proposed access would result in the loss of part of an on-street parking bay on the highway to the front of the property. Taking into account the inadequate off-street parking provision proposed, the proposal would result in a net loss of at least 1 parking space in Church Road, and would have a negative impact on the local highway network.

The Inspector concluded that due to the limited size of the frontage of the property, the existing wall, vehicular access over a footpath and possible vehicles parked on the road, a vehicle would not be entering the parking space in a direct forward motion and would be likely that several manoeuvres would be required to park a vehicle as proposed. This is contrary to the Highways Authority guidance for dropped kerbs.

The decision further concluded that the proposed arrangement would result in the loss of at least one but potentially more, on street parking space(s) which are accessible and unrestricted and thereby available to other occupiers of other properties and road users.

The proposed arrangements were found to contravene the Council's SPD and the Highways Authority Guidance and failed to demonstrate that the safety of all highway users, including pedestrian would be ensured. The proposal was therefore contrary to Policy IN2 of the Rushmoor Local plan.

Appeal **Dismissed**.

3. Recommendation

3.1 It is recommended that the report be **NOTED**.

Tim Mills

Head of Economy, Planning and Strategic Housing

Development Management Committee
9th November 2022

**Head of Economy, Planning and
Strategic Housing**
Report No.EPSH 2242

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 to take 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)

Item 1

Delegated Decisions to take Enforcement Action

The following Decision is reported for **INFORMATION** purposes only. It relates to a decision to issue an enforcement notice that has already been made by the Head of Economy, Planning and Strategic Housing in accordance with the Council's adopted Scheme of Delegation.

If Members wish to have more details about the decision on the case below, please contact John W Thorne (01252 398791) in advance of the Committee meeting.

Address	The White Lion Public House, 20 Lower Farnham Road Aldershot
Ward	Aldershot Park
Decision	Issue Enforcement Notice
Decision date	15/10/2022
Reasons	<p>Complaints were received that the flat was being advertised as available for rent independently from the Public House in May 2022, and this was evidenced on a site visit in June 2022. Three letters were sent to the owner but there was no response. A Planning Contravention Notice (PCN) was issued on 4 August which was returned completed on 8 September. This confirmed that the first-floor flat is being occupied by tenants under a six-month shorthold tenancy agreement with the owner as the landlord. The PCN confirmed that there has been a breach of planning control as the first-floor flat is ancillary to the Public House, and not an independent dwelling (Use Class C3).</p> <p>This breach is considered to give rise to planning harm because under the Rushmoor Local Plan, any development resulting in the loss of a Public House must first demonstrate that there is no longer term need and details of how this can be demonstrated are given in the Local Plan and the adopted Development Affecting Public Houses SPD.</p> <p>Planning Application 22/00159/FULPP for a rear first floor extension and change of use of the flat into an independent dwelling was refused in April 2022 for failing to demonstrate that there was no longer term need for the accommodation. Instructions have been issued to the Corporate Manager, Legal to draft and serve the notices in this respect.</p> <p>Under section 171 of the Town and Country Planning Act, the absence of enforcement action could result in the use becoming</p>

lawful if the breach was continuous for a period of more than 4 years.

Case Officer Katie Ingram

Associated Documents Enforcement Reference 22/00069/COUGEN

Development Management Committee
9th November 2022

Planning Report No. EPSH2243

Planning (Development Management) summary report for the quarter Jul-Sept 2022

1. Introduction

- 1.1 The purpose of this report is to update Members on the position with respect to Performance Indicators for the Development Management Section of Planning, and the overall workload of the Section. This report covers the quarter from 1st July to 30th September 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 second quarter of 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. 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

Decisions in quarter	Jul-Sept 2022	Government Target	2021/2022 Total
1	100%	60%	100%

The sole case was determined outside the statutory period but was subject to an agreed extension of time and therefore recorded as 'in time'.

Minor (Non householder) Applications determined within 8 weeks

Decisions in quarter	Jul-Sept 2022	Government Target	2021/2022 Total
18	83.3%	65%	91%

*6 of 18 cases were determined outside the statutory period but 6 were subject to agreed extensions of time and therefore recorded as in time.

'Other' (Including Householder) Applications determined within 8 weeks

Decisions in quarter	Jul-Sept 2022	Government Target	2021/2022 Total
78	97.4%	80%	89%

*21 of 78 cases were determined outside the statutory period but 19 were subject to agreed extensions of time and therefore recorded as in time.

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	Jul-Sept 2022	Appeal Decisions	Appeals Allowed
40% max	0%	1	0

3. Workload

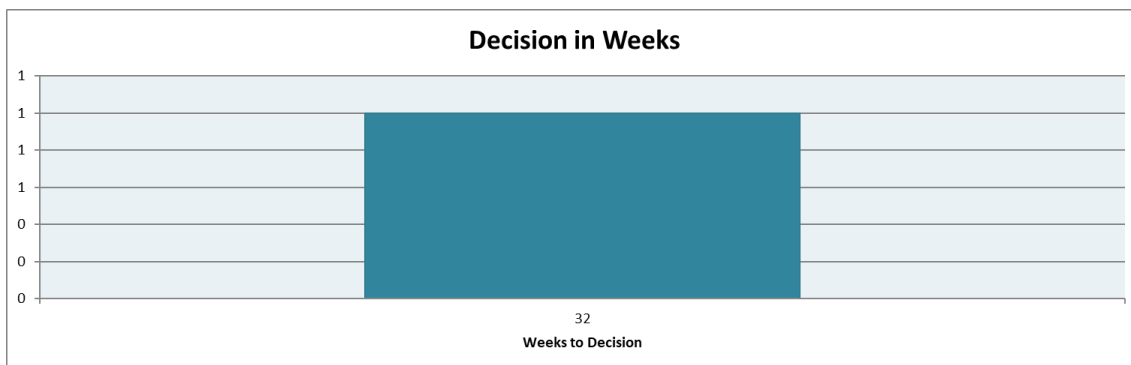
3.1 This section deals with workload demand on the Development Management Section in the second quarter of 2022-2023.

Departmental Work Demand Jul-Sept 2022

	Applications Submitted (All types)	Pre-Application Cases	Applications Determined (All types)	Appeals Submitted
Q2	236	51	208	3

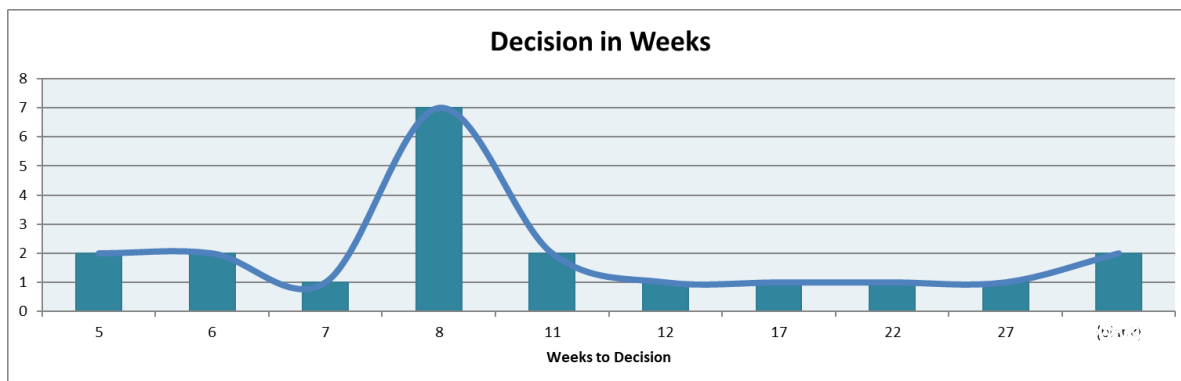
3.2 The following graphs present the time period being taken to determine different types of application in the second quarter of 2022-2023.

Major and small-scale majors Total 1



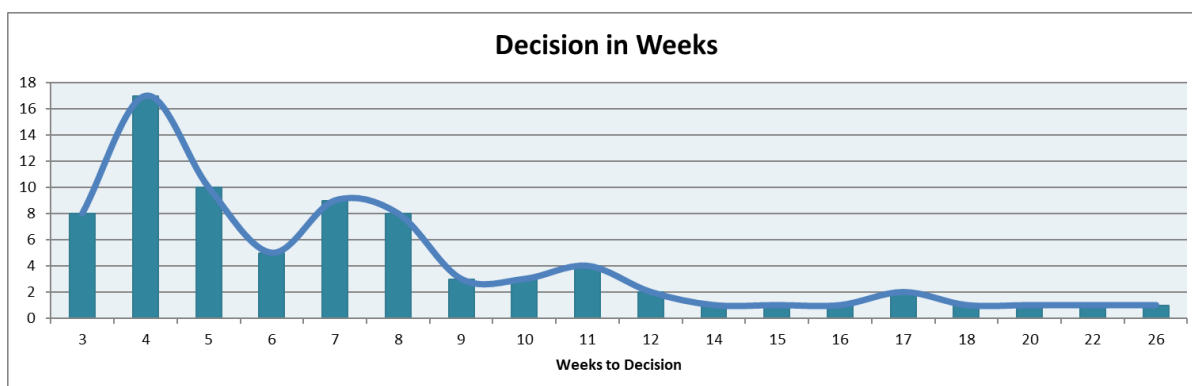
3.3 Performance with regard to Major applications remains above the Government target with the sole case determined in accordance with an agreed extension of time.

Minor (Non householder) applications Total 18



3.4 This second graph illustrates the determination times for minor applications, 83.3% of which were determined within the statutory period or in accordance with agreed extensions of time in the second quarter of 2022-2023.

'Other' (Including Householder) applications Total 78



3.5 This third graph shows that in the second quarter of this financial year the majority of householder applicants (over 90%) received decisions within eight weeks of their validation date or in accordance with agreed extensions of time.

4. Fee Income

4.1 The total planning fee income received for the second quarter was £34,892.21 against a budget estimate of £87,000.

4.2 The total pre-application income received for the first quarter was £6,158 against a budget estimate of £9,000.

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	Jul-Sept 2022
Contributions received (Rushmoor and Hampshire)~	£116,147.67
Open Space (specific projects set out in agreements)	£12,600.0
SANGS b) Southwood Country Park	b) £31,038.0
SAMM* b) Southwood Country Park c) Wellesley Woodland d) Bramshot Farm (Hart)	b) £2,793.0 c) £65,454.43 d) £4,262.24
Transport (specific projects set out in agreements)*	£0

~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.

2 new undertakings/legal agreements were signed in the period Jul-Sept 2022.

6. Comment on workload for this quarter

6.1 This quarter year saw no significant change in numbers of application submissions and determinations but a fall in fee receipts. For the first six month of the financial year planning application fees stand at approximately half the estimated level. Whilst this quarter has seen a fall in pre-application receipts, the overall figure for the six month period is only marginally below the estimate. In particular although there are anticipated to be a number of major application submissions during the financial year, there have been no such submissions in Quarters 1. and 2.

7. Wellesley

7.1 There have been 1112 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 now been removed and a house is currently under construction.

- 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 644 of the units are now occupied.
- 7.3 Gunhill Development Zone (Zone E) is located 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 located 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 together with some of the units within Cambridge Military Hospital. 31 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 detail submissions in relation to the permission. A sales and marketing suite has been approved and is operating on Hope Grant's Road (East).
- 7.7 A Design Code Document 3 has been submitted in respect of Knollys & Pennefathers Zones and is currently being considered. The DCD3 will require approval prior to the submission of any Reserved Matters Applications. Zones (F & G) are located to the south of Corunna Zone to the west of the Aldershot Centre for health. The combined zones would provide 145 residential units.

8. Items Deferred for decision following Committee Consideration

- 8.1 A list of decisions taken by this committee which have been deferred for subsequent decision, and their current status, is included as Appendix I.

9. Recommendation

- 9.1 That the report be NOTED

Tim Mills
Head of Economy, Planning and Strategic Housing

Contact: John W Thorne 01252 398791

BACKGROUND PAPERS: None.

Appendix I

Matters Deferred from DMC for subsequent Decision etc.

Committee Date	Site	Outcome
26/5/2021	Victoria Rd/Arthur Street 21/00235/FULPP	Subject to S.106 or other arrangement Housing co. application. No time limit. Legal mechanism agreed, permission not issued yet as tied to transfer of land which is subject of ROED with Legal/Exec Director for agreement
15/9/2021	G Force Tyres, Ash Road	Two enforcement notices issued and complied with. (an update following an officer site visit will be included on the amendment sheet for DMC 9th November 2022)
20/7/2022	63 Cambridge Rd East 21/00980	Revised scheme approved, Awaiting Legal Agreement – deadline 30th September ‘unless otherwise agreed... etc’
20/7/2022	Briarwood, Sorrel Close 22/00390/FULPP	Awaiting Legal Agreement – deadline 2nd September ‘or such later date etc...’
20/7/2022	9A Wellington Street 22/00390/FULPP	Subject to S.106 or other arrangement Housing co. application. No time limit. Contribution paid. Legal confirmation mechanism

		awaited, permission not issued yet.
17/8/2022	Aldershot Bus Station 22/00029/FULPP	Awaiting Legal Agreement. Deadline 31 st August 'or such other...etc.'
17/8/2022	Phase 5 North Town 22/00282/FULPP	Awaiting Legal Agreement. Deadline 31 st October (extension)
14/9/2022	242-244 Farnborough Road 22/00402/FULPP	Awaiting Legal Agreement. Deadline 5 th December
12/10/2022	209-211 Lynchford Road 22/00480/FULPP	Awaiting Legal Agreement. Deadline 10 th November 'unless otherwise agreed etc..'