

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.	22/00480/FULPP
Date Valid	11th August 2022
Expiry date of consultations	5th September 2022
Proposal	Erection of an apartment building and ten terraced houses comprising a total of 17 dwellings (3 x 1-bed, 4 x 2-bed and 10 x 3-bed) with associated landscaping, parking and refuse storage, with vehicular access from Morris Road but refuse collection from Lynchford Road, following demolition of all buildings on site
Address	209 - 211 Lynchford Road Farnborough
Ward	St Mark's
Applicant	Farnborough Assets Ltd
Agent	Mrs Kay Collins
Recommendation	Grant subject to completion of s106 Planning Agreement

Description

Site Description

The site is level and is located on the north side of Lynchford Road (A3011) between the junctions with Morris Road and Gravel Road. It has an area of 0.3 hectares and is 'L' shaped, partly occupying a backland position behind Nos.213 to 227 Lynchford Road. The site fronts Lynchford Road and has a frontage measuring 24m there, but broadens out to the rear, with the northern site boundary measuring 60m wide.

Whilst there are some commercial uses nearby fronting Lynchford Road, the immediate vicinity of the site is residential. The application site is mainly surrounded by residential properties. Part of Lille Barracks is on the opposite side of the road. No.213 Lynchford Road is an end-of-terrace two-storey house attached to the side of one of the buildings at the application site. The south boundary of the site forms the rear boundaries of Nos.213-227 Lynchford Road. The eastern boundary of the site bounds the rear of Nos. 44-50 Gravel Road and 229 Lynchford Road. The rear (northern boundary) of the site abuts some recently built houses at Nos. 1-4 Alfreds Court and the side boundary of No. 17b Morris Road. To the west, No. 207 Lynchford Road is a 3-4 storey block of residential flats, with No.13a Morris Road (a property

in commercial use) further to the rear.

There are two main buildings on the site. Fronting Lynchford Road there is a part two-storey, part single-storey, brick building set back from the Lynchford Road frontage boundary by 9m, with some parking in front. This is the building attached to the side of No.213 Lynchford Road. The front of this building was last occupied by a gym and the remainder divided into a number of commercial units, but is now mostly vacant. This building has a flat roof of 6m in height at the front, but most of the length of the building extending back into the site is single-storey with a double dual pitched roof of 5.8m high at the ridge and 2.8m at eaves. This building has an overall footprint of 18m wide by 40m long. To the west of the building is a driveway with a cross over from Lynchford Road leading to a central parking area to the rear.

The rear north-east corner of the site is occupied by two attached gable-ended industrial/light industrial brick buildings facing towards the central parking area. The tallest unit, closer to the northern site boundary, has an eaves height of 6m and a ridge height of 8m. The attached smaller building has an eaves height of approximately 3.5m and a ridge height of 5.5m. They form a footprint of 28m wide and are 25m and 18m deep respectively. They are still occupied by a window frame designer/supplier and vehicle body repair workshop.

The site has two vehicular entrances from Lynchford Road. There is a one-way system on the site and cars exit the site onto Morris Road, using a private unmade access road. This road is flanked by the side boundaries of Nos. 17b and 15 Morris Road to the north; and the front boundaries of Nos. 13a, 13, 11 and 9 Morris Road on the south side. No.13a is a commercial building, but the remainder of these properties are residential dwellings. This private road is included within the red-line of the application site.

Relevant Planning History

On 21 July 2021, the Development Management Committee considered planning application 21/00231/FULPP for the *'erection of an apartment building and ten terraced houses comprising a total of 17 dwellings (3 x 10bed, 4 x 2-bed and 10 x 3-bed) with associated landscaping and parking, with vehicular access from Morris Road, following demolition of all building on site'*.

The Development Management Committee resolved to grant permission subject to completion of a satisfactory S106 Planning Agreement to secure open space and TBH SPA mitigation fees; and subject to fulfilment of the following:-

- A) Receipt of amended surface water drainage plans and LLFA confirming they have no objections to the proposals as amended and
- B) Receipt of a habitat survey to assess the potential for the existing buildings to be demolished to contain bat roosts and the Council's Ecology and Biodiversity Officer confirming that they have no objection.

The geotechnical information and CCTV survey that was subsequently submitted seeking to satisfy requirement A. of the Committee resolution found signs of a perched water table; and the LLFA objected to the proposed drainage scheme for the development on the grounds that winter testing of water table levels should be undertaken and submitted for approval prior to determination of the application.

The habitat survey submitted subsequently in respect of resolution requirement B recommended bat emergence surveys from two buildings on the site be undertaken prior to determination of the application. The bat emergence survey window in this respect, which is

from May to August, had closed when the report was received in September 2021.

The applicants did not satisfy the requirements of the Committee resolution within the prescribed period. Permission was therefore refused in October 2021. This was for the reasons of failing to provide adequate details of suitable surface water drainage measures; for failing to demonstrate that there would be no adverse impact on protected wildlife; and, in the absence of a s106 Planning Obligation, for failing to address the impact on the Thames Basin Heaths Special Protection Area, and also for failing to secure a financial contribution for public open space.

There is limited planning history for the site. Planning Application 15/00924/COU for a change of use from storage to a gymnasium was granted in 2016.

Current Proposed development

The current application seeks planning permission for an identical scheme to that considered and ultimately refused in 2021 (21/231/FULPP). However revised details have been submitted in respect of the proposed drainage scheme for the site, with surface water to be partially attenuated on site to be discharged off-site into the existing public drainage network.

As previously, the proposed development involves the demolition of all existing buildings on the site and the erection of 17 dwellings, laid out in the following way:-

- A. 7 flats (4x 2-bed and 3x 1-bed) in a 3-4 storey apartment building fronting Lynchford Road adjacent to No. 207 Lynchford Road;
- B. 2 x three-storey 'town houses' fronting Lynchford Road attached to the apartment building (A) and also attached to the adjoining eastern property No. 213 Lynchford Road;
- C. 5 x three-storey (3-bed) houses in a terrace with a north-south orientation in the rear 'L' shaped part of the site between Alfreds Court and the rear of Lynchford Road properties. This terrace would have an overall footprint 21m wide by 9.5m deep;
- D. 3 x three-storey (3-bed) terraced houses (Terrace 2) with an east-west orientation to the rear of the proposed apartment building (A). This terrace would have an overall footprint 12.5m wide by 9.5m deep;
- E. A communal car parking courtyard including three disabled spaces; and
- F. 2 parking spaces in front of the proposed 'town houses' (B).

The application seeks to permanently close off one of the existing vehicle entrances from Lynchford Road such that vehicular access to and from the site for most of the development would be via the private road from Morris Road. This is with the exception of the pair of parking spaces to serve the proposed town houses (B). Refuse collection would, however, take place from Lynchford Road via a communal refuse storage area on the ground floor of the apartment building (A) to be used for all properties in the proposed development.

Each of the proposed houses in the scheme would be provided with a rear garden area.

The application is supported by a Land Contamination Report, Preliminary Ecological and Bat Emergence Survey Reports, Arboricultural Assessment, Drainage Strategy and Sewers and Drainage Survey Report, Transport Statement, Acoustic Report, Financial Viability Report, Ecology Enhancement and Detailed Landscape Plans and Planning Statement.

The applicants are in the process of preparing a S106 Planning Obligation to secure the

Strategic Access Management and Monitoring (SAMM) financial contributions towards SPA mitigation; and also the enhancement of public open space.

Consultee Responses

Parks Development Officer	No objection subject to stated S106 obligation.
Arboricultural Officer	No objection subject to condition that works are carried out in accordance with tree protection measures recommended in the submitted arboricultural assessment and report.
Ecology Officer	No objection subject to a condition ensuring the proposed planting schedule and ecological enhancement plan is implemented in full.
HCC Highways Development Planning	No objection subject to a condition requiring the submission of a Construction Management Plan.
HCC and Lead Local Flood Authority (LLFA)	No objection subject to confirmation that Thames Water does not object to surface water draining to the public foul water sewer.
Thames Water	Further comments awaited in the light of the consultation response received from the LLFA (as above). Hierarchy of stormwater disposal should be met on the site. Any approval should be subject to informatives around protection of nearby Thames Water assets.
Contract Management	No objection subject to required number of bins being provided in the proposed communal refuse storage area.
Environmental Health	No objection subject to conditions.
Hampshire Fire and Rescue Service	No objection. Advice provided, which has been passed to the applicant.
Hampshire Constabulary	No response received during the consultation period.
Farnborough Airport	No objections.

Neighbour Notification:

In addition to posting a site notice and press advertisement, individual letters of notification were sent to 89 properties surrounding or near to the site.

Neighbour Comments:

Six representations have been received raising objections to the scheme from 4 Alfreds Court,

11, 13 and 15 Morris Road and 213 and 201a Lynchford Road. These are set out below:-

(a) 213 Lynchford Road

- As our house is partly attached to the existing building which may be demolished, we are concerned about what damage may occur to our house, and if so, whether the developer will be liable for any damage or compensation. *[Officer Note: this is solely a private property matter to be resolved between the developer and this neighbour – it is not a matter in which the Council can become involved including in the consideration of this application.]*
- During demolition, what effect will this have on our living arrangements and use of garden. The wall of the existing building lines the full length of our garden. Therefore, what will be done to make sure it is safe for use and our children to use our garden. And if there is a period where we can't use the garden how long will this be for, and will we be compensated for this if substantial in length? *[Officer Note: it is long-standing Government planning guidance that planning applications cannot be refused as a result of the impacts of the construction period of a development.]*
- Down the side of our property there are air bricks which would block ventilation.
- Is it okay to build adjoining to our property and would we need to have a party wall agreement and would the developer cover the costs for this.
[Officer Note: The above issues are Party Wall considerations that are addressed by legislation outside of the planning system and are not material to the determination of this application. They are private property matters for this neighbour to take up with the applicants directly.]
- Our biggest concern is the height of the building being built up against our chimney. Our chimney is a working chimney and a wall buff up against our and exceeding above our chimney seems to us to be dangerous. I believe our chimney will not function properly due to the airflow being obstructed.
[Officer note: Ditto above - this is a private property matter between the developer and this adjoining property owner. The applicants are aware of this matter].
- Part of the roof to the building is asbestos, raising concerns over our children's safety
[Officer Note: The safe management of asbestos is subject to separate legislation and regulations overseen by the Health and Safety Executive: it is not a matter material to the consideration of this planning application].
- The town houses directly adjoining our property will be significantly taller than the existing building and would cause loss of sunlight to our garden for most of the day. We have very limited sunlight in our garden as it is, and this will mean losing most of what we do get.
- The building is going to be further forward than the front line of our house, and although there is an overhang planned the first floor and above will still block light into our living room windows and front bedroom windows.
- The build will class our property as a mid-terrace and no longer an end terrace. Will this therefore mean the value of our property will drop.
[Officer Note: Concerns about possible changes in property values resulting from adjoining development are not a consideration material to the assessment and determination of planning applications]

The other objections are summarised as follows:-

(b) Access Road/Highway Issues

- The access road is too narrow to for two-way traffic;

- Parking rights have been granted for nos.9, 11 and 13 Morris Road;
- It is an unadopted road and Rushmoor Council have no rights over it as stated in our deeds 43 years ago;
[Officer Note: These are private property matters that cannot be considered under the remit of the planning process]
- Emergency vehicles would find it difficult to access the site down the access road;
- There is no pedestrian walkway and so it would be unsafe for children;
- Access via the existing route from Lynchford Road would be more suitable; and
- The scheme will contribute further to high traffic volumes along Lynchford Road.

(c) Noise and disturbance

- I would like to request that building work is limited to 9am to 6pm Monday to Friday; and
- Whilst I appreciate a noise sample was taken, I don't think the time of night was adequate or a true representation as the noise of cars coming in through from Morris Road reverberates around the near vicinity due to the front row of buildings along Lynchford Road. This is currently limited due to the hours of the businesses but with that turning to residential it won't be limited and will cause further disturbances and added noise during the nights.

(d) Wildlife

- Registered charity and wildlife protection group 'Hampshire Swifts' have requested that multiple integrated Swift bricks are included in the scheme.

Policy and determining issues

The site is located in the defined urban area of Farnborough. The site is not located in a Conservation Area nor adjoins one. There are no Listed Buildings located in the immediate vicinity of the site.

Policies SS1 (Presumption in favour of sustainable development), SS2 (Spatial Strategy), IN1 (Infrastructure and Community Facilities), 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), DE8 (Indoor and Built Sport and Recreation Facilities), DE10 (Pollution), LN1 (Housing Mix), LN2 (Affordable Housing), NE1 (Thames Basin Heaths Special Protection Area), NE2 (Green Infrastructure), NE3 (Trees and Landscaping), NE4 (Biodiversity) and NE8 (Sustainable Drainage Systems) of the adopted Rushmoor Local Plan (2014-2032) are relevant to this application.

The Council's adopted supplementary planning documents (SPDs) 'Car and Cycle Parking Standards' 2017, Affordable Housing SPD, 2019 and Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy (AMS) as updated April 2022 are also relevant.

The design and layout of this scheme is unchanged from the scheme submitted with planning application 21/00231/FULPP, which the Council's Development Management Committee resolved to approve last year subject to drainage and ecology issues being satisfactorily resolved. The current application is a re-submission seeking to resolve those limited matters that resulted in the refusal. It was solely the failure to resolve the drainage and ecology issues that resulted in the refusal of the previous application, together with reasons for refusal relating to the failure to complete the necessary S106 Planning Obligation to secure financial

contributions for SPA and Public Open Space. As a result, the focus for the consideration of the application must now be on the drainage and ecology matters, together with the consideration of any other issue where any material changes in planning circumstances may have occurred since last year.

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

1. Principle of development;
2. Visual Impact including landscaping;
3. Impact on neighbouring amenity;
4. The living environment created;
5. Highways considerations;
6. Affordable housing;
7. Impact on trees;
8. Public Open Space;
9. Flood risk and drainage; and
10. Impact on wildlife.

Commentary

1. Principle of development -

There have been no material changes since consideration of the previous application.

The site is not designated as an Employment Site by the Local Plan. The loss of the B2 Use Class industrial and E Use Class commercial units is therefore acceptable. Local Plan Policy DE8 (Indoor and Built Sport and Recreation Facilities) states that the loss of indoor and built sports and recreation facilities will be resisted unless equivalent or improved replacement facilities are provided or the use is demonstrated to be either unviable or that there are adequate alternatives. However, the applicant has provided a survey of local facilities demonstrating that there are nine other gym and fitness centres within a 5km radius of the application site with an equal split between larger chains and smaller independently owned gym facilities, such as the gym previously located at the application site. The applicant has argued in the Planning Statement that the gym was not viable compared to the larger chains. A small gym is not a specialist-built facility and could relatively easily occupy another tenancy. In fact the operator of the gym on this site (Fitness UK) has moved to a new facility in Aldershot following the grant of planning permission in 2019. It is therefore considered that there are adequate alternatives to the former gym facility. The proposals continue to comply with the requirements of Policy DE8.

The Land Contamination Assessment Report submitted with the application has identified some ground contamination across the site that will need to be remediated to render the site suitable for residential development. Ground gas monitoring has also suggested that ground gas levels should be further investigated and appropriate gas protection measures will be required. The Council's Environmental Health Officer has reviewed the submitted information and raises no objections subject to the usual conditions to ensure that an appropriate remediation strategy is submitted to the Council for approval and subsequent implementation in full.

The proposed residential development therefore continues to be considered acceptable in principle in this location subject to also being found acceptable in respect of all relevant planning issues in detail.

2. Visual Impact -

There have been no changes in the design of the proposed development, and no material changes in respect of the visual character and appearance of the surrounding area since 2021. The proposed development would be of conventional traditional-style design, appearance and external materials.

Lynchford Road to the west of the application site is characterised by tall red facing brick terraced houses built up to the highway boundary (now subdivided into flats) of three to four storeys in height. Adjoining these, immediately to the west of the site is No. 207 Lynchford Road, a modern four storey apartment building, with forward projecting gable features/dormers at third and fourth storey levels, whose design is influenced by the height, scale and architectural details of the adjacent town houses. The roof pitch and ridge and eaves heights of the proposed apartment building (A) would match those of No.207. Two flat roofed front dormers match the cornice lines of the dormers on the front elevation of No.207. A vertical emphasis on the front elevation of the apartment building, created by the placement and shape of window openings and a narrow central recess, would continue the established rhythm in the street scene. The plans indicate the use of two different types of bricks, and also render to add further interest and variation to the elevations. The rear of the apartment building has a higher eaves height of 11.4m, and a flat roof height of 11.4m for a depth of 4.2m, to accommodate adequate ceiling heights for the proposed rear fourth-storey apartments. The overall depth of the building largely matches that of No.207 and it is considered the visual impact at the rear would be acceptable. The rear flat roof would not be visible from Lynchford Road as it would be obscured behind the existing and proposed buildings to either side.

Adjoining the east elevation of the apartment building are two 'town houses' (B) with a frontage to Lynchford Road of 9.5m. They would have dual pitched roofs with a ridge height and eaves height of 11.1m and 7.8m respectively; and would be set back 2.8m from the front main wall of the adjacent apartment building (A). They would also be attached to, and set forward from, the front wall of No.213 Lynchford Road by 1.3m. It is considered that the proposed three-storey height of the 'town houses' (B) would provide a satisfactory visual transition in height between the apartment building (A) and the adjacent two-storey terraced houses of No.213 onwards. The existing dropped kerb will be retained in front of the town houses (B) and one parking space is proposed to the front of each dwelling with a small overhang above ground level. Cornice lines and fenestration opening of the 'town houses' (B) align with the apartment building (A).

Overall, it continues to be considered that the Lynchford Road frontage of the proposed development would be sympathetic to its surroundings and would have an acceptable visual impact.

The proposed rows of terraced houses (C) and (D) at the rear of the site would be of two-storey height and also have an entirely conventional design and external appearance. Each dwelling has a private rear garden rectangular in shape with a minimum area of 42sqm. Although much less publicly visible than the Lynchford Road frontage portion of the proposed scheme, it is considered that these further dwellings in the scheme continue to have an acceptable visual appearance.

Soft landscaping on the site is provided mainly in the private amenity areas forming approximately 18% of the site area. The application is supported by a detailed landscape and planting plan. Flowering shrubs and hedges would be planted in front of the apartment building

(A), town houses (B) and terraced houses (C & D). A total of 13 Field Maple trees and 3 Hawthorn trees would screen the houses and gardens from the parking areas with further trees in the gardens of some of the houses. There would also be a row Hawthorn trees against the side elevation of Terrace (D). It is considered that the proposed planting remains appropriate and would help soften the visual appearance of the development.

It is considered that the scale, site layout, plot grain and design of the proposed development is in keeping with the character of the surrounding area and, as such, that the proposals continue to comply acceptably with Policy DE1 of the Rushmoor Local Plan.

3. Impact on neighbours -

There have been no material changes in how the proposed development would relate to neighbours. As described above, the site is bound on all sides by residential development, with the exception of the commercial use at No.13a Morris Road, which is situated against the west boundary of the site.

The existing gym and office building is attached to No.213 Lynchford Road, and its side elevation forms the entire side boundary wall to the rear garden of No. 213. As such, this existing building has a significant negative impact upon the living environment and amenities of occupiers of this neighbouring property. Although the proposed three-storey town houses (B) would also be attached to No. 213 Lynchford Road, following the removal of the existing commercial building, they would only project 0.7m beyond the rear elevation of No.213 and the remainder of the side boundary of the rear would comprise standard boundary fencing. Whilst the taller height of the town houses (B) would result in some loss of sunlight to the rear north facing garden of No. 213, the new relationship with the application land resulting from the proposal would result in significantly less built form situated against the boundary of No.213, allowing more light and sunlight into the garden area from the west. The town houses (B) would also project forward from the front elevation of No. 213 by 1.3m. However, given that the front elevation is south-facing and the proposed building projection is limited, it is considered there would not be a significantly harmful reduction in sunlight and daylight incident upon the front windows of No.213. Overall, it continues to be considered the impact of the proposed development on No. 213 Lynchford Road would be acceptable in planning terms.

The occupants of No. 213 have also raised the specific concern that the taller roof of the town houses would obstruct the air flow to their adjacent working chimney. It would seem likely that this would require some alterations, although it is not considered that any conceivable solution to this issue would have any material and harmful planning impacts. In any event, the granting of planning permission for the proposed development would not supersede the private property rights of the owners of No.213; and the developer would have to negotiate a mutually acceptable solution with them in order to implement this part of their proposed development. The developer is well aware of this specific objection. The resolution of this issue would be a matter for the Building Regulations and the Party Walls etc Act. It is entirely a private property matter between the developer and the owners of No.213 and, as such, is not a matter for consideration with the current application.

The existing industrial/warehouse building on the site is situated 1m from the north boundary of the application site shared with Nos.1-2 Alfreds Court and No. 44 Gravel Road; 1.3m from the rear /side garden boundaries with Nos.50 & 48 Gravel Road and No.229 Lynchford Road to the east; and 0.8m from the rear boundaries of Nos.221 to 227 Lynchford Road to the south. The northern elevation of the industrial building has an eaves height of 5.5m and a ridge height of 8m sloping back from the northern boundary and presents a roof gable end to the rear of

properties on Gravel Road. The southern elevation of that building measures approximately 3m at the eaves and 5.5m at the ridge, sloping back from the boundary. It is clear that this existing commercial building to be removed has an existing impact upon the amenities of the residential properties that it adjoins.

The side elevation of the row of five terraced houses (C) would be situated 3.5m from the north boundary with 1 Alfreds Court, with an eaves height of 5.6m and a gable end with a ridge of 8.5m. Additional bulk is also added by the transverse roof to the front and rear of the main pitch, which is dropped down by 0.4m from the main ridge. However, this relationship is not considered to result in any significant increase in bulk or overshadowing or loss of light when compared with the existing situation; and with no further loss of light to rear facing windows. It is considered that the relationship with No.2 Alfreds Court would be improved since there would be no built form immediately to the rear of this neighbouring property as a result of the proposed development. Loss of daylight to rear facing windows and solar panels have been considered and calculated to have minimal impact. There are no windows in the flank elevations of the proposed terrace.

Houses '3, 4 and 5' in Terrace (C) would be separated 9.8m from the rear boundaries of Nos. 48-50 Gravel Road to the east and almost 20m from the rear elevations of the houses in these plots. Houses '6 and 7' would be separated 9.8m from the rear side boundary of No.229 Lynchford Road to the east. The windows to the second-floor bedrooms of Terrace (C) are proposed to be obscure glazed and fixed shut to a height of 1.7m above finished floor level (without having a detrimental impact on occupant amenity) and so it is considered that the terrace would not result in harmful levels of overlooking to properties adjoining the eastern site boundary. The windows of the first floor would be screened by existing trees along the boundaries between the properties and the relationship is not considered to cause a material harmful impact to neighbouring amenity.

The south (side) elevation of the Terrace (C) would be situated 4m from the southern boundary with the rear of properties Nos.221 – 223 Lynchford Road. It would be taller than the existing commercial building, measuring 5.8m and 8.8m at the eaves and apex ridge height, but present a significantly narrower flank elevation to its neighbours. Although the proposals would result in some loss of outlook from the garden/rear windows of Nos. 221 to 223, it is considered that the separation distances involved, together with the location to the north of the rear gardens, is such that the relationships with these neighbours is also considered to be acceptable in planning terms, and in considering the impact from existing development.

The front elevations of Houses 9 and 10 of Terrace (D), would be 11m from the rear garden and side property boundary of 17b Morris Road, a semi-detached property. Given the distance between these, it is considered that the second-floor windows serving a bedroom may result in a perception of overlooking and loss of privacy. It is therefore recommended that a condition be imposed in the event of approval that these second-floor windows are obscurely glazed and fixed shut to a height of 1.7m above floor level. The side elevation of the terrace (D) would be 0.3m from the west site boundary with No. 13a Morris Road, however, since this property is in commercial use and the building itself a further 9 metres distant, it is considered that no material and harmful amenity impacts would arise to this neighbour.

With regards to the proposed apartment building (A), whilst it would project 1m beyond the rear elevation of No. 207 Lynchford Road, it is not considered that this would have a material and harmful impact upon the daylighting of adjoining windows in that building. Furthermore, it is considered that views from balconies on the rear elevation of the proposed apartment block would be oblique and, as such, not cause any material loss of privacy due to overlooking.

The access road from Morris Road is flanked to the north and south by Nos.15 & 17b Morris Road to its north and Nos.9,11 and 13 to the south. Parking for the houses and flats is to the south of 17 b Morris Road and Nos 1-4 Gravel Road.

An objection has been received that the noise of domestic traffic leaving and arriving at their parking spaces will be amplified by the enclosure of the site along the southern boundary by the apartment building and the acoustic report has not factored this into the impact on neighbours. Activity will be in the evening and potentially at night, which is more than the existing situation with commercial activity predominantly taking place during the day.

It is acknowledged that there will be a different pattern of use with the change of the site from business to residential. However, as confirmed by the County Highway Authority, the number of vehicle movements generated by the residential use would be less than potential movements including larger and noisier commercial vehicles that could be generated from the operation of the existing commercial units. It is also considered that the noise of slow-moving domestic vehicles on hardstanding would not be perceptible and certainly not give rise to a nuisance that would warrant a reason for refusal. Furthermore, the proposed Lynchford Road apartment building is considered likely to reduce the background noise levels caused by traffic using the A3011 Lynchford Road experienced by adjoining sites at the rear.

Taking all matters into consideration it is considered that the proposals continue to have acceptable impacts on the amenities of the occupants of neighbouring properties and would therefore continue to comply with adopted Local Plan Policy DE1.

4. Living environment created -

There has been no change in respect of this issue. The proposed flats and houses all meet the minimum internal floor space standards and private amenity standards required for their indicated occupancy levels. Furthermore, the proposed flats (A) provide on-site private amenity space in the form of a private garden for Flat 1 (30sqm) and 5sqm balconies for Flats 2-7. Gardens for the proposed town houses (B) and terraced houses (C & D) exceed the minimum amenity space standards ranging from 36sqm to 48sqm. As a result, it is considered that the proposals meet the requirements of adopted Local Plan Policies DE2 and DE3.

The acoustic design statement submitted with the application recommends specifications for double and secondary glazing systems to be used for the front elevation of the apartment building (A) and town houses (B) overlooking Lynchford Road, due to the levels of traffic noise measured at this location. The applicant has confirmed they would proceed with these glazing systems rather than reduce the glazed elements in the apartment building. The Council's Environmental Health Officer is satisfied that the proposals will ensure a satisfactory internal acoustic environment for the occupants of the flats subject to a condition that acoustic mitigation measures are agreed with the Council in accordance with the acoustic design statement prior to the occupation of the development. This will also include acoustically rated through-wall trickle ventilation for all habitable rooms overlooking Lynchford Road.

The acoustic report notes that good acoustic design is reflected in the development with balconies at the rear and all bedrooms in the flats being rear facing.

There is the potential for some overlooking from the balconies on the proposed apartment building (A) into the rear garden of houses 8-10 (Terrace D), although the separation distance is 20m, which is generally considered to be adequate. It is a matter for prospective

purchasers/occupiers to decide whether they chose to live in the proposed development and the separation distances are considered large enough to avoid any undue impacts on occupant amenity by way of overlooking. It is noted that the site will be landscaped with trees in the rear gardens of the houses providing some screening.

The proposed development would provide a satisfactory living environment for future occupants and, as such, is considered to continue to comply with Local Plan Policy requirements of DE2 and DE3.

5. Highways Considerations -

There have been no material changes in respect of the highways considerations for the proposals since 2021. Access to the site remains solely via the private road from Morris Road, since it is proposed that vehicular access directly from Lynchford Road be closed-up, with the exception of the pair of parking spaces for the proposed town houses (B). As Morris Road is a one-way road, access to this road must be via Lynchford Road eastbound by a left turn only into Morris Road. Egress from the site is right-turn only into Morris Road and, as such, away from Lynchford Road, which would have to be reached by using other roads, such as High Street or Queens Road & Peabody Road. Whilst this situation is not ideal, it is largely the existing situation and new residents would soon learn how to get to and from the site. Further, the application is accompanied by a Transport Statement that demonstrates at paras. 3.8-3.11 that the traffic generation potential of the proposed development would be significantly lower than the potential traffic that could be associated with the resumption of all of the existing commercial uses at the site.

The private access road from Morris Road to be used to serve the proposed development has a width of 6.2m and at its entrance is flanked by No. 9 and 15 Morris Road set back slightly from the highway. As has been noted in the objections, this roadway is subject to existing historic parking by occupiers of the adjoining residential properties such that it is of effective single-way at a time traffic width. Nevertheless, it is considered that since this roadway has, for many years served as the egress to commercial traffic from the site alongside the residents' parking, it would remain adequate to cope with the reduced size and weight of traffic that would be expected of the proposed residential development.

Having regard to these considerations, the Highway Authority (Hampshire County Council) has raised no objections to the proposals. Furthermore, HCC Highways has confirmed that no Transport Contribution can be required in this case since the traffic generation potential of the proposed development is considered to be less than that of a resumption of commercial uses at the site.

35 parking spaces of the correct dimensions, including 4 visitor spaces, are provided in a communal courtyard on the site to serve the development. This provision complies fully with the Council's adopted Parking Standards of 1 space per 1-bedroom and 2 spaces per 2-3-bedroom dwelling : in total a requirement of 31 spaces in this case. Visitor parking standards are 1/3 space per 1-bed and 1/5 space per 2-bedroom property equating to a quantum requirement of 4 spaces – which is provided in full. Three of the spaces are disabled spaces which will be for Flats 3,5 and 7 which are accessible/adaptable flats to be built to Building Control M4(2) standards.

A cycle store for the proposed flats (apartment block A) would be located to the rear of the town house plots (B) and accessible from the communal parking area. A condition requiring further details prior to occupation of the site is recommended to ensure the cycles can be

stored in a secure and sheltered manner.

The Council's Contracts Management Team have advised that rubbish collections for the whole development must take place from the Lynchford Road frontage, as Morris Road has historic problems with rubbish collections due to its narrow width and extensive street parking. As a result, the ground floor of the apartment building has a communal refuse storage area for the flats and a holding area for bins for the terraced houses (B and C). It is considered that it would be more appropriate for the proposed terraced houses to use communal bins to limit the time contractors would have to wait on Lynchford Road on collection day, and the proposed bin storage area can accommodate the required number bins for the entire proposed development. An appropriately worded condition can ensure this.

HCC Highways has raised no objection to the proposed refuse collection arrangements from Lynchford Road, described above. However, the project engineer for the A3011 Lynchford Road Highway Improvements Scheme has written to the Council's Contracts Management team regarding measures that would be needed to allow for refuse collection from existing and proposed development on Lynchford Road. In this respect, since a refuse lorry could currently only partially pull off the road, HCC Highways are considering the provision of a refuse lorry lay-by given the longer time it is likely to take to collect refuse from the proposed development. This would be an acceptable solution, but this relates to highway land outside the application site and would be introduced as part of the wider highway improvements scheme from Lynchford Road that is being planned in a likely longer timescale than would be likely to relate to the implementation of the proposed development. It is considered that the current proposed and future refuse collection arrangements are, however, both acceptable.

It is considered that, notwithstanding the objections raised, the proposed development continues to be acceptable in highway terms.

6. Affordable Housing -

Policy LN2 requires a minimum of 30% of homes to be provided as affordable homes on sites of 11 or more dwellings, subject to site viability. For this proposal there is therefore a requirement to provide 5 affordable dwellings subject to site viability. The Local Plan states that proposals which do not meet the affordable housing policy requirements *"will only be acceptable where the viability case is supported by the independent review and accepted by the Council"* (para. 20.21). The Council's 'Affordable Housing' SPD (adopted September 2019) supports Policy LN2 and provides further detail in this regard.

The applicants submitted a Financial Viability Report with the previous planning application dated February 2021 that concluded that the development would not be commercially viable and therefore unable to provide any elements of affordable housing. This report was assessed independently on behalf of the Council by BPS Chartered Surveyors of Dorking in March 2021, as part of application 21/00231/FULPP, who concluded as follows:-

"Our analysis shows a decreased deficit of -£151,766 which would indicate that the scheme is not able to viable delivery any affordable housing. We note from sensitivity analysis in Appendix 2, that the scheme could move to a surplus due to relatively small changes in costs or revenues. We recommend, therefore, that viability is subject to a late-stage review."

BPS recommended that the applicant's Viability Report be updated as part of this application, to reflect a passage of 18 months since they produced their first report. An amended Viability Report has been submitted by the applicants and the Council is now awaiting the results of

this independent assessment. There are clearly likely to have been some changes in economic circumstances since February 2021, comprising the impact of the war in Ukraine, an increase in materials costs, energy prices, rising inflation and a rise in interest rates. Accordingly, since these factors describe a less favourable economic environment rather than an improved one, it is anticipated, subject to confirmation from BPS, that the fresh independent assessment will report a worsened economic viability and, as such, effectively the same outcome as the previous review in March 2021 : that the scheme cannot support the provision of any form of affordable housing.

Subject to receipt of the updated viability report and no different overall conclusion from the independent reviewer, it is considered that proposed development would not conflict with Local Plan Policy LN2. Members will be updated at the meeting in respect of this matter.

7. Impact on Trees –

There have been no material changes in respect of the consideration of this issue since 2021. The application is supported by an Arboricultural Survey and Report and Tree Protection Plan carried out by a suitably qualified arboriculturalist, and in accordance with BS 5837:2012. There is one individual Sycamore Tree Category C within the site and one group of Category C (self-sown) Sycamore trees along the west boundary shared with No.13 Morris Road that are proposed to be retained. There are 5 category C trees (4no. Sycamore and 1no. *Pittosporum*) on adjoining properties on Lynchford Road and Gravel Road near the southern and eastern site boundaries. There are also protected trees (T2 and T1 of TP0451 Tree of Heaven Tree and Beech Trees) to the north-east of the site. None of the root protection areas of any of the trees are situated within the footprint of the proposed new buildings. Some of the non-protected trees are sited near existing hardstanding and, as such, would be equally unaffected by the proposed development. The report also confirms that the trees are unlikely to give rise to pressure from future occupants of the development to have otherwise unnecessary tree works undertaken.

The submitted Arboricultural Report recommends at Sections 8 and 10 several protective measures to ensure that no significant root severance or soil compaction/erosion occurs near the trees on adjoining land or within the site during demolition and construction, including installation of incoming services. The Arboricultural Officer has raised no objection to the proposed development subject to the imposition of a condition that works are carried out in accordance with the recommendations in the Arboricultural Report and Tree Protection Plan.

The application is accompanied by a detailed planting schedule and Ecological Enhancement Plan. These include 6 native Field Maple trees and 17 ornamental trees. Subject to the implementation of this planting scheme, which can be required by condition, it is considered that the application continues to comply with Local Plan Policy NE3.

8. Provision of public open space –

The Local Plan seeks to ensure that adequate open space provision is made to cater for future residents in connection with new residential developments. Policy DE6 refers to the Council's standard and, in appropriate circumstances, requires a contribution to be made towards the enhancement and management or creation of open space, for part or all of the open space requirement.

The Council's Parks Development Officer has reviewed the proposal and considers financial contribution towards general parks improvements at Napier Gardens or Queens Road

Recreational Ground would be appropriate, to be secured by way of a planning obligation. The applicant is in the process of securing such an agreement. Subject to the satisfactory completion of the S106 Planning Obligation in this respect, the proposal is considered acceptable having regard to Local Plan Policy DE6.

9. Flood risk and drainage –

The site is located in Flood Zone 1; i.e. land at least risk of fluvial flooding. However, the previous application was refused for failing to find a suitable surface water drainage system that took account of suspected high groundwater levels.

This application is now supported by a CCTV survey of sewers and drainage systems on and near the site, winter infiltration testing and a Drainage Strategy Report – all information that was missing when the previous application was considered in 2021. This new information demonstrates that on-site infiltration drainage is unviable due to high groundwater levels and moderate ground contamination risks. The CCTV survey found that surface water currently discharges to the public foul water sewer system on the site and did not find any surface water sewer connection for the site. This is not necessarily unusual since older drainage systems often combined surface water and foul drainage into a single sewer. The proposed drainage strategy for the development is therefore to direct surface water to lined tanks that will be used to hold and attenuate (at a reduced rate of 3l/s) surface water flow into the public foul sewer system using the existing site network connection.

Hampshire County Council as the Lead Local Flood Authority (LLFA) has reviewed the proposed drainage strategy for the development and has raised no objection subject to Thames Water having no objections to the drainage connection being made to the public foul sewer network at the proposed rate. In turn, Thames Water have been contacted to seek their confirmation to this effect, who have initially responded to advise that they would only consider this form of connection acceptable if the developer has followed the SUDS hierarchy for surface water drainage. In effect, this is simply that on-site infiltration drainage has been considered first before off-site disposal options are considered. A further response is awaited from Thames Water in respect of this matter following their full review of the submitted information which, indeed, demonstrates that on-site surface water disposal is not possible due to ground conditions.

The making of drainage connections to a development is subject to licencing (with Thames Water) that is subject to entirely separate consideration under other legislation and, as such, is not a matter for direct and technical consideration by the Council with a planning application. The National Planning Policy Framework requires that major development should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. Policy NE8 of the Local Plan states that a hierarchy of drainage systems should be explored with the most sustainable first, with the peak run off rate never exceeding the rate of discharge from the existing development on the site. Accordingly, irrespective of which off-site drainage system connection is eventually agreed by the drainage authorities, it is considered that the applicant has undertaken the necessary work to satisfy both the National Planning Policy Framework and Local Plan Policy requirements relating to drainage. In the circumstances, subject to the imposition of an appropriately-worded condition to require the installation of the indicated on-site attenuation elements of the proposed drainage system, it is considered that the proposals would meet the requirements of adopted Local Plan Policy NE8. Accordingly, it is considered that the previous drainage reason for refusal has been satisfactorily addressed.

10. The Impact on Wildlife –

Thames Basin Heaths Special Protection Area

The project the subject of the current planning application 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 2022. The AMS provides a strategic solution to ensure the requirements of the Habitats Regulations are met with regard to the in-combination effects of increased recreational pressure on the Thames Basin Heaths SPA arising from new residential development. This Strategy is a partnership approach to addressing the issue that has been endorsed by Natural England.

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

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

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

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

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

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

Site Specific Protected Species and Biodiversity

The application is accompanied by a Bat Emergence Survey Report, dated 11 July 2022 that identified the likely absence of active bat roosts from the buildings scheduled for demolition on the site. This was reviewed by the Council's Ecology and Biodiversity Officer who has found that it is appropriate in scope and methodology. As a result, the ecology reason for refusal of the previous application has been satisfactorily addressed.

Lynchford Road is designated as a Green Corridor. The application is accompanied by an Ecology Enhancement and detailed Planting Plan. This proposes the provision of 2 bat boxes, 4 bird boxes and the timber boundary fences within the development would be supplied with hedgehog holes to facilitate their movement across the site. Six native trees are proposed (Field Maples and Hawthorns), and existing trees on the site and adjoining are to be retained. Subject to a condition that the planting and ecological enhancements proposed are implemented in accordance with the provided schedule and plans, the Council's Ecology and Biodiversity Officer is satisfied that the scheme would provide appropriate net gain in biodiversity in compliance with Policy NE3 of the Local Plan and paragraph 174 and 179 of the National Planning Policy Framework (2021).

Conclusions

It is considered that the proposed development would be acceptable in principle, be acceptable in visual and highways terms, have satisfactory relationships with neighbours, provide an acceptable living environment, provide appropriate biodiversity gain, and have no material impact on trees worthy of retention. Subject to a s106 Planning Obligation the proposals would secure the requisite financial contribution towards Public Open Space provision and a contribution towards SAMM fees for the Bramshot Farm SANG so that the proposal would not have a significant impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area. The proposals are thereby considered acceptable having regard to Policies SS3, DE1, DE2, DE3, DE6, DE8, DE10, LN1, LN2, IN2, IN3, NE1, NE2, NE3, NE4 and NE8 of the adopted Rushmoor Local Plan (2014-2031).

Full recommendation

It is recommended that subject to:-

- (a) The completion of a satisfactory s106 Planning Agreement between the applicants and Rushmoor Borough Council by 10 November 2022 or in accordance with an agreed by an extension of time, to secure the required SPA SAMM and Public Open Space financial contributions as set out in the report; and
- (b) Receipt of a satisfactory updated independent assessment report supporting the revised viability case submitted by the applicants

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

In the event that no satisfactory s106 Agreement and/or confirmation of the viability case to justify no provision of affordable housing are received by 10 November 2022 and no extension of time has been agreed, the Head of Economy, Planning and Strategic Housing be authorised to Refuse planning permission on the grounds that the proposal does not provide a financial contribution to mitigate the effect of the development on the Thames Basin Heaths Special Protection Area in accordance with The Rushmoor Thames Basin Heaths Special Protection

Area Interim Avoidance and Mitigation Strategy and adopted Rushmoor Local Plan Policy NE1; does not make appropriate provision for Public Open Space in accordance with the requirements of adopted Rushmoor Local Plan Policy DE6; and fails to meet the requirements of Local Plan Policy LN2.

- 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 Drawing numbers: 010 06 Location Plan, 011 06 Existing site plan, 012 06 Demolition and existing elevations, 040 06 Existing site section, 041 06 Existing site section, 100 06 Proposed site Plan, 200 06 GF plan apartment building, 201 06 first floor plan apartment building, 202 06 second floor plan apartment building, 203 06 third floor plan apartment building, 204 06 Roof plan apartment building, 205 06 Ground floor plan town houses, 206 06 First floor plan town houses, 207 06 Second floor plan town houses, 208 06 Roof plan town houses, 209 06 Ground floor plans Terrace 1, 210 06 First floor plans Terrace 1, 211 06 - Second floor plan Terrace 1, 212 06 Roof plan Terrace 1, 213 06 Ground floor plan Terrace 2, 214 06 First floor plan Terrace 2, 215 06 Second floor plan Terrace 2, 216 06 Roof Plan Terrace 2, 300 06 Front elevation apartment building and town house, 301 06 Rear elevation apartment and town houses, 302 06 Front elevation Terrace 1, 303 Rear elevation Terrace 1, 304 06 Side elevation Terrace 1, 305 06 Side elevation Terrace 1, 306 06 Front elevation Terrace 2, 307 06 Rear Elevation Terrace 2, 308 06 Side elevation Terrace 2, 309 08 Side elevation Terrace 2, 310 06 Proposed streetscene, 400 06 Proposed sections 1/2, 401 06 Proposed site sections 2/2, LLD2121-LAN-DWG-200 Landscape Plan and LLD2121-LAN-SCH-001 Planting schedule and LLD2121-ECO-DWG-001 Ecology enhancement plan, TPP Rev B October 2020 Tree Protection Plan.

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.

Reason - To ensure satisfactory external appearance.*

- 4 Surfacing of access driveways, forecourts or other paths and hardsurfaces within the development hereby approved shall not start until a schedule and/or samples of the surfacing materials to be used for 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

Reason - To ensure satisfactory external appearance and drainage arrangements.*

- 5 No works of construction of the buildings 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.*

- 6 Prior to occupation or use of the development hereby approved, screen and boundary walls, fences, hedges or other means of enclosure shall be installed in accordance with details to be first have been submitted to and approved in writing by the Local Planning Authority. The development boundary treatment shall be completed and retained in accordance with the details so approved.

Reason - To safeguard the amenities of neighbouring property.*

- 7 The development hereby approved shall not be occupied until measures to protect the apartment and town house buildings facing Lynchford Road (A3011) from traffic or other external noise have been implemented in accordance with a scheme to include, for example, double glazing and/or recommendations in the submitted acoustic report, which has been first submitted to and approved in writing by the Local Planning Authority.

Reason - To protect the amenity of the occupiers of the development.*

- 8 No development shall start on site until a construction method statement has been submitted to and approved in writing by the Planning Authority, which shall include:

- i) a programme of and phasing of demolition (if any) and construction work;
- ii) The provision of long-term facilities for contractor parking
- (iii) The arrangements for deliveries associated with all construction works
- (iv) Methods and phasing of construction works
- (v) Access and egress for plant and machinery
- (vi) Protection of pedestrian routes during construction
- (vii) Location of temporary site buildings, compounds, construction material and plant storage areas
- (viii) Measures to be employed to minimise noise, vibration and dust from the works

Demolition and construction work shall only take place in accordance with the approved method statement.

Reason - in the interests of amenity and highway safety*

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

- a detailed scheme for remedial works and measures which shall be undertaken to avoid risk from contaminants/or gas identified by the site investigation when the site is developed and proposals for future maintenance and monitoring, along with verification methodology. Such scheme to include nomination of a competent person to oversee and implement the works. Following completion of the measures identified in the approved scheme, a verification report that demonstrates the effectiveness of the remediation shall be submitted for approval in writing by the Local Planning Authority.

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

- 10 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

- 11 Prior to the occupation of any part of the development hereby approved, details of communal refuse and recycling bin storage to serve the whole development to facilitate collection of all refuse and recycling from Lynchford Road, together with the bin collection arrangements to be used, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and retained in accordance with the details so approved*.

Reason - To safeguard the amenities of the area

- 12 The proposed development hereby approved shall be undertaken strictly in accordance with all recommendations in the Arboricultural Report prepared by GHA Trees dated 13 October 2020, and in the GHA Tree Protection Plan Rev B October 2020.

Reason - To ensure the amenity value of the tree(s) and shrubs in the vicinity of the development is maintained.

- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), no development falling within Classes A, B or D of Part 1; 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.

- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development 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 side elevations of Terrace 1, Terrace 2 or the Lynchford Road frontage town houses of the development hereby permitted.

Reason - To protect the amenities of neighbouring residential properties.

- 15 Notwithstanding the details shown on the submitted plans, the third storey rear (east) facing windows of Houses 3-7 of Terrace 1, and the third storey front (north) facing windows of Houses 8-10 on Terrace 2 of the development hereby approved shall be fitted with obscure glass and fixed closed with the exception of:-

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

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

- 16 The development hereby approved shall not be occupied until the off-street parking facilities shown on the approved plans have been completed and made ready for use by the occupiers. The parking facilities shall be thereafter retained solely for parking purposes (to be used by the occupiers of, and visitors to, the development). For the avoidance of doubt the parking spaces shall not be used for the parking/storage of boats, caravans or trailers.

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

- 17 Prior to occupation of any part of the apartment building hereby approved, details of the cycle store shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and retained in accordance with the details so approved. *

Reason - To ensure the provision and availability of adequate off-street cycle parking in accordance with the adopted Car and Cycle Parking Standards SPD.

- 18 No part of the development hereby approved shall be occupied until the ecological enhancements outlined in Plan Number LLD2121-ECO-DWG-001 prepared by Lizard Landscape Design have been implemented on site and shall thereafter be retained as approved.

Reason - To ensure the application meets the requirements of the NPPF and Policy NE4 of the Rushmoor Local Plan (2014-2032).

- 19 No part of the development hereby approved shall be occupied until landscaping proposed in drawing number LLD2121-LAN-DWG-200 Detailed Planting Plan and LLD23121-LAN-SCH-001 Detailed Planting Schedule and Specification prepared by

Lizard Landscape Design have been implemented on site and shall thereafter be retained as approved.

Reason - To ensure satisfactory appearance and compliance with Policies NE3 and NE4 of the Rushmoor Local Plan (2014-2032).

- 20 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the practical completion of the development, whichever is the sooner and shall be so retained.

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

- 21 Notwithstanding any details submitted in the application, no dwelling shall be occupied until details of the telecommunications provision and any aerial or satellite facilities for the development, including high-speed broadband, have been submitted to and approved by the Local Planning Authority. Details shall demonstrate the impact on neighbouring and visual amenity has been minimised. The approved system shall then be installed and made operational before the relevant dwellings are occupied. *

Reason - To ensure satisfactory external appearance and provide for appropriate telecommunications provision. *

22. Stormwater drainage for the development hereby approved shall attenuate and drain off the site at the rate laid out in the Drainage Strategy Report prepared by Price Myers dated July 2022.

Reason - To ensure the development satisfies the relevant requirements of the NPPF (last updated July 2021) and Policy NE8 of the Rushmoor Local Plan (2014-2032)

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

It is considered that the proposed development would be acceptable in principle, be acceptable in visual and highways terms, have satisfactory relationships with neighbours, provide an acceptable living environment, provide appropriate biodiversity gain, and have no material impact on trees worthy of retention. Subject to a s106 Planning Obligation the proposals would secure the requisite financial contribution towards Public Open Space provision and a contribution towards SAMM fees for the Bramshot Farm SANG so that the proposal would not have a significant impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area. The proposals are thereby considered acceptable having regard to

Policies SS3, DE1, DE2, DE3, DE6, DE8, DE10, LN1, LN2, IN2, IN3, 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.

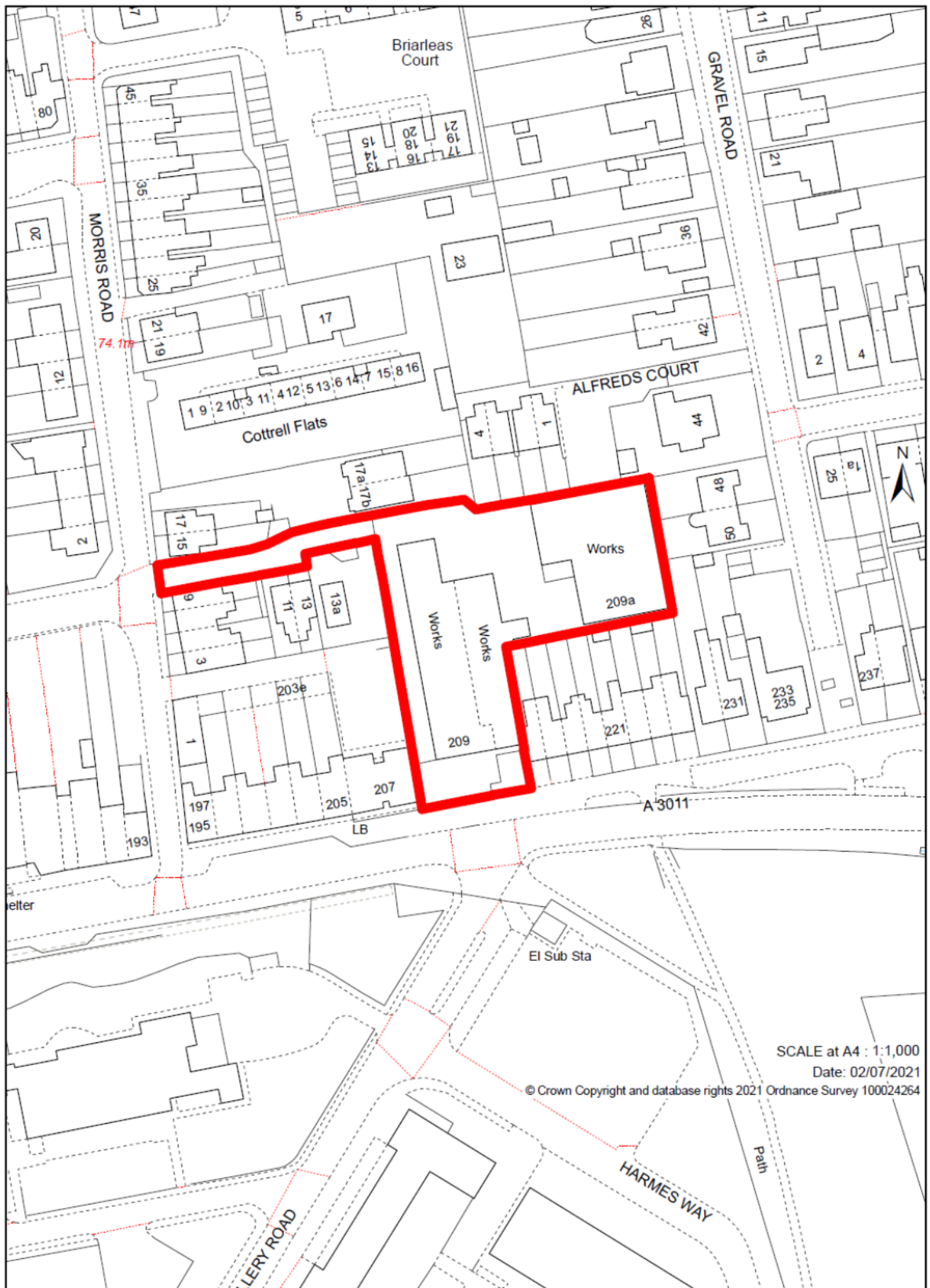
- 3 INFORMATIVE - This permission is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
- 4 INFORMATIVE - Your attention is specifically drawn to the conditions marked *. These condition(s) require either the submission and approval of details, 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.

- 5 INFORMATIVE - 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.
- 6 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.
- 7 INFORMATIVE - The applicant is advised that there may be a need to comply with the requirements of the Party Wall (etc.) Act 1996 before starting works on site. The Party Wall (etc.) Act is not enforced or administered by the Council but further information can be found on the Planning Portal website <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance> and you are able to download The party Wall Act 1996 explanatory booklet.

- 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 0800 316 9800.
- 9 **INFORMATIVE** - A Groundwater risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Application forms should be completed online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
- 10 **INFORMATIVE** - The proposed development is located within 15m of Thames Water underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. If you require further information please contact developer.services@thameswater.co.uk or 0800 009 3921 (Monday to Friday 8am to 5pm).
- 11 **INFORMATIVE** - 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.
- 12 **INFORMATIVE** - 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.





Project
Lynchford Road

Project No
312

Drawing Title
Proposed Site Plan

Wal



Front elevation – Lynchford Road (A & B)



Front elevation – Terrace 1 (C)



Front elevation – Terrace 2 (D) with rear of (A) & (B) behind



Side elevation – Terrace 1 (C) (looking south towards rear of Lynchford Rd properties)



Ground floor plans – Apartment Building (A)



First floor plans – Apartment Building (A)



Second floor plans – Apartment Building (A)



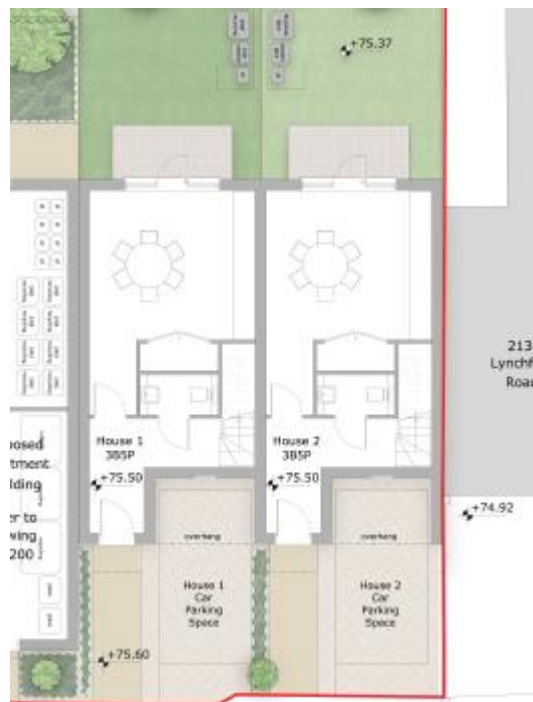
Third floor plans – Apartment Building (A)



Ground and first floor plans – Terrace 1 (C). This is the same layout at houses in Terrace 2 (D)



Second Floor Plan – Terrace 1 (C).



Ground Floor Plan – Townhouses (B).



First Floor Plan – Townhouses (B).



Second Floor Plan – Townhouses (B)