

Public Document Pack



RUSHMOOR BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT COMMITTEE

*at the Council Offices, Farnborough on
Wednesday, 8th November, 2023 at 7.00 pm*

To:

VOTING MEMBERS

Cllr S.J. Masterson (Chairman)
Cllr Marina Munro (Vice-Chairman)

Cllr Jib Belbase
Cllr P.J. Cullum
Cllr A.H. Gani

Cllr C.P. Grattan
Cllr Michael Hope
Cllr Halleh Koohestani

Cllr Sophie Porter
Cllr D. Sarki
Cllr Calum Stewart

NON-VOTING MEMBERS

Cllr G.B. Lyon (ex-officio)

STANDING DEPUTIES

Cllr Christine Guinness
Cllr S. Trussler
Cllr G. Williams

Enquiries regarding this agenda should be referred to Adele Taylor,
Democratic Services, 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 11th October, 2023 (copy attached).

3. **PLANNING APPLICATIONS –** (Pages 5 - 120)

To consider the Executive Head of Property and Growth's Report No. PG2339 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	22/00340/REMPP	Blandford House and Malta Barracks Development Site, Shoe Lane, Aldershot	For information
3	23/00695/FULPP	The Range, Ivy Road, Aldershot	For information
4	23/00713/FUL	Manor Park Cottage, St. Georges Road East, Aldershot	For information

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

Item	Pages	Reference Number	Address	Recommendation
5	11-30	23/00668/FULPP	No. 69 Marrowbrook Lane, Farnborough	Grant
6	31-64	23/00597/FULPP	Land at No. 127	Grant

			Orchard Rise, La Fosse House, No. 129 Ship Lane, and Farnborough Hill School	Subject to Section 106 Agreement
7	65-86	23/00602/FULPP	No. 7 Avon Close, Farnborough	Item Withdrawn on 1 November 2023
8	87-106	23/00688/FUL	Redan Road Depot, Redan Road, Aldershot	Subject to Section 106 Agreement

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 121 - 122)**

To consider the Executive Head of Property and Growth's Report No. PG2340 (copy attached) on the progress of recent planning appeals.

5. **PLANNING (DEVELOPMENT MANAGEMENT) SUMMARY REPORT FOR THE QUARTER JULY 2023 - SEPTEMBER 2023 – (Pages 123 - 128)**

To receive the Executive Head of Property and Growth's Report No. PG2341 (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 2023 – 30th September 2023.

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, 11th October, 2023 at the Concorde Room, Council Offices, Farnborough at 7.00 pm.

Voting Members

Cllr S.J. Masterson (Chairman)
Cllr Marina Munro (Vice-Chairman)

Cllr Jib Belbase
Cllr P.J. Cullum
Cllr C.P. Grattan
Cllr Michael Hope
Cllr Halleh Koohestani
Cllr Calum Stewart

Apologies for absence were submitted on behalf of Cllr A.H. Gani, Cllr Sophie Porter and Cllr D. Sarki.

Cllr Christine Guinness, Cllr S. Trussler and Cllr G. Williams attended the meeting as a Standing Deputy.

Non-Voting Member

Cllr G.B. Lyon (Planning and Economy Portfolio Holder) (ex officio)

30. DECLARATIONS OF INTEREST

There were no declarations of interest for this meeting.

31. MINUTES

The Minutes of the Meeting held on 13th September, 2023 were approved and signed as a correct record of proceedings.

32. REPRESENTATIONS BY THE PUBLIC

In accordance with the guidelines for public participation at meetings, and in particular major planning applications, 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
23/00668/FULPP	No. 69 Marrowbrook Lane, Farnborough	Mr Paul Rosewarne, No. 67a Marrowbrook Lane, Farnborough	Against
23/00668/FULPP	No. 69 Marrowbrook Lane, Farnborough	Ms Temi Agunbiade, Director - Beyond Vision Transitions, No. 141 Frimley Road, Camberley	In Support

33. PLANNING APPLICATIONS

RESOLVED: That

(ii) consideration be deferred to a future meeting for the following application:

23/00668/FULPP No. 69 Marrowbrook Lane, Farnborough

(iii) the following application be determined by the Executive Head of Property and Growth, in consultation with the Chairman:

* 23/00519/FULPP Coltwood Business Centre, No. 3 Pickford Street, Aldershot

(iii) the applications dealt with by the Executive Head of Property and Growth, where necessary in consultation with the Chairman, in accordance with the Council's Scheme of Delegation, more particularly specified in Section "D" of the Executive Head of Property and Growth's Report No. PG2335, be noted

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

21/00271/FULPP Block 3, Queensmead, Farnborough

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

23/00597/FULPP Land at No. 127 Orchard Rise, La Fosse House, No. 129 Ship Lane, and Farnborough Hill School, No. 312 Farnborough Road, Farnborough

* The Executive Head of Property and Growth's Report No. PG2335 in respect

of these applications was amended at the meeting.

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

34. **ALDERSHOT BUS STATION - APPLICATION NO. 22/00029/FULPP**

The Committee received the Executive Head of Property and Growth's Report No. PG2337 regarding Planning Application No 22/00022/FULPP – Proposed mixed re-development of site at Aldershot Bus Station, No. 3 Station Road, Aldershot. The Committee had been asked to authorise the removal of Condition No. 29, precluding redevelopment of the former Aldershot Bus Station site until alternative bus connection provision had been provided in the vicinity of the Aldershot Railway Station.

Following discussion it was **AGREED** that the condition be removed.

35. **ESSO PIPELINE PROJECT**

Katie Herrington, Principle Planning Officer, 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.

It was noted that all pipelines were now underground, covered and snagging was currently being carried out. It was expected that the new playground would be open by school half term in October and it had been agreed that the playground which was installed during works would be kept as a permanent facility. The playgrounds would be maintained by the Council going forward once hand over was complete.

In response to a query it was advised that cycle path lighting was being installed and the lighting units were being funded by ESSO.

RESOLVED: that the update be noted.

36. **APPEALS PROGRESS REPORT**

The Committee received the Executive Head of Property and Growth's Report No. PG2336 concerning the following appeal decisions:

Application / Enforcement Case No.	Description	Decision
23/00045/FULPP	A new appeal against the refusal of the erection of a two-storey side extension at No. 94 Field Way, Aldershot	New appeal to be determined

RESOLVED: That the Executive Head of Property and Growth's Report No. PG2336 be noted.

The meeting closed at 9.30 pm.

CLLR S.J. MASTERSON (CHAIRMAN)

**Development Management
Committee
8th November 2023**

**Executive Head of Property
and Growth
Report No. PG2339**

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 Executive Head of Property and Growth 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
Executive Head of Property & Growth

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</p> <p>This application is subject to a request for an extension of time to consider further amendments.</p>
2	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</p> <p>Assessment of this application continues and has not yet reached the stage for Committee consideration.</p>

3	23/00695/FULPP	<p>Change of use of existing car park area to the north of the existing store to provide external garden center and storage yard totaling 731 sq.m; installation of double doors and mobility ramp to provide customer access; construction of delivery ramp into the store; erection of 3 meter high fence topped by 2 meter security netting to proposed garden center and storage yard; and provision of external lighting</p> <p>The Range, Ivy road, Aldershot</p> <p>Assessment of this application continues and has not yet reached the stage for Committee consideration.</p>
4	23/00713/FUL	<p>Erection of four one-bedroom flats with parking</p> <p>Manor Park Cottage, St Georges Road East</p> <p>Assessment of this application continues and has not yet reached the stage for Committee consideration.</p>

Section B

Petitions

Item	Reference	Description and address
		There are no petitions to report

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.	23/00668/FULPP
Date Valid	8th September 2023
Expiry date of consultations	2nd October 2023
Proposal	Change of use from dwellinghouse (Use Class C3) to flexible use either as dwellinghouse (Use Class C3) or as a childrens' residential home (Use Class C2) (amended description agreed with the applicant on 22 September 2023)
Address	69 Marrowbrook Lane Farnborough
Ward	Empress
Applicant	Beyond Vision Transitions
Recommendation	Permission be Granted .

Preamble

This application was presented at the last meeting on 11 October 2023 when consideration was deferred in order for more information to be provided to Members, summarised as follows:-

- The applicability of Government Planning Practice Guidance concerning childrens' best interests;
- Whether the Council would have liability for the management and/or quality of the proposed childrens' home, including interior arrangements, in the event that planning permission were granted;
- Consideration of the impact upon the character and appearance of the area and fear of crime; and generally...
- Those issues/concerns that are **not** Planning matters for consideration in respect of the application.

In land use planning terms, the existing and proposed uses of the application property are both residential, practically identical, and readily interchangeable.

This case, as is explained in the following report, firstly demonstrates the real difficulties with which the planning legislation, which regulates the development and use of land, defines, imperfectly, the need for planning permission; and, in so doing, does not take account of the wide variety in the nature, intensity, and impacts of residential land use. The planning legislation can neither legislate for, nor regulate, the behaviour of people in and around residential property in all its infinite variety.

In particular, the planning system is ill-equipped to deal with proposals for small-scale residential care homes. There is substantial overlap in the definitions of the varieties of residential use identified in Planning legislation. In consequence, planning permission is only tenuously required for the proposed change of use in this case because it may, at times, amount to a material change of planning use : yet, at other times it would not.

Furthermore, it is conceivable that any of the potential impacts of the proposed use of concern in this case could and do equally arise with varieties of residential occupation that do not require planning permission. This context is important when considering whether or not a material change in planning use has or would take place; and whether or not material planning harm would arise as a result of the proposed childrens' residential home.

Secondly, reflecting the tenuous need for planning permission and the general need for more childrens' residential home provision, it is clear Government Planning Policy that the Planning System should not be a barrier to such Homes being provided. Indeed, Local Planning Authorities are encouraged to be supportive.

Thirdly, this case also exemplifies a situation where it is clear that it is NOT the role of the Planning System to consider or regulate the operating procedures, staffing and quality standards for childrens' residential homes. In this respect Members can be reassured that, in granting planning permission for a childrens' residential home, the Council would not then become liable for the management and quality of that Home. **OFSTED** (the Office for Standards in Education, Childrens' Services & Skills) are charged with this responsibility; and Local Authority Childrens' Services Teams placing children in Homes also carefully vet Home providers and the suitability of Homes being considered for residential care placements. The OFSTED regulatory regime for childrens' residential homes operates under entirely separate legislation outside of Planning. These are not matters for the Council to be involved in.

Accordingly, whilst objectors to this planning application have substantial concerns about various aspects of the day-to-day operation of the proposed Home and, indeed, the Applicants' ability to manage the Home, these matters are neither for consideration by the Council with the current planning application; nor, in any event, the responsibility of Local Planning Authorities in the determination of planning applications for such uses. These are matters that must be left for OFSTED and Local Authority Childrens' Services to deal with as they consider appropriate. Planning must restrict its consideration of the planning application solely to the relevant land use planning issues and must not duplicate or second-guess the requirements of other legislation within the jurisdiction of OFSTED and/or Local Authority Childrens' Services.

In these circumstances, the following report explains and advises why the Planning System is neither the 'first line of defence for residents' against the proposals; and nor is it considered that the Council are in a position where it would be appropriate, sustainable or reasonable to withhold planning permission.

Description

No.69 Marrowbrook Lane is an extended detached two-storey 5-bedroom dwelling on the east side of the Lane opposite the closed end of Tower Hill. The property has a vehicular entrance from the Lane and, as existing, most of the land to the front of the house is hardstanding with sufficient space to accommodate 3 cars. To the rear there is a private garden area of approximately 160 sqm.

Internally, the ground floor comprises an integral single garage, a small porch leading into a lounge room, a passageway leading past the stairs to a study and a large kitchen/dining room

spanning the entire width of the house to the rear. There is also a utility room partially under the stairs and also a WC. At first floor there are five bedrooms, with the master bedroom to the rear complete with an ensuite bathroom. There are a further 4 bedrooms and a bathroom.

The neighbouring properties to either side are Nos.67a and 71 Marrowbrook Lane; No.6 Hinstock Close is to the rear. Nos.35 Tower Hill & 40 Marrowbrook Lane are directly opposite.

The proposal is for the change of the use of the existing dwellinghouse (Use Class C3) to a flexible use as either a dwellinghouse (Use Class C3) or as a childrens' residential home falling within Use Class C2 (residential institutions). This is an amended description agreed with the application to address a concern of the property owner that the use of the property can revert to Use Class C3 (dwellinghouse) use should the proposed childrens' residential home use cease. This amended description also more accurately describes the likely nature of the use as a childrens' home in this case because it is likely to fluctuate between C3 and C2 use over time depending upon the extent of occupancy that arises.

No physical alterations or extensions are proposed to the property. It is proposed that the application property be a home for up to a maximum of **four** resident children, aged between 12 and a maximum of 17 years old, together with 2 supervising non-resident carers on duty at any one time on a shift basis. Upon reaching the age of 18, occupiers would have to be moved on to other accommodation. Four of the bedrooms would be allocated to accommodate one child each and the bedroom doors are provided with Yale-type locks. The master bedroom suite would be used as a staff office and rest room. The remainder of the house would remain in conventional domestic use as existing, including the kitchen/diner, ground floor wc, study, lounge, utility room and the first-floor communal bathroom.

The proposed childrens' residential home would be subject to licencing and subsequent inspection by OFSTED. It is understood that the applicants have applied to OFSTED to this effect.

The current planning use of the property remains as a C3 dwellinghouse. For a few weeks around the end of September the property was being occupied with a single child resident, together with staff carers working in shifts. However, this nature and level of occupation did not trigger a material change of planning use to C2 use away from C3 use such that there was no breach of planning control. At the time of writing this Report it is understood that the property is currently unoccupied pending the determination of this planning application.

Relevant Planning History

Planning permission was granted in February 1989 for the erection of two-storey side and rear extensions, RSH6101. These extensions were implemented and have substantially increased the accommodation provided by the house.

Consultee Responses

Both Hampshire and Surrey County Council Childrens' Services have been consulted following the previous Committee meeting : no response has been received from either to date.

Neighbours notified

In addition to posting a site notice near the application site and press advertisement, 5 individual letters of notification were sent to those properties in Marrowbrook Lane, Tower Hill

and Hinstock Close directly abutting or opposite the application site.

Neighbour comments

At the time of writing this report a total of 46 representations have been received, comprising 32 objections, 12 supporting comments and 2 neutral representations.

Objections have been raised by the occupiers of Nos.19, 40, 42, 44, 50 (thrice, including a Late Representation), 61, 63, 65, 67, 67a, 71 (twice), 73 and 77 Marrowbrook Lane; 20a, 26, 33, 35, 37a & 37b Tower Hill; 2, 3, 10 & 11 Kiln Place; 26 Marshall Close; 161 Keith Lucas Road; 8 Parsons Close Church Cookham; 53 Clarence Road, Fleet; and an address in Hove, West Sussex. A further Late Representation has been received from a correspondent stated to represent “the residents of Marrowbrook Lane, Tower Hill and Hinstock Close”. Objection is raised on the following summary grounds:-

- (a) This is not a suitable location for a childrens’ residential home – this is a quiet residential area with a notable number of older and/or single people living in proximity to the application property. Local residents are extremely anxious about the additional noise, disturbance and activity that would occur. Existing residents feel unsafe, and even terrified, and the proposal is not at all welcomed;
- (b) Local residents are tight-knit and are united in objecting to the proposals;
[Officer Note: the consideration of planning applications is not a ballot where the number of objections or assertions of the strength of local opinion influences the outcome. Planning applications must be considered objectively on the basis of the relevant material planning issues and represent the interests of the wider community as a whole, not just those making representations. The Council must not be forced into taking an unreasonable and unsustainable position in considering any planning application as a result of any campaign for or against those development proposals]
- (c) The objections raised outweigh any benefits of the proposed residential home : indeed, the proposed Home would provide no benefits to the community and, indeed, the children are thought to come from outside the area;
[Officer Note: The Applicants have confirmed that they currently receive referrals solely from Surrey County Council Childrens’ Services, but are understood to also be in dialogue with Hampshire County Council Childrens’ Services. Child care provision is, in any event, understood to be organised on a regional basis. In the context of Rushmoor it is not unusual for various provisions for local care and social infrastructure to be shared across the Hampshire:Surrey County boundary. However, the source of referrals to any care facility is an operational matter in which Rushmoor BC has no jurisdiction or role; and it is not, in any event, relevant to the consideration of the planning application solely on land use planning issues]
- (d) The application property has been a family home for many years – the proposed change of use is thought unjustified;
[Officer Note: views on, or consideration of, the justification for the proposed use are not matters relevant to the consideration of this planning application]
- (e) The proposed residential home should be provided elsewhere on a larger site;
[Officer Note: the Council must consider the proposals that have been submitted with the application. The Council cannot consider the possibility of alternative proposals or sites being pursued for the proposals instead in determining planning applications]
- (f) Existing problems with anti-social or disruptive behaviour, broken glass, vandalism, and

crime (burglary) in the area – which would be exacerbated by the proposals;

- (g) Fear of danger to, and intimidation of, existing children in the area;
- (h) Children occupying the proposed home may be vulnerable, have mental health problems, behavioural issues, potential or actual criminality, and may have associates in life who are not good role-models;
- (i) Considerable concern that the proposed home has a high potential to become, at any time of the day or night, a focus for congregating youths outside the property, smoking, drug-taking, anti-social behaviours (such as undue noise, disruption, intimidation, graffiti, vandalism to surrounding property etc), criminality and, consequently, police visits – and this will have a detrimental impact on the lives of existing local residents. It would also put undue and unnecessary strain on already stretched public services;
- (j) The proposed use could attract paedophiles, thereby putting all children in the area, including at the application property, at risk;
- (k) It is considered that there are no facilities available in Farnborough for children/young people to use and, as such, this is not an appropriate location for a childrens' residential home;
- (l) Increased comings and goings and general unwanted additional activity associated with the property due to the staff shift system to be operated, social worker visits, attendance by emergency services, police etc;
- (m) The road outside the application property is subject to regular speeding traffic, the application site is on a dangerous blind corner in the road; and there is an electricity sub-station on the grass triangle at the end of Tower Hill opposite – this is an unsafe location for children to live and to cross the road;
- (n) Inadequate on-site parking – such that there would be increased on-street parking where no parking should take place; and it would exacerbate existing street parking problems and congestion;
- (o) Loss of privacy to occupiers of the adjoining properties – the application property is situated close to neighbours;
- (p) Inadequate security measures and no confidence that the applicants can manage the proposed residential home and maintain control of the children in their care. It is thought that the applicants are currently advertising for staff who will have the responsibility of running the home – yet would be young, inexperienced, and underpaid;
[Officer Note: the proposed Home will be regulated and subject to regular inspection and review by OFSTED, whom can also be contacted by anyone should they have any evidence and concerns about the adequacy of the operation and management of the Home and/or any child safeguarding matters]
- (q) Granting planning permission in this case is a foregone conclusion since the application property is already being used as a childrens' home;
[Officer Note: the current use of the property has been investigated by the case-officer; however, as noted earlier in this report, there has been no material change in the planning use of the property to date; and, when they were using the property, the Applicants were not operating in breach of planning control]
- (r) The recent occupation of the property with just one child has already given rise to significant noise, disturbance, and activity outside the application property due to police and ambulance attendance – this would surely be magnified by the occupation of the property at full capacity with 4 children as proposed. The recent occupation of the property with just one child in care and the problems this caused demonstrates the applicant's inability to manage a childrens' care home;
- (s) Having regard to the previous objection (r) above, it is thought that the home is intended to have 5 resident children when full;

[Officer Note: this is incorrect, the application states a maximum of 4 resident children; and this maximum number can be specified by planning condition]

- (t) Local residents should have been informed earlier;
[Officer Note: the applicants are/were not under any obligation to notify local residents of their intentions with regard to the application property and, in any event, they have submitted a planning application for their proposals that has been subject to the required statutory notification procedures. It is clear that local residents are well aware of the proposals and have had ample opportunity to make representations about them]
- (u) The applicants are a privately-run company who appear to have insufficient financial resources to acquire the application property;
[Officer Note: It is understood that the applicants are renting the application property and, as such, do not own it. The identity of the applicants, the fact that they are a private commercial enterprise, and the alleged financial position of the applicants are not matters for consideration with planning applications. The suitability of the Applicants to operate a Childrens' Home in all respects is a matter for consideration by OFSTED]
- (v) The proposals are the consequence of failed Government privatisation policy and cost-cutting and are simply a means for private companies to profit;
[Officer Note: This view has no relevance to the consideration of this application]
- (w) The future intentions of the applicants concerning the property are unknown – what if they wish to extend the property in the future?
[Officer Note: opinions regarding an Applicants' likely future behaviour and intentions cannot affect consideration of planning applications on their merits : the Council must simply consider the proposals the subject of the application]
 and
- (x) Loss of property values.
[Officer Note: this is a matter specifically excluded from consideration with planning applications by long-standing Government guidance]

Representations in **Support** have been received from persons at 13 Marrowbrook Lane; 10 Weir Close; 35 Frimley Road, Camberley; and addresses in Croydon; Dagenham, Essex; Cambridge; Reigate; Twickenham; Elephant & Castle, London; Bexley, London (SE2); Leytonstone, London (E10); and Camden, London (NW1). These correspondents all appear to be people working in the Care Sector and may be professional contacts of the applicants. The following comments are made in support of the proposals:-

- The application property is in an appropriate location;
- The applicants really care about the children they care for and have achieved some amazing outcomes for them;
- The proposed residential home will support a lot of young people in care who are in desperate need of housing in a stable home environment – there is a national crisis in care provision for children who may have experienced neglect, abuse, or unstable living conditions;
- Children in the looked-after care system are often less privileged, neglected and forgotten, yet the proposed use would provide positive benefits through the proper nurture, supervision, and support for up to 4 children, giving them a chance they would not otherwise get;
- Other positive benefits include peer support, educational opportunities, safety, stability, life skills, legal protection, mental and emotional support;
- Children thrive on stability and routine, which the proposed home can provide;
- Creating a space where children can feel loved, safe and protected is the essence of the community we want to build – and this must include all people, including the disregarded, ignored, needy and less fortunate;

- More childrens' homes are needed to stop children being moved around the Country disrupting their education and development;
- Negative and incorrect assumptions and stigma about children in care need to be challenged and proved wrong;
- Children in care are no more likely to be out of control or troublemakers than children living with their own family – and existing residents are just as likely to need to call an ambulance or the police in the middle of the night;
- Job creation in the area;
- People are meant to be working together to support everyone from every age, race, gender. These young children didn't choose the life they have been brought up in. Who are we to stop them from getting their stable background to help them achieve and grow?

The **Neutral** representations received are from an occupier of No.13 Marrowbrook Lane; and an address in Teignmouth, Devon - believed to be the owner of the application property. This latter correspondent comments that it is their understanding that rooms would be provided for 4 children in care who will be supervised 24/7. The proposals are not for a young offenders' unit. **[Officer Note: that would, in any event, be a different use for which a separate planning permission would be required.]** This correspondent also asks that the application be considered on the basis of the facts.

Policy and determining issues

The property is in the defined built-up area of Farnborough. It is neither a Listed nor locally-listed building; and is not located near to any other building(s) with these designations. The application property is not situated within a Conservation Area. Policies SS1 (Presumption in Favour of Sustainable Development), IN2 (Transport), DE5 (Proposals Affecting Existing Residential (C3) Uses), and LN4 (Specialist & Supported Accommodation) of the adopted Rushmoor Local Plan (2014-2032) are relevant. Also relevant is the Council's adopted Supplementary Planning Document (SPD) "Parking Standards" adopted in 2017. Since this SPD was subject to extensive public consultation and consequent amendment before being adopted by the Council, some significant weight can be attached to the requirements of this document. The advice contained in the National Planning Policy Framework most recently updated in July 2021 (NPPF) and National Planning Practice Guidance (NPPG) is also relevant.

Ministerial Statements can also be a component of Government Planning Policy and Practice Guidance relevant to the consideration of planning applications. In this respect, on 23 May 2023, the Minister of State for Housing and Planning published a Written Ministerial Statement concerning "*Planning issues affecting the delivery of childrens' homes.*" This followed a report by the Competition and Markets Authority (CMA) on children's social care, which found that the planning process is a significant challenge for children's home providers seeking to create new supply in the placements market. The Statement reads as follows:-

"I, with the support of my Rt Hon colleague the Secretary of State for Education, wish to set out the Government's commitment to support the development of accommodation for looked after children, and its delivery through the planning system.

The planning system should not be a barrier to providing homes for the most vulnerable children in society. When care is the best choice for a child, it is important that the care system provides stable, loving homes close to children's communities. These need to be the right homes, in the right places with access to good schools and community

support. It is not acceptable that some children are living far from where they would call home (without a clear child protection reason for this), separated from the people they know and love.

Today we use this joint statement to remind Local Planning Authorities that, as set out in paragraph 62 of the National Planning Policy Framework, local planning authorities should assess the size, type and tenure of housing needed for different groups in the community and reflect this in planning policies and decisions. Local planning authorities should consider whether it is appropriate to include accommodation for children in need of social services care as part of that assessment.

Local planning authorities should give due weight to and be supportive of applications, where appropriate, for all types of accommodation for looked after children in their area that reflect local needs and all parties in the development process should work together closely to facilitate the timely delivery of such vital accommodation for children across the country. It is important that prospective applicants talk to local planning authorities about whether their service is needed in that locality, using the location assessment (a regulatory requirement and part of the Ofsted registration process set out in paragraph 15.1 of the Guide to the Children's Homes Regulations) to demonstrate this.

To support effective delivery, unitary authorities should work with commissioners to assess local need and closely engage to support applications, where appropriate, for accommodation for looked after children as part of the authority's statutory duties for looked after children. In two tier authorities, we expect local planning authorities to support these vital developments where appropriate, to ensure that children in need of accommodation are provided for in their communities.

Children's homes developments

Planning permission will not be required in all cases of development of children's homes, including for changes of use from dwelling houses in Class C3 of the Use Classes Order 1987 where the children's home remains within Class C3 or there is no material change of use to Class C2. An application to the local planning authority can be made for a lawful development certificate to confirm whether, on the facts of the case, the specific use is or would be lawful. Where a Certificate is issued, a planning application would not be required for the matters specified in the certificate."

This Statement clearly stresses the need for Local Planning Authorities to support the provision of childrens' residential homes and, indeed, not be a barrier to such provision being made. The Statement also reminds Local Planning Authorities to consider whether their Local Plans should incorporate specific policies to help secure provision where a need is identified. However, it is particularly noted that, despite providing guidance for the consideration of planning applications, the Statement then specifically mentions that, in many cases, it may be possible for a Lawful Development Certificate to be sought. This is a special application process used to seek the Council's formal confirmation that planning permission is not required. The specific suggestion that this approach can often be taken to obtain the necessary planning consent to enable childrens' residential homes to proceed demonstrates the marginal nature of the need for planning permission for childrens' residential homes as a result of the way that the planning legislation defines residential uses.

The Town and Country Planning Use Classes Order (1987, but subsequently variously amended since) identifies a range of uses of buildings and specifically permits changes of use from one use to another within individual Use Classes. Where activity results in a material

change of use of a property to a use falling within a different Use Class then planning permission will be required to authorise that change of use. A **material change** of use from Use Class C3 to C2 is development requiring planning permission.

Depending on the specific circumstances of the residential use involved, a children's residential home could fall into either the C2 or C3 use classification. **Use Class C2 (Residential Institutions)** is defined as follows:-

Use for the provision of residential accommodation and care to people in need of care [other than a use within class C3 (dwellinghouses)].

Use as a hospital or nursing home.

Use as a residential school, college or training centre.

The C2 Use Class does not include residential institutions of a custodial nature. These have a separate Use Class (Use Class C2A) and, as such, the proposed use does not cover the use of the property to house people whilst serving a custodial sentence or order. A separate planning permission would be needed for C2A use. Unsurprisingly, there are much stricter licencing requirements for the provision of secure residential institutions and, as such, it is most unlikely that the application property could be considered suitable for such a use. **Use Class C3 (Dwellinghouses)** is defined as follows:-

Use as a dwelling house (whether or not as a sole or main residence) by —

(a) a single person or by people to be regarded as forming a single household;

(b) not more than six residents living together as a single household where care is provided for residents; or

(c) not more than six residents living together as a single household where no care is provided to residents (other than a use within Class C4 [a small House in Multiple Occupation]).

Planning permission is not required for the change of use between any of the sub-categories (a), (b) or (c) within Use Class C3.

A childrens' residential home could fit into Use Class C3 sub-category (b). The legal distinction made between C2 and C3 use in the context of childrens' residential homes is clarified by case law. Firstly, they are considered to be a 'care' institution because it is unrealistic to expect children to look after themselves as a single household. Secondly, a further difference between C3(b) and C2 use is whether or not the residential property is occupied as a single household. The nature of a children's residential home use where there is no parent and care is provided by non-resident carers on a rota basis, as is proposed in the current application case, is considered to be a further characteristic indicating C2 use as opposed to C3(b) use.

However, it is important to understand that the legal distinction between the C2 and C3 residential uses is an imperfect technical construct. Accordingly, even when the way in which a residential property is occupied and used has characteristics indicative of C2 (residential institution) use, it is still necessary for the Council to consider whether or not, as a matter of fact and degree, the scale and nature of residential occupation of a property with those C2-type characteristics present is, overall, sufficient to trigger a material change in the planning use of the property in question away from C3 use. This is a matter of judgement for the Council on the circumstances of each individual case encountered. It is also conceivable that, should those circumstances change with time, it is entirely possible that the judgement of whether or not a residential property is in C3 or C2 use could also change with time. There is, therefore, the prospect of the use of a property fluctuating back and forth between C3 and C2 use over time without any physical changes being made to the property on the basis of how the property is run and the care provided.

The distinction made between Use Classes C3 and C2 in the context of a childrens' residential home also indicates circumstances when a home occupied by children in care would **not** amount to a material change of planning use. The concept of living together as a household identified in respect of C3 use means that a functioning household comprising children in care with live-in staff carers would fall within Class C3(b) and planning permission would not then be required. Similarly, if the property were to be occupied by 17+ year olds (whom would be considered capable of looking after themselves in a single household) with what the applicants describe on their website as being semi-independent 'floating support' only [a further type of residential home facility understood to be provided by the applicants elsewhere], this would not require planning permission since such a use would also still fall within Use Class C3(a) or (c). The significance of these observations is that it is conceivable that similar, if not greater, impacts upon neighbours, or even just the fear of such impacts, could arise even in situations where planning permission is not required.

When considering whether a material change of use away from C3 use has taken place, it is also pertinent to consider that a C3 residential use itself covers a wide range and variety of possible scales, intensities, and characters of residential occupation. This could range from a dwelling occupied by a single person living on their own all the way to a dwelling occupied by a much more active household, perhaps comprising a large family with grown-up children for example, that would be likely to generate considerably more activity and noise impacting their neighbours and the locality in general. Furthermore, in land use planning terms, no distinction is made within the residential Use Classes about the type of tenure of dwellings and the identity, age, lifestyle, character, health, abilities, and behaviour of residents. No planning permission is required when there is a change in the single household occupation of C3 residential properties, or just changes in the behaviour of occupiers of such properties, even though this can and does have profound adverse impacts upon neighbours. In considering the actual or potential harm that would or could arise from the proposed C2 use it is therefore necessary for the Council to assess this within the context of what could happen without the need for planning permission; indeed, to consider any impacts through the lens of the wide range of impacts that can and do arise from conventional C3 residential occupation of property.

It is usual for Officer reports assessing planning proposals to focus on what are considered to be the main determining planning issues. Nevertheless, at the request of Members at the last meeting, the following is a list of matters that are NOT relevant determining issues for the consideration of the current planning application on its land use planning merits:-

- The identity of the Applicants; their perceived behaviour and character; their finances, qualifications and/or ability to run a Childrens' care facility; and their likely future intentions;
- That the proposed Care Home is to be provided by a private commercial enterprise;
- Who would live at the application property;
- Where children to be homed at the application property originate from; and which agency(ies) would refer children to the Applicants for homing at the application property;
- The adequacy or otherwise of the internal accommodation, fixtures, facilities and fittings of the proposed Childrens' Home – such as bedroom sizes, number of bathrooms & WC's etc;

- Provision of school places and use of local infrastructure – occupation of the existing property would likely also place demands on these in any event;
- Loss of property values; and
- Any matters subject to regulation under other legislation - such as the regulation of childrens' homes by OFSTED.

In this overall context it is considered that the main determining issues are the principle of the proposals, impacts on neighbours; and highways considerations. Additionally, at the request of Members, the impact of the proposals on the character and appearance of the area, the living environment provided, and fear of crime are also considered.

Commentary

1. Principle –

Paragraph 62 of the NPPF (2021) states that *“the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).”* It is general Government policy that it is appropriate for residential care facilities to be located in residential areas and, indeed, that re-use of existing residential property is sustainable and to be encouraged. The May 2023 Ministerial Statement amplifies this Government Planning Policy in the specific context of childrens' residential homes by stating that *“The planning system should not be a barrier to providing homes for the most vulnerable children in society. When care is the best choice for a child, it is important that the care system provides stable, loving homes close to children’s communities”*; and *“Local planning authorities should give due weight to and be supportive of applications, where appropriate, for all types of accommodation for looked after children in their area that reflect local needs and all parties in the development process should work together closely to facilitate the timely delivery of such vital accommodation for children across the country.”*

At the previous meeting a Member of the Committee specifically asked for Officer advice and/or comment on the Government Planning Practice Guidance under the heading *“Determining Planning Applications”* relating to the account to be taken of childrens' best interests, which reads as follows:-

“Should children’s best interests be taken into account when determining planning applications?”

Local authorities need to consider whether children’s best interests are relevant to any planning issue under consideration. In doing so, they will want to ensure their approach is proportionate. They need to consider the case before them, and need to be mindful that the best interests of a particular child will not always outweigh other considerations including those that impact negatively on the environment or the wider community. This will include considering the scope to mitigate any potential harm through non-planning measures, for example through intervention or extra support for the family through social, health and education services.”

Planning Practice Guidance at Gov.uk : Paragraph: 028 Reference ID: 21b-028-20150901; Revision date: 01 09 2015

This Guidance is not contradicted by the May 2023 Ministerial Statement since it does not provide justification for the refusal of proposals for Childrens' Homes, as has been suggested. Rather it confirms that the proposals must be considered objectively on their relevant planning merits on the facts of the case – as is the situation with all planning applications. The Guidance then says that it is open, within reason, for Council's to consider whether serving the best interests of children could be a material consideration advanced in favour of supporting such proposals. This is in the sense that the Council may wish to give weight to this in the Planning balance against other determining issues : for example, where the proposals would provide additional Childrens' Home places in an area with an acute lack of provision that the proposals the subject of the application are seeking to address. However, there is the usual caution in the Guidance that there should be an appropriate balance struck between the consideration of the best interests of children and those of the wider community as a result of other impacts of development. The Guidance does not say that a Local Planning Authority can refuse planning permission having regard to the best interests of children on the basis that a proposed childrens' home is, for whatever reason, unsuitable for occupation by children : those are judgements solely for OFSTED and Referring Authorities to make outside of the Planning process.

The proposals do not give rise to the loss of residential accommodation within the Borough and, as such, the proposals comply with the requirements of Local Plan Policy DE5.

The proposal is for the residential occupation of existing residential property. In land-use planning terms the proposed childrens' home is a form of residential use and, as such, it is considered most appropriately located in an established residential area. Childrens' residential care accommodation is in short supply nationally and it is evident that there is an on-going need for it and, as such, in accordance with the preceding Government Planning Practice Guidance, it would be open for the Council to consider whether additional weight should be given to this issue in favour of the proposals.

Local Plan Policy LN4 (Specialist & Supported Accommodation) states that the Council will permit housing specifically for *"others with a need for specialist housing, including specialist housing with care"* where *"sites are appropriately located **in terms of access to facilities, services and public transport**."* In these respects, the application property is located within the built-up area of Farnborough within walking distance of the Town Centre and, as such, is clearly in appropriate proximity to facilities, services, and transport – indeed, no less so that would be the case for the occupation of the application property in conventional C3 use. Accordingly, it is considered that it is appropriate for a childrens' residential home to be located at the application property within an existing residential area and the proposals are supported in principle by Government Planning Policy & Practice Guidance and Local Plan Policy LN4.

It is considered that the proposed childrens' home would operate day-to-day very much like a large family home. Even with non-resident carers it is considered that, in land use planning terms, a childrens' home would still operate for much of the time very much like, and outwardly indistinguishable from, the use and occupation of a C3 dwellinghouse, with those occupying or present in the home partaking in activities typical of conventional residential occupation – cooking, cleaning, eating, sleeping, washing, watching TV, enjoying the garden, socialising, reading, children going to school, doing homework etc.

It is a matter for OFSTED to judge whether or not the application property is appropriate in terms of its location and the facilities provided as part of the entirely separate regulatory regime for the licencing of childrens' care homes and care staff. The various issues raised by objectors in these respects are not matters for the Council in the consideration of the current planning

application since they fall within the jurisdiction of this separate Government agency. It is clear Government guidance to Local Planning Authorities that matters dealt with by other Authorities under other legislative powers should be left to those Authorities. Local Planning Authorities are not required to consider, manage and monitor childrens' residential homes and, in granting planning permission, Rushmoor BC would have no liability or responsibility for regulating the on-going operation and quality of the proposed childrens' residential home.

In the circumstances, in land use planning terms, it is considered that it can only be concluded that the proposed flexible C3 or C2 residential use is acceptable in principle.

2. Impacts on Neighbours –

It is clear that the proposed C2 residential use gives local residents considerable cause for anxiety, amply demonstrated by the objections. However, the proposed childrens' residential home use only tenuously triggers the need for planning permission. There is also considerable overlap in the way that the application property could or would be used whether in C3 or C2 use. Whether or not an institutional residential use, many of the basic activities of residential occupation would be the same nonetheless. Furthermore, it is pertinent to consider that there are ways in which the application property could be occupied by children in care with staff carers that would not require planning permission, but would, nevertheless, be likely to give rise to similar or even greater impacts, or anticipation of such, amongst neighbours in the vicinity.

Since there are no proposals to undertake physical alterations to the application property there would be no change in the way that the existing house relates to its neighbours to either side; and the property is to remain in a form of residential use that would, on a day-to-day basis, use the property the same as if it were a conventional C3 dwellinghouse. Accordingly, there could be no material and harmful change to the privacy of occupiers of the immediately adjacent properties.

The supporting information submitted with this application has explained that the aim is to provide a family environment with 24/7 care. During the day the children would attend school/college, when it is considered that the use of the application property would then be little different to any other residential property. However, what could potentially make the proposed childrens' home different are the turnover of the children that would occupy the site and the potential level of disruption that might arise from the behaviour of some. It is to be expected that, with children coming from different backgrounds and potentially having complex needs, the level of noise and activity generated at the property would be unpredictable and variable. Indeed, the recent emergency service activity and general disturbance arising from the behaviours of a single child resident of the application property has demonstrated this.

However, these variable and unpredictable situations could also readily happen with conventional C3 residential occupation too – such as with a blended family for example. Additionally, the non-resident shift nature of the care and support to be provided would also contribute to the level of activity associated with the property. However, it is considered that the likelihood of noisy and disruptive neighbours, or the existence of neighbours with mental health and/or behavioural issues, is not restricted solely to a C2 residential use and could, equally, arise from a C3 residential use. Indeed, given the predominance of C3 residential property such issues are numerically more likely to arise from the activities of occupiers of conventional C3 accommodation overall. Furthermore, given the unrestricted level of noise, activity and disturbance that could arise with the application property with its existing C3 use if occupied by a large family, it is considered that any differences would be marginal and,

therefore, in planning terms, not give rise to material and undue additional harm to the residential amenities of neighbours over and above what is already possible and unavoidable.

It is considered that the extent of the impacts on neighbours, whether actual or feared, depend upon how well the property and the children in care are managed and handled by the operators of the home. Key to any impact is the effective management of the site, which would primarily be the day-to-day responsibility of the site operator, the Applicants. Furthermore, the management of the site would be thoroughly regulated by OFSTED : Childrens' Residential Homes are probably the most regulated form of care provision and are subject to annual inspections by OFSTED. Local Authority Childrens' Services would also thoroughly vet the suitability of the Home and operator before referring children for placement there. Furthermore, OFSTED also facilitates anyone having concerns about a Home to contact them directly at any time, which would prompt investigation and requirements for corrective action as they consider appropriate. As such, not only would potential adverse impacts be sufficiently controlled outwith the Planning system, it is, in any event, neither appropriate nor reasonable for the Council to require and enforce management controls over the proposed childrens' residential home. This would be an unnecessary duplication that would also have the potential to work at odds with controls imposed and enforced by OFSTED and the separate vetting processes of Referring Authorities. Fundamentally, it would not be appropriate for the Council to withhold planning permission on the basis of matters the subject of separate regulation by both OFSTED and others with direct control over the operation and occupancy of childrens' residential homes and, indeed, possessing the in-depth knowledge and expertise to make the necessary judgements in this respect.

Nevertheless, it is considered appropriate for the Council to impose conditions to restrict the nature of the C2 use approved to being solely as a childrens' home; and also to limit the occupancy of the property if in C2 use to no more than four children at any one time – since these are details that define the proposed planning use.

3. Highways Considerations –

It is clear Government guidance that denying planning permissions on highways grounds is only justified and appropriate where any highways concerns are demonstrated to give rise to 'severe' harm to the safety and/or convenience of highway users. It is not sufficient to merely identify concern about a highway matter. Furthermore, clear evidence of wider harm(s) being caused to the highway network with severe impact(s) must be identified. As a consequence, justification for refusal on highway grounds must meet a high threshold. Additionally, planning permission cannot be withheld on the basis of actual or potential speeding problems on the adjacent road since it is unreasonable to consider actual or potential criminality by others over which the Applicants would have no control.

In this case the application property has an existing means of vehicular access to/from the public highway, and this would not be changed by the proposals. Notwithstanding the highway safety concerns raised in objections, there are no parking restrictions on the street outside the application property. Nor is there any requirement for residential properties to temporarily make available parking provision for deliveries, emergency service vehicles etc. Accordingly, it is not considered that the continued use of the existing vehicular access with the proposed residential use would make any material and harmful difference to the safety and convenience of highway users in the locality.

The existing area of the property to the front of the house has sufficient space to accommodate 3 cars parked on site. Whilst this would be in a blocking layout, this arrangement is entirely

conventional and typical of the on-site parking provided at many residential properties. Furthermore, it meets in full the on-site parking provision that would be expected for an extended house of this size and, indeed, is lawful for the current C3 residential use however intensively the property could potentially be used, including in respect of car ownership and use. Therefore, it is not considered that the proposed C2 use would give rise to a requirement for parking provision materially different from that which could occur with the current C3 use and, in any event, not give rise to a severe highway safety or convenience impact. Children occupiers of the house are unable to drive and, although 17-year olds would be theoretically able to drive, this is considered to be an unlikely eventuality with children in the looked-after care system. Accordingly, it is considered that the functional parking requirement for the proposed C2 use would relate primarily to that of the attending staff carers and, even at shift changes, the existing parking arrangements for the property are entirely adequate.

It is considered appropriate that a condition be imposed to require the retention of the parking area to the front of the house for parking purposes at all times in respect of the proposed C2 use since there is currently no requirement for the parking area to be retained for this purpose with the application property as existing.

It is considered that the proposals are acceptable in highways terms and, as such, comply with the requirements of Local Plan Policy IN2.

Other issues :

(a) Impact upon the Character and Appearance of the Area - The current application does not involve any external building alterations and, as such, the exterior of the property and the outward appearance of the building would remain as existing, that of a detached dwellinghouse. No internal re-configuration of the application property is needed, although this would not require planning permission in any event. Since no extensions or external alterations to the existing property are proposed, there can be no material impact on the visual character and appearance of the area as a result of the proposals. Furthermore, having regard to the residential character and appearance of the local area, the use of an existing dwelling as a residential care facility for 4 children (plus adults) is not considered to be out of keeping with the use of the dwelling as it exists now, or the residential area within which it is situated. There may be several cars present at the property at any one time, but those visual impacts would be no more than would be the case for any other busy residential household. The proposals are small-scale and the children would live in the property and effectively form a household supported and supervised by attending care staff, thereby not giving rise to a commercial appearance or one which would result in any significant change in character of the area. Indeed, the use of the building will remain residential, which is entirely in keeping with the existing residential character of the area. On this basis it is considered that the proposals accord with the requirements of Local Plan Policy DE1.

(b) Living Environment – Queries were raised at the previous meeting concerning the quality of the living environment that would be provided for children within the proposed Home, with a particular focus directed at the smallest bedroom (Bedroom No.5), which measures 8.7 sqm and has a rooflight window. However, this is an existing single bedroom provided within the application property. From a planning perspective Bedroom 5 would be considered acceptable if proposed as part of the design of a new house with a planning application. However, it is solely a matter for OFSTED and the Referring Authorities to decide whether or not this room can be used for child placements on the basis of any standards that they may have concerning the standard of accommodation to be provided for childrens' residential homes.

In this respect OFSTED guidance on the Gov.uk website refers to the publication *“Guide to the Childrens’ Homes Regulations including the quality standards”* (April 2015), which does not appear to specify any particular space standards for bedrooms or, indeed, any other room or space within a proposed childrens’ residential home. This document simply says that: *“Each child should have their own personal space which will usually be their bedroom”*. It would appear that the quality of childrens’ residential homes is considered holistically taking into account a range of physical, procedural, management, competence, safeguarding and welfare factors. It is understood that, if Bedroom No.5 were to be considered inadequate, OFSTED could decide to licence the proposed residential home restricting the number of children to just 3 only; or perhaps limiting the use of Bedroom 5 to use by younger children only. This would be a matter for OFSTED and/or Childrens’ Services to decide. Both Surrey and Hampshire Childrens’ Services have been consulted and specifically asked to advise on any specific standards they may have for bedroom sizes, although no such information has been received at the time of writing this report.

What is clear is that the quality of the living environment provided for children within the proposed Home is not a matter of relevance to the Council’s consideration of the proposed change of use to the flexible residential use sought with the current application.

(c) Fear of Crime – Objections from local residents have raised concern about the potential for increased public nuisance (anti-social behaviour) and crime. In assessing these matters, the potential for these concerns to arise as a result of an existing lawful residential use of the application property must be considered; and also whether, as some representations have noted, such issues already occur in the area without the proposed childrens’ residential home operating. Both the National Planning Policy Framework (NPPF) and Planning Practice Guidance (NPPG) set out guidance in creating safe and accessible communities. In this respect, fear of crime should only be considered a material planning consideration in cases where evidence exists that the proposed development would be likely to materially increase crime. However, no evidence has been provided in connection with this application demonstrating that crime would increase, or existing crime would be exacerbated, if the proposed residential use were permitted.

The proposed childrens’ residential home would be managed by care staff. It should not be assumed that children living in care would be any more likely to be antisocial or create levels of noise over and above what could be the case with children living in the application property as a 'traditional' family unit. If any antisocial behaviour occurs, it would be addressed through action by the appropriate stakeholders and authorities as necessary. It is therefore considered that, having regard to the relevant requirements of the NPPF and NPPG, it would be unreasonable and inappropriate for the Council to withhold planning permission on fear of crime grounds in this case.

Conclusions –

The need for planning permission does not necessarily mean that material land use planning harms arise as a result of those proposals. In this case planning permission is needed to cover the times when a material change in the planning use may just be triggered, but there are considered to be no sustainable land use planning reasons that could justify the refusal of planning permission in such circumstances. The application proposes the use of an existing large residential property in an established residential area surrounded by residential properties for a form of residential use that would possess many of the same characteristics of residential use in land-use planning terms as a conventional residential dwelling occupied by a large single household. Given the similarity in land use planning terms between its existing

C3 use and the proposed C2 use, and the separate on-going regulation of the proposed C2 use by OFSTED, it is considered that the proposals are acceptable in principle and would have no material and harmful additional impacts on the amenities of occupiers of surrounding residential properties and the safety and convenience of highway users in the vicinity over and above those which could arise with conventional or otherwise residential use not requiring planning permission. The proposals are therefore considered acceptable in planning terms having regard to the requirements of Policies SS1, IN2, DE1, DE5 and LN4 of the adopted Rushmoor Local Plan (2014-2032).

Full Recommendation

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

- 1 The flexible use 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 document: Existing Floorplans; Proposed Floorplans; Terraquest produced 07-EP-2023 Site Location Plan; and Applicants' Supporting Statement.

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

- 3 The existing parking area to the front of the house with vehicular access to Marrowbrook Lane shall be used only for the parking of private motor vehicles ancillary and incidental to the residential use of occupiers and/or visitors to No.69 Marrowbrook Lane. These spaces shall be kept available at all times for parking and shall not be used for the storage of caravans, boats or trailers.

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

- 4 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order, 1987, (or any other Order revoking or re-enacting that Order) the land and/or building(s) shall be used flexibly for either Use Class C3 use or solely as a childrens' residential home within Use Class C2 (residential institutions) and for no other purpose, including any other purpose within Use Class C2 without the prior permission of the Local Planning Authority.

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

- 5 The childrens' residential home (Use Class C2) hereby permitted shall not be occupied by more than 4 (four) children at any one time.

Reason - To reflect the nature of the proposals as submitted and in the interests of the amenities of occupiers of adjoining and nearby residential property.

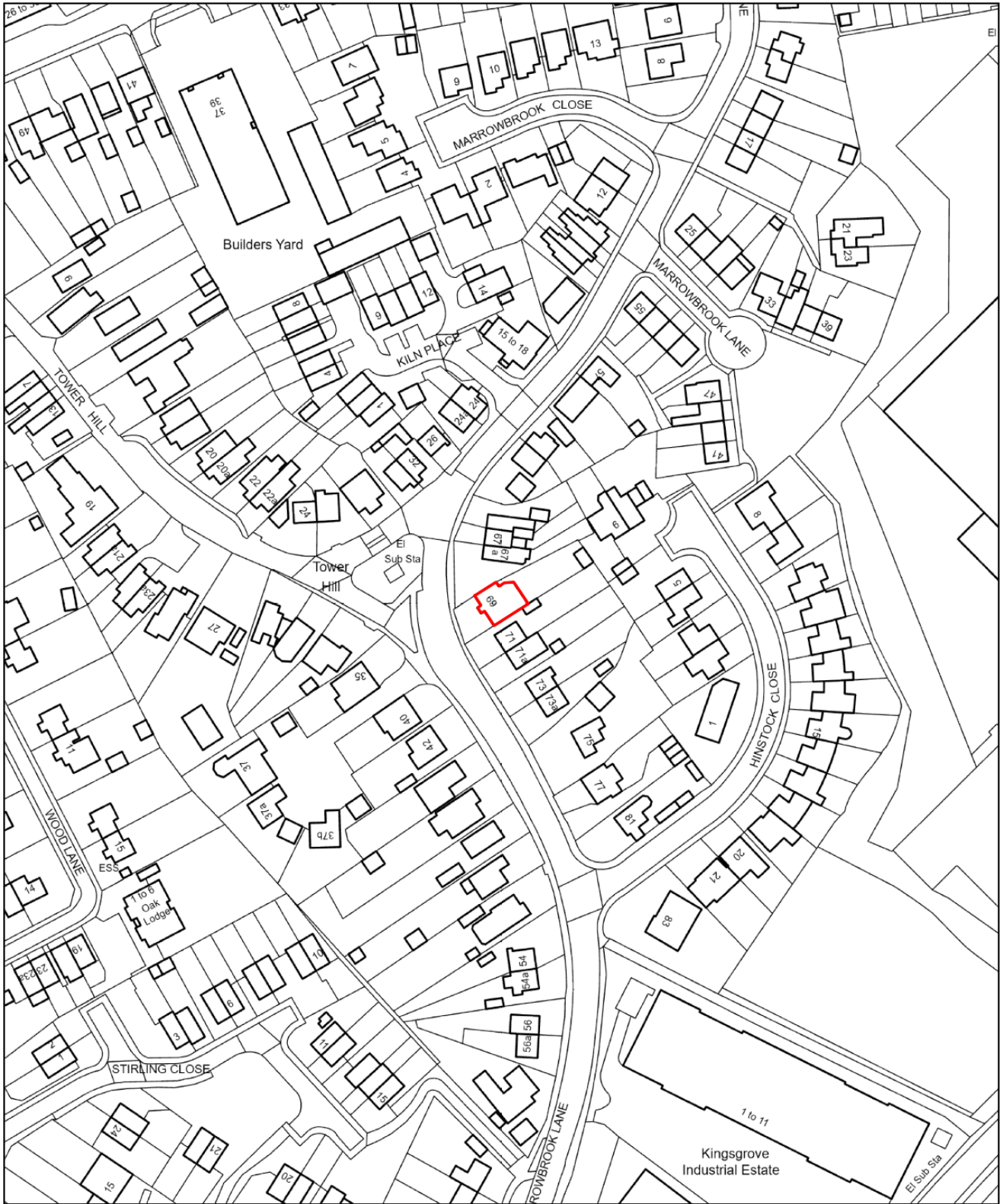
Informatives

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

The application proposes the use of an existing large residential property in an established residential area surrounded by residential properties for a form of residential use that would possess many of the same characteristics of residential use in land-use planning terms as a conventional residential dwelling occupied by a large single household and, indeed, at some times, may not amount to a material change of the planning use of the property away from its current long-established C3 use. Given the extent of the overlap in land use planning terms between the potential impacts of the occupation of the application property in its existing C3 use and the proposed C2 use, and the separate on-going regulation of the proposed C2 use by OFSTED, it is considered that the proposals are acceptable in principle, and would have no material and harmful additional land use planning impacts on the amenities of occupiers of surrounding residential properties and the safety and convenience of highway users in the vicinity. The proposals are therefore acceptable in planning terms having regard to the requirements of Policies SS1, IN2, DE5 and LN4 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.

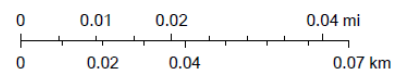
2 **INFORMATIVE – The Local Planning Authority’s commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of pre-application discussion to all, and assistance in the validation and determination of applications through the provision of clear guidance regarding necessary supporting information or amendments both before and after submission, in line with the National Planning Policy Framework.**

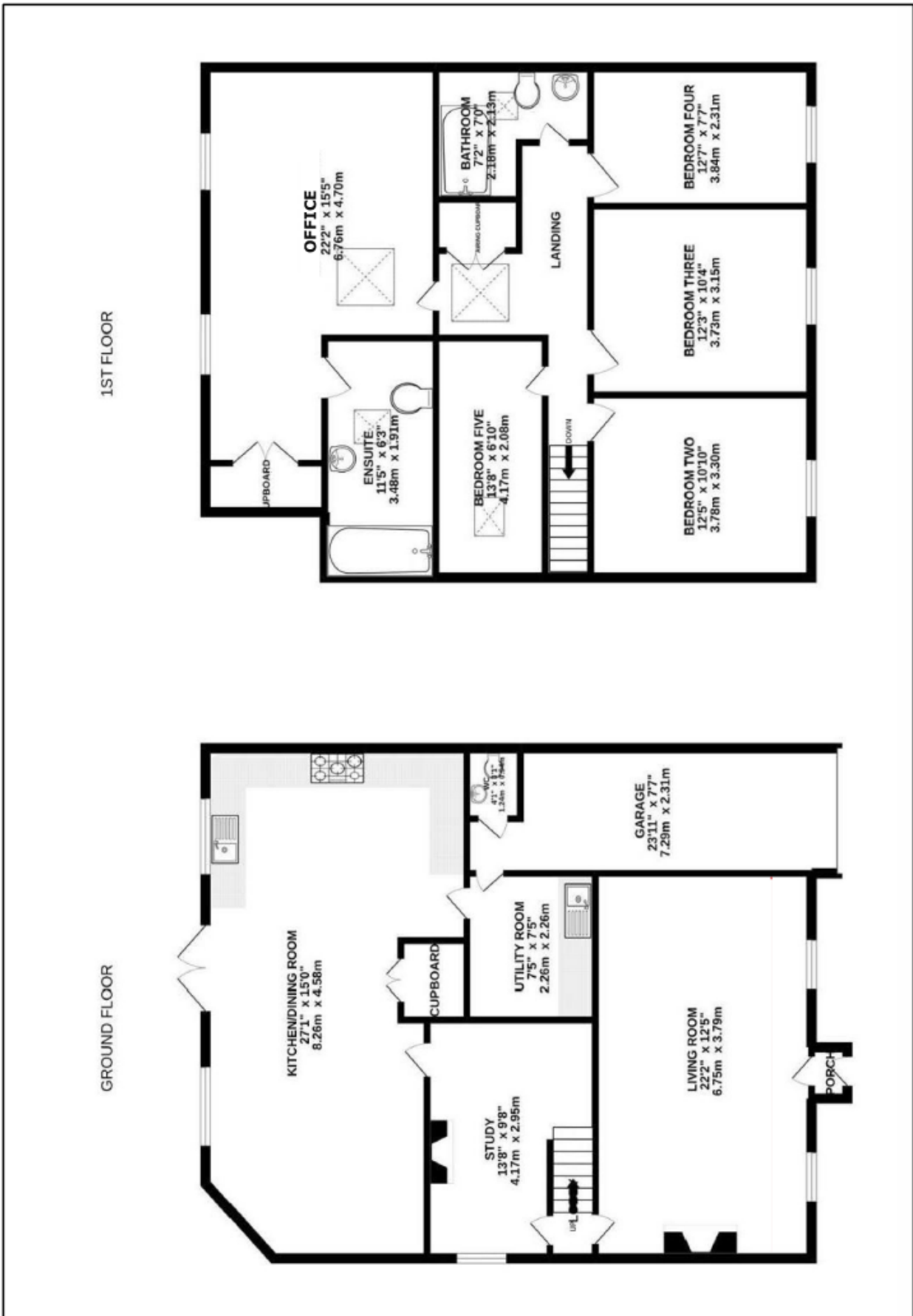


9/22/2023, 12:44:06 PM

Planning Application

1:1,006





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.	23/00597/FULPP
Date Valid	15th August 2023
Expiry date of consultations	8th September 2023
Proposal	Demolition of the existing care home and dwelling, repairs and works to the kitchen garden wall and the erection of 30 residential units, associated access works, drainage works, tree works, car parking, hard & soft landscaping
Address	Land At Orchard Rise 127 And La Fosse House 129 Ship Lane And Farnborough Hill School 312 Farnborough Road Farnborough Hampshire
Ward	Empress
Applicant	Wooldridge Developments Ltd. And Synergy Housing
Agent	Mr Thomas Rumble
Recommendation	GRANT subject to S106 agreement.

Description

This item was deferred from the planning committee of the 13th of September for the following reasons:

- Speak letters sent out to respondents by the Uniform system erroneously did not include the committee date. Deferral of the item will ensure that revised letters can be sent and received, and any party wishing to register to address the committee will have the opportunity to do so.
- Late receipt of the consultation response from Hampshire County Council Highways on 11/09/2023. Deferral of the item will allow full scrutiny of its content with respect to speed data before consideration of the application.
- A significant additional quantity of consultee and representators comments have been received since publication of the agenda. Deferral will give members the opportunity to read and consider them at greater length as opposed to via the amendment sheet on the day of the meeting.

Since that Planning Committee, a revised Transport Plan has been received. This has carried out a new speed survey at Ship Lane. Efforts have been made to carry out the survey at a time when there was no road works, but this was not possible – due to road works overrunning. The report argues that there was sufficient distance from the roadworks to the counter to record an accurate speed, and given that further roadworks were planned, that the survey would continue. The higher of the speeds recorded at each counter have been used at the calculation of design speed for the visibility splays. Hampshire County Council's Highways Officer has no objection to the proposals. These visibility splays have been recommended as a condition.

All consultation responses have been taken into account in this report, and care will be taken to ensure that the correct information has been provided on the correspondence to respondents with regards to the Planning Committee.

Taking the above into consideration, this item is presented for determination.

The site comprises 127 Ship Lane (Orchard Rise) and 129 Ship Lane (La Fosse House), two 1970s buildings formerly used by a religious order. La Fosse, a C2 Care Home, is set within a Curtilage Listed walled former kitchen garden to the Grade 1 Farnborough Hill School. The site lies within the Farnborough Hill Conservation Area.

On the southern part of the site outside the wall is a strip of land enclosed by a hedge with a central gate. This area is designated as Public Open Space in the Local Plan. To the west and north of the site are the houses of Woodland Crescent.

This application follows extensive pre-application discussions following the withdrawal of a previous planning application in 2018.

17/00616/FULPP - Demolition of former care home and dwelling, and formation of extra care retirement community of older people (Class C2) comprising 87 Units (70 two bedroom and 17 one bedroom) and ancillary facilities to be provided in 7 one, two and three storey buildings together with alterations to existing vehicular and pedestrian access and provision of car parking.

The proposals involve a significantly smaller site area and quantum of development than the withdrawn scheme.

This planning application seeks to demolish the existing care home and dwelling, and erect 30 residential dwellings involving the creation of a new entrance from Ship Lane and Farnborough Road. The proposal would also involve the removal of part of the Curtilage Listed Wall and a scheme of repairs to the remaining wall.

The 30 dwellings would have a mix of (4x1 bed, 16x 2 beds, 10 x 3 beds) and comprise 2 x blocks of flats containing 1 and 2 bed units over 3.5 floors, 2 x 3 bedroom semi-detached dwellings situated to the north of the flat blocks within the walls, and 2 x terrace of 5 x3 bed units continuing the building line of Woodland Crescent to the West, and the other in the place of 127 Ship Lane.

This application is accompanied by a Listed Building Consent application – 23/00586/LBC that is yet to be determined.

Consultee Responses

Historic England

No comments made.

HCC Highways Development
Planning

No objection.

County Archaeologist

The assessment considers that the archaeological potential, in so far as that is revealed by existing data and landscape character, is low for the prehistoric, Roman and medieval periods. The assessment recognises the importance of the local pottery industry in the late medieval early post medieval period but notes that its distribution seems confined locally to the settlement of Farnborough Street or it's margins. I would concur. The assessment indicates that the second phase of walled garden which falls within the development area and which was erected in the late 19th century will have some archaeological manifestation in terms of understanding the scale and operation of the green houses as are mapped.

Whilst I agree that such archaeological potential exists, in terms of meriting an archaeological record this is very much predicated on the research agenda. Archaeological evidence will offer an understanding of the scale and sophistication of production in the walled garden and if perhaps it was set up for exotic produce reflecting the social standing of the adjacent house. However such a research agenda might also be addressed by historical research and I note that a published history of the site exists. Such historical resources are not threatened by the development.

Before seeking to burden the planning permission with an archaeological condition to ensure that the archaeological remains of the walled garden will be recognised and recorded, as is implied by the conclusion of the assessment, I would urge the applicant (or their archaeologists) to establish if the structures, operation, scale and produce of the walled garden is already known (or knowable) through historical study. If it is I do not think that the burden of an archaeological condition would be merited. I would be grateful if you could draw this to the attention of the applicant and look forward to learning whether an archaeological approach is needed or not.

Officer comment: No comments from the agents have been received at the time of writing this report, so a

condition has been recommended.

Parks Development Officer	Prince Charles Crescent, Farnborough OR Rectory Road Recreation Ground, Farnborough – Playground refurbishment OR Ship Lane Cemetery, Farnborough – Infrastructure improvements (£79,970.40)
Designing Out Crime Officer	Provides design guidance to reduce the risk of crime and reduce the fear of crime on the site. Including use of 1.8m high fencing around gardens, lighting, escape routes.
LLFA (Lead Local Flood Authority)	No objection in principle, but requests additional information. (Officer comment: Given that the requested information relates to evidence and note fundamental elements of the drainage strategy, this can be addressed by condition).
Fire and Rescue	Have provided advice in light of fire safety. (Officer comment: This relates to legislation outside of the planning system and is for information only).

Neighbours notified

In addition to posting a site notice and press advertisement, individual letters of notification were sent to 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 Woodland Crescent, Farnborough; 102, 104, 106, 108, 110, 112, 116, 118, 122, 124, 126, 127, 128, 131, 132, 134, 135, 136, 144, 120, 130, 133, 137 Ship Lane, Farnborough; 343, 347, 349, 351, 353, 345, 357 Farnborough Road; 1 Prospect Avenue, Farnborough; Mary Meadow Cottage, Farnborough Road; Farnborough Hill School, 312 Farnborough Road; Caretakers Flat, Farnborough Hill School.

Neighbour comments

4 letters of support from 9 The gardens, Tongham, 14 Le Borowe, Church Crookham, 11 Chingford Ave, Farnborough Hill School. Comments as follows:

- I fully support this application. This will add social housing within an area that requires more
- Will add social housing within an area that requires more
- Replacement of dwellings that have been vacant for some time
- Maintains the attractive old garden wall
- Views over Farnborough Hill School are maintained
- Sedum roof on the 2 flats will help minimize the profiles and maximize environmental benefits
- Pond and attenuation will encourage biodiversity
- Good development
- Welcomes the re-use of the derelict brownfield site, sensitively designed.

92 Objections have been received from the following addresses; 13, 19, 23, 33, 50 Newton road, 19 Napoleon Avenue, 6, 7, 13, 52, 56, 58, 60, 62, 68, 76, 78, 80, 82, 84, 88, 92, 96, 101, 102, 104, 108, 118, 120, 122, 124, 126, 132, 133, 135, 137, 145, 146, 150, 151, 152 Ship Lane, 1, 3, 8, 9, 10, 11, 13, 14, 15 Woodland Crescent, 10, 25 Fleming Close, 4, 12, 23, 29,

31 Baird Road, 4, 23,27, 29 Faraday Road, 3, 10, 15, 49, 53, 87, 99, 109,133 Highgate Lane, 1, 6, 7, 8, 12, 13, 14, 15 The Chase, 165b Rectory Road, 64 Chingford Avenue, 2, 3 Home Farm, Ye Olde Farm, Highgate Lane , 2 Streamside, Fleet, 25 Chatsworth Road, 20 Newton Road, 12 Revelstoke Ave, Farnborough Cycle Forum, :

1 Ship Alley, 2 Woodstocks, 17 The chase, 19 Baird Road.

- Visual Harm - congested development already. 4 storey apartment blocks are not in keeping with other properties in the area and will be visible for some distance around. If the top level were removed this would reduce the build by only 4 apartments.
- Heritage assets – We need to protect Conservation Areas, and Heritage assets.
- Traffic congestion - Ship Lane has parking stress/ cars parked down the left hand side. This becomes even worse with the two schools.
- Highway safety – Ship Lane is a narrow road, with a blind hill Summit. Cars travel at speeds of over 50mph. Concern regarding increased traffic movement, as the area is already a fast rat run for traffic avoiding congestion. Traffic calming, pavement improvement, speed restrictions, making Ship Lane one way, and pedestrian crossing should be considered.
- Transport statement is inadequate as conducted in Oct 22 when through traffic was closed off. No Road safety Audit completed. Concerns with school traffic health and safety and congestion. Trips seem low. Transport statement does not take into account vehicles having to turn left onto the A325. Safety risk of students crossing on the A325. Would like Hampshire County Council to consider measures to mitigate traffic, including via S106. Don't want the road to be closed again.
- No bus service in Ship Lane or Highgate Lane. Walk to bus stops is too far for infirm people.
- Parking - 56 parking spaces for 114 residents (excluding visitors) is insufficient. There is already a parking problem in Ship Lane and this will add to it. Ship Lane is narrow where the access is proposed.
- Harm to residential amenity – Overlooking / loss of privacy.
- Noise – from construction traffic
- Pollution – additional cars increase air pollution
- Sewerage - I am unclear on how sewage will be extracted from the site. The existing sewer in Ship Lane appears to be at capacity and frequently overflows.
- Ecology – Harm to foxes and wildlife
- Archaeological DBS not comprehensive.
- Amenities [Doctors, dentist, Schools] Already at capacity with waitlists.
- Impact on views.
- Do not want this development.
- If they do this they must pay what we paid for the house and we can move.
- Don't need development as Council have a 5 year supply of housing land.
- Vital to prioritize the preservation of community and infrastructure over expansion
- No consideration of environmental impact, equality or access to housing.
- Farnborough has too many 1 and 2 bed units and flats.
- Light pollution from windows, noise pollution from cars.

Procedural concerns

- Posting of notice during summer holidays doesn't give people enough time to digest/ understand the proposals/ people absent. Site notice was placed on side of road with no path. *Officer comment: The LPA must aim to determine and consult on planning*

applications when they are submitted and valid, within the statutory timescales. The LPA is required to erect a site notice as close to the application site as possible.

- How can reports be ready before the consultation closing date? *Officer comment: Given timescales for agenda publication, items are frequently updated and recommendations framed to take on board issues raised and information received up to the point of determination.*

The below comments are not material to the determination of this planning application;

- Safeguarding issue as flats will overlook a school.
- Who is responsible for maintenance of the wall on N boundary of the site.
- Flats will look ugly when people put their washing out.
- Who will maintain wall going forward.
- Need a care home and not flats.

Officer comment: Officers must determine the planning application before them, and not consider whether alternative schemes could be favourable. Private views are not material to the consideration of Planning Applications. Issues of sewerage are matters controlled outside the Planning System by the relevant utility company. Consent from such utility company will be required before connection. The wait list capacity of doctors, dentists schools etc. is not material to the consideration of this planning application. House price values are not material to the determination of a planning application. Whether a development is wanted or not is not material to the determination of planning applications. Whilst the Council has a 5 year supply of housing land, this does not provide a policy basis for not allowing additional residential development if it is compliance with the development plan.

Policy and determining issues

The site is located within the Farnborough Hill Conservation Area. The area to the South outside of the wall is designated Open Space, and the wall is curtilage listed as part of the Grade 1 Farnborough Hill School curtilage.

The relevant development plan policies are: IN2 (Transport), HE1 (Heritage), HE2 (Demolition of a Heritage Asset), 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 and Recreation), DE10 (Pollution), LN1 (Housing Mix), LN2 (Affordable Housing), NE1 (Thames Basin Heaths Special Protection Area), NE3 (Trees and Landscaping), NE4 (Biodiversity), NE8 (Sustainable Drainage Systems). The NPPF and The Council's Car and Cycle SPD are also material to the determination of this planning application.

The pertinent planning considerations for this proposal are; Principle of development, Affordable housing, Visual impact and impact upon Heritage Assets, Impact upon trees, Living conditions created, Impact upon adjoining amenities, Highways impacts, Drainage, Ecology and BNG, Open Space, THBSPA.

Commentary

1. Principle of development,

The area of land outside of the Curtilage Listed Wall is designated Public Open Space.

Policy DE6 – Open Space, Sport and Recreation states that development will not be permitted on areas of open space used for recreation or outdoor sport or of having visual amenity unless certain criteria are met. The proposal would erect development within this area of Open Space, however, in this instance it is not considered that this would adversely harm the function of the open space in this location.

The Open Space (OS) is not publicly accessible, and serves a visual function. In particular, this area of OS has its visual importance through the preservation of the open passageway between the gatehouse and the walled garden beyond. The proposed houses towards Ship Lane replace an existing dwelling, and as built form exists in this location, the provision of a row of houses here is not considered to add significant additional harm. The proposal introduces dwellings to the west of this area of open space in line with the dwellings of Woodland Crescent. The development would result in a loss of openness to this part of the OS, however, this is not considered to be harmful to its overall function. The dwellings would follow the line of built development from Woodland Crescent to the West, and would otherwise maintain the open character of the passageway between the gatehouse and walled garden beyond. Importantly, the proposals would result in the remainder of the Open Space to be publicly accessible, through the provision of a footpath, for public enjoyment. To retain its open character, PD rights for hardstanding and other development should be removed. For clarity, there is no through road access. As a result, it is considered that the proposal would not conflict with the objectives of Policy DE6 in this respect.

2. Affordable housing,

Policy LN2 of the Local Plan requires, on sites of 11 or more dwellings, 30% to be affordable homes with a tenure mix of 70/30. The proposal would provide 9 affordable housing units to be secured by S106, with 7 units being affordable rent and 2 units being shared ownership. This would comply with Policy LN2 in that respect.

3. Visual impact and impact upon Heritage Assets,

The site is within the Farnborough Hill Conservation Area and within the curtilage of the Grade 1 Listed Farnborough Hill School. The site includes the curtilage listed former kitchen garden wall of Farnborough Hill School.

S16(2) and 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving a listed building and its setting.

Paragraph 199 of the NPPF requires that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Paragraph 200 goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 202 of the NPPF states that where a development proposal will lead to less than

substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The site has been associated with the former and current estate since the 18th Century. Since the C18th there has been a walled garden associated with a mansion, the red brick walled garden replaced the earlier walled garden in 1872. There is a 'lych' gate to the south of the site, that was reconstructed in the early 20th century leading to the walled garden. The Curtilage Listed status of the wall is due to it being an element of the former estate which reveals the historic interest of the estate, including the opening in the wall and the route towards the main house.

Therefore, the maintenance of the openness of the wall and gatehouse passage in relation to the Grade I Listed Farnborough School is important to its setting.

The scheme has been significantly revised through pre-application to retain the open character of the wall and entranceway via the gatehouse. Built development is focused on either side of the walls.

This development to the south of the wall comprises two terraces of three dwellings. These are traditional in form and detailing, and would not detract from the character of the Heritage Assets or their significance. Their garden fences would overlap with the Curtilage Listed Wall, but with the removal of PD rights and the submission of details of boundary treatment, it is considered that the harm would be less than substantial.

The car parking spaces for these dwellings would be in front of the wall. No access road is present though the site to reduce the harm to openness. A pedestrian path is proposed through the site. Conditions are recommended to prevent the erection of development in front of or in the vicinity of the wall, including the removal of PD rights for outbuildings.

The garden wall has been altered a number of times. The southern section has been lowered, and an opening created to the north east. The former cart entrance has been blocked up. The wall is in poor condition, with significant deterioration to the southern wall. A condition report by Stone Rose notes defects such as invasive plants causing damage to walls, defective and missing lime mortar, damage from cement mortar, missing and broken tiles, and movement cracks. The report proposes to refurbish the Wall to a high standard, and stop further deterioration. The proposed landscaping scheme also includes the provision of new fruit trees along the wall to retain this character. This is considered a significant benefit of the proposals as it would enhance the Heritage Asset and setting.

The proposal would remove part of the original Curtilage Listed Wall to widen the entrance into the site, and rebuild a section of the wall. The area is relatively small and would not detract from the significance of the Curtilage Listed Wall as an enclosure. A method statement for the part removal and rebuilding of the Curtilage Listed Wall has also been produced. The resulting harm is considered to be less than substantial.

The proposed blocks of 3.5 storey flats would rise above the wall and be visible from within the Grounds of the Grade 1 Listed Farnborough Hill School and surrounding streets. The existing La Fosse building is 2 storeys (plus roof) in height. The agents have submitted a LVA (Landscape and Visual Impact Assessment) by CSA Environmental in support of the application.

The proposal would increase the density of built form within the site and be visible to the surrounding area – particularly the two blocks of flats. However, this is not considered to result in substantial harm to the heritage assets or harm to the area’s character. The presence of a building taller than the wall is an established part of the existing character of the site. The proposed flats use detailing including a horizontal emphasis and use of mansard roofs, and this is interwoven with modern detailing including balconies. This would not appear unduly out of place within the surrounding street scene context. The dwellings within the site are not as sensitively detailed as those to the south of the wall, however, they would not appear out of character within the Conservation Area.

Subject to conditions requiring material samples, the removal, rebuilding, repair and maintenance of the Curtilage listed wall, removal of PD rights, the proposal is considered to result in less than substantial harm to Heritage Assets, and not to result in harm to the character of the area.

This less than substantial harm is considered to out weighed by the benefits of the proposal, notably the provision of residential dwellings, affordable housing and the repair of the Curtilage Listed Wall.

The proposal is not considered to conflict with Policy HE1, HE2, HE3 and DE1 of the Local Plan, and the NPPF in this respect.

4. Impact upon trees

The proposal would result in the loss of 9 trees and 4 groups comprising; .

Tree No.	Species	Category
T8	Magnolia	C1
T10	Wild Cherry	C1
T11	Wild Cherry	B1
T12	Purple Plum	C1
T14	Japanese Maple	C1
G15	Lawson Cypress	C2
T27	Lawson Cypress	U
G31	Apple	C1
T42	Ash	C1
T43	Sycamore	B2
T44	Leyland Cypress	C2
G45	Leyland Cypress	C2
G46	Holly	C2

Figure 1: trees proposed to be removed.

3 trees and 2 tree groups are lost through the provision of an entrance from Farnborough Road. Aside from T43, these trees have limited amenity value and their loss is not considered to result in harm to the landscape character of the area. T43 is a B Category Sycamore tree, and due to its size, the tree has landscape value as part of the boundary screening in this location. However, its loss would not be adverse to the area’s character, and mitigation can be provided with replacement planting.

G32 and G30 are hedges lining the entrance into the walled garden and these are to reduced

in size to accommodate the path between Farnborough Road and Ship Lane. This is not considered to be harmful to landscape character.

T11 is a category B Wild Cherry tree located within the walled garden. However, the tree is at the end of its mature phase, and positioned in a awkward position within the site, making it tricky to integrate. Whilst this tree makes a positive contribution to the area's character, its loss would not be adverse to result in harm to the area's character. Mitigation can be provided with replacement planting.

Other trees to be lost within the site interior, and have a limited contribution to wider landscape value, and their loss would not be harmful to the area's character.

Within the Site is a TPO tree T1 – Weeping Willow. The proposal would utilise much of the existing hardstanding area. The submitted Arbocultural Impact Assessment and method statement sets out a method of works to remove, repair, and replace the existing hardstanding. Subject to securing this by condition, the proposal would not result in additional harm in that respect.

Subject to conditions for tree protection during works and replanting, the proposal is not considered to result in adverse harm to the character of the area.



Figure 2: Plan showing trees proposed to be removed.

5. Living conditions created,

The proposal would result in the creation of 4x1 bed, 16x2 beds, 6 x 3 beds. The Council's Car and Cycle SPD sets out that 1 bed units should have an internal area of at least 50sqm, 2 bed units have an area of 61sqm (2b3pm) or 70sqm (2x4p), and 3 bed units (3b4p 84sqm, 5p 93sqm [for 2 stories], 6p 108sqm [for 3 stories]).

As demonstrated by Figure 3, the proposal would accord with these minimum standards, and be acceptable in this respect. Policy DE4 of the Local Plan requires flats to have a balcony of at least 5sqm, and 3 bed dwellings to have a garden area of 30sqm. All of the units would meet these standards.

Plot	bedroom	Heigh	Sqm	DE3	Internal	Amenity space	Comply?
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no.	ms	t		Space Standard		
1	1(2P)	1	55.7	50sqm	Balcony	Yes
2	2(3p)	1	73.8	61sqm	Balcony	Yes
3	2(3p)	1	72.4	61sqm	Balcony	Yes
4	2(3p)	1	73	61sqm	Balcony	Yes
5	1(2P)	1	55.7	50sqm	Balcony	Yes
6	2(3p)	1	73.8	61sqm	Balcony	Yes
7	2(3p)	1	72.4	61sqm	Balcony	Yes
8	2(3p)	1	73	61sqm	Balcony	Yes
9	2(4p)	1	75.4	70sqm	Balcony	Yes
10	2(4p)	1	75.2	70sqm	Balcony	Yes
11	1(2p)	1	55.7	50sqm	Balcony	Yes
12	2(3p)	1	73.8	61sqm	Balcony	Yes
13	2(3p)	1	72.4	61sqm	Balcony	Yes
14	2(3p)	1	73	61sqm	Balcony	Yes
15	1(2p)	1	55.7	50sqm	Balcony	Yes
16	2(3p)	1	73.8	61sqm	Balcony	Yes
17	2(3p)	1	72.4	61sqm	Balcony	Yes
18	2(3p)	1	73	61sqm	Balcony	Yes
19	2(4p)	1	75.4	70sqm	Balcony	Yes
20	2(4p)	1	75.2	70sqm	Balcony	Yes
21	3 (6p)	2.5	125. 1	102sqm	Garden	Yes
22	3(6p)	2.5	125. 1	102sqm	Garden	Yes
23	3(6p)	2.5	125. 1	102sqm	Garden	Yes
24	3(6p)	2.5	125. 1	102sqm	Garden	Yes
25	3(5p)	2	93.2	93sqm	Garden	Yes
26	3(5p)	2	93.2	93sqm	Garden	Yes
27	3(5p)	2	93.2	93sqm	Garden	Yes
28	3(5p)	2	93.2	93sqm	Garden	Yes
29	3(5p)	2	93.2	93sqm	Garden	Yes
30	3(5p)	2	93.2	93sqm	Garden	Yes

Figure 3: Unit size standards and amenity space standards.

The blocks of flats would be a distance of 8.9m apart where there would be a balcony and secondary windows serving kitchen/ living dining areas. Given the height and distance between, harmful overlooking could occur. A condition has been recommended requiring a screen and details of obscure glazing to avoid harmful overlooking between these units. Between the proposed blocks and the three bedroom houses within the wall would be a separation distance of 18m. This is considered sufficient to avoid overlooking.

Subject to conditions, the proposal would not conflict with Policy DE1 in this respect.

6. Impact upon adjoining amenities,

The proposal would introduce new dwelling units backing on to Farnborough Road and fronting Ship Lane. In both instances the dwellings would be at least 20m away from the existing residential dwellings opposite, and as a result would not lead to an overbearing, loss of daylight or sunlight or overlooking impact.

Plots 21 – 24 would back onto the rear gardens of 12-15 Woodland Crescent,. Any views would be obscured by the existing listed wall that extends to around eaves level. The roofs have a rooflights, but dormers face into the site. As a result the proposal would not lead to an overbearing, loss of daylight or sunlight, or overlooking impact.

Flat block unit 1 – 10 would be 18m from 10 and 11 Woodland Crescent. At this distance, along with the wall, the proposal would not result in harmful overlooking, or loss of daylight and sunlight.

The proposal would not conflict with policy DE1 in this respect.



Figure 4: distance separation between units.

7. Highways impacts,

The agents undertook pre-application discussion with Hampshire County Council in respect of the proposal prior to its submission.

The proposal would create a new entry point from Farnborough Road for three dwellings, and a new entrance for 24 dwellings on Ship Lane. The provision of one of the entrances would require an alteration to double yellow lines on Ship Lane.

Policy IN2 of the local plan sets out that development will be permitted that; integrates with the existing movement network, provides safe, suitable and convenient access for all potential

users, and does not have a severe impact upon the operation of, safety of, or accessibility to the local or strategic road network.

Paragraph 111 of the NPPF presents a demanding test for transport impacts. Only if there would be an unacceptable impact on highway safety or when residual cumulative impacts are severe should proposals be refused on transport grounds.

Since the deferral of this item from the planning committee of the 13th September 2023 the applicants have submitted a revised Transport Statement that includes a revised traffic count on Ship Lane (Transport Statement – Updated dated 20th October 2023). The purpose of this traffic count is to record vehicle speeds to determine suitable visibility provision at the site means of accesses. It should also be noted that Hampshire County Council raised no objection to the originally submitted traffic counting data.

The revised traffic count was undertaken in October 2023. The report argues that it was difficult to find a window where roads were not closed during the survey period. The report argues that the roadworks resulted in the narrowing of the north end of ship lane, but not to the extent that it would restrict its use. The report argues that given the distance from the northern counter of 150m, and that further roadworks were planned, that the survey would continue.

Guidance in DMRB CA185 suggests calculation of design speed to be undertaken on the basis of 200 or more measurements in each direction collected during weekday off-peak hours of 10-12 and 2-4pm. More than 200 measurements in each direction have been collected during these hours. The results found that the recorded 85th percentile speeds were similar in 2023 to those recorded in 2022 (the previous survey). However, the higher of the speeds recorded at each counter have been used at the calculation of design speed for the visibility splays. Hampshire County Council's Highways Officer has no objection to the proposals. These visibility splays have been recommended as a condition.

The proposal would introduce a new pedestrian footpath between Farnborough Road and Ship Lane, increasing permeability of the site. As the site is not currently publicly accessible, this is considered to be an improvement.

The Council's Car and Cycle SPD requires 1 space for each 1 bedroom unit, and 2 spaces for each 2-3 bedroom unit. In terms of visitor bays each 1 bed must provide 1/3, and each 2 bed + must provide 1/5 visitor bay. The proposal would provide (4x1 bed, 16x 2 beds, 6 x 3 beds) requiring 48 allocated bays and 6 visitor bays.

Each of the dwellings would have 2 parking spaces and an electric vehicle charging point. Each 2 bed flat would have 2 parking spaces and each 1 bed flat would have 1 parking space. Every unit has an electric charging point.

6 visitor bays are currently located to the front of dwellings 25 – 27 and 28 – 30, and two are located within the semi-basement of the flat blocks, resulting in 8 visitor bays. However, this means that only 2 visitor bays are located in a convenient place for 20 of the units. 6 of the visitor bays are outside the garden wall and not directly accessible to the remainder of the residential units by road.

The provision of 16x 2 bed and 4 x1 bed mix require 4.5 visitor bays, or 5 when rounded up (as per principle 9 of the Car and Cycle SPD). These should be provided within the Curtilage Listed walls to avoid parking stress. A revised parking layout plan is required to provide 3 additional visitor bays of these bays within the walls of curtilage listed walls, and this can be

secured by condition.

Cycle stores are provided within the flat blocks and within the gardens of the dwellings. Subject to suitable conditions it is considered the proposal would not conflict with the Car and Cycle SPD or Policy IN2 in respect of parking standards.

8. Drainage

Policy NE8 of the Local Plan requires the implementation of integrated and maintainable SUDs. For Green field developments, the peak run-off rate/volume from the development to any drain, sewer, or surface water body for the 1 in 1 year and 1 in 100 years must not exceed the greenfield run off rate for the same event. For brownfield sites, the peak run-off rate/ volume from the development shall be as close as reasonably practicable to the greenfield run-off event.

The agents have submitted a Flood Risk Assessment and Drainage Strategy for the site. The Lead Local Flood Authority has been consulted on this application but at the time of writing no response has been received. The site is located within Flood Zone 1 and therefore the flood risk is considered to be low. the proposal seeks to utilise SUDs to manage surface water run-off. Infiltration testing was carried out on site that found low infiltration rates. As a result it is proposed discharge surface water into the existing sewer network. To provide betterment on pre-existing conditions, the proposal seeks to use attenuation basins with an underground tank to provide storage capacity. The SUDS drain system has been designed to accommodate runoff from all storm events up to and including a 1 in 100 year + 40% climate change storm event and discharge at a maximum rate of 10.4l/s to the existing network serving the site, final levels and route to be confirmed by CCTV survey. The predevelopment peak runoff rates for the site have been calculated as 20.9l/s and the maximum discharge from the proposed development has been set at 10.4l/s, offering 50% betterment when compared against the existing unrestricking discharge. Therefore, the proposed development will provide benefits in terms of flood alleviation to the sewer network downstream of the site.

The proposal would accord with the requirements of Policy NE8 in this respect.

9. Open Space,

The adopted Local Plan seeks to ensure that adequate public open space (POS) provision is made to cater for future residents in connection with new residential developments. Policy DE6 allows provision to be made on the site, or in appropriate circumstances, a contribution to be made towards upgrading POS facilities nearby. The proposal would secure, via a S106 Agreement, £78,027.68 for playground refurbishment at Prince Charles Crescent, Farnborough or Rectory Road Recreation Ground, Farnborough, or for Infrastructure improvements at Ship Lane Cemetery, Farnborough.

Subject to securing such contributions through S106, that the proposal would not conflict with Policy DE6 in that regard.

10. Ecology ,

A) Protected species

All species of bat and their roosts are protected under Schedule 2 of the Conservation of

Habitats and Species Regulations 2017, as amended. They are afforded additional protection under the Wildlife and Countryside Act 1981, as amended, making it an offence to kill, injure or disturb an individual; damage, destroy or obstruct access to a breeding site or resting place of that individual. Destruction of a bat roost is therefore an offence, regardless of whether a bat is present at the time of roost removal. The Local Planning Authority should also be aware of its legal duty under Regulation 9(3) of the Conservation of Habitats and Species Regulations 2017, as amended which states that “a competent authority in exercising any of its functions, must have regard to the requirements of the Directives so far as they may be affected by the exercise of those function”.

The development proposes demolition of all built structures (excepting the wall) within the development footprint. These buildings features loft voids, roof tiles and soffits, all features which are known to be favoured by bats for roosting. The development site is well connected with suitable bat foraging and commuting habitat within the local landscape and so a population of bats is expected to be present locally. There is therefore a reasonable likelihood that bats will be actively roosting at the development site.

The applicant has submitted a bat emergence survey by Wychwood Environmental Ltd. It had identified a night roost in the La Fosse building. Therefore a licence would be required from Natural England for the demolition of this building, along with any necessary mitigations. The report advises an alternative roosting opportunity be provided within a roof void, along with bat boxes outside given the presence of bats around the site. The report also requires a sensitive lighting scheme, given the presence of bats within the site. A condition requiring a Sensitive Lighting Management Plan has been recommended to achieve this.

The LPA must consider the likelihood of Natural England of granting a licence before granting planning permission. This comprises three tests; That the development is in the public interest; that there is no satisfactory alternative that will cause less harm to the species; that the development does not harm the long term conservation status of the species.

There is no satisfactory alternative that would cause less harm to the species, as a viable proposal for retaining the existing buildings has not been forthcoming, and the development, by providing additional residential units is in the public interest. The methodology proposed would not result in harm to the long term conservation status of the species.

As a result, it is considered reasonably likely that Natural England would grant a licence.

B) other protected species

An updated ecological survey was conducted on the site in January 2023. Previous ecological surveys include a Preliminary Ecological Survey in 2016, an update in April 2021. This updated survey recommends pre-construction / site clearance surveys to checks by a suitably qualified ecologist, along with timings for development to avoid disturbance to nesting birds and reptiles. These requirements have been secure by condition.

Subject to conditions, the proposal would not conflict with policy NE4 of the Local Plan.

C) Biodiversity net gain

Paragraph 174 of the National Planning Policy Framework (NPPF) (amended July 2021) makes it clear 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”.

The Environment Act 2021 introduces 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.

The Biodiversity Net Gain Report and supporting DEFRA Biodiversity Metric Calculation tool indicates that the development will result in an above 10% net gain in biodiversity units as a result of development. The use of the Calculation Tool indicates good practice and an above 10% net gain would meet Rushmoor Borough Council expectations.

This can be secured by condition.

D) THBSPA

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

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

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

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

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

young.

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

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

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

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

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

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

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

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

In order to meet the requirements of Policy NE1 and the AMS applicants must:- 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 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 been provided with an allocation of SANGS capacity from the Southwood Country Park SANGS scheme sufficient for the 30 new dwelling units proposed, which would cost the applicants £231,009.66. Furthermore, the applicants are also seeking to secure a financial contribution of £23,282.44 towards SAMM. Both would be secured by way of a s106 planning obligation to be submitted to the Council requiring payment of these SPA financial contributions upon the implementation of the proposed development.

Conclusions of Appropriate Assessment : On this basis, the Council are satisfied that, subject to the receipt of a satisfactory completed s106 Planning Obligation, the applicants will have satisfactorily mitigated for the impact of their proposed development on the Thames Basin Heaths SPA in perpetuity in compliance with the requirements of New Rushmoor Local Plan Policy NE1 and the AMS. Accordingly, it is considered that planning permission could then be granted for the proposed development on SPA grounds.

Conclusions -

The proposals are considered acceptable in principle; would have no material and harmful impact upon the overall visual character and appearance of the area or upon Heritage Assets; would have no material and adverse impact on neighbours; would provide an acceptable living environment; and would not result in harm to protected species, and subject to formal confirmation that Hampshire Highways do not object to the proposals; and, subject to financial contributions being secured in respect of Special Protection Area mitigation & avoidance and Public Open Space with a s106 Planning Obligation, the proposals would have no significant impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area; and appropriately address the Council's adopted Local Plan Policy

DE6 concerning Public Open Space. The proposals are therefore considered to be acceptable having regard to the criteria of Policies IN2 (Transport), HE1 (Heritage), HE2 (Demolition of a Heritage Asset), 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 and Recreation), DE10 (Pollution), LN1 (Housing Mix), LN2 (Affordable Housing), NE1 (Thames Basin Heaths Special Protection Area), NE3 (Trees and Landscaping), NE4 (Biodiversity), NE8 (Sustainable Drainage Systems). The NPPF and The Council's Car and Cycle SPD are also material to the determination of this planning application

Full Recommendation

It is recommended that:

- A) On confirmation of no objection from Hampshire County Council's Highways Officers:
- B) Completion of a Satisfactory S.106 Planning Obligation by 14th November 2023 to secure:
 - a. SANG (£231,009.66) and SAMM (£23,282.44) SPA financial contributions;
 - b. Public Open Space (£78,027.68) contribution
 - c. 9 on site affordable housing units
- C) The Executive Head of Property and Growth, in consultation with the Chairman of the development Management Committee be authorised to **GRANT** Planning Permission.
- D) The Executive Head of Property and Growth in consultation with the Chairman of Development Management Committee, be authorised to add, delete or vary conditions as necessary to secure identified obligations prior to the issue of planning permission.
- E) If by 14th October 2023 (or such other timescale to be agreed) a satisfactory s106 Agreement has not been received, the Executive Head of Property and Growth, in consultation with the Chairman, be authorised to **REFUSE** planning permission on the grounds that:
 - a. 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;
 - b. The proposal does not make appropriate provision for Public Open Space in accordance with the requirements of adopted Rushmoor Local Plan Policy DE6;

-and the following conditions and informatives:

Conditions

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

Reason - As required by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, to reflect the objectives of the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy as amended August 2019 and to accord with the resolution of Rushmoor's Cabinet on 17 June 2014 in respect of Planning Report no PLN1420.

2. The permission hereby granted shall be carried out in accordance with the following approved drawings. Drawing numbers:

- Proposed site plan – 21 – J3634-01 Rev B
- Location Plan – 21 – J3634-LP01
- Plots 11-20 proposed elevations – 21-J3634-15 Rev C
- Plots 11-20 proposed floor plans - 21-J3634-14 Rev C
- Plots 1- 10 proposed elevations - 21-J3634-13 Rev C
- Plots 1 – 10 Proposed Floor Plans - 21-J3634-12 Rev C
- Parking Plan - 21-J3634-P01 Rev A
- Plots 21 – 24 – Proposed Plans and Elevations – 21-J3634- 16 Rev A
- Plots 25 – 27 and 28 – 30 – 21 – J3634 – 17 – Rev A
- Site Sections – 21-J3634-18 Rev B
- Demolition plan – 21-J3634-19 Rev A
- Wall removal and replacement plan - 21-J3634-20 rev A
- Flood Risk assessment and Drainage Strategy – Wardell Armstrong – August 2023
- Biodiversity Net Gain Metric
- Landscape and Ecologist Management Plan – FPCR Environment and DDesign LTD Rev B
- Arbtech Bat Emergence and re-entry survey – David Holmes – 2021
- Biodiversity net gain – FPCR August 2023
- Updated ecological survey letter by Wychwood Environmental Environmental dated January 2023.
- Bat Emergence Survey - Wychwood Environmental July 2023
- Sustainability and Energy Statement – BlueSky Unlimited
- Design and access statement August 2023
- Condition report to listed wall garden Rev A – Stone Rose Historic Building Restoration and Conservation.
- Method Statement – dismantle and rebuild to section of walls for new proposed access route to site – Stone Bridge Historic Building Restoration and Conservation.
- Heritage Impact Assessment – HCUK Group
- Landscape and Visual Assessment – CSA Environmental. August 2023.
- Landscaping strategy -
- Planning Statement – August 2023
- Transport Statement - I-Transport – with appendices 20th October 2023
- Arboricultural Impact Assessment – TGA arboricultural Consultants. 21/06/2023
- Tree protection plan TGA.2506.TPP.002A
- Tree Survey – tga arboricultural consultants – 25/11/2022
- Tree Survey Plan – TGA.2506.TSP.001
- Accommodation schedule

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

Privacy screens

3. Prior to the first occupation of any flats hereby approved, there shall be provision of obscure glazing and privacy screens, between the western elevation of flat block 11-20 and flat block 1-10, including upon the balcony, that has been submitted to and

approved in writing by the Local Planning Authority. The screening/ obscure glazing shall remain for the lifetime of development hereby approved.

Reason: In the interest of the living conditions of the occupiers.

Samples of materials

4. 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

Reason - To ensure satisfactory external appearance

Archaeological method statement

5. No demolition or excavation shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing for the area of land within the walled garden. For the land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.:

1. The WSI shall include a review of documentary evidence regarding the walled garden and its use to determine the extent of available information on its development and use to determine if any archaeological fieldwork is necessary.
2. Details of a phased programme of archaeological works, including initial on-site evaluative fieldwork, if needed, to determine the extent of archaeological remains within the walled garden.
3. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: In the interest of heritage assets.

Repairs to the Curtilage Listed Wall

6. Prior to the first occupation of any of the residential units, the repairs to the Curtilage Listed Walls shall be carried out in accordance with the methods and scope as set out within the approved - Condition report to listed wall garden Rev A – Stone Rose Historic Building Restoration and Conservation.

Reason: In the interest of preserving and enhancing Heritage Assets.

Demolition and rebuilding of the Curtilage Listed Wall

7. The demolition and replacement of the section of the Curtilage Listed Wall must be carried out in accordance with plan approved plan 21-J3634-20 rev A and method

statement and the methods within the approved document Method Statement – dismantle and rebuild to section of walls for new proposed access route to site – Stone Bridge Historic Building Restoration and Conservation.

Reason: In the interest of preserving and enhancing Heritage Assets

Visitor bays

8. Prior to the occupation of the development hereby approved, 5 visitor parking bays shall be laid out and made available within the walled garden area of this development in locations to be first submitted to and approved in writing by the Local Planning Authority. The visitor bays shall remain available for such purpose for the lifetime of the development.

Reason: In the interest of highway safety.

Parking

9. The development hereby approved shall not be occupied until the off-street parking facilities shown on the approved plan have been completed and made ready for use by the occupiers. The parking facilities shall be thereafter retained solely for parking purposes (o be used by the occupiers of the development). *

Reason - To preserve the amenities of the neighbourhood and ensure the provision of adequate residential parking facilities.

Replacement bat roost

11. Prior to the first occupation of development, the replacement roosting opportunity and two woodcrete bat boxes shall be provided within the site as set out within the approved Bat Emergence Survey - Wychwood Environmental July 2023. These mitigations shall be retained for the lifetime of the development hereby approved.

Reason: In the interest of mitigating harm to protected species

Ecological mitigation

12. The site clearance and preparation shall be carried out in accordance with the ecological mitigation, surveys and timing as set out within the approved 'letter of validation' by Wychwood Environmental dated January 2023.

Reason: In the interest of mitigating harm to protected species

Hard Landscaping

13. Prior to the occupation of the development hereby approved, details of the hard surfacing materials within the development shall be submitted to and approved in writing by the LPA. The hard landscaping scheme approved shall be provided prior to the occupation of development hereby approved.

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

Boundary treatment

14. Excluding the Curtilage Listed Wall, prior to the first occupation of the dwellings hereby approved, the boundary treatment for the houses and at the end of Woodland Crescent shall be first submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be erected prior to the first occupation of the development in accordance with the details so approved, and thereafter retained.

Reason: In the interest of visual amenity, highway safety, and the setting of Heritage Assets.

Sustainability : Water Efficiency

15. All residential units hereby permitted shall be designed to meet the water efficiency standard of 110 litres/person/day. This shall on completion be confirmed by the submission to the Local Planning Authority of a post-construction BREEAM certificate.

Reason – To manage water consumption efficiently consistent with the requirements of Policy DE4 of the adopted Rushmoor Local Plan (2014-2032) and the advice in NPPF Paragraph 154

Permitted Development Rights Removed

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

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

Tree protection

17. The existing trees and hedges on and adjoining the application site which are to be retained shall be adequately protected from damage during site clearance and works in accordance in accordance with the recommendations set out within the following reports; Arboricultural Impact Assessment – TGA arboricultural Consultants. 21/06/2023; and Tree protection plan TGA.2506.TPP.002A

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

Unforeseen Ground Contamination

18. If, during development of any Reserved Matters areas, 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; and also at the request of the Environment Agency.

No Overhead Servicing

19. 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.

Demolition/ Construction Hours

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

Reason - To protect the amenities of neighbouring properties in the vicinity.

CEMP

21. Prior to the commencement of the development, there shall be submitted to and approved in writing by the Local Planning Authority A Construction Environmental & Traffic Management Plan. The Construction Environmental & Traffic Management Plan shall state :-
- a. responsibility(ies) for the implementation and operation of the CETMP;
 - b. the parking of vehicles of site operatives and visitors;
 - c. the routeing of HGV deliveries to the site;
 - d. loading and unloading of plant and materials;
 - e. storage of plant and materials used in constructing the development;
 - f. details and location(s) of temporary site accommodation;
 - g. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - h. wheel washing facilities;
 - i. measures to control the emission of dust, dirt and other emissions during construction;

- j. a scheme for recycling/disposing of waste resulting from demolition and construction works;
- k. measures to minimise noise and vibrations during construction and demolition;
- l. measures to ensure/maintain vehicular and pedestrian access to any adjoining and nearby properties at all times during the demolition and construction period; and
- m. communication with the neighbours/local community to deal with any issues that arise as a result of the construction period.

The Construction Environmental & Traffic Management Plan shall be adhered to as so approved by the Local Planning Authority for the duration of the construction works.

Reason - To ensure that the proposal does not result in harm to highway network.

Biodiversity and planting

22. All planting, seeding or turfing comprised in the approved details (Landscape & Ecological Management Plan' by fpcr dated August 2023, Biodiversity Net Gain report August 2023 by fpcr, 'Biodiversity Metric 3.1 Calculation Tool '); of landscaping and associated biodiversity enhancements 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.

Reason -To ensure the development makes an adequate contribution to visual amenity and does not result in the net loss of Biodiversity.

23. 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 for the lifetime of the development. The scheme shall include the following elements:
- Details of maintenance regimes;
 - 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. *

Lighting

24. Prior to the occupation of the development, details of the external lighting including the design, position, orientation and any screening of the lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed and operated in accordance with the approved scheme at all times thereafter.

Reason: In order to safeguard residential amenity and minimise the impact to ecology and biodiversity.

Surface Water Drainage

25. Prior to the occupation of the development hereby approved, additional information

regarding the drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. Such additional information shall include;

- Calculations showing no flooding occurs for the 1 in 30 year storm event plus a peak rainfall allowance.
- Flooded extents for the 1 in 100 year storm event plus a peak rainfall allowance are to be shown on a plan.

The drainage strategy so approved shall be installed prior to the first occupation of the development, and maintained for its lifetime.

Reason: To ensure no adverse flooding impacts resulting from the development..

Surface Water Drainage management plan

26. Prior to the occupation of the development hereby approved, a management plan for the upkeep of the drainage system hereby approved including the attenuation pond shall be submitted to and approved in writing by the Local Planning Authority. Such so approved maintenance shall be carried out for the lifetime of the development. Reason: To ensure no adverse flooding impacts resulting from the development..

Boundary Treatment

27. Prior to the first occupation of the development within the Curtilage Listed Wall, the means of access from Ship Lane as set out within drawings numbered ITB18308-GA-002 Rev. H, 004 Rev. E and 007 Rev.C provided in the Transport Statement must be completed, and so retained.

Reason: In the interest of highway safety and the setting of Historic Assets.

Means of access

28. Prior to the first occupation of the development outside the Curtilage Listed Wall and towards Farnborough Road, the means of access from Farnborough Road as set out within drawings numbered ITB18308-GA-002 Rev. I, 004 Rev. E and 007 Rev D provided in the Transport Statement must have first been completed and so retained.

Reason: In the interest of highway safety and the setting of Historic Assets.

29. Prior to the first occupation of the development inside the Curtilage Listed Wall and towards Ship Lane, the means of access from Ship Lane as set out within drawings numbered ITB18308-GA-002 Rev. I, 004 Rev. E and 007 Rev D provided in the Transport Statement must have first been completed and so retained.

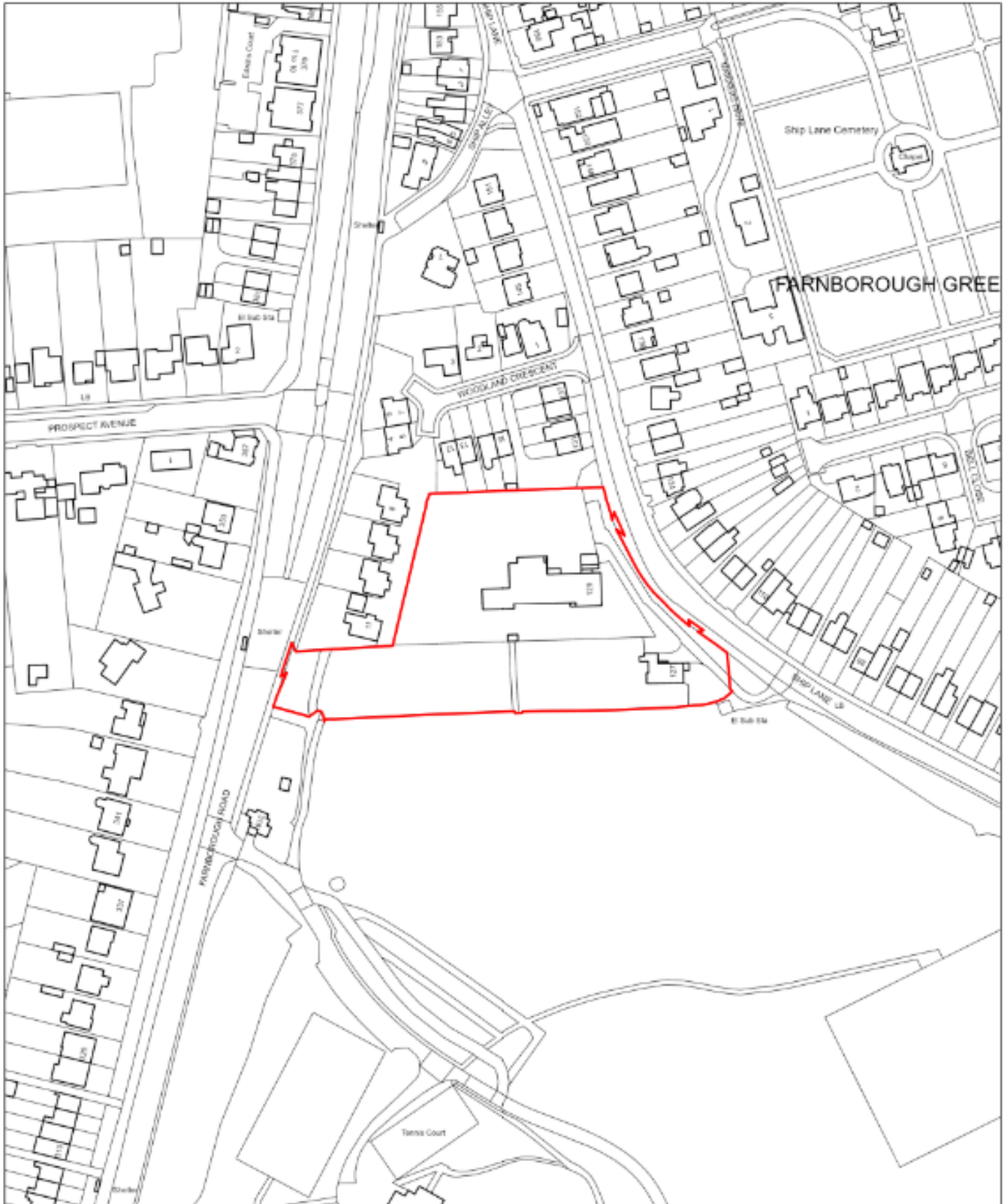
Reason: In the interest of highway safety and the setting of Historic Assets

Informatives

- 1 INFORMATIVE – The Local Planning Authority’s commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of pre-application discussion to all, and assistance in the validation and determination of applications through the provision of clear guidance regarding necessary supporting information or amendments both before and after submission, in line with the National Planning Policy Framework.

- 2 A licence from Natural England is required as the works will involve the loss of a bat roost.

ArcGIS Web Map



8/24/2023, 9:08:35 AM

 Planning Application

1:1,327

0.00 mi

EXISTING TREES TO BE RETAINED

TREES TO BE REMOVED

PROPOSED INDICATIVE PLANTING

EXISTING PLANTING

EXISTING SPOT SITE LEVELS

PROPOSED SPOT SITE LEVELS

PROPOSED HOUSE FINISHED FLOOR LEVELS (SUBJECT TO COMPLETION OF FURNISHING DRAWINGS STAGE)

DASHED LINE INDICATES BUILDING TO BE DEMOLISHED

BANK

SECTIONLINE

Rev.	B	Date	24.07.23	Client	CONSULTANTS COMMENTS INCORP.
	A		05.08.23		ROOF AMENDED FOLLOWING PLANNER COMMENTS

PLANNING APPLICATION



ASCOT DESIGN
Timeless architecture

Ascot Design Ltd, Beechtree House 39-51 High Street, Ascot, Berkshire, SL5 7JH
Tel: 01344 277625 | info@ascotdesign.com
www.ascotdesign.com

WOOLDRIDGE DEVELOPMENTS LTD. & SYNERGY HOUSING

SHIP LANE, FARNBOROUGH, GU14 8BH

PROPOSED SITE PLAN

Scale:	1-500@A2	Date:	AUG23	Client:	CWH
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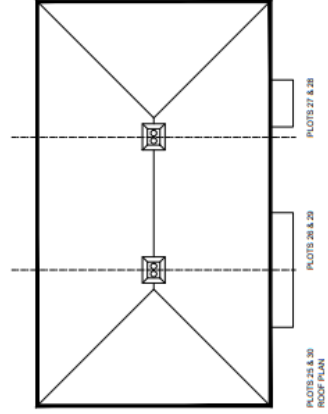
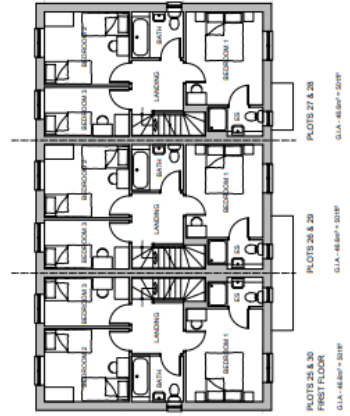
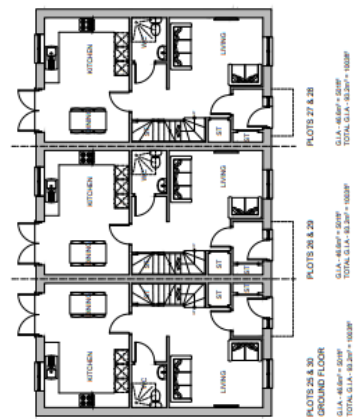
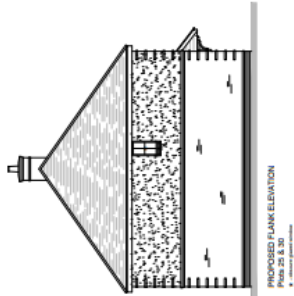
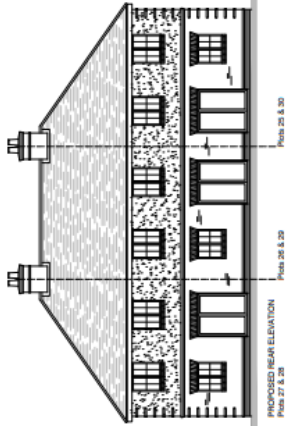
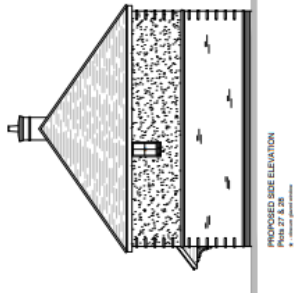
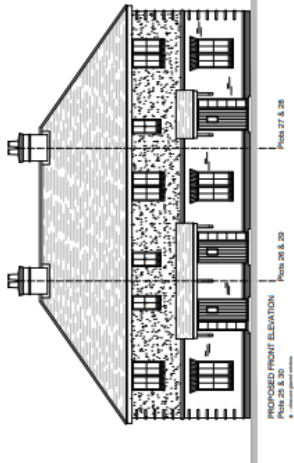
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Rev: A	Date: 24.07.23	Client: CONSULTANT COMMENTS INCORP.
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ASCOT DESIGN Timeless architecture <small>Ascot Design Ltd, Backhive House 39-51 High Street, Ascot, Berkshire, SL5 7HP Tel: 01344 299387 Fax: 01344 299387 Email: info@ascotdesign.com www.ascotdesign.co.uk</small>		
Client: WOOLDRIDGE DEVELOPMENTS LTD. & SYNERGY HOUSING		
Project Site: SHIP LANE, FARNBOROUGH, GU14 8BH		
Drawings Title: PROPOSED PARKING PLAN		
Scale: 1-500@A2	Date: JUL '23	Client: CT
Drawing No: 21 - J3634 - P01	Rev: A	
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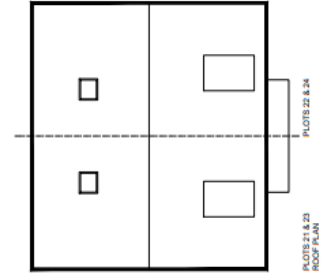
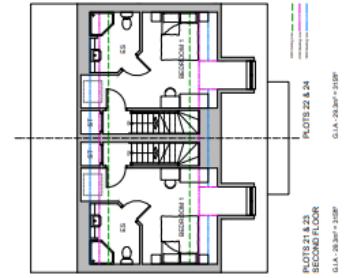
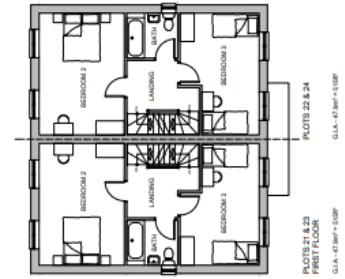
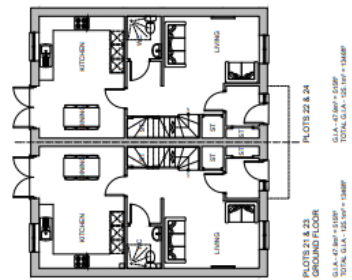
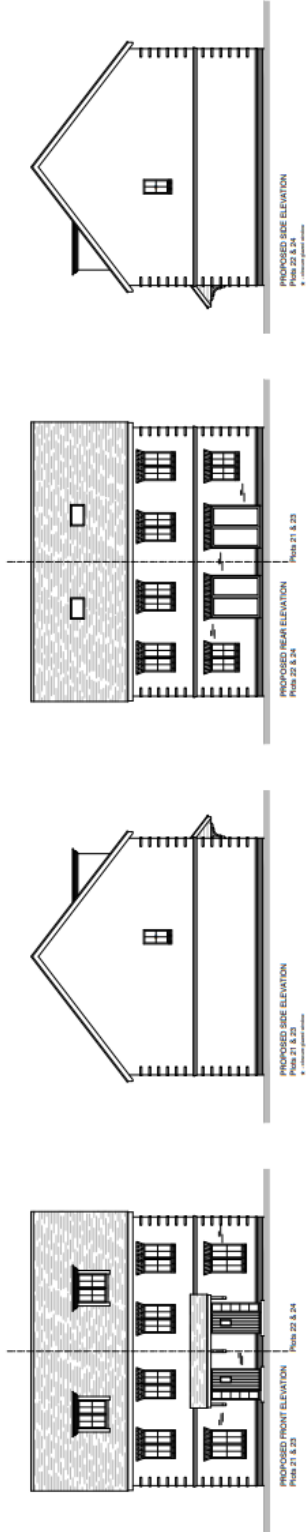


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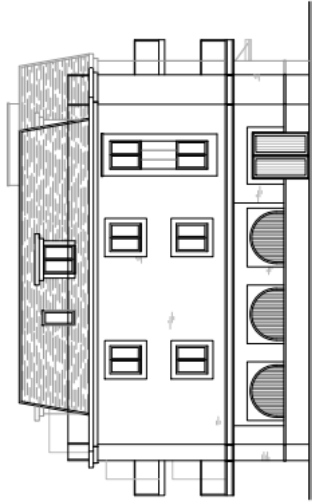
PLANNING APPLICATION

ASCOT DESIGN
Timeless Architecture
Ascot Design Ltd, Ascot House, 2511 High Street, Ascot, Berkshire, RG22 7BP
Tel: 01344 892222 | Email: info@ascotdesign.com | www.ascotdesign.com

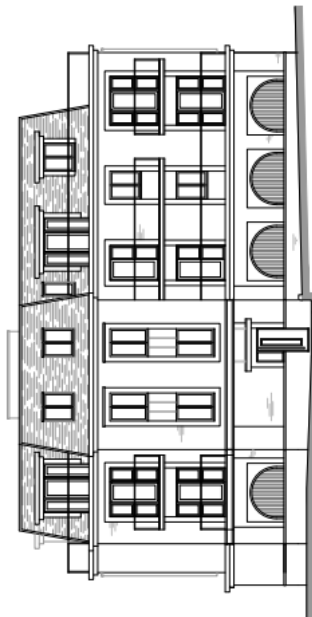
WOOLDRIDGE DEVELOPMENTS LTD. & SYNERGY HOUSING
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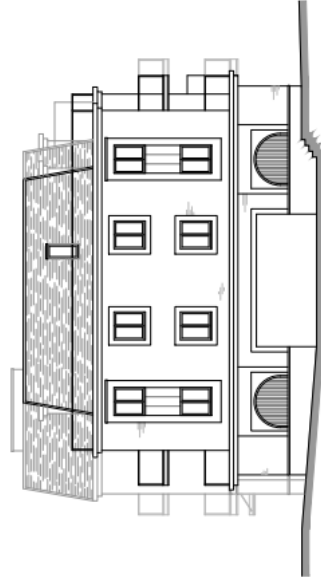
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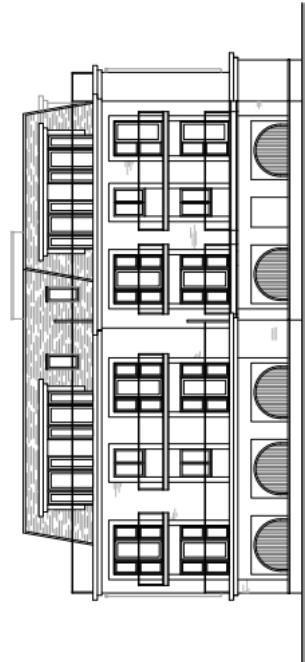
PLOTS 1-2B
FLANK (WEST) ELEVATION



PLOTS 1-2B
FRONT (NORTH) ELEVATION

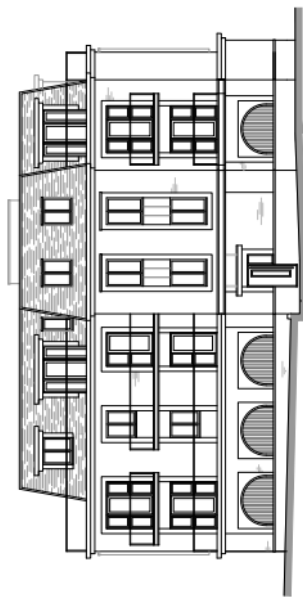


PLOTS 1-2B
SIDE (EAST) ELEVATION

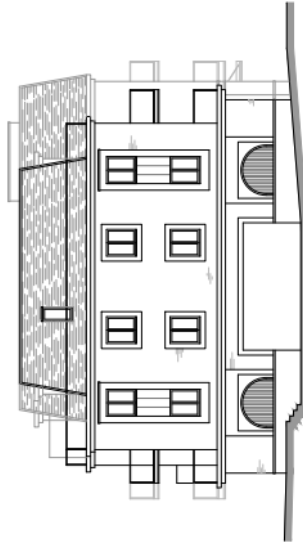


PLOTS 1-2B
SIDE (SOUTH) ELEVATION

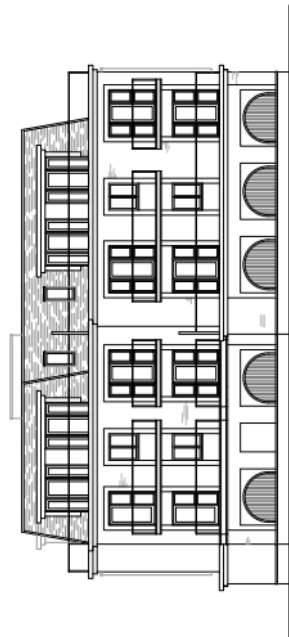
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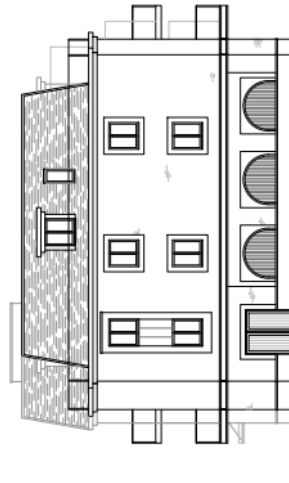
PLOTS 1-10
FRONT (NORTH) ELEVATION



PLOTS 1-10
SIDE (WEST) ELEVATION



PLOTS 1-10
REAR (SOUTH) ELEVATION



PLOTS 1-10
REAR (EAST) ELEVATION

<p>DATE: 16.08.23 BY: J.P. NO: 001</p>	<p>CONSULTANT COMMENTS RECORD CONSULTANT COMMENTS RECORD CONSULTANT COMMENTS RECORD</p>	<p>DATE: 16.08.23 BY: J.P. NO: 001</p>	<p>PLANNING APPLICATION</p>
<p>ASCOT DESIGN <i>Timeless architecture</i></p> <p>Ascot Design Architects Limited, 201-21 High Street, Reading, RG1 1AA Tel: 0118 292222 Fax: 0118 292222 Email: info@ascotdesign.com</p>			
<p>WOOLDRIDGE DEVELOPMENTS LTD. & SYNERGY HOUSING</p>			
<p>SHIP LANE, FARNBOROUGH, GU14 8BH</p>			

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 Ingram
Application No.	23/00602/FULPP
Date Valid	15th August 2023
Expiry date of consultations	19th September 2023
Proposal	Erection of two x 3-bed dwellinghouses and associated parking on garden land to side of existing dwelling, and two-storey rear extension
Address	7 Avon Close Farnborough Hampshire GU14 9LN
Ward	West Heath
Applicant	Mr Ragan Jain
Agent	Mr Michael Simpson
Recommendation	Refuse

Description

The application site is occupied by a three-bedroom detached dwelling on the west side of Avon Close. It is at the end of the cul de sac in a corner position and the front north east boundary is adjoined by the side boundary of No. 8 Avon Close. The dwelling faces towards the north east. The site entrance is a dropped kerb 3.5m wide 9m forward of the dwelling and gives access to a single garage 18m from the dropped kerb via a driveway along the north east boundary. The plot has a 13m wide area of private amenity space to the north side of the dwelling. The site is mostly level and is in Flood Zone 1.

The north west side boundary is abutted by the M3 which is at a raised level from the application site and also comprises a vegetated buffer of mature trees against the property boundary. The south east boundary is adjoined by No. 6 Avon Close, and the rear south west boundary is adjoined by No. 18 Medway Drive. The north east boundary is adjoined by 8 Avon Close.

The application is seeking planning permission for the erection of two dwellings in the side amenity space and a two-storey rear extension on existing dwelling.

The new dwellings (Plots 1 and 2) would be semidetached. They would be set back from the front elevation of the host dwelling by 1m, and 9.2m back from the north east boundary and

there would a side gap between the existing and proposed dwellings of 3.9m to 1.2m. They would have dual pitched roofs and an eaves height of 5.2m and a ridge height to 7.6m, and a footprint each of 10m x 5m. They would face to the north east. External materials would be facing brick and concrete roof tiles to match existing. Parking and the turning area would be on 'grasscrete' in front the dwellings, following demolition of the existing garage, using existing site entrance, unmodified.

The two-storey rear extension would be 2.7m deep and the width of the house, 6m, with an eaves height of 5.2m and a ridge height of 6.7m.

The application is accompanied by an Acoustic Report and Arboricultural Impact Statement.

Consultee Responses

Environmental Health	No objection subject to condition requiring confirmation of glazing and ventilation system and restricting hours of construction
HCC Highways Development Planning	The proposal does not include any amendments to the existing access and the amount of parking is a matter for the LPA. Ideally the drives to the individual dwellings should have small corner radii where they meet the proposed shared drive to assist manoeuvring of vehicles. The access is at the end of Avon Close so there is no passing traffic to interfere with when entering or leaving. I confirm the Highway Authority have no objection and this matter is of such a scale that HCC's Standing Advice would cover the Highway implications.
Ecologist Officer	Raises no objection subject to submission of a landscape and ecological enhancement plan
Thames Water	No comments received
Parks Development Officer	Provides advice on Public Open Space projects to which a POS contribution is required
Arboricultural Officer	Objection – the proposed site layout brings the dwellings much further into the root protection area than shown on the Tree Protection Plan. The incursion is likely to require less intrusive foundations than trench laying, as recommended

Neighbours notified

A site notice was erected and 19 letters were sent to adjoining and nearby properties.

Neighbour comments

12 representations have been received from Nos. 3, 4 (twice), 5, 6 (twice), 8 (twice), 9, 10 (twice) and 11 Avon Close raising the following objections:

Parking and highway safety

- a) There is insufficient turning space on the site making it hard for people to exit the site without reversing. It would be dangerous to drive in reverse out and could damage private property (fences, cars) on our drive , and would be hard in cold weather conditions
- b) Site entrance too narrow/angled to fit 3 family sized dwellings
- c) Parking spaces are not numbered and in-line spaces not accessible all the time and if future occupants park on the road, people wouldn't be able to turn at the end of the cul de sac, as parking already oversubscribed in the street or other drives would be obstructed
- d) On collection day, the bins would block site entrance as no where else to put them
- e) Garage can't be demolished without damaging my garage (No.8). Where will the contents of the garage like tools be kept during proposed modification in order to become a stand alone single garage and how will costs incurred be paid?
[Officer note: This is a private property matter that cannot be a consideration in the determination of a planning application. The developer will have to have regard to The Party Wall Act that would address these issues].
- f) Some residents in the street require 24 access to their properties without being blocked in, for medical reasons
- g) The Design and Access Statement street photographs do not reflect the actual parking conditions of the street
- h) No visitor parking is proposed
- i) Children play on the verge and proposal is unsafe

Issues during construction

- j) The plans for the development have been based upon the driveway to No. 8 being used to get into the site during construction which is unacceptable and I have not been consulted
- k) Site entrance is too narrow. It is Impossible to develop the site without construction vehicles blocking site entrances of neighbouring properties. Developer's vehicles have already started on site and block driveways.
- l) Construction vehicles will damage cars on adjoining properties.
- m) Heavy vehicles will be a danger to children playing in the Close and requires close consideration
- n) Scale of development would result in prolonged noise pollution and deterioration of air quality
- o) Disturbing for those who work night shifts / work from home
- p) Works have already begun and hoarding erected is of questionable standard with exposed screws pointing towards neighbouring driveway
- q) Construction has already started and workers not working safety (e.g. no harnesses on high roofs)

Impact on neighbouring and visual amenity

- r) Development would block out all natural light to side of No. 8
- s) It is an overdevelopment of the site/site too small for 3 family houses
- t) Overdevelopment will effect the liveability of the street

Trees and ecology

- u) Unsuitable foundations are proposed that would damage roots of the trees, including large oaks, adjacent to the M3 and these act as a sound break so would have adverse acoustic impact

- v) Badgers have been seen on the site/there is a badger sett on or near the site

Drainage

- w) The plots struggle with drainage in periods of heavy rain. Drainage must be carefully addressed and mitigated as part of the planning process

Other issues

- x) Plans are inaccurate – lines drawn are too thick and obscure how hard it will be to fit the proposed development into the site; the scale of the plans changes and it is hard to see how development will fit.
- y) The plans are a tick box exercise and reality will be hard to implement as the scales are in correct
- z) Litter from bins in back path would attract vermin/who will be responsible for ensuring it is kept clean?
- aa) Development should be proposing heat pumps and solar panels and there is no space for heat pumps shown

Policy and determining issues

The site is located in the settlement boundary of Farnborough. Rushmoor Local Plan Policies SS1(Presumption in Favour of Sustainable Development), SS2 (Spatial Strategy), IN2 (Transport), IN3 (Telecommunications), DE1 (Design in the Built Environment), DE2 (Residential Internal Space Standards), DE3 (Residential Amenity Space Standards), DE4 (Sustainable Water Use), DE6 (Open Space, Sport and Recreation), DE10 (Pollution), DE11 (Development on Residential Gardens), NE1(Thames Basin Heaths Special Protection Area), NE2 (Green Infrastructure), NE4 (Biodiversity) and NE8 (Sustainable Drainage Systems) are therefore considered to be relevant to determination of the application.

The Rushmoor Car and Cycle Parking Standards SPD (2017) and Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy (AMS) as updated in May 2023 are also relevant. The National Planning Policy Framework (NPPF) is also a material consideration.

The proposal has been assessed against the policy framework outlined above and all other relevant material considerations. The main determining issues in the assessment of this application are:

- 1) The Principle of development
- 2) Impact on appearance and character of the site and surrounding area
- 3) Impact on neighbouring amenities
- 4) The living environment created
- 5) Highways and parking considerations
- 6) Flooding and drainage,
- 7) Public open space, and
- 8) Nature conservation

Commentary

1. The Principle of the proposed development

Government policy in the National Planning Policy Framework (NPPF) (last updated 2023) advises that planning authorities should consider housing applications in the context of the

presumption in favour of sustainable development (paragraphs 2 and 10), and to deliver a wide choice of high-quality homes and widen opportunities for home ownership (Chapter 5).

The application site is within the settlement boundary of Farnborough and is not in a Conservation Area or in the curtilage of a Listed Building. The principle of new residential development is acceptable, subject to satisfactory compliance with development control criteria, including Policy DE11 (Development on Residential Gardens).

2. The impact on the appearance and character of the site and surrounding area

Policy DE11 (Development on Residential Gardens) states that development will only be acceptable where, with regards to visual impact, the development is not harmful to the character of the area in terms of relationships and integration with existing buildings, impact on the street scene, provision of appropriate hard and soft landscaping, and compatibility with the established pattern of development, general building height, materials and elevational details. Policy DE1 (Design in the Built Environment) requires a high standard of design that respects the character of the area.

Avon Close is characterised by detached and semi-detached dwellings with open front gardens. The new dwellings by way of design, external materials and architectural details would match the character of surrounding built form. Oriel windows on the front elevation at first floor level would have an acceptable visual impact. The ridge heights would be 0.4m higher than the host dwelling but this is acceptable given the set back from street and the difference is considered to be minor. The new dwellings would not cause a terracing impact with the host dwelling given the side separation gap of approximately 2.5 to 3m between the two buildings. The plots of 6 and 8 Avon Close are approximately 60sqm larger than the proposed plots, at 400sqm each, but this is not something that would warrant a reason for refusal, given the plots would be set back from the public highway, and rear private amenity space provided on the site for each dwelling is sufficient. Parking in front of the dwellings would be on a mixture of 'grasscrete' and hardstanding and some soft landscaping would be in front of the existing dwelling. The 'grasscrete' is a hard surface that is designed to enable parking of vehicles, whilst also allowing some grass growing through. It reduces the amount of hardsurface in the front amenity area.

The two-storey rear extension is proportionate to the existing dwelling and an appropriate design.

An objection has been raised that the plans are incorrect in scale. It is standard to have plans of different scales depending on the level of detail required for each drawing, and the plans have been cross checked and the differently scaled plans correspond accurately in measurements.

It is considered that the proposed development, by way of its scale, design and siting would have an acceptable impact on the appearance and character of the site and surrounding area, the application complies with Policies DE1 and DE11 of the Rushmoor Local Plan (2014-2032), in this regard.

3. The impact on neighbouring amenities

The proposed dwellings would be set back 9.2m from the northeast boundary with views from the first floor bedroom windows into the rear garden of No. 9 Avon Close. The first-floor bedroom windows of Plots 1 and 2 would be angled oriel windows, with the northern panes

obscure glazed and south eastern facing window openings providing light and outlook. This would result in views on to the side amenity space of No. 8 and it is considered that this would mitigate the impact of overlooking to a satisfactory degree. There is a side window in the south side elevation of No. 8 that serves a staircase, that would be 13m from the front elevation of Plot 1. As this is not a habitable room, it is considered any loss of privacy to that window would be acceptable.

An objection has been received that the dwellings would block natural day light to the windows and rear garden of No. 8 Avon Close. Given the distance from No.8 and the heights of the dwellings, it is considered they would not block light or be overbearing to No. 8, to a degree that would have an undue material impact on residential amenity. There would be some overshadowing and blocking of direct sunlight in the late afternoon, but it is considered that this would not be materially harmful to neighbours. It is true that views across the open garden would be removed however, it is not the role of the Planning system to defend neighbours against the loss of any private views from their properties where these views are derived from over adjoining land not in their ownership.

The rear gardens would have a depth of approximately 10m and first floor views from rear rooms to the rear garden of 18 Medway Drive would not cause undue overlooking that would be harmful.

Policy DE11 (Development on Residential Gardens) states that new residential development on garden land will only be acceptable where *'there is no adverse impact on the amenity of neighbours in terms of noise or disturbance from vehicular access or car parking'*.

The turning and parking area is located adjacent to the rear garden of No. 8 and given the difficulties described in the 'Highways considerations' section below, it is considered that the extent of vehicle manoeuvring that would arise associated with all three dwellings at the application site would have an adverse impact on the amenity of the occupants of No. 8 by way of movement of vehicles.

The impact of noise during construction is not a matter for planning legislation but Health and Safety legislation, and Environmental legislation. Construction hours can be however restricted to weekdays / Saturday mornings in the event of approval.

The impact on neighbouring amenity by way of loss of privacy, daylight, sunlight and outlook is considered to be acceptable. However it is considered that the impact on amenity of occupants of No. 8 Avon Close by way of noise and disturbance from vehicles access and car parking on the application site would be harmful, contrary to Policy DE11 of the Rushmoor Local Plan (2014-2032).

4. Highways and parking considerations.

Policy DE11 (Development on Residential Gardens) states that residential development on garden land will only be acceptable where, amongst other things, *"the application site provides a site of adequate size and dimensions to accommodate the development proposed, in terms of the setting and spacing around buildings, amenity space, landscaping, and space for access roads and parking"*, and where *'there is no adverse impact on the amenity of neighbours in terms of loss of privacy, or noise or disturbance from vehicular access or car parking.'*

Policy IN2 (Transport) of the Rushmoor Local Plan states that development should, among other things, *"provide safe, suitable and convenient access for all potential users"* and *'provide*

appropriate parking provision, in terms of amount, design and layout, in accordance with the adopted Car and Cycle Parking Standards supplementary planning document”.

The proposed vehicular access to serve the proposed new development, together with the existing house to be retained, is the existing access situated in the north-west corner of the Avon Close cul-de-sac. This is considered of satisfactory standard to serve the proposed development provided that cars entering the site are able to leave the site again in a forward gear. The Highway Authority, Hampshire County Council raises no objections to this aspect of the proposed development on this basis

The Rushmoor Car and Cycle Parking Standards SPD requires provision of 2 off-road parking spaces for a 3-bedroom dwelling. Six on-site spaces, all measuring 2.5 metres wide by 4.8 metre long, are proposed with the proposed development, thereby numerically complying with the required parking standards. However, the distribution of these spaces within the proposed site layout is considered unsatisfactory and unacceptable. Three of the proposed parking spaces would be located in a line against the north boundary of the site in front of the proposed Plot 2 house and abutting the side boundary of the neighbouring property at No.8 Avon Close. A further two spaces are proposed in a tandem arrangement in between the Plot 1 house and the existing house to be retained (No.7); and the final space is shown to be situated immediately in front of the existing dwelling to be retained, No.7, also. The net result is that it is considered that the proposed spaces are not arranged and distributed in a satisfactory manner such that, in practice, the proposed parking would, one way or the other, be poorly related to the dwellings that is intended to serve and this is considered to be a symptom of over-development; i.e. that there is insufficient space available on-site to provide parking in an acceptable manner.

The submitted site layout plan does not indicate how the Applicants envisage that the proposed parking spaces are to be allocated between the proposed new houses and the existing house to be retained at the site. The pair of tandem spaces would have to be allocated to one of the dwellings since the rear space cannot be used independently of the front space. Logically these two spaces would therefore need to be allocated to be used by occupiers of either the proposed Plot 1 house or the existing house (No.7), since these are the houses situated to either side. However, these tandem spaces cannot be allocated to the proposed Plot 1 house because this would leave the existing house provided with just a single space to the front. Yet the single space to the front of No.7 is both somewhat distant from either of the proposed houses and situated immediately abutting the front of No.7 such that it would not be acceptable for this space to be allocated for the use of occupier of one or other of the proposed new houses. As a consequence, it is considered that the proposed layout is laid out in such a way that No.7 is, in practice, provided with three on-plot spaces; and the proposed new houses are, in practice, provided with just three spaces, one short of the required parking standard for the pair.

The possible re-design the proposed site layout to re-arrange the parking provision for the proposed new houses in order to create an additional parking space has been considered. This could, for example, be achieved, by arranging the parking for the proposed houses as two pairs of tandem spaces. However, it is considered that this alternative arrangement, whilst successfully finding space for the provision of the necessary quantum of parking spaces could only be achieved at the expense of the loss of on-site turning space, thereby resulting in the need for all cars from the proposed and existing houses to reverse back out of the vehicular access into Avon Close, which is an unsatisfactory and potentially dangerous arrangement. In addition to the conflicting reversing movements that would be likely to arise, the fact that this problem arises seeking to resolve the inadequacy in the proposed parking layout in terms of

the quantum and distribution of parking spaces is considered to be a further symptom of the proposals being unacceptable over-development.

A further potential solution to the quantum and distribution of parking issue would be to provide the two spaces required for the retained No.7 both to the front of this house. However, this would result in there being no satisfactory pedestrian access to the front door of the house. Another potential solution to the site layout problem would be for No.7 to retain the single parking space to the front, but be allocated its second space as one of the three spaces proposed to the front of the Plot 2 house; thereby leaving the tandem spaces between No.7 and the Plot 1 house to the Plot 1 house. However, this arrangement would also be unsatisfactory because one of the spaces for No.7 would be situated to the front of the proposed Plot 2 house some distance away and in a position that would be unneighbourly to the occupiers of the Plot 2 house. The inability to find other solutions to the parking layout problem without generating other consequential problems are further demonstration of the proposals being unacceptable overdevelopment.

Another potential solution to the shortfall in parking provision for the proposed new houses would be to set back the proposed houses further towards the west side of the application site to enable a row of 4 parking spaces to be accommodated along the north boundary of the site to the front of the Plot 2 house. However this is also considered to be unsatisfactory since it would serve to reduce the rear garden areas for the new houses and also compromise the relationship of the new houses with neighbours, including with No.7.

The design of the proposed site layout is further confused and clearly unresolved when vehicle manoeuvring arrangements within the layout are also considered. Although not submitted with the application, the applicant provided tracking diagrams at the pre-application stage for both the proposed Plots 1 & 2 houses and also for the retained No.7 seeking to demonstrate that, technically, the proposed site layout as submitted allows vehicles to leave the site in a forward gear from all parking spaces. Examination of these tracking diagrams indicates that a further different, and unacceptable, distribution of parking between the houses to be envisaged by the Applicants : the Plot 1 house would be allocated the tandem spaces; the Plot 2 house all three of the adjoining parking spaces to the front; and No.7 would be provided with just one parking space, one short of what is required.

Although the tracking diagrams show that, technically, the turning area can enable leaving the site in a forward gear from all six parking spaces shown to be provided, it is considered that the parking layout for the proposed scheme is poorly contrived in terms of the combinations of parking allocation, such that it would have an adverse impact on the amenities of occupiers of the proposed and existing dwellings on site. It is considered that this is clearly indicative of overdevelopment of the site.

Concerns have been raised that bins would obstruct site entrance on collection day however there is sufficient space in the street to leave bins in front of kerbs, or on the front amenity area of the existing house.

Concerns have been raised that the site entrance is not big enough to accommodate construction vehicles without agreement from the owner(s) of the adjoining property No. 8 Avon Close; and that the Close, where children play on the wide green verges, would be unsafe for children during construction. However, whilst these concerns are understood, it is long-standing Government guidance that the various impacts of the construction period of a development cannot be taken into material account in the determination of planning applications. Additionally, the access and ownership matter is not an issue that is a material planning consideration and is a private matter that could only be resolved by agreement

between the developer and the owner(s) of No.8.

In the event of an approval, it is considered that it would be appropriate to impose a planning condition to require the preparation and pre-commencement submission of a Construction Management Plan seeking to address some of these concerns. However, in the light of the clear symptoms of overdevelopment displayed by the poorly contrived proposed on-site parking and turning arrangements, it is considered that proposed development exhibits unacceptably poor design and is an overdevelopment site by reason of being of inadequate size to accommodate the proposed development in a satisfactory manner contrary to the provisions of adopted Local Plan Policies DE1 and DE11; such that the refusal of planning permission is to be recommended.

5. The living environment created

The proposed dwellings are 3-bedroom five person houses with each a gross internal floor area of 94sqm, which exceeds the minimum floor area required for a dwelling of that size, by 1sqm. Minimum private amenity space standards of 30sqm are achieved with the rear gardens of each dwelling measuring respectively 55sqm and 49sqm.

The site is impacted by motorway noise. There is an acoustic fence along the north west boundary that has a height of 2m. The Council's Environmental Health Officer has reviewed the applicant's Acoustic Report and commented as follows-

The Submitted Acoustic Assessment report has investigated the existing noise environment at the development site and makes recommendations for the minimum level of acoustic performance for any glazing to habitable rooms. In order to achieve a satisfactory internal noise environment as per BS 8233, glazing for all living rooms and bedrooms should provide a minimum sound reduction of 35Rw dB. The Acoustic Consultant recommends a double-glazing system of 6/16/6.4. An alternative means of ventilation is also required and the consultants again make some recommendations depending on whether acoustic trickle ventilation is installed or mechanical ventilation is proposed. Environmental Health accept the recommendations made but will require confirmation of what glazing performance and alternative means of ventilation will be installed that can be achieved by condition.

Subject to condition the internal noise environment would be acceptable.

With regards to the external living environment, British Standards 8223 Code of Practice on the Control of Noise states that:

'for traditional external areas that are used for amenity space, such as gardens and patios, it is desirable that the external noise level does not exceed 50dB(A)eq,T, with an upper guidelines value of 55dB..however it is also recognised that these guideline values are not achievable in all circumstances where development might be desirable. In higher noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors such as the convenience of living in these locations or making efficient use of land resources to ensure development needs can be met, might be warranted. In such a situation, development should be designed to achieve the lowest practicable levels in these external amenity spaces, but should not be prohibited'.

Noise levels within the proposed garden spaces are predicted to be some 6dB above the upper guideline value (Acoustic Report, page 12). The proposed garden area is already used as

private amenity space and given the B.S. 8223 advice it would seem unreasonable to raise an objection to the proposed development in terms of adverse impact on amenity of future occupants by way of noise in gardens, although different view may be taken if the amenity space was new. The acoustic report recommends a second acoustic barrier of 2.5m high with a minimum mass of 25kg/m³, to provide further acoustic protection, that could be conditioned in the event of approval.

With regards air quality, the Council's Environmental Health Officer has commented:

Development proposals at other sites a similar distance from the M3 continually demonstrate that air quality standards and objectives are complied with. It is therefore not considered necessary for an air quality assessment to be submitted for this proposal.'

The dwellings would have an acceptable acoustic environment subject to condition, and would comply with the internal and external residential space standards required by Policies DE2 and DE3.

6. Impact on trees

The footprint of dwelling 2 would encroach some 3m into the Root Protection Area of three Category B trees (Field Maples) in the M3 landscape buffer adjoining the north west site boundary. The trees are not the subject of Tree Protection Orders, and are on Highways England land but Policy NE3 (Trees and Landscaping) still applies. This states that the Council will not permit development which would affect adversely existing trees worthy of retention.

The submitted Tree Protection Plan (reference 2022064/TCP001) is incorrect and shows a different site layout to the one proposed. The Arboricultural Impact Assessment states at section 4.10 that '*the foundation for the northern most dwelling will be of a traditional strip type due to the RPA incursion being very small*'. The Council's Arboricultural Officer has stated that less intrusive foundations will have to be used in order to avoid harm to the health and vitality of the trees.

There is therefore insufficient information submitted with the application to ensure that there will be no undue harm to the health and vitality of the trees adjoining the site worthy of retention and the application does not comply with Policy NE3 of the Local Plan (2014-2032).

7. Flooding and Drainage

Policy NE8 (Sustainable Drainage Systems: SuDS) requires '*the implementation of integrated and maintainable SuDS in all flood zones for both brownfield and greenfield sites*'. For brownfield developments, the peak run-off rate/volume from the development to any drain, sewer or surface water body for the 1-in-1 year and 1-in-100 year rainfall event must not exceed the greenfield run-off rate for the same event. The site is located on land at lowest risk of fluvial flooding (Flood Zone 1), and an appropriately-worded condition in the event of approval would meet the requirements of Policy NE8.

8. Public Open Space.

The Rushmoor Local Plan seeks to ensure that adequate public open space (POS) provision is made to cater for future residents in connection with new residential development. Policy DE6 allows provision to be made towards upgrading POS facilities nearby through a contribution secured by a S106 Obligation. The Parks Development Officer has identified a

project upgrading playground infrastructure in either Sunnybank Road or Dar Road/Meon Close of £5,331,36. The applicant is in the process of completing such an Obligation, however, such an agreement has not been received complete and therefore, the proposed development fails to provide the required public open space provision contrary to the requirements of Policy DE6.

9. Nature Conservation

Protect Species

The Council's Ecology Officer has stated that the garage and dwelling have low suitability for active bat roosting and a bat survey is not required.

A neighbour representation reports that badgers have used the garden and there could be a set on or near the site. No set has been observed by Planning Officers. Badgers are protected from persecution and their setts are protected when in use by the Protection of Badgers Act 1992 and the Wildlife and Countryside Act (1981 as amended). The Council's Ecology Officer has stated that it is not uncommon for motorway corridors to be used by badgers and foxes and badgers like to forage on lawns. However, as any potential sett would be located on Highways England land it would be very difficult to get access to do a survey for safety reasons. A rule of thumb is that development within 20m of a badger sett should not take place. The best practice in this situation therefore is to advise the developer to take a precautionary approach during work. As such in the event of approval it is recommended that the following be imposed by way of informatives: close-boarded fencing should have holes included in the base of 20xm x 20xm to allow foxes and badgers to move freely through the site; the applicant should ensure that construction activities on site have regard to the potential presence of terrestrial mammals to ensure that these species do not become trapped in trenches, culverts or pipes and trenches left open overnight should include a means of escape for any animals that may fall in and if badger activity is detected, works should cease and advice from a suitably experienced ecologist sought to prevent harm to this species.

Biodiversity Net Gain

The Environment Act 2021 introduces a statutory footing for securing measurable net gains for biodiversity, requiring a 10% minimum uplift post-development. This will become mandatory for small sites in 2024. Paragraph 179 of the National Planning Policy Framework 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". Securing no net loss of biodiversity is now an essential part of development applications.

This development offers opportunities to restore or enhance biodiversity and in the event of approval, a suitably detailed landscaping plan with ecological enhancement can be conditioned to be agreed, prior to commencement of the development.

Thames Basin Heaths Special Protection Area

The European Court of Justice judgement in 'People Over Wind, Peter Sweetman v Coillte Teoranta C-323/12' in April 2018 established the legal principle that a full appropriate assessment (AA) must be carried out for all planning applications involving a net gain in residential units in areas affected by the Thames Basin Heaths SPA, and that this process cannot take into account any proposed measures to mitigate any likely impact at the

assessment stage. This process, culminating in the Council's Appropriate Assessment of the proposals, is overall described as Habitats Regulation Assessment (HRA).

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

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

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

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

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

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

It is considered that there is sufficient information available with the planning application provided by the applicants with which the Council can undertake the HRA process. In this case the proposed development involves the creation of 2 net new residential units within the Farnborough urban area. As such, the proposed development is located within the 5km zone of influence of the SPA but outside the 400-metre exclusion zone. The proposed development is neither connected to, nor necessary to the management of, the Thames Basin Heaths SPA. Furthermore, the proposed development would not result in a net increase in traffic movements in excess of 1000 vehicular movements per day in proximity to the SPA.

All new housing development within 5 km of any part of the Thames Basin Heaths SPA, of which the current proposals would make a contribution, is considered to contribute towards an

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

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

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

Rushmoor Borough Council formally adopted the latest version of the Thames Basin Heaths SPA Avoidance & Mitigation Strategy (AMS) in 2023. The AMS provides a strategic solution to ensure the requirements of the Habitats Regulations are met with regard to the incombination 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 had the opportunity to acquire SANG capacity from the Hart District Council Bramshot Farm SANGS scheme sufficient for the 2 new dwelling units proposed, at a cost to the applicants of £12,110.44 however this has not yet been purchased by the applicant. Furthermore, the applicants have not yet completed a s106 Planning Obligation with Rushmoor BC to secure a financial contribution of £1,102.24 towards the SAMM element of the SPA mitigation.

Conclusions of Appropriate Assessment : The Council are not satisfied that the applicants have adequately 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 should also be refused on this basis.

Full Recommendation

It is recommended that permission be **Refused** for the following reasons:

1. The proposals, by reason of being an unacceptable overdevelopment of the site as exemplified by:-
 - (a) The poorly contrived and unsatisfactory parking layout having regard to the allocation of on-site parking to the proposed new houses and/or the retained existing house;
 - (b) The lack of adequate provision for on-site parking to meet the functional parking requirements of the development without unacceptably compromising the ability of the site to provide adequate on-site turning facilities to enable cars to both enter and leave the site in forward gear to avoid potentially dangerous conflicting vehicle movements and/or provision of adequate pedestrian and bin and servicing access;
 - (c) The concentration of the vehicle parking and turning arrangements for all three houses at the application site in a small narrow space directly and closely abutting the whole west side boundary of No.8 Avon Close likely to give rise to an unacceptable loss of amenity to occupiers of this immediately neighbouring residential property; and
 - (d) The unjustified likelihood of unacceptable impact on the health and stability of trees on adjoining land to the north of the application site as a result of the proximity of the proposed Plot 2 house

Would be an unacceptably poor design that would be likely to give rise to unacceptable harm to the health and stability of trees worthy of retention, the amenities of neighbours and the safety and convenience of users of the adjacent public highway. The proposals are thereby considered unacceptable having regard to Policies DE1, DE11 and NE3 of the adopted Rushmoor Local Plan (2014-2032)

2. The proposals fail to make satisfactory provision for public open space in accordance with the requirements of policy DE6 of the adopted Rushmoor Local Plan (2014-2032).
3. The proposed development makes no provision to address the likely significant impact of additional residential units on the objectives and nature conservation interests of the Thames Basin Heaths Special Protection Area. The proposals are thereby contrary to the requirements of retained South East Plan Policy NRM6 and Policy NE1 of the Rushmoor Local Plan (2014-2032).

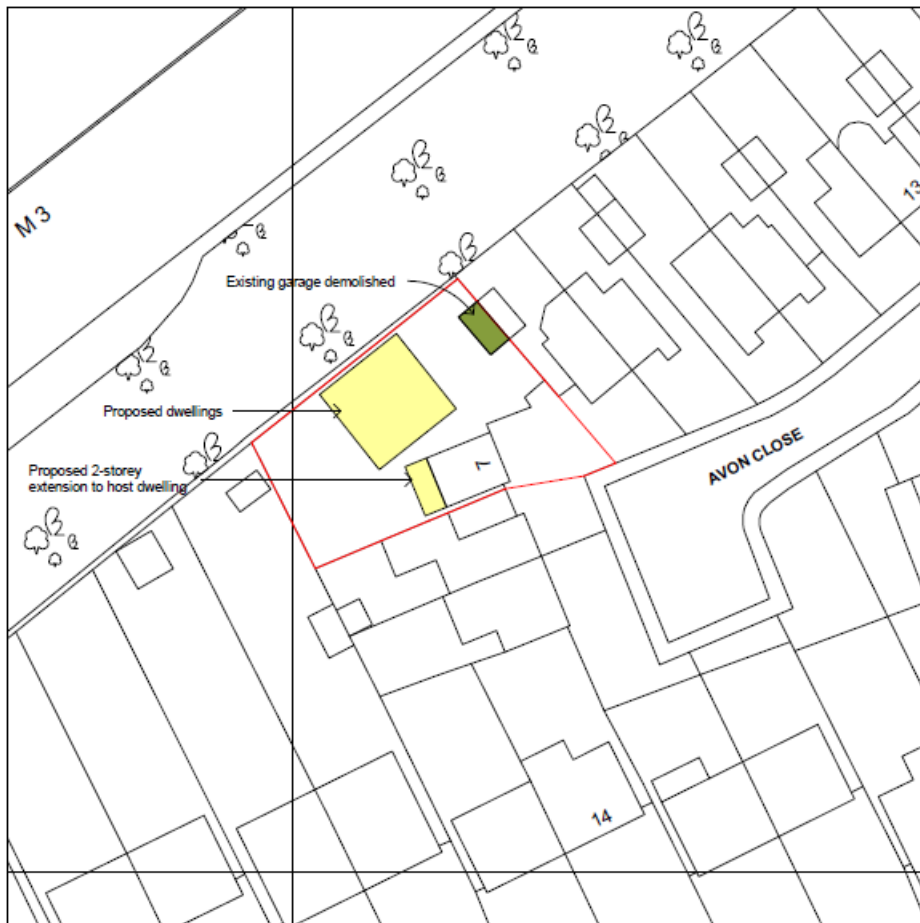


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Location Plan

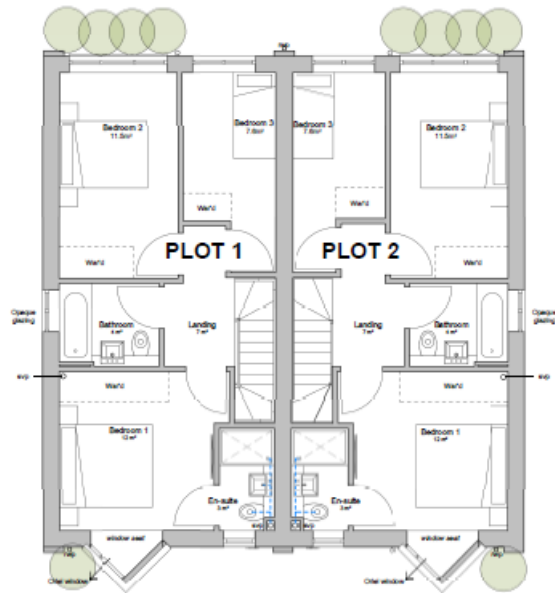


Site Location Plan
1 : 1250

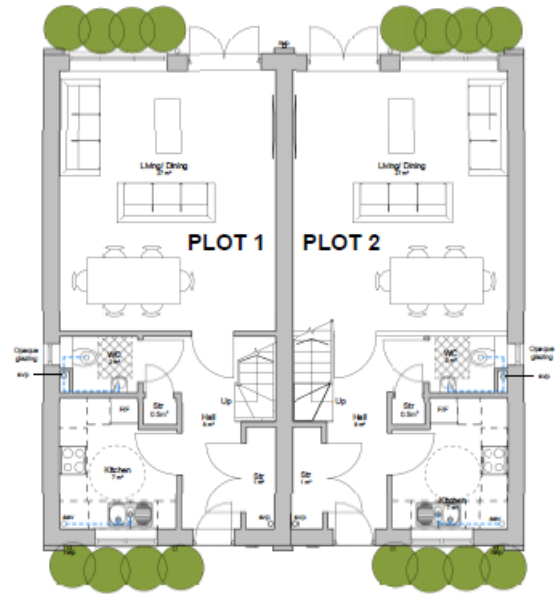


Site Block Plan
1 : 500





01_First L
1:50



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1:50

Floor plans – new dwellings



Front Elevation
1 : 50



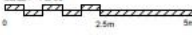
Side Elevation (Right)
1 : 50



Rear Elevation
1 : 50



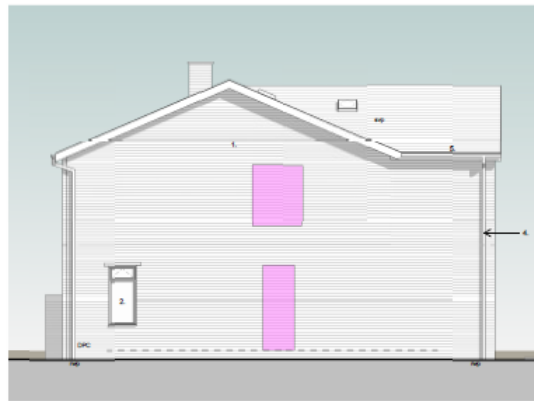
Side Elevation (Left)
1 : 50

SCALE: 1 to 50

 Note: This may be a reduced sized print, check scales below

Elevation Plans – new dwellings



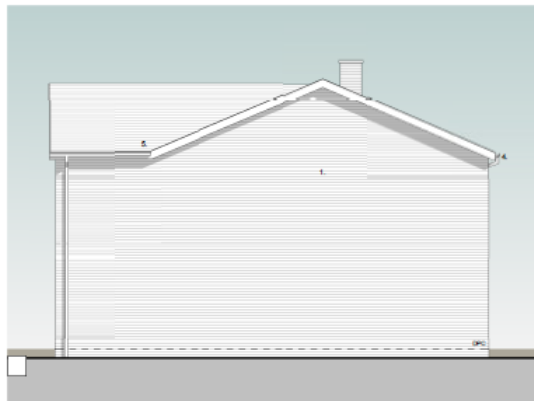
Front Elevation
1 : 50




Side Elevation (Right)
1 : 50



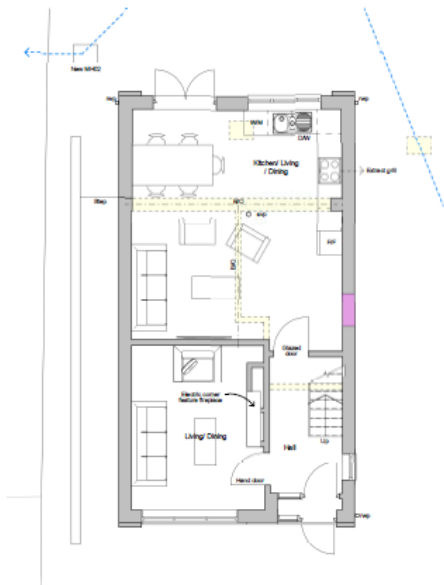
Rear Elevation
1 : 50



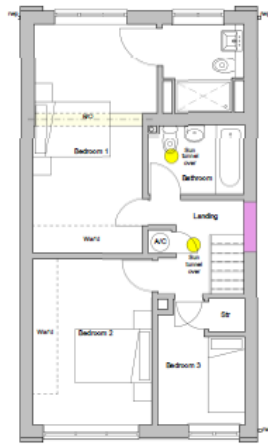
Side Elevation (Left)
1 : 50

SCALE: 1 to 50

 Note: This map is a reduced sized print, check scales below

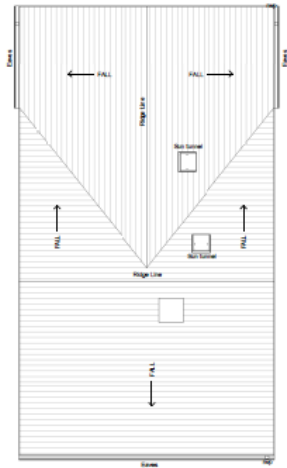
Proposed elevations – existing dwelling



00_Ground Level
1:50



01_First Level
1:50



Roof Level
1:50

Proposed floor plans – existing dwelling

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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	Louise Davies
Application No.	23/00688/FUL
Date Valid	2nd October 2023
Expiry date of consultations	8th November 2023
Proposal	Erection of 2no. one bedroom flats and 3no. two bedroom flats with associated parking and landscaping
Address	Redan Road Depot Redan Road Aldershot Hampshire GU12 4ST
Ward	Manor Park
Applicant	Rushmoor Borough Council
Agent	OSP Architecture
Recommendation	Grant subject to s106 Obligation or other suitable alternative mechanism to secure contributions

Description

The proposal is for the erection of a part-two-storey and part-three-storey building to provide 2 one-bedroom flats and 3 two-bedroom flats, with associated parking and landscaping on land currently used as a depot storage area by Rushmoor Borough Council.

The site is located within the defined urban area at the junction between Redan Road and High Street, the site is currently in use as an informal open-air storage depot and is largely vacant. Surrounding development is predominantly of two or three storeys in height and comprises a mix of residential and commercial uses. The site rises in gradient as it progresses along Redan Road. The Alton Line railway line and embankment is immediately adjacent to the north, an advertising billboard adjoins the site to the south west, and St Michael's Gardens is situated on the opposite side of Redan Road to the south. The proposal is for the erection of a part-two-storey and part-three-storey building to provide 2 one-bedroom flats and 3 two-bedroom flats, with associated parking and landscaping.

Consultee Responses

Environment Agency	Comments awaited
Contract Management	No Objection – provides information on type and number of bins required.
HCC Highways Development Planning	No Objection subject to conditions
Parks Development Officer	No Objection, subject to a financial contribution
Ecologist Officer	No objection subject to pre commencement conditions relating to precautionary site clearance measures, submission of a sensitive lighting strategy and appropriately detailed mapped landscaping plan.
Environmental Health	Comments awaited
Planning Policy	Comments received
Thames Water	Comments awaited
Hampshire Fire & Rescue Service	No objection
Neighbourhood Policing Team	No comments received
Network Rail	No objection
Aboricultural Officer	Comments awaited

Neighbours notified

In addition to posting a site notice, individual letters of notification were sent to 31 addresses. 4 comments have been received.

Neighbour comments

In summary, the comments received state:

- No further flats are needed in the town centre
- Location is already too congested and cannot take extra people and cars
- Construction will cause traffic congestion and may lead to parking on private property surrounding the site
- Inappropriate location due to proximity to railway line and football ground
- Overlooking and loss of privacy to surrounding properties
- Out of character for the area
- Will lead to parking on surrounding private property

Officer comment: There is no policy basis to refuse planning applications for flatted

development in principle.

Policy and determining issues

The site is located within the Defined Urban Area and the following policies of the Rushmoor Local Plan are considered to be relevant:-

SS2 (Spatial Strategy), IN2 (Transport), DE1 (Design in the Built Environment), DE2 (Residential Internal Space Standards), DE3 (Residential Amenity Space Standards), DE6 (Open Space, Sport & Recreation), DE7 (Playing Fields and Ancillary Facilities), LN1 (Housing Mix), NE1 (Thames Basin Heaths Special Protection Area), NE3 (Trees and Landscaping), NE4 (Biodiversity), NE8 (Sustainable Drainage Systems).

Also relevant are the Council's Car and Cycle Parking Standards SPD and the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy (AMS). Saved Policy NRM6 of the South East Regional Plan is also relevant.

The main determining issues are:

1. Impact on character & amenity;
2. Impact on adjoining properties;
3. Living environment created;
4. Highway considerations;
5. Public open space;
6. Nature conservation;
7. Trees,
8. Flood Risk and Drainage.

Commentary

1. Impact on character & amenity-

The site is not within a Conservation Area. The appropriate test for the consideration of impact upon the character and appearance of the area is therefore whether or not the proposed development would cause material harm to the visual character and appearance of the area as a whole, and whether it does this to such an extent that this would justify and sustain the refusal of planning permission.

This application proposes the erection of a part-two-storey and part-three-storey building to provide 2 one-bedroom flats and 3 two-bedroom flats, with associated parking and landscaping. The surrounding street scene varies greatly in design with a variety of land uses and buildings of different types, ages, scale and heights of development. Policy DE1 (Design in the Built Environment) of the Rushmoor Local Plan (adopted in February 2019) is relevant to the consideration of the proposal. Policy DE1 requires new development to make a positive contribution towards improving the quality of the built environment. Amongst other things, it requires proposals to 'include high-quality design that respects the character and appearance of the local area', to 'use materials sympathetic to local character' and to 'give consideration to the introduction of contemporary materials that respect or enhance existing built form'. It also requires proposals to 'include a level of architectural detail that gives the building visual interest for views both near and far' and to 'not cause harm to the proposed, existing and/or adjacent users by reason of loss of light, privacy or outlook; and noise, light pollution, vibration, smell or air pollution'.

The proposed building is in a contemporary style which appears to have been inspired by the

modern flatted development opposite the site at Redan Gardens and the recently constructed new-build dwellings to the north at Crescent Drive.

It is considered to be of an acceptable design and would not be overbearing in appearance, given that buildings of larger scale and height already exist in the vicinity. The external design, detailing and indicated external materials is also considered to be appropriate.

2. Impact on adjoining properties –

Due to the separation of the site from the closest neighbouring properties by Redan Road, it is not considered that the proposal would material and adversely affect the amenity, outlook and privacy of the nearby occupants.

3. Living Environment Created-

The Design and Access Statement details ways in which the amenities of the prospective occupiers have been taken into account. The foundations of the proposed building have been raised in parts to provide some of the dwellings with increased levels of privacy from overlooking on Redan Road, and that the building has been oriented and designed to take into account the proximity of the adjacent railway and to minimise potential noise disruption to residents (p. 12). The bedrooms for each dwelling are located at the front of the building away from the railway line and that there is no fenestration on the rear elevation of the building facing the railway, apart from a rooflight in the stair core.

Internal space standards: Policy DE2 – Residential Internal Space Standards requires proposals for new residential units to ensure that the internal layout and size are suitable to serve the amenity requirements of future occupiers by meeting the minimum standards. In terms of living space created, the flats meet the minimum space standards. In addition to this, Policy DE3 – Residential Amenity Space Standards requires all new residential development and conversions to provide good-quality, usable private outdoor space in the form of gardens, balconies and/or roof terraces.

The policy also sets out that, in exceptional circumstances, where site conditions make it impossible to provide private open space for dwellings, additional internal living space equivalent to the private open space requirement may be added to the minimum GIA floorspace of the dwelling outlined in Policy DE2. For flats, this could be provided by means of a balcony, accessible from the main habitable room and with a minimum area of 5 sq. m and it is considered that the winter gardens meet this requirement. It is also noted that an informal shared amenity area is provided to the east corner of the site.

Daylight, sunlight and outlook: All units would appear to achieve satisfactory levels of daylight and sunlight, and their habitable rooms would not be harmfully overlooked.

Noise and Vibration

On account of the site's proximity to the railway line and the current use of the site, Policy DE10 (Pollution) of the Local Plan is relevant to the consideration of the proposal. Policy DE10 states that development will be permitted provided that 'it does not give rise to, or would be subject to, unacceptable levels of pollution' and 'it is satisfactorily demonstrated that any adverse impacts of pollution will be adequately mitigated or otherwise minimised to an acceptable level'. The Local Plan defines pollution as 'anything that affects the quality of land, air, water or soils which might lead to an adverse impact on human health, quality of life, the

natural environment or general amenity' and includes 'noise, vibration, light, air quality, radiation, dust, fumes or gases, odours or other effluvia, harmful substances, or degradation of soil and water resources'. The applicant has submitted a Noise Impact Assessment, which has assessed noise and vibration levels at the site and states that levels of vibration are likely to have a 'Low probability of adverse comment' from future residents. Subject to securing suitable ventilating and glazing specifications as advised by the report, the proposal would be acceptable in this respect.

Contamination

The Contaminated Land Risk Assessment that there is potential for contaminated Made Ground to be present beneath the site as a result of local infilling activities and the adjacent railway line. With a change in land-use from commercial to residential property, the sensitivity of the site is increased. Further investigation and assessment via intrusive drilling works are therefore recommended to confirm current site conditions prior to construction of residential plots. The Council's Environmental Health team has been consulted and any comments are awaited.

4 Highways Considerations-

The proposal will utilise the existing accesses with slightly alteration to the northeast to accommodate the proposed staggered parking. The Highway Authority has no objection to the proposal.

Policy IN2 (Transport) of the Local Plan 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). In terms of car parking, there is 'a presumption that the parking standard (including the visitor parking requirement) should be provided in full' (para. 5.1). The proposal is for 2 one-bedroom dwellings and 3 two-bedroom dwellings. On this basis, eight car parking spaces are required for the dwellings, with two visitor spaces also required. 11 car parking spaces are to be provided. In terms of cycle parking, there is also a requirement for 8 cycle parking spaces. It is noted that separate cycle and bin storage sheds are located adjacent to the car parking areas, which is considered acceptable.

5 Public Open Space

Policies DE6 and DE7 of the Rushmoor Local Plan require that new residential developments include public open space and sports pitches, or, where the sites are too small to accommodate such works, that a financial contribution towards off-site works that could be fairly related to the proposed development and be of benefit to the occupants of the scheme. The Parks Officer has identified that a contribution of £12,359.06 towards the off-site provision of public open space at St Michaels Gardens, Aldershot, Redan Hill Gardens, Aldershot or Manor Park, Aldershot – Landscaping, footpaths, furniture, and general infrastructure improvements. Refurbishment to playgrounds and habitat improvements to Manor Park Pond.

Subject to securing such contributions through S106, that the proposal would not conflict with Policy DE6 in that regard

6 Impact Upon Wildlife & Biodiversity

- a) Special Protection Area.

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

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

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

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

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

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

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

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

It is considered that there is sufficient information available with the planning application provided by the applicants with which the Council can undertake the HRA process. In this case the proposed development involves the creation of net new residential units within the Aldershot urban area. As such, the proposed development is located within the 5km zone of influence of the SPA but outside the 400-metre exclusion zone. The proposed development is neither connected to, nor necessary to the management of, the Thames Basin Heaths SPA.

Furthermore, the proposed development would not result in a net increase in traffic movements in excess of 1000 vehicular movements per day in proximity to the SPA.

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

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

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

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

Rushmoor Borough Council formally adopted the latest version of the Thames Basin Heaths SPA Avoidance & Mitigation Strategy (AMS) in May 2019. The AMS provides a strategic solution to ensure the requirements of the Habitats Regulations are met with regard to the in-combination effects of increased recreational pressure on the Thames Basin Heaths SPA arising from new residential development. This Strategy is a partnership approach to addressing the issue that has been endorsed by Natural England.

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

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

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

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

In this case the scale of the SPA financial contribution required is calculated on the basis of the proposed occupancy. This would be a net gain of 5 dwellings such that the S106 contribution would be £ 35,268.40 towards SPA avoidance and mitigation and access management at Southwood SANG mitigation scheme (comprising £32,042.03 SANG contribution & £3,229.37 SAMM contribution). In this case the applicants have provided written evidence that they have been provided with an allocation of SANGS capacity from the Southwood Country Park SANGS scheme. Both SANG and SAMM contributions would be secured by way of a s106 planning obligation to be submitted to the Council requiring payment of these SPA financial contributions upon the implementation of the proposed development.

Conclusions of Appropriate Assessment : On this basis, the Council are satisfied that, subject to the receipt of a satisfactory completed s106 Planning Obligation, the applicants will have satisfactorily mitigated for the impact of their proposed development on the Thames Basin Heaths SPA in perpetuity in compliance with the requirements of New Rushmoor Local Plan Policy NE1 and the AMS. Accordingly, it is considered that planning permission could then be granted for the proposed development on SPA grounds.

b) European protected species (EPS)

EPS which include bats, have full protection under The Conservation of Habitats and Species Regulations 2017. It's an offence to deliberately capture, injure or kill, or deliberately disturb EPS.

The Council's Ecology Officer has been consulted on the proposals with regards to potential impact upon protected species. They have advised that the submitted Preliminary Ecological Appraisal report is appropriate in scope and methodology and does not identify habitats present on site that may constitute Habitats of Principal Importance. Protected habitats are therefore not a constraint to development in this location. The development site presents some suitable habitat for protected species which may be present on site, including reptiles, and foraging and commuting bats. Therefore a condition requiring precautionary site clearance measures is required.

Sensitive Lighting

A low population of more common bats are expected to be present at the development site due to the presence of mature trees and connectivity to wider suitable habitat provided by the adjacent railway line. These species are sensitive to any increase in artificial lighting of their roosting and foraging places and commuting routes. Paragraph 185 of the National Planning Policy Framework 2019 states that planning policies and decisions should "limit the impact of light pollution from artificial light on ... dark landscapes and nature conservation".

The applicant should ensure that the proposed development will result in no net increase in external artificial lighting at the development site, in order to comply with above referenced legislation and the recommendations in BCT & ILP (2018) Guidance Note 08/18. Bats and artificial lighting in the UK. Bats and the Built Environment. Bat Conservation Trust, London & Institution of Lighting Professionals, Rugby". The above referenced Preliminary Ecological Appraisal report states that "low impact lighting strategy will be adopted for the site during and post-development". It is recommended that if external lighting is proposed for the development, a sensitive lighting strategy and plan is submitted to the Council for approval in writing prior to the commencement of development, in order to demonstrate compliance with

best practice light levels at the boundaries of the development site.

No net loss of Biodiversity

The National Planning Policy Framework (NPPF) makes it clear that “Planning... decisions should contribute to and enhance the natural environment by.. minimising impacts on and providing net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures” (paragraph 170). Paragraph 175 also requires that “opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity”.

The Environment Act 2021 introduces a statutory footing for securing measurable net gains for biodiversity, requiring a 10% minimum uplift post-development. At 0.1ha in area, the development site is small enough in impacted habitats to be exempt from the requirement to achieve a biodiversity net gain as a result of development. However, the requirement to achieve no net loss of biodiversity under the NPPF, remains.

In order to demonstrate that the development will result in no net loss of biodiversity value as a result of development, any planning application should be accompanied by an appropriately detailed mapped landscaping plan.

A condition has been imposed requiring the submission of such information y prior to the commencement of development and this will be secured by way of condition.

7) Trees

There are no protected trees within the application site. There are two low grade trees that will need to be removed as a result of the development, with the remaining trees undergoing remedial works. Comments from the Councils Arboriculturalist have been sought.

8) Flood Risk and Drainage

The submitted report accompanying the application demonstrates that the proposed development at the site is suitable in the location proposed and will be adequately flood resistant and resilient; is unlikely to place additional persons at risk of flooding; and will offer a safe means of access and egress; and is unlikely to increase flood risk elsewhere as a result of the proposed development through the loss of floodplain storage, impedance of flood flows or increase in surface water runoff.

Policy NE8 (Sustainable Drainage Systems) of the Local Plan is also relevant to the consideration of the proposal. Policy NE8 requires the implementation of integrated and maintainable SuDS in all flood zones for both brownfield and greenfield development sites. For brownfield developments, like the proposal in question, ‘the peak run-off rate/volume from the development to any drain, sewer or surface water body for the 1-in-1-year and 1-in-100-year rainfall event must be as close as reasonably practical to the greenfield run-off rate from the development for the same rainfall event but should never exceed the rate of discharge from the existing development on the site’. However, the applicant has provided no detail as to the drainage arrangements for the development. Given that the site slopes down towards High Street, such information is imperative given the potential for surface water run-off. It is considered that these details may be secured by way of condition. On this basis no objection is raised to the proposal in terms of NE8.

Conclusions

The proposals are considered acceptable in principle; would have no material and harmful impact upon the overall visual character and appearance of the area; would have no material and adverse impact on neighbours; would provide an acceptable living environment; and, subject to financial contributions being secured in respect of Special Protection Area mitigation & avoidance and Public Open Space with a s106 Planning Obligation, the proposals would have no significant impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area; and appropriately address the Council's adopted Local Plan Policy DE6 concerning Public Open Space. The proposals are therefore considered to be acceptable having regard to the criteria of Policies SS1, SS2, DE1, DE2, DE3, IN2, DE1, DE2, DE3, DE11, IN2, NE1, NE2, NE3, NE4 and NE8 of the adopted Rushmoor Local Plan (2014-2032).

Full Recommendation

- (a) **subject** to the completion of a suitable legal mechanism securing Public Open Space and THBSPA contributions as set out in the report, the Head of Planning in consultation with the Chairman be authorised to **GRANT** planning permission subject to the following conditions and informatives:-

Conditions:

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

Reason - As required by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, to reflect the objectives of the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy as amended August 2019 and to accord with the resolution of Rushmoor's Cabinet on 17 June 2014 in respect of Planning Report no PLN1420.

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

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

3. No construction works above ground level shall start until a schedule and/or samples of the external materials to be used have been submitted to, and approved in writing by, the Local Planning Authority. The details so approved shall be implemented in full and retained thereafter.

Reason - To ensure satisfactory external appearance. *

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

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

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

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

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

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

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

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

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

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

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

- 7 No residential unit within the development shall be occupied until the parking and cycle spaces shown on the approved plans have been completed and allocated to specified individual properties in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.

Reason - To ensure the provision and availability of adequate off-street car and cycle parking.*

- 8 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

- 9 Prior to the commencement of development, a Construction Management Plan to be adopted for the duration of the construction period shall be submitted to and approved in writing by the Local Planning Authority. The details required in this respect shall include:
- a. the provision to be made for the parking and turning on site of operatives and construction vehicles during construction and fitting out works;
 - b. the arrangements to be made for the delivery of all building and other materials to the site;
 - c. the provision to be made for any storage of building and other materials on site;
 - d. measures to prevent mud from being deposited on the highway;
 - e. the programme for construction; and
 - f. the protective hoarding/enclosure of the site.

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

Reason - In the interests and highway safety and neighbouring amenity

- 10 Prior to the commencement of development hereby approved, a plan indicating how and where biodiversity enhancement measures are to be incorporated into the new development shall be submitted to and approved in writing by the Local Planning Authority. Possible measures could include integral swift/bird bricks and bat tiles.
Reason - To assist in biodiversity net gain in accordance with the National Planning Policy Framework and Policy NE4 of the Rushmoor Local Plan (2014-2032).

- 11 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 use in the development of the application site.

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

- 12 Prior to first occupation of the development hereby permitted, details for a broadband telecommunications provision to the flats shall be submitted to and approved in writing by the Local Planning Authority. The new flats hereby permitted shall not be occupied until the approved scheme has been installed and made operational.

Reason - In the interest of visual amenity of the area*

- 13 Prior to first occupation of the development hereby approved details of an appropriate level of biodiversity enhancement, including roosting and foraging opportunities for urban birds and bat species and a sensitive external lighting strategy, shall be submitted to, and approved in writing by, the Local Planning Authority. Those details and measures so approved shall be implemented in full and retained thereafter.

Reason: To ensure that the proposals provide adequate biodiversity enhancement relative to the size of the development; and to protect and enhance biodiversity in accordance with Local Plan Policy NE4 and Paragraph 175 of the NPPF

- 14 Prior to first occupation of the development hereby approved all areas indicated to be used for vehicles and pedestrians on the approved plan have been laid out with a drained surface. Provision shall be made to direct run-off water from the surface to a permeable or porous area or surface within the curtilage of the development. Such areas shall be retained as such for the lifetime of the development.

Reason: To ensure adequate provision for surface water drainage and in the interests of highway safety.

- 15 Prior to first occupation of the development hereby approved, the means of vehicular access to the site shall be constructed in accordance with the approved plan (Drg No.23-138-003) and no structure, erection or planting exceeding 1.0m in height shall thereafter be placed within the visibility splays shown on the approved plans.

Reason: To ensure a suitable access and layout in the interests of highway safety.

- 16 No part of the development shall be brought into use until all existing redundant accesses have been permanently closed and the footway crossings removed and the footway reinstated.

Reason: To avoid danger and inconvenience to highway users.

- 17 No development shall begin until a detailed surface water drainage scheme for the site has been submitted and approved in writing by the Local Planning Authority. The submitted details should include:-

1. Detailed drainage plans to include type, layout, and dimensions of drainage features including references to link to the drainage calculations;
2. Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change; and
3. Maintenance schedules detailing the maintenance requirements of all drainage elements within the site.

Reason - To comply with the requirements of Local Plan Policy NE8

- 18 The development shall be carried out strictly in accordance with the mitigation (glazing and ventilation) described within the Nova Acoustic Noise Impact Assessment (dated August 2023) hereby approved. The mitigation shall be implemented prior to first occupation of the development to which it relates and thereafter retained for the life of the development*

Reason - To safeguard future occupiers of the development against noise disturbance.

INFORMATIVES

1. The Local Planning Authority's commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of pre-application discussion to all, and assistance in the validation and determination of applications through the provision of clear guidance regarding necessary supporting information or amendments both before and after submission, in line with the National Planning Policy Framework.

2. The Council has granted permission because the proposals are considered acceptable in principle; would have no material and harmful impact upon the overall visual character and appearance of the area; would have no material and adverse impact on neighbours; would provide an acceptable living environment; and, subject to financial contributions being secured in respect of Special Protection Area mitigation & avoidance and Public Open Space with a s106 Planning Obligation, the proposals would have no significant impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area; and appropriately address the Council's adopted Local Plan Policy DE6 concerning Public Open Space. The proposals are therefore considered to be acceptable having regard to the criteria of Policies SS1, SS2, DE1, DE2, DE3, IN2, DE1, DE2, DE3, DE11, IN2, NE1, NE2, NE3, NE4 and NE8 of the adopted Rushmoor Local Plan (2014-2032).

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

3. Your attention is specifically drawn to the conditions marked *. These condition(s) require either the submission and approval of details, information, drawings etc. by the Local Planning Authority BEFORE WORKS START ON SITE, BEFORE SPECIFIC ELEMENTS OF THE PROPOSAL ARE CARRIED OUT or, require works to be carried out BEFORE COMMENCEMENT OF USE OR FIRST OCCUPATION OF ANY BUILDING.

Development started, carried out or occupied without first meeting the requirements of these conditions is effectively development carried out WITHOUT PLANNING PERMISSION.

The Council will consider the expediency of taking enforcement action against any such development and may refer to any such breach of planning control when responding to local searches. Submissions seeking to discharge conditions or requests for confirmation that conditions have been complied with must be accompanied by the appropriate fee.

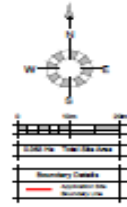
4. This permission is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended). If your legal obligations include payment of financial contributions, you must contact the Council (at plan@rushmoor.gov.uk) at least 20 days prior to implementing the planning permission, stating your intended date of commencement of development and requesting an invoice for the payment such funds to which you have committed. The payment of all contributions as required by the S106 obligation must be received prior to the commencement of development.
5. The applicant is recommended to achieve maximum energy efficiency and reduction of Carbon Dioxide emissions by:
 - ensuring the design and materials to be used in the construction of the building are consistent with these aims; and
 - using renewable energy sources for the production of electricity and heat using efficient and technologically advanced equipment.

6. The applicant is advised to contact the Recycling and Waste Management section at Rushmoor Borough Council on 01252 398164 with regard to providing bins for refuse and recycling. The bins should be:
 - provided prior to the occupation of the properties;
 - compatible with the Council's collection vehicles, colour scheme and specifications;
 - appropriate for the number of occupants they serve;
 - fit into the development's bin storage facilities.
7. The planning permission hereby granted does not authorise the applicant, or his agents, to construct a new/altered access to, or other work within, the public highway. A separate consent for works within the highway must first be obtained from the highway authority who may be contacted at the following address:- Hampshire County Council Highways Sub Unit, M3 Motorway Compound, Hook, Hampshire, RG27 9AA.
8. Measures should be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway throughout the construction period.
9. No materials produced as a result of site preparation, clearance, or development should be burnt on site. Please contact the Head of Operational Services for advice.
10. The applicant is advised to contact the Head of Operational Services regarding the requirement to provide acoustic insulation. Any scheme of acoustic insulation must be in accordance with the specifications provided in Schedule 1 of the Noise Insulation Regulations 1975 and must include details of acoustic mechanical ventilation and, where appropriate, solar control.
11. It is a legal requirement to notify Thames Water of any proposed connection to a public sewer. In many parts of its sewerage area, Thames Water provides separate public sewers for foul water and surface water. Within these areas a dwelling should have separate connections: a) to the public foul sewer to carry waste from toilets, sinks and washing machines, etc, and b) to public surface water sewer for rainwater from roofs and surface drains. Mis-connections can have serious effects: i) If a foul sewage outlet is connected to a public surface water sewer this may result in pollution of a watercourse. ii) If a surface water outlet is connected to a public foul sewer, when a separate surface water system or soakaway exists, this may cause overloading of the public foul sewer at times of heavy rain. This can lead to sewer flooding of properties within the locality. In both instances it is an offence to make the wrong connection. Thames Water can help identify the location of the nearest appropriate public sewer and can be contacted on 0800 316 9800.
12. It is an offence to kill, injure or disturb an individual bat; damage, destroy or obstruct access to a breeding site or resting place of that individual. Destruction of a bat roost is therefore an offence, regardless of whether a bat is present at the time of roost removal. The grant of planning permission does not supersede the requirements of the legislation below and any unauthorised works could constitute an offence. If bats or signs of bats are encountered at any point during development then all works must stop immediately and you should contact Natural England in order to avoid breach of

legislation 'The Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended)'.

13. Site clearance should be undertaken in a precautionary manner. Precautionary working methods should follow best ecological practice and should include, but not be limited to:
 - All clearance works should ideally be taken when common reptiles are likely to be fully active i.e. during the April to September period and during optimal weather conditions.
 - Clearance of tall vegetation should be undertaken using a strimmer or brush cutter with all cuttings raked and removed the same day.
 - Any trenches left overnight will be covered or provided with ramps to prevent common reptiles from becoming trapped.
 - Any building materials such as bricks, stone etc. will be stored on pallets to discourage reptiles/amphibians from using them as shelter. Any demolition materials will be stored in skips or similar containers rather than in piles on ground.
 - Should any reptiles be discovered during construction, works should cease in this area and a suitably experienced ecologist contacted. Works will need to proceed in line with the advice provided in order to avoid breach of above referenced legislation

14. 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.



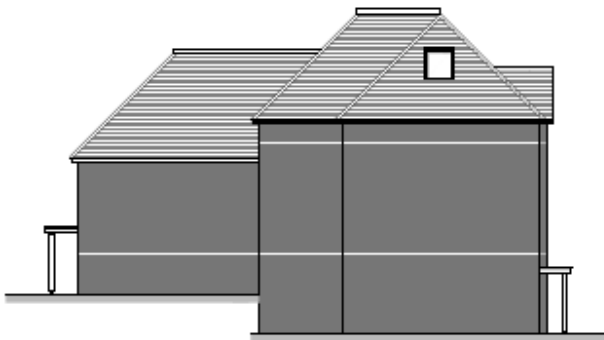




Front Elevation



Side Elevation B



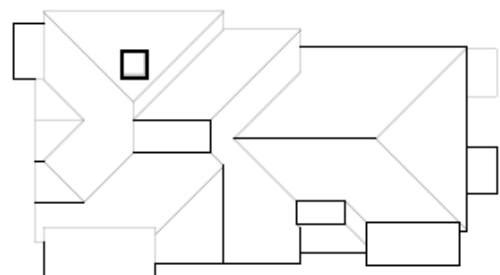
Rear Elevation



Side Elevation A



First Floor Plan



Roof Plan



Ground Floor Plan



Second Floor Plan

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Section D

The following applications are reported for INFORMATION purposes only. They relate to applications, prior approvals, notifications, and consultations that have already been determined by the Head of Economy, Planning and Strategic Housing and where necessary, in consultation with the Chairman, in accordance with the Council's adopted Scheme of Delegation.

If Members wish to have more details about the decision on any of the applications on this list please contact David Stevens (01252 398738) or Katie Herrington (01252 398792) in advance of the Committee meeting.

Application No 22/00806/FULPP Ward: West Heath

Applicant: Carol Wright & Stacey Anne Cattle

Decision: **Permission Granted**

Decision Date: 17 October 2023

Proposal: Erection of detached outbuilding containing living accommodation

Address **6 Hanover Gardens Farnborough Hampshire GU14 9DT**

Application No 23/00227/FULPP Ward: Rowhill

Applicant: Mr Suneet Jain

Decision: **Permission Granted**

Decision Date: 02 October 2023

Proposal: Change of use of detached office studio building to 3 bedroom dwelling with associated landscaping, boundary fencing and parking

Address **Unit 6 - North Barn Studio 4 Hillside Road Aldershot Hampshire GU11 3NB**

Application No 23/00307/FULPP Ward: Aldershot Park

Applicant: Motor Fuel Group

Decision: **Permission Granted**

Decision Date: 06 October 2023

Proposal: Installation of 8no. EV charging units and single canopy over, 2no. jet wash bays and substation enclosure, and associated forecourt works, following demolition of existing car wash facilities on the site

Address **Car Wash 400 High Street Aldershot Hampshire GU12 4NE**

Application No 23/00339/NMAPP Ward: St Mark's

Applicant: Mr And Mrs Ali

Decision: **Permission Granted**

Decision Date: 20 October 2023

Proposal: Non Material Amendment to planning permission 20/00688/FULPP (for the erection of a two storey side extension and erection of porch canopy) to allow for minor changes to window and door openings on front and side (east) elevation and minor internal reconfiguration

Address **265 Lynchford Road Farnborough Hampshire GU14 6HX**

Application No 23/00453/FUL Ward: St Mark's

Applicant: MR VINCENT DAVIS

Decision: **Permission Granted**

Decision Date: 04 October 2023

Proposal: Erection of two bedroom end terrace property

Address **123 Park Road Farnborough Hampshire GU14 6LP**

Application No 23/00568/ADVPP Ward: Cherrywood

Applicant: Garbutt

Decision: **Permission Granted**

Decision Date: 03 October 2023

Proposal: Installation of non-illuminated signage to front elevation

Address **Units 3 To 5 Hawley Trading Estate Hawley Lane Farnborough Hampshire GU14 8EH**

Application No 23/00579/FULPP Ward: Manor Park

Applicant: Mr G Evans - Park Church Trust Aldershot

Decision: **Permission Granted**

Decision Date: 03 October 2023

Proposal: Proposed erection of timber cabin

Address **Park Church Church Lane East Aldershot Hampshire GU11 3ST**

Application No 23/00583/TPOPP

Ward: Knellwood

Applicant: Mrs Gill Craft

Decision: **Permission Granted**

Decision Date: 12 October 2023

Proposal: One Oak (T29 of TPO 403V) T334 on submitted plan, remove dead wood and trim canopy by no more than 2 metres. One Sycamore (T27 of TPO 403V) not numbered on plan, remove dead wood greater than 25mm diameter. One Oak (T31) T336 reduce northern radial spreads by 3 metres to leave a final lateral radial spread of 5 metres, remove dead wood greater than 25mm diameter. One Oak (T26) T337 remove dead wood greater than 25mm diameter. One False Acacia (T24) T338 remove dead wood greater than 25mm diameter. One Oak (T19) T348 reduce regrowth back to previous pruning points. One Cedar (T1) T349 reduce southern secondary branch at 6 metre angle back to the union at 2.5 metres from the main stem. One Oak (T28) T335 on plan, remove deadwood and crown reduce by no more than 2 metres. All trees are part of TPO 403V

Address **Land Affected By TPO 403V - At Sycamore Road, King George Close, Canterbury Gardens And Canterbury Road Farnborough Hampshire**

Application No 23/00593/FULPP

Ward: Knellwood

Applicant: Mr & Mrs Neil & Priscilla Oliver

Decision: **Permission Granted**

Decision Date: 04 October 2023

Proposal: Erection of a single storey rear extension following part removal of existing conservatory and erection of a single storey side extension to form new entrance

Address **43 The Crescent Farnborough Hampshire GU14 7AR**

Application No 23/00598/FULPP

Ward: St Mark's

Applicant: Mr Ian Dennis-Matthews

Decision: **Permission Granted**

Decision Date: 13 October 2023

Proposal: Replacement windows with installation of a new electrical roller shutter with new access roadway tarmac serving loading bay door, with re cladding of walls and roof of the tank Room at roof level

Address **X80 Building Cody Technology Park Ively Road Farnborough Hampshire**

Application No 23/00603/FULPP Ward: Fernhill
Applicant: Brenda Parker
Decision: **Permission Granted**
Decision Date: 11 October 2023
Proposal: Proposed loft conversion with dormers and raised ridge line and other external alterations
Address **Kololo 45 Sandy Lane Farnborough Hampshire GU14 9HJ**

Application No 23/00605/FULPP Ward: Wellington
Applicant: Mona Vivid Homes
Decision: **Permission Granted**
Decision Date: 06 October 2023
Proposal: Replacement of existing windows and flat entrance door with new Upvc double glazed units
Address **62 Printing House Court Sebastopol Road Aldershot Hampshire GU11 1DH**

Application No 23/00618/FULPP Ward: St John's
Applicant: Mr Vishnuvarthan Parthipan
Decision: **Permission Granted**
Decision Date: 02 October 2023
Proposal: Erection of a single storey rear and side extension and raised terrace area
Address **70 Broomhill Road Farnborough Hampshire GU14 9PU**

Application No 23/00624/FULPP Ward: Cherrywood
Applicant: Mihail Namistiuc
Decision: **Permission Granted**
Decision Date: 19 October 2023
Proposal: Installation of x10 Solar panels and new K White render finish to exterior walls of building
Address **30 Sand Hill Farnborough Hampshire GU14 8EW**

Application No 23/00625/REXPD Ward: Cherrywood
Applicant: Mihail Namistiuc
Decision: **Prior approval is NOT required**
Decision Date: 23 October 2023
Proposal: Erection of single storey rear extension measuring 5.93m in depth, 3m in height at its highest point and 3m at the eaves
Address **30 Sand Hill Farnborough Hampshire GU14 8EW**

Application No 23/00627/FULPP Ward: West Heath
Applicant: Mr Kanga S
Decision: **Permission Granted**
Decision Date: 13 October 2023
Proposal: Erection of a two storey side extension, single storey rear extension, dormer to rear roof slope and roof light in front roof slope
Address **94 Blunden Road Farnborough Hampshire GU14 8QP**

Application No 23/00629/FUL Ward: Manor Park
Applicant: Mr Laurentiu-Marian Negulescu
Decision: **Permission Granted**
Decision Date: 02 October 2023
Proposal: Erection of a single storey rear extension
Address **72 Jubilee Road Aldershot Hampshire GU11 3QD**

Application No 23/00631/FULPP Ward: Rowhill
Applicant: Mrs Sally Webber
Decision: **Permission Granted**
Decision Date: 19 October 2023
Proposal: Erection of first floor rear extension
Address **3 Cargate Hill Aldershot Hampshire GU11 3AA**

Application No 23/00633/FULPP Ward: Manor Park
Applicant: Mr B BOLLINGMORE
Decision: **Permission Granted**
Decision Date: 25 October 2023
Proposal: Erection of a part two and single storey rear extension
Address **234 Lower Farnham Road Aldershot Hampshire GU11 3QZ**

Application No 23/00635/TPOPP Ward: Knellwood
Applicant: Mr & Mrs Blackman
Decision: **Permission Granted**
Decision Date: 06 October 2023
Proposal: Willow situated at the front of property (T2 of TPO 479) pollard back to previous points
Address **10 Abbey Way Farnborough Hampshire GU14 7DA**

Application No 23/00636/FULPP Ward: Fernhill
Applicant: MS Fiona Shepherd
Decision: **Permission Granted**
Decision Date: 02 October 2023
Proposal: Erection of a buggy store within the front garden
Address **18A Perring Avenue Farnborough Hampshire GU14 9DB**

Application No 23/00639/FULPP Ward: Manor Park
Applicant: Mr Zeeshan Ahmad
Decision: **Permission Granted**
Decision Date: 13 October 2023
Proposal: Provision of a 2m high boundary wall with gates
Address **26 Avondale Road Aldershot Hampshire GU11 3HQ**

Application No 23/00640/FULPP Ward: Wellington
Applicant: Zuma Foods Ltd
Decision: **Permission Granted**
Decision Date: 06 October 2023
Proposal: Installation of external extract system ducting on the rear elevation
Address **24 Union Street Aldershot Hampshire GU11 1DA**

Application No 23/00641/ADVPP Ward: Wellington
Applicant: Mr Zuma Foods Ltd
Decision: **Permission Granted**
Decision Date: 06 October 2023
Proposal: Display 3 internally illuminated fascia and 1 projecting sign
Address **24 Union Street Aldershot Hampshire GU11 1DA**

Application No 23/00642/FULPP Ward: Rowhill
Applicant: Mr Hasan Roshid
Decision: **Permission Granted**
Decision Date: 25 October 2023
Proposal: Erection of a single story rear extension and a first floor side extension over an existing flat roofed side extension
Address **32A Cargate Avenue Aldershot Hampshire GU11 3EW**

Application No 23/00643/MISC28 Ward: Knellwood
Applicant: James Sargent
Decision: **No Objection**
Decision Date: 02 October 2023
Proposal: The Electronic Communications Code (Conditions and restrictions) (Amendment) Regulations 2017 BT intends to install fixed line broadband electronic communications apparatus (pole) at 88 Cambridge Road East, Farnborough, GU14 6QX
Address **88 Cambridge Road East Farnborough Hampshire GU14 6QX**

Application No 23/00645/FULPP Ward: Cherrywood

Applicant: Mr And Mrs Head

Decision: **Permission Granted**

Decision Date: 02 October 2023

Proposal: Erection of a single storey front extension

Address **6 Ballantyne Road Farnborough Hampshire GU14 8SN**

Application No 23/00646/FULPP Ward: St John's

Applicant: Mrs Mariam Khokar

Decision: **Permission Granted**

Decision Date: 19 October 2023

Proposal: Erection of a single storey rear extension and conversion of existing side extension to a habitable room with access ramp to front

Address **64 Cripsey Road Farnborough Hampshire GU14 9QA**

Application No 23/00648/LBCPP Ward: Wellington

Applicant: Mr Glyn Jones

Decision: **Permission Granted**

Decision Date: 12 October 2023

Proposal: Localised internal removal of wall, ceiling and floor finishes and replacement to allow for dry rot treatment in Former Masonic Hall and external repair of brickwork arched lintel

Address **48 Station Road Aldershot Hampshire GU11 1AA**

Application No 23/00650/FUL Ward: Cove And Southwood

Applicant: Mr H Rasool

Decision: **Permission Granted**

Decision Date: 06 October 2023

Proposal: Erection of a single storey rear extension

Address **21 Derwent Close Farnborough Hampshire GU14 0JT**

Application No 23/00651/NMAPP Ward: Cove And Southwood
Applicant: Cala Homes
Decision: **Permission Granted**
Decision Date: 13 October 2023
Proposal: Non-Material Amendment : Alterations to sub-station enclosure as approved with planning permission 16/00837/FULPP dated 19 March 2019
Address **The Crescent Southwood Business Park Summit Avenue
Farnborough Hampshire**

Application No 23/00652/FULPP Ward: Knellwood
Applicant: Stephen Quickfall
Decision: **Permission Granted**
Decision Date: 13 October 2023
Proposal: Extension of the roof to the front elevation to create a veranda
Address **49 Church Avenue Farnborough Hampshire GU14 7AP**

Application No 23/00655/FULPP Ward: Manor Park
Applicant: Scarlett Jacobs
Decision: **Permission Granted**
Decision Date: 06 October 2023
Proposal: Erection of a single storey rear extension
Address **8 Boxalls Grove Aldershot Hampshire GU11 3QS**

Application No 23/00656/DEMOPP Ward: St Mark's
Applicant: Mr Ian Mckay
Decision: **Prior Approval Required and Granted**
Decision Date: 02 October 2023
Proposal: Demolition of vehicle sales and vehicle repair workshop premises
Address **Park Road Garage 107 Park Road Farnborough Hampshire GU14
6LP**

Application No 23/00664/FULPP Ward: St Mark's
Applicant: Mr Paul West
Decision: **Permission Granted**
Decision Date: 04 October 2023
Proposal: Erection of front porch
Address **8 Winchester Street Farnborough Hampshire GU14 6AW**

Application No 23/00666/TPO Ward: Knellwood
Applicant: Mr Paul Beves
Decision: **Permission Granted**
Decision Date: 06 October 2023
Proposal: Sweet Chestnut Tree - Remove 2 x over extended limbs as shown on the submitted plan (Tree within G9 of TPO 435V)
Address **Land Affected By TPO 435V - Between Cedar Road, Avenue Road, Boundary Road And Farnborough Road Farnborough Hampshire**

Application No 23/00669/PRIORP Ward: Empress
Applicant: Farnborough College Of Technology
Decision: **Prior Approval Required and Granted**
Decision Date: 04 October 2023
Proposal: PRIOR APPROVAL: Change of use of second floor from Use Class E (offices) to Use Class F1(a) (education) under Class T, Part 4, Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Address **Second Floor The Meads Business Centre Kingsmead Farnborough Hampshire GU14 7SJ**

Application No 23/00672/TPOPP Ward: Manor Park
Applicant: Harris
Decision: **Permission Granted**
Decision Date: 12 October 2023
Proposal: T1 Hawthorne - crown reduce by up to 3m and remove major deadwood (Tree within G1 of TPO151V)
Address **65 Highfield Avenue Aldershot Hampshire GU11 3DA**

Application No 23/00673/TPOPP Ward: Knellwood

Applicant: Mr Andrew Grimes

Decision: **Permission Granted**

Decision Date: 16 October 2023

Proposal: One Oak tree (T1 of TPO187V) reduce back over-extended lateral branches by no more than 6 metres to consolidate crown shape and remove maturing stem feathers (epicormic growth).

Address **1 Cambridge Road West Farnborough Hampshire GU14 6RW**

Application No 23/00675/SCOPE Ward: St Mark's

Applicant: Stefan Boss

Decision: **Scoping Report Issued**

Decision Date: 19 October 2023

Proposal: REQUEST FOR EIA SCOPING OPINION: For the increase in flight numbers, hours, and quantum of heavier aircraft

Address **Farnborough Airport Farnborough Road Farnborough Hampshire GU14 6XA**

Application No 23/00678/CONDPP Ward: Wellington

Applicant: Manorview Estates Limited

Decision: **Conditions details approved**

Decision Date: 27 October 2023

Proposal: Submission of details pursuant to Condition Nos. 5 (communal aerial/satellite dish system details) and 9 (landscape planting details) of planning permission 22/00767/REVPP dated 9 January 2023

Address **103 - 105 High Street Aldershot Hampshire**

Application No 23/00679/TPO Ward: Rowhill

Applicant: Mrs Toni Smith

Decision: **Permission Granted**

Decision Date: 26 October 2023

Proposal: Group of 10 Holly trees (part of group G1 of TPO 180) reduce height of all trees so that they are no taller than 15 feet and thin crowns by no more than 25%

Address **38 Manor Road Aldershot Hampshire GU11 3DG**

Application No 23/00681/TPOPP Ward: Knellwood

Applicant: Tivoli

Decision: **Permission Granted**

Decision Date: 23 October 2023

Proposal: Removal of 9 dead or in decline Pine trees as per submitted plan. Removal of 2 Sycamores, one that is dead and one leaning on the fence towards the public footpath and road .Crown reduction of no more than 3 metres of Sycamore with branches overhanging public area.Crown reduction of Acacia by no more than 2 metres, in rear garden that is touching the roof of neighbouring property.Cut back to fence line all vegetation overhanging public path. Removal of one small Oak. All trees are part of group G25 of TPO 439V

Address **Crowthorne 25 Oxford Road Farnborough Hampshire GU14 6QU**

Application No 23/00683/MISC28 Ward: Fernhill

Applicant: Jennifer Stead

Decision: **No Objection**

Decision Date: 09 October 2023

Proposal: The Electronic Communications Code (Conditions and Restrictions) (Amendment) Regulations 2017-toob intends to install fixed line broadband electronic communications apparatus (poles) at 41 locations in Pinewood Park, 18 and 53 Bartons Way and 146 Sandy Lane: Farnborough FB111-ET

Address **Street Record Pinewood Park Farnborough Hampshire**

Application No 23/00684/TPO Ward: Knellwood

Applicant: Mr Glyn Morris

Decision: **Permission Granted**

Decision Date: 23 October 2023

Proposal: Crown reduce Oak tree (part of group G6 of TPO 378V) as per submitted application plan, back no further than the previous reduction points (as per application 10/00237/TPO) and remove epicormic growth

Address **3 Virginia Gardens Farnborough Hampshire GU14 6RJ**

Application No 23/00687/FUL Ward: Cove And Southwood

Applicant: Mr Steven White

Decision: **Permission Granted**

Decision Date: 27 October 2023

Proposal: Erection of a single storey rear extension

Address **9 Larch Way Farnborough Hampshire GU14 0QN**

Application No 23/00690/PRIOR Ward: Wellington

Applicant: Glen House Estates Ltd.

Decision: **Prior Approval Required and Granted**

Decision Date: 24 October 2023

Proposal: APPLICATION FOR PRIOR APPROVAL: Change of use of ground floor of building from Use Class E (business) (formerly Use Class B1) to Class C3 (residential) comprising 2 X 1-bedroom flats and a bedsit (3 dwelling units in total) external car parking under Class MA of Part 3, Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Address **Interpower House Windsor Way Aldershot Hampshire GU11 1JG**

Application No 23/00691/TPOPP Ward: St John's

Applicant: Mrs Jade Burrows

Decision: **Permission Granted**

Decision Date: 26 October 2023

Proposal: One Oak (T1 of TPO370V) crown reduction of no more than 4 metres

Address **9 Conway Drive Farnborough Hampshire GU14 9RF**

Application No 23/00697/TPOPP

Ward: Cove And Southwood

Applicant: Mrs Sue Clarke-Gent

Decision: **Permission Granted**

Decision Date: 26 October 2023

Proposal: One Oak (T26 of TPO 417) as per submitted report, reduce branches closest to garage to give no more than 2 metres clearance

Address **5 The Oaks Farnborough Hampshire GU14 0QB**

Development Management Committee
8th November 2023

Planning Report PG2340

Appeals Progress Report

1. New Appeal

- 1.1 A new appeal has been lodged against the refusal of planning permission (23/00007/REFUSE) for: "Advertisement Consent : Display of 6 X 3 metre illuminated digital advertisement display panel at first-floor level on side elevation of building following removal of two existing paper & paste billboard advertisement panels at ground-floor level" at **41 Station Road, Aldershot**. This application was determined under delegated powers (23/00306/ADVPP) and will be dealt with by the Planning Inspectorate using the Commercial Appeals Service fast-track procedure.

2. Appeal Decisions

27 Church Road East, Farnborough

- 2.1 An appeal against refusal of planning application 23/00055/FULPP for 'Retention of boundary fencing and electric gates to front boundary' was refused in March 2023 on this corner site, for the following reasons:

1. The siting of the existing fence directly at the back of the pavement in combination with its overall height, length and design is considered to result in an unduly overbearing form of development at a prominent position within the street. The development, as erected, is therefore considered to be detrimental to the character and appearance of the street scene, contrary to Policy DE1 of the adopted Rushmoor Local Plan (2014-2032) and the Rushmoor Home Improvements and Extensions Supplementary Guidance February 2020.

It is noted that the fencing has already been erected.

- 2.2 The Inspector noted that the Church Road East street scene has a verdant character and the different forms of front boundary treatment are generally low in height with an open character to the street. The Inspector considered that the proposed boundary treatment, comprising an increased height fence and against the footpath and extending along the full frontage of the site result in an enclosure of the streetscene contrary to the established character., that is contrary to Policy DE1 of the Local Plan and guidance in the Home Improvements SPD. Other examples of high close board fencing in the area did not change the Inspector's view stating that these were in the minority do not "set a precedent that I consider would harmfully erode the character of the streetscene'. The Inspector stated that there are other forms of boundary treatment that could provide privacy and security for the appellant.
- 2.3 The appeal was dismissed.

Empire Banqueting and Hall, Aldershot

2.4 An appeal against refusal of advertisement consent application 23/00073/ADVPP for 'Display of internally illuminated digital advertising billboard measuring 6m x 3m with new image displaying every 10 seconds' at Empire Banqueting and Hall, High Street, Aldershot has been determined by the Inspectorate. The Council refused the application in April 2023 for the following reason:

1. The proposed sign, by way of its large size, design and visually prominent siting, would result in the introduction of an unacceptable alien feature on the application building and in the streetscene, that would be detrimental to amenity as a result of being unsympathetic to and adversely affecting the historic special interest and architectural character of a Locally Listed Heritage asset; the identified Victorian visual character of the Aldershot West Conservation Area and the general mixed residential, commercial and civic character and appearance of the Aldershot Town Centre. The application is therefore contrary to Policies DE9, HE1, HE3, DE1 and SP1 of the Rushmoor Local Plan, the relevant provisions of the Locally Listed Heritage Assets SPD (2020) and Aldershot Prospectus SPD (2016) and the relevant paragraphs of the NPPF (last updated in July 2021).

2.5 The Inspector considered that although the sign is large, it is proportionate in scale to the host building, the Empire, and would not obscure any key architectural features on the building such as the banding/window frames, and would not result in a proliferation of signs given the separation to the shops on High Street. The level of illumination would be low, and the conditions provided by the appellant would control this satisfactorily. The Inspector felt that the sign was not inconsistent with Policies SP1 (Aldershot Town Centre) or the Aldershot Prospectus or Heritage Assets SPD. Subject to conditions, the Inspector considers the proposal would be acceptable in terms of its effect upon the amenity of the area, and the appeal was dismissed, with imposition of conditions to control illumination, and address highway safety concerns.

2.6 The appeal is allowed.

3. Recommendation

3.1 It is recommended that the report be **NOTED**.

Tim Mills
Executive Head of Property and Growth

Development Management Committee
8th October 2023

Planning Report No. PG2341

Planning (Development Management) summary report for the quarter July - September 2023

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 2023.

2. Planning Applications

- 2.1 The three tables below set out figures relating to determination of Major, Minor and 'Other' planning applications for the first 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 81 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	July - September 2023	Government Target	2022/2023 Total
3	100%	60%	100%

*2 cases were determined outside the statutory period but were subject to agreed extensions of time and therefore recorded as 'in time'.

Minor (Non householder) Applications determined within 8 weeks

Decisions in quarter	Apr-Jun 2023	Government Target	2022/2023 Total
14	83.3%	65%	94.5%

*7 of 14 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	Apr-Jun 2023	Government Target	2022/2023 Total
77	97.4%	80%	89%

*18 of the 77 applications determined in the quarter were outside the statutory period however 16 were subject to agreed extensions of time and therefore are 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	July - Sept 2023	Appeal Decisions	Appeals Allowed
40% max	0%	1	0

3. Workload

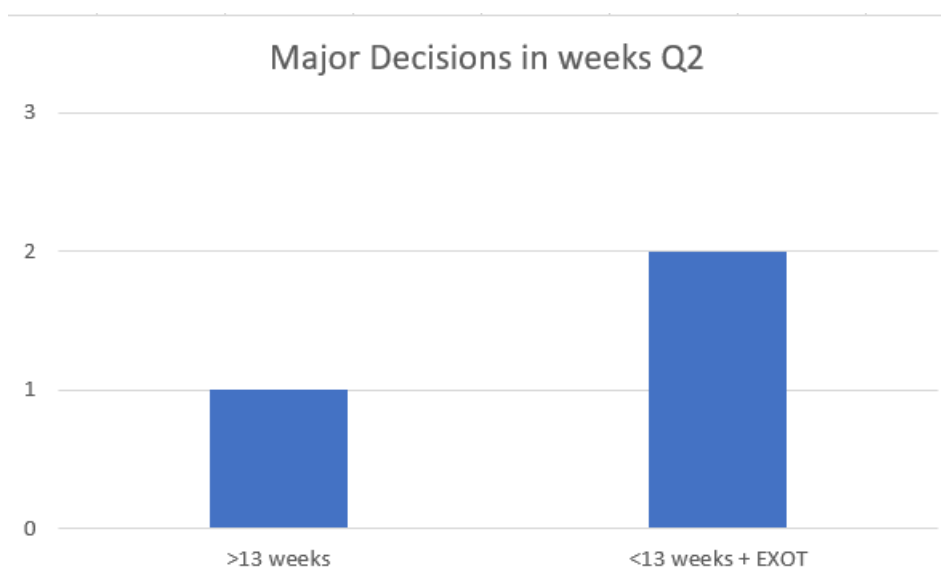
3.1 This section deals with workload demand on the Development Management Section in the second quarter of 2023-2024.

Departmental Work Demand 2023

	Applications Submitted (All types)	Pre-Application Cases	Applications Determined (All types)	Appeals Submitted
Q1	340	120	292	1
Q2	209	60	198	4

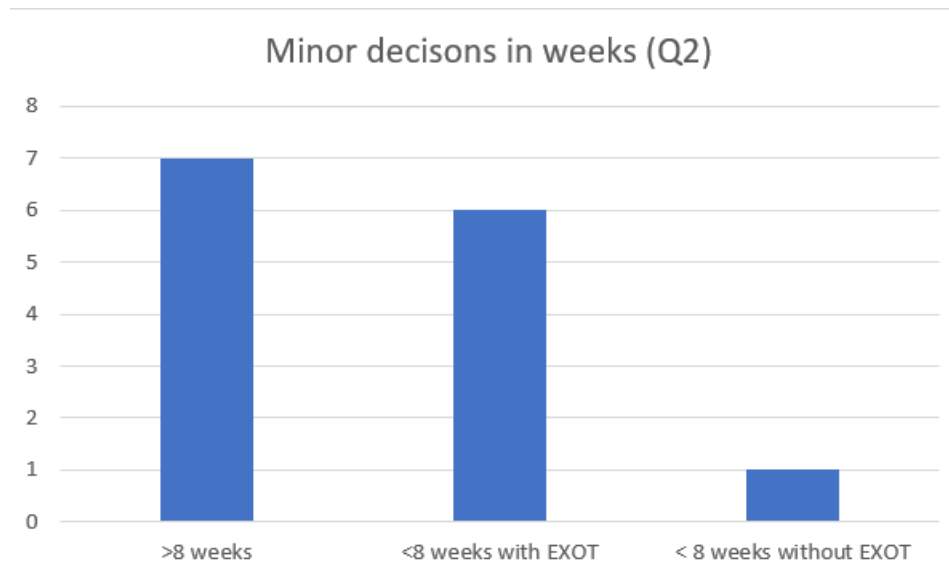
3.2 The following graphs present the time period being taken to determine different types of application in the first quarter of 2023-2024.

Major and small-scale majors Total 3



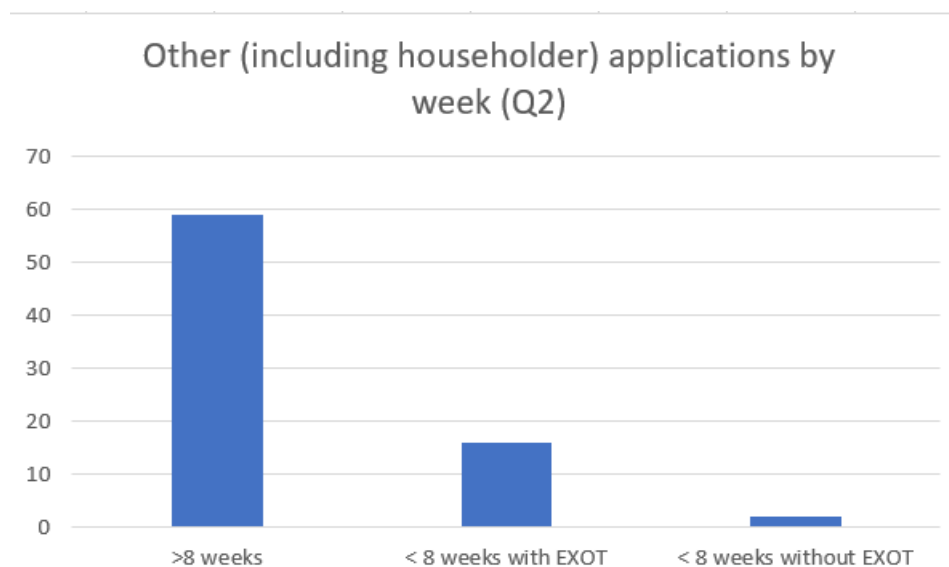
3.3 Performance with regard to Major applications remains well above the Government target with two cases determined in accordance with agreed extensions of time, and one within the statutory 13 week period.

Minor (Non householder) applications Total 14



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 2023-2024.

'Other' (Including Householder) applications Total 77



3.5 This third graph shows that in the first quarter of this financial year the majority of householder applicants received decisions within eight weeks of their validation date.

4. Fee Income

4.1 The total planning fee income received for the second quarter was £52,398 against a budget estimate of £109,825.

4.2 The total pre-application income received for the second quarter was £9,468 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	July - September 2023
Contributions received (Rushmoor and Hampshire)~	£85,063.72
Open Space (specific projects set out in agreements)	£33,916
SANGS a) Southwood II b) Southwood Country Park e) Hawley Meadows* f) Rowhill Copse	a) £0 b) £59,701 e) £0 f) £0
SAMM* a) Southwood II b) Southwood Country Park c) Wellesley Woodland d) Bramshot Farm (Hart) e) Hawley Meadows f) Rowhill Copse	a) 0 b) £5,361.50 c) £0 d) £11,377.22 e) £0 f) £25,108
Transport (specific projects set out in agreements)*	£49,600

~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.

9 new undertakings/legal agreements were signed in the period July - September 2023.

6. Comment on workload for this quarter

6.1 This quarter year saw a fall in numbers of application submissions and determinations. Anticipated major application submissions during this financial year are still progressing through pre-application discussion and are expected in Quarter 2. Planning fee income is below the budgetary estimate, as was the results for quarter 1. Pre-application income continues to remain close to our estimates.

7. Wellesley

- 7.1 There have been 1265 residential occupations to date at Wellesley. Maida Development Zone A is complete (228 units).
- 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 deliver 733 residential units, including six supported housing units 691 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. 105 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 at 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. 72 units are now occupied within the CMH Development Zone.
- 7.6 Taylor Wimpey continues to progress 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 details applications in relation to the permission. A sales and marketing suite was approved and is operating on Hope Grant's Road (East). 62 of the units are now occupied.

8. Recommendation

- 8.1 That the report be NOTED

Tim Mills
Head of Economy, Planning and Strategic Housing

Contact: Katie Herrington 01252 398792

BACKGROUND PAPERS: None.

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