

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.

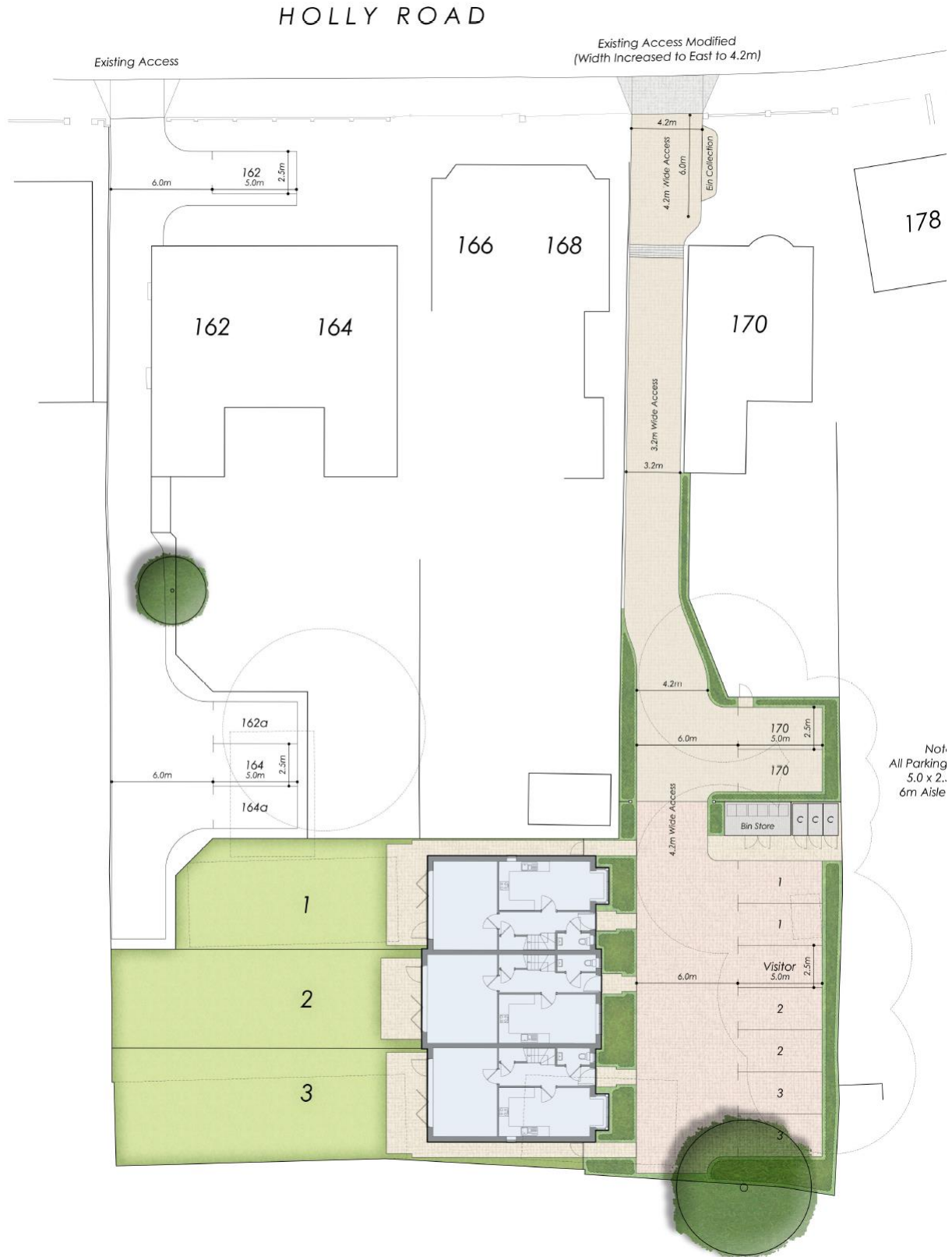
Case Officer	David Stevens
Application No.	21/00645/FULPP
Date Valid	17th August 2021
Expiry date of consultations	12th October 2021
Proposal	Erection of three 3-bedroom 5-person occupancy terraced two-storey houses following the demolition of existing garages; alterations to side elevation of No.170 Holly Road and provision of replacement parking spaces for Nos.162a, 164, 164a and 170 Holly Road
Address	Land to the rear of 162 to 170 Holly Road Aldershot
Ward	North Town
Applicant	Vivien M Smith
Agent	Davis Planning Ltd
Recommendation	GRANT subject to s106 Planning Obligation

Description

The application site is in a backland position on the southern side of Holly Road. The site measures approximately 0.2 hectares and has a complex irregular shape formed from established existing vehicular entrances from Holly Road (a) located between Nos.168 and 170 Holly Road serving, and including the plot of, No.170 Holly Road (a detached two-storey house), and garden land to the rear with a small block of three garages; and (b) located between Nos.160 and 162 Holly Road serving Nos. 162/162A-164/164A Holly Road and a private garage court (15 garages) to the rear.

To the east of the site are No.178 Holly Road, an end of terrace two-storey house, and Nos.22-26 (inclusive) St. Augustine's Close, a terrace of two-storey houses that have rear gardens backing onto the east side boundary of the site. The site backs onto the rear garden boundaries of houses at Nos.67-75 (odd inclusive) Roberts Road to the south. No.160 Holly Road and part of the rear garden of No.154 Holly Road abut the west boundary of the application site. Nos.162-168 (even) Holly Road lie between the existing vehicular entrances serving the site. Nos.162/162A & 164/164A Holly Road are indicated as being within the ownership of the applicant albeit the land at these plots are largely excluded from the red-line of the application site. Nos.166 & 168 Holly Road are not indicated to be in the ownership of

the applicant.



Amended Proposed Site Layout Plan received 16 September 2021.

It is proposed that following the removal of a doorway and projecting porch canopy to the side of No.170 Holly Road and the demolition of some outbuildings within the large rear garden, to erect a terrace of three two-storey, 3-bedroom houses on land within the gardens

to the rear of No.166 & 168 Holly Road. These houses would be served by the existing vehicular entrance to the side of No.170 Holly Road, which would lead into an on-site parking courtyard to the front of the new houses. Each new house would be provided with a pair of parking spaces here, together with provision of a visitor space and a bin store. Replacement parking provision for No.170 Holly Road in the form of a pair of parking spaces, would also be provided at the end of the rear garden area to be retained for the existing dwelling.

The garage court to the rear of Nos.162 & 164 Holly Road would be demolished and the land used to provide the private rear garden areas for the proposed houses. The existing flats at Nos.162, 162A, 164 & 164A Holly Road would each provided with a single on-site parking space and would continue to have use of the existing vehicular entrance from Holly Road between Nos.160 & 162. A turning area is shown to enable vehicles to enter and leave their parking spaces in forward gear.

As a result of initial consultation comments received from the Highway Authority (Hampshire County Council), an amended Site Layout Plan was submitted on 16 September 2021 showing a widened driveway opening from Holly Road forming a passing space at the entrance from the road (see plan on previous page).

The proposed new would have brick and elevations and concrete tiled roofs. The design features ground floor bay windows with tiled roofs in the front elevations. The roofs of the proposed terrace are shown to be fully-hipped to the side, but with a rendered gable feature to the front of the central unit.

The application is accompanied by a Planning, Design and Access Statement, an Ecology Report; and an Arboricultural Assessment & Method Statement.

The applicants are in the process of preparing and submitting a S106 Planning Obligation in order to secure the required financial contributions towards the off-site provision and/or enhancement of public open space and in respect of SPA mitigation.

Consultee Responses

Environmental Health	No objection subject to condition and informatives.
Arboricultural Officer	No objection subject to the proposed development being carried out in accordance with the tree protection recommendations of the submitted Arboricultural Assessment & Method Statement.
Ecologist Officer	No comments
Contract Management	No objections : Bins required for the proposed development: 3 x 240L refuse bins, 3 x 240L recycling bins, 3 x 22L food caddies & 3 x glass boxes. The developer is responsible for purchasing all bins before properties become occupied. Residents would be expected to wheel their bins down to collection point in front of 170 Holly Rd on collection days.
Parks Development Officer	No objections and provides POS projects for which a s106 POS contribution is required.

Natural England	No objection subject to SPA impact being mitigated through the securing of the appropriate SPA financial contributions with a s106 Planning Obligation.
HCC Highways Development Planning	No highways objections following receipt of amended Site Layout Plan on 16 September 2021. No Transport Contribution is requested.
Hampshire Fire & Rescue Service	No objections and provides generic fire safety advice.

Neighbours notified

In addition to posting a site notice, 70 individual letters of notification were sent to properties in Holly Road, St. Augustine's Close, Roberts Road, and Highland Road, including all properties adjoining the application site.

Neighbour comments

At the time of writing the report a total of 6 representations have been received raising objections to the proposals from the occupiers of Nos.127, 154 (two separate correspondents), & 206 Holly Road; and Nos.22 & 26 St. Augustine's Close. Objection is raised for the following composite summary reasons:-

- (a) Further overcrowding of this existing residential area;
- (b) Inadequate parking provision given the likely/possible occupancy level of the proposed houses;
- (c) The proposed houses may be occupied as Houses in Multiple Occupation [*Officer Note: Planning permission would be required in any circumstance for the change of use to an HMO occupied by 7 or more persons such that any attempted change of use to a large HMO would be a breach of planning control. However, it is currently 'permitted development' (i.e. an automatic planning permission granted by secondary planning legislation) to change the use of a dwellinghouse (Use Class C3) to a small HMO occupied by up to 6 persons (Use Class C4) and visa versa.*];
- (d) Loss of parking arising from the loss of the garages at the application site;
- (e) Existing on-street parking difficulties in Holly Road would be exacerbated : many existing properties in the road do not have on-street parking, there is overspill parking in St. Augustine's Close;
- (f) Traffic using Holly Road is often obstructed because street parking renders the road of single-way at a time width with limited gaps in the parking to provide passing places. Parked cars are frequently damaged and there is poor visibility for existing residents when seeking to pull out of their drives into the road. Buses use Holly Road as part of their route. Refuse collections and post/parcel and other deliveries also disrupt traffic. Ambulance and other emergency service access to properties in the road is also very difficult;
- (g) The proposed houses would be built facing towards the rear gardens of adjoining properties at Nos.154 Holly Road and 22 St. Augustine's Close giving rise to loss of light; and loss of privacy due to overlooking. The occupier(s) of No.127 Holly Road are also concerned about being overlooked by the proposed development;
- (h) Loss of existing trees from the site that would reduce mutual privacy and render the proposed development more visible from adjoining and nearby residential properties;

- (i) Gardens in the vicinity are subject to flooding, which was made worse by the construction of Needham Gardens a few years ago [*Officer Note: this is the development to the rear of No.134 Holly Road and, by implication it is suggested that the current proposed development could possibly have the same effect*];
- (j) Bats are regularly seen in the area, so must be roosting nearby : would they be disturbed by the proposed building work?;
- (k) Increased noise, dirt, pollution, disruption/inconvenience and exacerbated parking and road traffic difficulties arising from the proposed building work. An objector advises that they work unsocial hours that would disrupt their sleep patterns. [*Officer Note: it is long-standing Government guidance that the impacts of the construction period of a development cannot be taken into account in determining planning applications*]; and
- (l) Loss of property value/likely future difficulty selling existing property as a result of the proposed development [*Officer Note: It is also long-standing Government Planning advice that these are not matters that can be taken into consideration when determining planning applications.*]

Policy and determining issues

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

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

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

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

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

Commentary

1. Principle -

The National Planning Policy Framework (NPPF) advises that the purpose of the planning

system is to contribute to the achievement of sustainable development. In this respect, there are three dimensions to sustainable development: economic, social and environmental. These roles are defined as:-

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

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

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

Whilst Local Plan Policy DE11 requires consideration of the appropriateness of new residential development of sites that include the curtilage or former curtilage of private residential dwellings where they would be harmful to the character and appearance of the area, it is not considered that the proposals amount to unacceptable tandem development. Indeed, proposed development is not intrinsically unacceptable simply because elements of a proposed scheme are located away from a road frontage behind other development and can be described as being 'backland' or tandem. Indeed, it is noted that there are other examples of dwellings similarly located behind the road frontage in the vicinity. In any event, it is not considered that any material planning harm arises in this case from the layout of the proposed development and how it relates to existing adjoining and nearby development.

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

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

2. Visual Impact -

It is Government planning guidance that, in assessing impact of proposed development upon

the character and appearance of an area, this should be considered in the light of the impact upon the area as a whole. As a result, the existence of differences from neighbouring buildings are not likely to be sufficient to identify material harm on the character and appearance of an area. Indeed, it is extremely rare for the character and appearance of an area to be narrowly defined by a particular building type, age, size, height and overall appearance : the character of most urban landscapes is usually defined by an eclectic mixture of features and characteristics. In this case, the vicinity has a mixed character, with a variety of dwelling types, ages and external materials. Nevertheless, there is a predominance of two-storey houses and the relatively close spacing between houses gives the street a terraced appearance. Since the proposed new houses are of conventional two-storey height and would be in a backland position where they would not be readily visible from publicly accessible vantage points, it is considered that no material adverse visual impact upon the character and appearance of the area would arise. It is therefore considered that the proposals are acceptable in visual terms.

3. Impact on Trees -

An Arboricultural Assessment & Method Statement Report has been submitted with the application that examines and assesses the quality of all trees on or adjoining the site, the likely impact of undertaking the construction of the proposed development, tree protection measures to be in place for the duration of the site clearance and construction period of the development, and the potential for impact on the trees in the longer term.

Four individual trees (comprising 3 early-mature Common Ash and a mature Apple tree) located within the application site, together with a group of mainly Common Ash trees located along the boundary of the site to the rear of Nos.22-24 St. Augustine's Close, are shown to be removed as a result of the proposals. The submitted tree report assesses all of these trees as being of low long-term quality and value. Whilst they undoubtedly make a contribution to the appearance of private garden areas in the vicinity, the loss of the trees would not materially affect the character and appearance of the area as a whole as perceived from publicly-accessible places. In any event, none of the trees at the site are the subject of a Tree Preservation Order and nor would they be worthy of such protection. As a result, all could be removed legitimately without requiring any consent from the Council irrespective of whether the proposed development were to proceed.

To a degree the group of trees located along the boundary of the site to the rear of Nos.22-24 St. Augustine's Close screen the application site from view, albeit the trees have grown very close to, and knocked-over parts of, the site boundary fence. In planning terms it is considered that any potential concern regarding the impact of the proposed loss of these boundary trees arises primarily from the potential loss of screening and the implications that this may have for the impact on the neighbouring properties concerned : this is considered in the next section of this report.

A section of the proposed car parking area for the proposed houses is identified as being within the root protection area of two off-site trees (a Eucalyptus and a Lawson Cypress) that are located at the end of the rear garden of No.75 Roberts Road. As a result it is proposed that the impact on these off-site trees would be minimised by using a tree-friendly no-dig means of construction for those parking spaces and adjoining part of the driveway. Combined with the implementation of tree protection measures for the duration of the construction period, it is considered that no undue harm should arise to trees to be retained as a result of the construction of the proposed development.

The Council's Arboricultural Officer is satisfied that no trees worthy of protection would be removed and that the existing trees to be retained would be adequately protected from harm during the construction period. Subject to the imposition of conditions requiring the proposed special foundation construction be implemented in full, and the prescribed tree protection measures are implemented and retained as specified for the duration of the construction period of the proposed development, it is considered that the proposals are acceptable having regard to Policy NE3.

4. Impact on neighbours -

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

In this context, whilst the application site is surrounded by existing residential property, most is somewhat removed from the proposed development by a combination of separation distance, orientation, and intervening screening vegetation and other means of enclosure. As a result, it is considered that, with the exception of Nos.154, 160, 162/162A, 164/164A, 166, 168 & 170 Holly Road; 22-26 St. Augustine's Close; and 67-77 (odd inclusive) Roberts Road, no other neighbouring properties could be materially and harmfully affected by the proposals.

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

Nos.154 & 160 Holly Road: The properties have garden areas abutting the west side of the existing vehicular entrance that would continue to be used by occupiers of Nos.162/162A & 164/164A Holly Road. In the case of No.154 Holly Road they have a larger area of garden land that extends to the rear of No.156 & 158 Holly Road that would also abut the rear garden boundaries of the proposed new houses. In the case of No.154, the rear elevation of the proposed new houses would be in excess of 50 metres from the rear elevation of this neighbouring house; between 40-50 metres from the main length of the garden; and 20 metres from the east boundary of the enlarged garden area to the rear of Nos.156-158 Holly Road. The rear garden area of No.160 Holly Road would be between 20 and 30 metres distant from the nearest rear corner of the proposed new houses. Nos.156 & 158 Holly Road do not adjoin the application site and these plots would be separated at least 30 metres from the rear of the proposed new houses. It is considered that, notwithstanding the removal of a pair of Ash trees in the rear garden of Nos.162/162A-164/164A Holly Road as a result of the scheme that currently provide a degree of screening, the relationships of the proposed development with these adjoining and nearby properties would be acceptable in Planning

terms.

Nos.162-170 (even inclusive) Holly Road: All of these neighbouring properties back on to the part of the site where the proposed development would be located to the south, with the north elevation of the proposed new terraced houses directly to the rear of the rear gardens of Nos,166 & 168 Holly Road. With the exception of a first-floor bathroom window that would be obscurely glazed, no other windows are proposed for this building elevation. none of the houses and gardens of these neighbouring properties would be subjected to any undue loss of light, outlook or privacy. Nos.162/162A, 164/164A & 170 Holly Road are in the ownership of the applicant and would all retain satisfactory rear gardens and on-site parking.

Nos.22-26 St. Augustine's Close: These neighbouring properties are in a terrace with rear gardens backing onto the east of the application site. In this position, the rear elevations of Nos.22-24 would be directly faced by the front elevation of the proposed houses at a building-building separation distance of approximately 30 metres. Whilst the group of Ash trees growing adjacent to site boundary that currently provide screening for these neighbouring properties in particular from the land beyond within the application site would be lost, the separation distance involved, together with the provision of a new boundary fence to replace the current intermittent and dilapidated fencing, would be sufficient to maintain acceptable mutual privacy. A separation distance of 20 metres without screening and ground level privacy maintained with intervening fencing is conventionally considered acceptable in this respect. Nos.25 & 26 St. Augustine's Close would have increasingly more oblique and separated relationships with the proposed development, since these properties would continue to adjoin the retained rear garden area of No.170 Holly Road. The nearest front corner of the proposed new housing terrace would have a building-building separation of approximately 35 metres. In the circumstances, it is considered that no undue and material impacts on the amenities of occupiers of these neighbouring properties would arise.

Nos.67-77 (odd inclusive) Roberts Road: These properties have rear gardens backing onto the south side of the application site. The closest relationship would be between the south side elevation of the proposed terraced houses and No.73 Roberts Road, with a building-building separation of approximately 28 metres. With the exception of a first-floor bathroom window, no other windows would be inserted in the side elevation facing towards the rear of Roberts Road properties either directly or at an acute angle. The proposed terrace would be side-on such that the relationship with these neighbours is either at right-angles or very oblique and would avoid the possibility of any undue overlooking.

Given the location of the application site it is considered appropriate that a condition be imposed to require submission of a Construction Method Statement to set out the measures to be employed during the construction phase to minimise noise, vibration, dust and other emissions to, as far as practicable, limit impacts upon the amenity of neighbours. Likewise the parking and traffic generation impacts of the demolition, construction and fitting-out periods of the development. Although planning applications cannot be refused on account of the likely construction phase impacts, it is considered reasonable to require the submission of details of construction management measures given the clear potential for this to give rise to nuisance and inconvenience to neighbours in this location – if only to alert the developer to the need to have regard to such matters.

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

5. The living environment created -

The proposed houses would provide accommodation meeting the Government minimum internal floorspace standards appropriate for their level of occupancy. The proposed development is also able to provide on-site amenity space for residents in the form of private rear gardens exceeding the requirements of New Local Plan Policy DE3 for all of the proposed new dwellings. It is also considered that the proposed dwellings would have acceptable relationships with all neighbours in terms of light, outlook and privacy.

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

6. Highways considerations -

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

It is proposed that the development utilises the existing private driveway to the side of No.170 Holly Road for vehicular access to/from the public highway at Holly Road. It is considered that the current proposal would not result in any material increase in traffic using Holly Road. In this respect, the proposed development is small in scale, comprising just 3 new dwellings. The driveway is considered to be of an acceptable width and overall standard to serve the proposed development and the safety of occupiers of No.170 Holly Road would be improved by the proposed removal of the entrance door from the side of the house. Turning space would be provided with the communal parking court serving the proposed houses so that vehicles could both enter and leave the development in forward gear. The Highway Authority (Hampshire County Council) has raised no objections to the proposed development on the grounds of traffic generation and any suggested inadequacy in the capacity of Holly Road to serve the traffic associated with the proposed development; or, indeed, in respect of the sight lines and use of the existing vehicular entrance to the development from Holly Road. In this latter respect this was solely subject to the provision of an enlarged passing space at the driveway entrance, which is proposed in the amended Site Layout Plan received on 16 September 2021. It is considered appropriate to impose a planning condition requiring this access improvement to be implemented prior to any other works commencing in respect of the development.

The proposed houses would be provided with two parking spaces each, together with provision of a visitor space. A pair of parking spaces would also be provided for the use of occupiers of No.170 Holly Road adjoining. All would be of acceptable size, on-site location and arrangement. No cycle parking is shown to be provided with the scheme, although it is

considered that this can be easily achieved by provision of sheds with each of the proposed new house plots, which can be required by condition. The overall car, bicycle and visitor parking provision meets the Council's adopted maximum parking standards in full.

Whilst objection has been raised on the grounds of existing parking problems in Holly Road, the proposed development makes appropriate provision for parking on-site to support itself. The applicant cannot be required to address an alleged existing problem which would be neither caused nor exacerbated by the proposed development. It is considered that the proposals comply acceptably with the Council's adopted car parking requirements and, in any event, the proposed development would meet its own functional car parking needs without materially exacerbating any existing issues.

The applicant has responded to the objection suggesting that the proposed development would put any material increased pressure on on-street parking as a result of the loss of the existing garages from the site to refute that the garages are used for day-to-day parking. In this respect they advise that:

'Ten of the [total of 18] garages are still rented out but, of those ten, only two actually contain cars, and these cars are off road and simply stored there long-term; none of the garages on site are actually used for day to day parking. Of the garage users only four actually live in Holly Road; two in the flats at Nos.162/162A, one next door at No.160 and another further down the road, but they all use the garages for storage of domestic items and the one vintage car. The neighbour at 160 does park his car on site regularly, in front of his garage rather than in it. Any other activity seen on site would be people coming to access their stored items and these remaining users live elsewhere, one in Highland road and the others in different parts of Aldershot, Ash and even Farnborough.'

As mentioned previously, the proposals include the provision of a total of four parking spaces to provide for the continuing on-site parking and turning needs of the occupiers of Nos.162/162A &164/164A Holly Road; whom would continue to use the existing driveway between Nos.160 & 162.

The refuse/recycling bins for each property would be stored on-site in a communal area alongside the proposed parking. The bins here would have to be moved by residents to the collection point alongside the existing bins for No.170 Holly Road when required. This is the usual way in which bins are collected for emptying and is considered to be an acceptable arrangement for the proposed development. No objections are raised by the Council's Operations Manager (Domestic Bin Collection).

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

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

7. Impact Upon Wildlife & Biodiversity –

(a) Special Protection Area.

The European Court of Justice judgement in 'People Over Wind, Peter Sweetman v Coillte Teoranta C-323/17' in April 2018 established the legal principle that a full appropriate assessment (AA) must be carried out for all planning applications involving a net gain in residential units in areas affected by the Thames Basin Heaths SPA, and that this process

cannot take into account any proposed measures to mitigate any likely impact at the assessment stage. This process, culminating in the Council's Appropriate Assessment of the proposals, is overall described as Habitats Regulation Assessment (HRA).

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

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

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

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

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

The retained South East Plan Policy NRM6 and adopted New Rushmoor Local Plan (2014-2032) Policy NE1 (Thames Basin Heaths Special Protection Area) and Thames Basin Heaths Avoidance & Mitigation Strategy (2021)], 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 (2021), 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 2021. The AMS provides a strategic solution to ensure the requirements of the Habitats Regulations are met with regard to the in-combination effects of increased recreational pressure on the Thames Basin Heaths SPA arising from new residential development. This Strategy is a partnership approach to addressing the issue that has been endorsed by Natural England.

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

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

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

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

In this case the applicants have received an allocation of SANGS capacity from the Council's Southwood Country Park SANGS scheme sufficient for the new dwelling units proposed. The attendant SPA financial contribution would be secured by the applicants entering into a satisfactory s106 Planning Obligation to require payment of a financial contribution of £26,451.00 towards SPA mitigation and avoidance (comprising £23,754.00 SANG contribution & £2,697.00 SANG 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) Site Specific Protected Species.

The rearmost parts of the application site have become somewhat overgrown with natural vegetation and this part of the site also contains a number of garages that, although associated with significant concrete hardstanding areas and used for storage, have been investigated for potential presence of protected wildlife species, including bats.

In addition to the requirements of adopted Local Plan Policy NE4, Paragraph 175 of the National Planning Policy Framework (2018) (NPPF) explains that if significant harm to biodiversity cannot be avoided, mitigated or compensated for then permission should be refused. Government Circular 06/2005 (Biodiversity and Geological Conservation) Paragraph 99 states that:-

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

Taking the appropriate precautionary approach, an Ecology Report has been submitted with the application reporting an ecological survey of the application site undertaken in May 2021 to determine the existence and location of any ecologically valuable areas and to record any evidence of protected species, in particular bats. In this respect both the existing garage structures and the trees on the site were inspected and assessed given that the proposals are for their removal. In accordance with good practice, the site was also checked for any evidence of other protected species or species of particular note.

No evidence of bats was found despite a careful internal and external inspection of all of the pre-fabricated garages and domestic outbuildings at the site. Due to their condition and construction type lacking any separate roof void and/or key features for crevice dwelling species, the garages are considered to provide negligible roosting opportunities for bats. Furthermore, there were considered to be no trees present at the site that could provide bat roosting opportunities. Additionally, since the site itself is dominated by hardstanding and domestic lawns and limited planting, and located within a built-up residential area, it was concluded that the site only provided limited foraging opportunities for bats. No other species

of note were found during the survey. Overall, the application site is concluded to be of low ecological value, with only common or abundant wildlife species present.

Although no evidence of bats or other protected species was recorded, with the buildings assessed to provide negligible roosting opportunities, the Ecology Report nonetheless correctly advises that all site operatives should be made aware of current legislation protecting bats and their roosts, and other protected species, such that, in the unlikely event of any protected species being encountered on the site, then works would be stopped immediately and Natural England contacted for advice. Furthermore, since all species of wild birds and their nests are protected under the Wildlife and Countryside Act 1981, it is also recommended that site clearance works should be timed to avoid the main bird nesting season, which, in general, runs from March to August inclusive. If this is not possible, a check should be carried out prior to any clearance works to ensure there are no active nests.

In the circumstances, it is considered that the submitted Ecology Report has appropriately assessed the site and that no further surveys are necessary before planning permission can be granted.

(c) Biodiversity.

In addition to Policy NE4, Local Plan Policy NE2 (Green Infrastructure) requires that development provides green infrastructure features within the development and maximises opportunities for improvement to the green infrastructure network, including restoration of fragmented parts of the network. This approach is also supported by the NPPF.

The submitted Ecology Report was also produced with these requirements in mind and, as such, also makes recommendations for the protection and preservation of adjacent established vegetation to be retained; and also how to secure opportunities to enhance biodiversity and include proportionate measures to contribute, where possible to a net gain in biodiversity. In this respect, where any new planting is proposed it is recommended that it should aim to use native species, but where this is not practicable then species of known value for wildlife, such as flowering plants for invertebrate species, and the planting of shrubs and trees to provide nesting opportunities, can be used instead. Any new boundary treatment should be designed to promote a degree of permeability of the site to minimize habitat fragmentation and allow free movement of wildlife throughout the site. It is also noted that the site could be further enhanced by providing roosting and nesting opportunities for bats and birds by installing bat and bird boxes in suitable locations on the new build. Given the range of opportunities for biodiversity enhancement that would be proportionate to the scale and circumstances of the proposed development, it is considered appropriate for a condition to be imposed to require the submission of biodiversity enhancement proposals for the development. In this way it is considered that the requirements of Local Plan Policy NE4 would be appropriately addressed.

8. Surface Water Drainage -

Adopted Local Plan Policy NE8 (Sustainable Drainage Systems) requires that developments include the implementation of integrated and maintainable Sustainable Urban Drainage Systems (SUDS) in all flood zones for both brownfield and greenfield sites.

The site is located on land at lowest risk of fluvial flooding such that no consultation, or production of a Flood Risk Assessment, is required by the Environment Agency and, indeed, there is no issue to address having regard to Local Plan Policy NE6 (Managing Fluvial Flood

Risk). Furthermore, the proposed development, being for just 3 dwelling units, also falls well below the threshold (10 units or more) requiring statutory consultation with the Lead Local Flood Authority. Additionally, the land is not identified with the adopted Rushmoor Local Plan as being an area at risk of surface water flooding where Policy NE7 (Areas at Risk of Surface Water Flooding) applies. On this basis, since the proposed development would result in the removal of significant areas of existing hardstanding from the site representing an improvement in surface water drainage for the land, the applicants had concluded that no surface water drainage mitigation would be required and, accordingly, indicated with the application that surface water drainage arising from the development itself would be disposed using conventional soakaway drains on-site. Subject to a standard condition requiring details of the design of the proposed surface water drainage system incorporating SUDS features, this would have been an acceptable approach.

However the site is also on land that slopes down towards North Lane and an objector has expressed the concern that the proposed development could adversely affect existing surface water flooding in the vicinity. In this respect, it has been noted that the “*flood risk map for planning*” information available on the GOV.UK website [flood-map-for-planning.service.gov.uk] suggests that the site is bisected by a strip of land within the rear gardens of a number of properties on the south side of Holly Road and at St. Augustine’s Close that is identified as being of low to medium risk of surface water flooding. The applicant’s agent has, accordingly, been contacted to advise them of this other source of flood risk information and, at the time of writing this report, they have responded to confirm that they are now seeking specialist drainage advice as a result.

The identification of the application as being at potential risk of surface water flooding falls outside of the normal statutory procedures for the consultation of the drainage authorities. Nevertheless, it would appear that there is a potential local surface water flood risk issue for the applicant to consider. In this respect the proposed development would result in less site coverage with hard surfacing, and it is considered that there is also clear scope for the new parking courtyard area to be paved using permeable materials or finishes. Furthermore, it would seem that the incorporation of a SUDS system into the development is likely to be the logical response to mitigating any surface water flooding, thereby protecting both the proposed new houses and neighbouring properties.

In the circumstances it is considered appropriate to deal with the matter with the imposition of a condition requiring the submission of full plans and details of a surface water flooding mitigation scheme for the proposed development for the Council’s consideration in consultation with the relevant drainage authorities. Subject to this measure it is considered that the proposals would comply with the requirements of Local Plan Policy NE8.

9. Public open space -

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

This is a circumstance where a contribution (in this case the Parks Development Officer identifies a POS project requiring £2,200.00 towards the off-site provision of public open space comprising habitat improvements to terrestrial or water environments and/or improvements to playground at Manor Park, Aldershot) secured by way of a s106 Planning Obligation would be appropriate, which the applicant is in the process of completing. Subject

to the completion of this Obligation the proposed development is considered to be acceptable within the terms of Local Plan Policy DE6.

Other Matter -

An objector has raised the concerns that the proposed new dwellings could possibly be converted into Houses in Multiple Occupation (HMO). In this respect change of use from a dwellinghouse into a small HMO falling within Use Class C4 is 'permitted development'. Given the nature of the development and the finite space available on site, it is considered that this is a circumstance where it would be reasonable for the Council to impose a planning condition removing permitted development rights for the change of use of the proposed houses to C4 use and, as such, to retain some control over the possible future change of use of the proposed houses to small HMOs.

Conclusions - The proposals are considered acceptable in principle and in highways terms; would have no material and harmful impact upon the overall visual character and appearance of the area and trees worthy of retention; would have no material and adverse impact on neighbours; would provide an acceptable living environment; 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. Subject to the imposition appropriate conditions, it is considered that the proposed development would have an acceptable impact on local surface water drainage. The proposals are thereby considered to be acceptable having regard to Policies DE1, DE2, DE3, DE11, IN2, NE1, NE2, NE3, NE4 and NE8 of the adopted Rushmoor Local Plan (2014-2032).

Full Recommendation

It is recommended that **subject** to the completion of a satisfactory Planning Obligation under Section 106 of the Town and Country Planning Act 1990 by 27 October 2021 to secure the SAMMs SPA and Public Open Space contributions as set out in the report, the Head of Planning in consultation with the Chairman be authorised to GRANT planning permission subject to the following conditions and informatives:-

However, in the event that a satisfactory s106 Agreement is not received by 27 October 2021, the Head of Planning, in consultation with the Chairman, be authorised to refuse planning permission on the grounds that the proposal does not provide a financial contribution to mitigate the effect of the development on the Thames Basin Heaths Special Protection Area in accordance with The Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy and adopted Rushmoor Local Plan Policy NE1; and does not make appropriate provision for Public Open Space in accordance with the requirements of adopted Rushmoor Local Plan Policy DE6.

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

Reason - As required by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, to reflect the objectives of the Council's Thames Basin Heaths Special Protection Area

Avoidance and Mitigation Strategy as amended 2021 and to accord with the resolution of Rushmoor's Cabinet on 17 June 2014 in respect of Planning Report no PLN1420.

2. The permission hereby granted shall be carried out in accordance with the following approved drawings and details – 16.13-100; A17521.DWG; 16.13-102; 16.13-103 REV.B; 16.13-110 REV.A; 16.13-111 REV.A; 16.13-113 REV.A; 16.13-114 REV.A; 16.13-112 REV.A; Davis Planning Ltd. Planning, Design & Access Statement; Mark Welby Arboricultural Assessment & Method Statement; and AA Environmental Ecology Survey Report.

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

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

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

Reason - To ensure satisfactory external appearance. *

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

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

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

Reason - To safeguard the amenities of neighbouring property. *

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

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

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

Reason - In the interests of visual amenity.

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

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

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

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

10. Prior to the commencement of development a Construction & Traffic 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 of the safety and convenience of adjoining and nearby residential properties and the safety and convenience of highway users. *

11. No construction works pursuant to this permission shall take place until a detailed surface water drainage scheme for the site incorporating, as appropriate, a SUDS drainage installation, has been submitted and approved in writing by the Local Planning Authority. The submitted details should include:-

Details for the long-term maintenance arrangements for the surface water drainage and/or SUDS systems shall be submitted to and approved in writing by the Local

Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details shall include appropriate maintenance schedules for each drainage feature type and its ownership.

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

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

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

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

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

14. Prior to occupation of any part of the development hereby approved, the refuse bin storage area as shown on the plans hereby approved shall be provided in full and retained thereafter at all times.

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

15. Prior to the occupation of any part of the development hereby approved, details of (a) bin collection arrangements for the development; and (b) on-plot cycle storage for each individual dwelling hereby approved shall be submitted to, and approved in writing by the Local Planning Authority. Those details so approved shall be implemented in full and retained thereafter.

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

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

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

17. No works consisting of foundations and services (pipes drains cables etc), including the proposed area of no-dig construction parking spaces and access, shall start until a

construction method statement detailing how impact on the roots of trees identified for retention will be avoided, has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out strictly in accordance with the method statement so approved.

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

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

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

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

Reason - To protect the amenities of neighbouring residential properties.

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

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

21. Unless otherwise agreed in writing, no other development hereby approved shall be commenced (with the exception of the demolition of the existing garages and outbuildings at the site) until works to provide the passing bay adjacent to the 170 Holly Road driveway entrance and the removal of the side door and porch canopy to No.170 Holly Road hereby approved have been completed.

Reason - To ensure satisfactory means of access are available to the development.

22. The development hereby approved shall not be occupied until a biodiversity enhancement plan and a pro-forma checklist clearly setting out the steps required to implement these enhancements has been submitted to, and approved by, the Local Planning Authority.

Note: the enhancement plan and checklist should be based on the recommendations in the various wildlife reports submitted in support of the application, presenting them in a clear and concise format suitable for use during construction site project management.

No dwelling shall be occupied until the checklist approved under this condition has been completed, signed off by the project ecologist / wildlife consultant and approved in writing by the Local Planning Authority.

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

INFORMATIVES

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

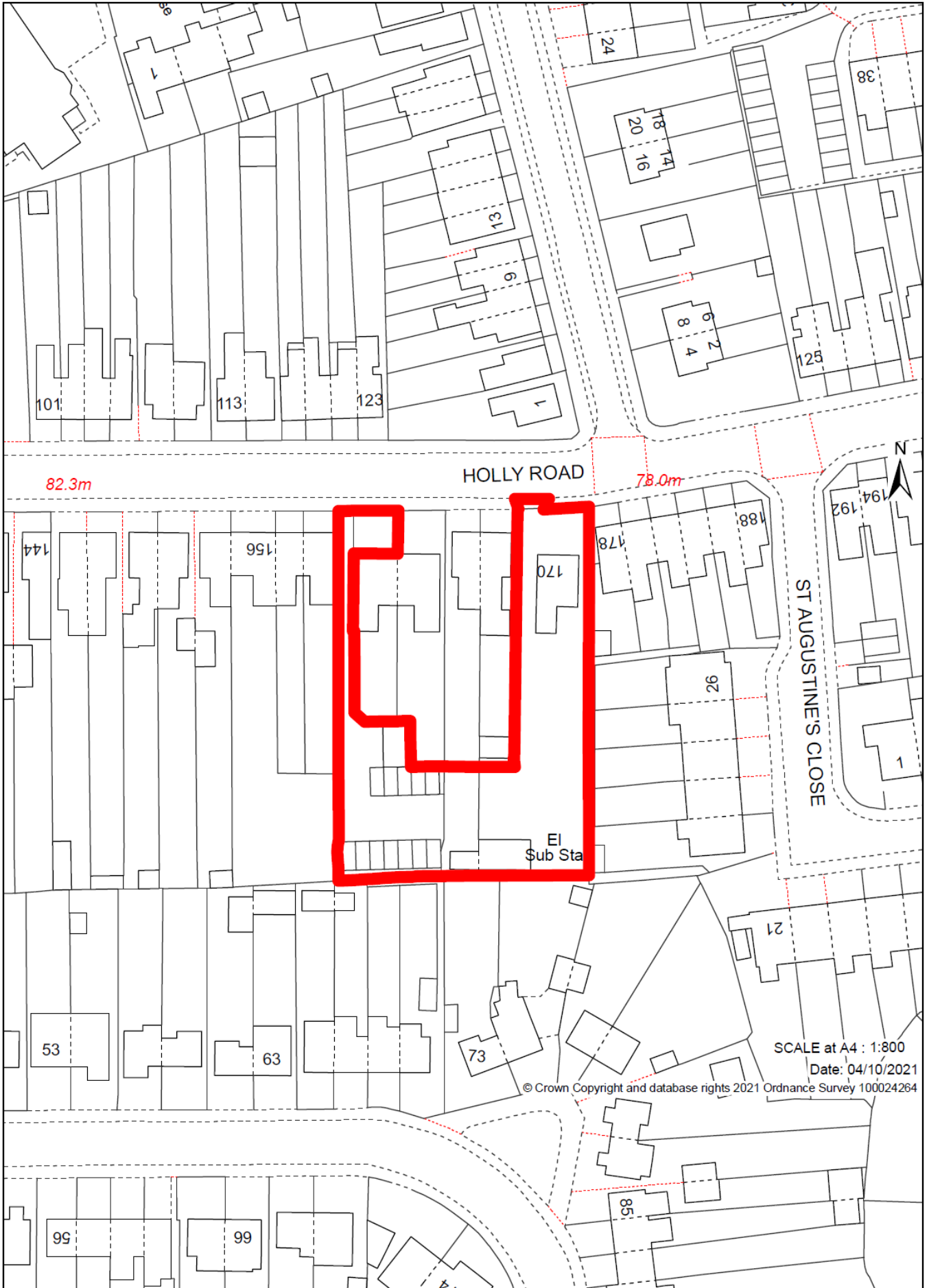
The proposals are considered acceptable in principle and in highways terms; would have no material and harmful impact upon the overall visual character and appearance of the area and trees worthy of retention; would have no material and adverse impact on neighbours; would provide an acceptable living 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. Subject to the imposition appropriate conditions, it is considered that the proposed development would have an acceptable impact on local surface water drainage. The proposals are thereby considered to be acceptable having regard to Policies DE1, DE2, DE3, DE11, IN2, NE1, NE2, NE3, NE4 and NE8 of the adopted Rushmoor Local Plan (2014-2032).

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

- 2 **INFORMATIVE -** This permission is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
- 3 **INFORMATIVE -** Your attention is specifically drawn to the conditions marked *. These condition(s) require the submission of details, information, drawings etc. to the Local Planning Authority BEFORE a certain stage is reached in the development. Failure to meet these requirements is in contravention of the terms of the permission and the Council may take enforcement action to secure compliance. As of April 2008 submissions seeking to submit details pursuant to conditions or requests for confirmation that conditions have been complied with must be accompanied by the appropriate fee.
- 4 **INFORMATIVE -** The applicant is recommended to achieve maximum energy efficiency and reduction of Carbon Dioxide emissions by:
- a) ensuring the design and materials to be used in the construction of the building are consistent with these aims; and
 - b) using renewable energy sources for the production of electricity and heat using efficient and technologically advanced equipment.

- 5 INFORMATIVE - The applicant is advised to contact the Recycling and Waste Management section at Rushmoor Borough Council on 01252 398164 with regard to providing bins for refuse and recycling. The bins should be:
- 1) provided prior to the occupation of the properties;
 - 2) compatible with the Council's collection vehicles, colour scheme and specifications;
 - 3) appropriate for the number of occupants they serve;
 - 4) fit into the development's bin storage facilities.
- 6 INFORMATIVE - No materials produced as a result of site preparation, clearance, or development should be burnt on site. Please contact the Council's Environmental Health Team for advice.
- 7 INFORMATIVE - The applicant is advised that during the construction phase of the development measures should be employed to contain and minimise dust emissions, to prevent their escape from the development site onto adjoining properties. For further information, please contact the Council's Environmental Health Team.
- 8 INFORMATIVE - It is a legal requirement to notify Thames Water of any proposed connection to a public sewer. In many parts of its sewerage area, Thames Water provides separate public sewers for foul water and surface water. Within these areas a dwelling should have separate connections: a) to the public foul sewer to carry waste from toilets, sinks and washing machines, etc, and b) to public surface water sewer for rainwater from roofs and surface drains. Mis-connections can have serious effects: i) If a foul sewage outlet is connected to a public surface water sewer this may result in pollution of a watercourse. ii) If a surface water outlet is connected to a public foul sewer, when a separate surface water system or soakaway exists, this may cause overloading of the public foul sewer at times of heavy rain. This can lead to sewer flooding of properties within the locality. In both instances it is an offence to make the wrong connection. Thames Water can help identify the location of the nearest appropriate public sewer and can be contacted on 0845 850 2777.
- 9 INFORMATIVE - In the UK all species of bats are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and under Schedule 2 of the conservation (Natural Habitats & c) Regulations 2004. The grant of planning permission does not supersede the requirements of this legislation and any unauthorised works would constitute an offence. If bats or signs of bats are encountered at any point during development then all works must stop immediately and you should contact Natural England.
- 10 INFORMATIVE - The applicant is requested to bring the conditions attached to this permission to the attention of all contractors working or delivering to the site, in particular any relating to the permitted hours of construction and demolition; and where practicable to have these conditions on display at the site entrance(s) for the duration of the works.

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





Datum 78.00

Plot 3 Plot 2 Plot 1

Front Elevation - Plots 1 - 3

* Obscured Glass



Revisions	
Client	Vivien M Smith

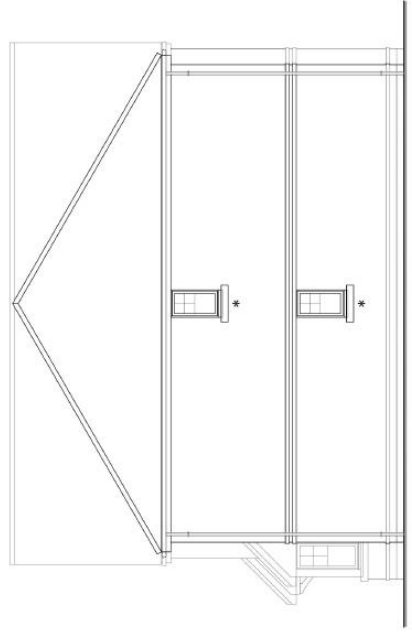
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Status	Planning
Date	2021.06.25
Scale	1:100
Size	A3

Title	Proposed Elevations
Number	16.13-113
Revision	A

Spires Architects
9 Monks Way | Reading | RG30 3DP
Tel: 07495 529905

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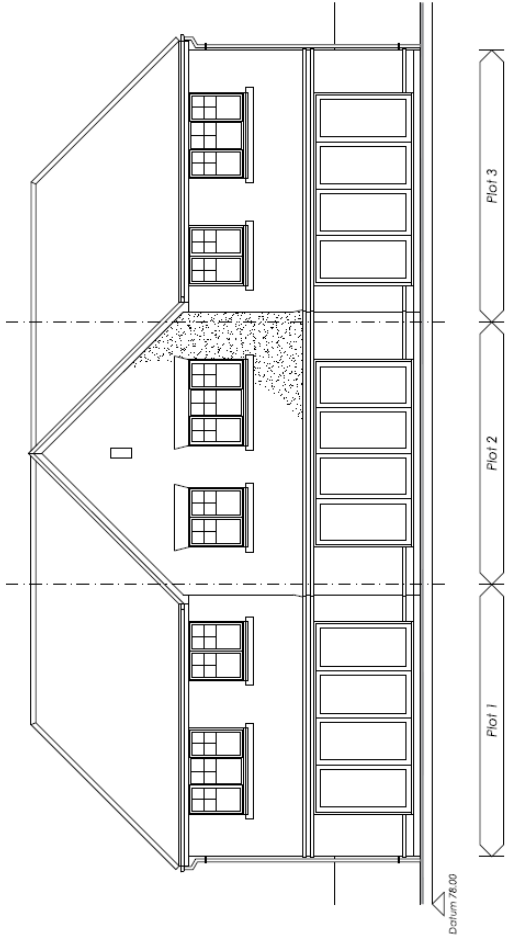


Datum 78.00

Plot 1

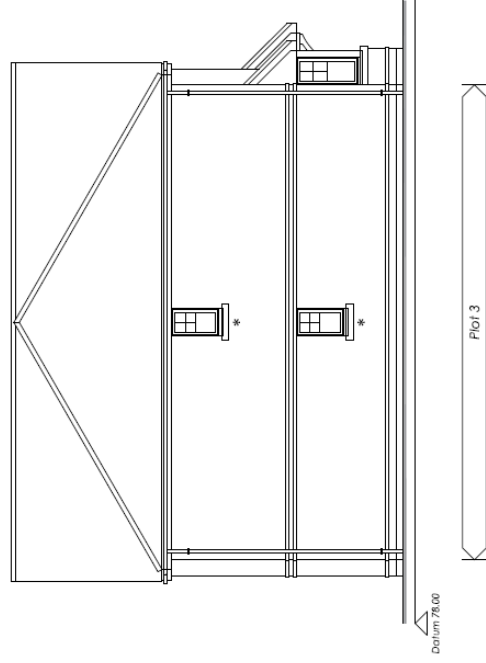
Side Elevation - Plot 1

* Obscured Glass



Rear Elevation - Plots 1 - 3

* Obscured Glass



Side Elevation - Plot 3

* Obscured Glass



Scale (m)

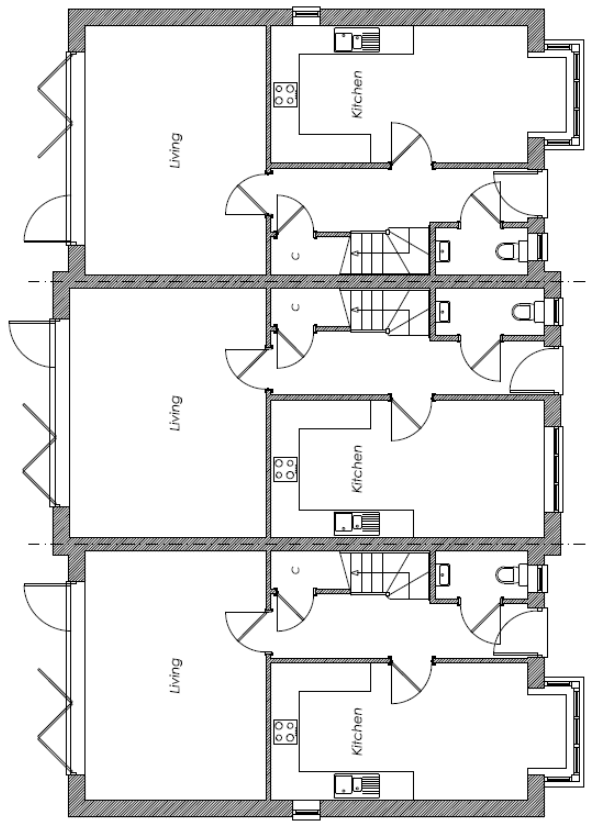
Revision	1	16.07.21	Drawing Revised
Client	Vivien M Smith		

Project	Residential Development Land R/O 162-170 Holly Road Abershot Hampshire GU12 4SQ		
Service	Planning		
Date	2021.06.25		
Scale	1:100	Sheet	A3
Title	Proposed Elevations		
Number	16.13-114		
Revision	Revision A		

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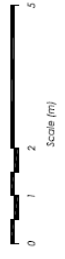
9 Monks Way | Reading | RG90 3DP
Tel: 07495 529905

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Ground Floor Plan - Plots 1 - 3

Gross Internal Floor Area Plots 1 & 3 (per plot):		Gross Internal Floor Area Plot 2:	
Ground floor	= 49.9 sqm	Covered floor	= 52.4 sqm
First Floor	= 47.7 sqm	First Floor	= 52.4 sqm
Total	= 98.6 sqm	Total	= 104.8 sqm



Revision
 1 A 10/07/21 Drawing Revised
 Client
 Vivien M Smith

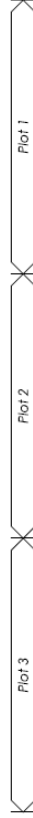
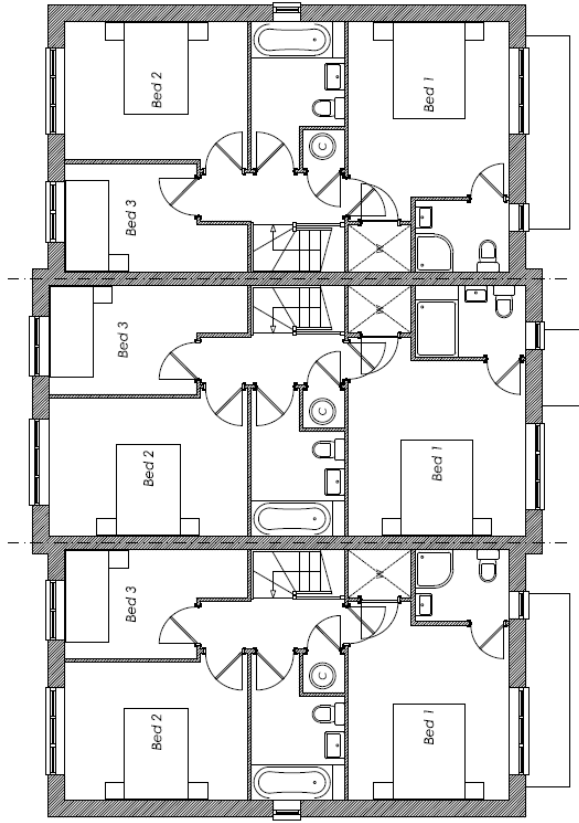
Project
 Residential Development
 Land R/O 162-170 Holly Road
 Abershot
 Hampshire
 GU12 4SQ

Status
 Planning
 Date 2021.06.25
 Scale 1:100
 Size A3

Title
 Proposed Ground Floor Plan
 Number 16.13-110
 Revision A

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First Floor Plan - Plots 1 - 3

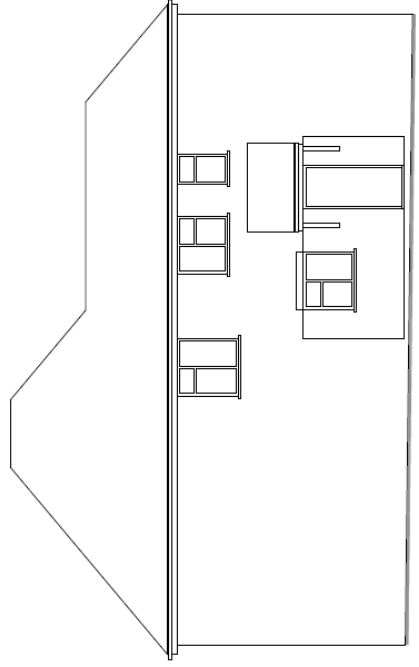


1: A
 19.07.21 Drawing Revised
 Reviewer
 2: VMen M Smith

Project Residential Development
 Land R/O 162-170 Holly Road
 Aldershot
 Hampshire
 GU12 4SQ
 Status Planning
 Date 2021.06.25
 Scale 1:100
 Title Proposed First Floor Plan
 Number 16.13-111
 Revision A

Spires Architects
 9 Monks Way | Reading | RG90 3DP
 Tel. 07495 529905

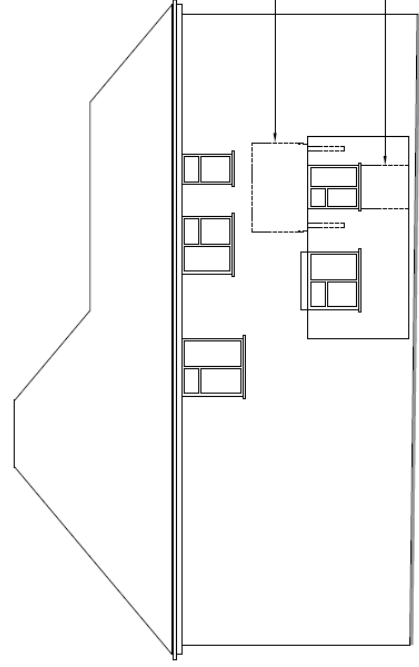
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Datum 76.00

170 Holly Road

Existing Side Elevation - 170 Holly Road



Datum 76.00

170 Holly Road

Proposed Side Elevation - 170 Holly Road

Revisions	
Drawn	V/Mlan M Smith

Project	Residential Development Land R/O 162-170 Holly Road Aldershot Hampshire GU12 4SQ
Status	Planning
Date	2021.06.25

Scale	1:100	Sheet	A3
Title	Proposed Alterations 170 Holly Road		
Number	16.13-102	Revision	-

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