

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

Case Officer	David Stevens
Application No.	20/00400/FULPP
Date Valid	26th June 2020
Expiry date of consultations	17th May 2022
Proposal	Development of site to create a leisure facility comprising aquatic sports centre including restaurant, indoor childrens' play area, equestrian centre and associated stabling; 9 floating holiday lodges (comprising 7 X 3-bedroom and 2 X 4-bedroom units) with associated car parking, landscaping and bund (revised proposals submitted 24 August 2022)
Address	<b>Land at former Lafarge Site, Hollybush Lane Aldershot</b>
Ward	St Mark's
Applicant	Drayparcs Developments Ltd
Agent	Baca Architects
Recommendation	<b>Grant subject to s106 Planning Obligation</b>

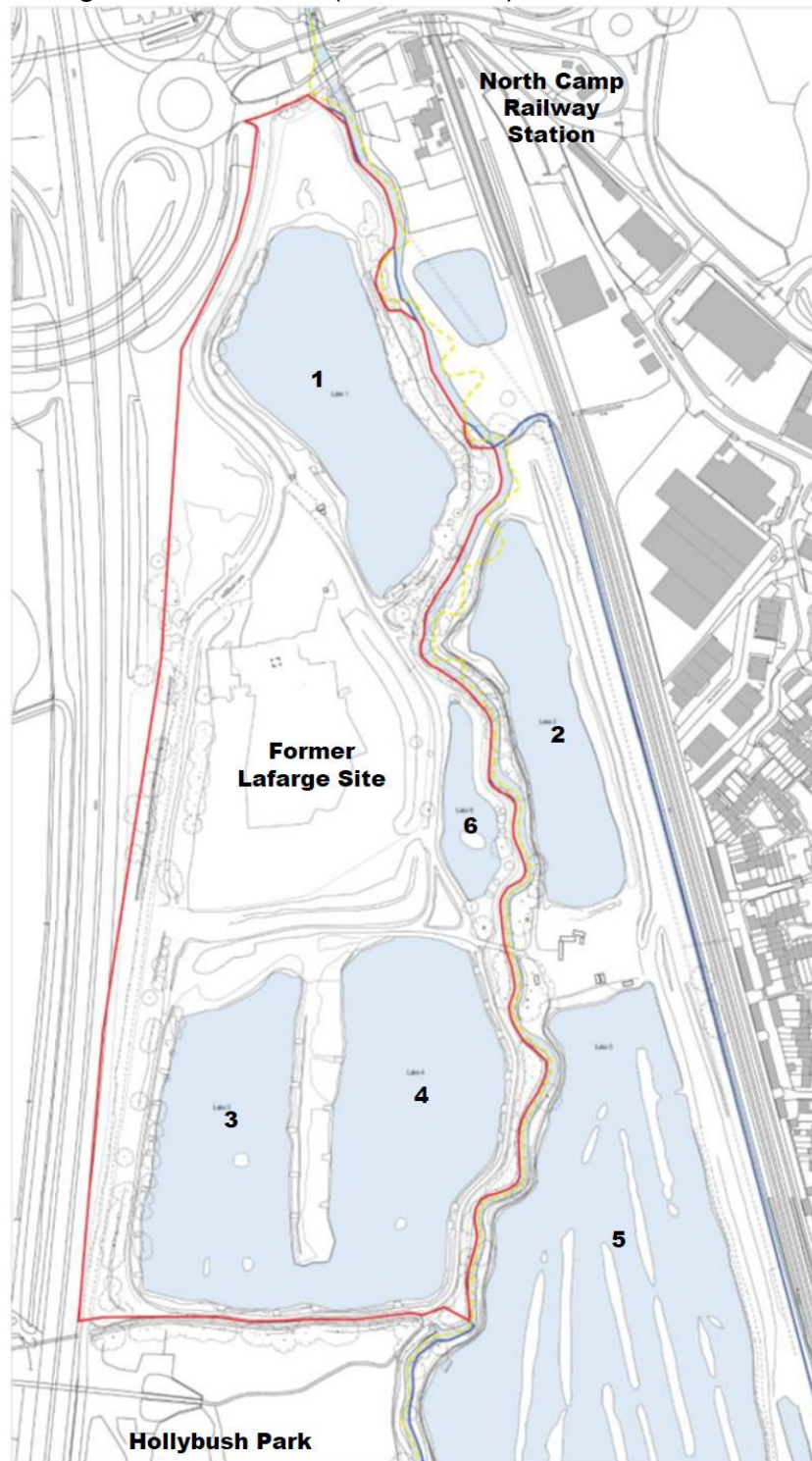
## Description

### The Site & Surroundings –

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

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

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



**Existing Site Plan : Not to Scale**

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

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

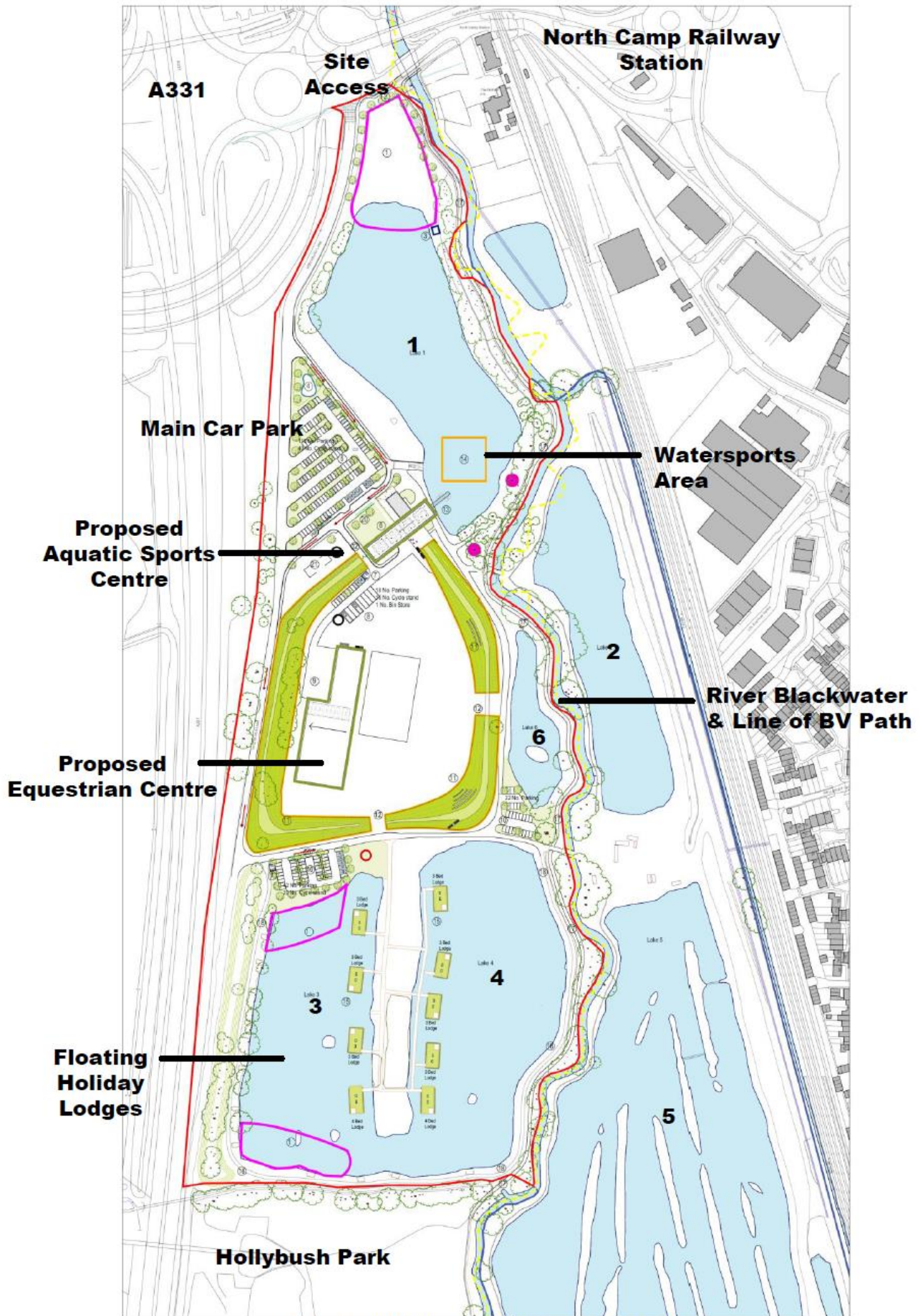
## **The Proposals –**

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

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

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





Proposed Site Layout Plan : Not to Scale

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **Relevant Planning History**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

## Consultee Responses

Planning Policy

**No objections.**

Lead Local Flood  
Authorities  
(Hampshire County  
Council)

Response Letter dated 15 August 2022 : **No objections:**

The County Council has reviewed the following documents relating to the above application:

- Response to LLFA Comments dated April 2022
- Flood Risk and Drainage Assessment dated June 2022
- Supporting email from TetraTech dated July 2022

The current drainage proposals are still utilising infiltration with defined flow paths to allow surface water to drain into the adjacent pond when infiltration is not viable. The groundwater levels are extremely high in places so while there will be some limited infiltration at higher levels, others will not drain effectively and will have limited benefit. This is not in accordance with best practise.

We note that the site is currently brownfield and the development will provide a slight reduction in impermeable area. We also note that a green roof is proposed for the water centre.

Based on the above, we do not believe that the proposals will increase runoff or increase downstream flood risk but the existing site will remain vulnerable to flooding from both surface and fluvial sources. As a result, there is an ongoing risk in relation to contamination, particularly from the equine centre, as the proposed filter drains will not function and runoff will reach the lakes untreated during high rainfall and high groundwater periods.

Although there remains a contamination risk, there would be no detriment in terms of volume and flow of surface water leaving the site so this is not something we would object on the basis of. We would however highlight that if this site was greenfield, we would consider it to be unviable.

Natural England

Response Letter dated 14 April 2021 : **No Objections/Objection Removed subject to an appropriate SPA financial contribution being secured with a s106 Planning Obligation to address SPA impact.**

On 07 April 2021 we received an updated report to inform a Habitats Regulations Assessment (HRA), document dated 31 March 2021 and referenced 5831 HRA vf5/MRD, which gives further information on the

issues we have previously raised, particularly air pollution.

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

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

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

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

1) Proposed development incompatible with Flood Zone: We have reviewed the response by WYG dated 17 December, reference A092227-1/FRDA Consultation Response. We have also reviewed the documents related to flood storage volume assessment and the level and volume assessments. We have also reviewed the Technical Briefing Note by aspect ecology, which discusses the proposed boundary treatments on the eastern boundary of the site.

The North Car Park that was proposed within land shown to be in the 5% annual probability flood, designated as functional floodplain, has now been removed from the proposal. We can remove our objection for inappropriate development within the functional floodplain.

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Final Comments: Our comments are based on our available records

and the information as submitted to us.

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

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

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

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

#2 : Comments in respect of submitted Travel Plan:

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

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

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

South East Water

No comments received during the consultation period.

Thames Water

Waste Comments

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

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



### Water Comments

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

The Blackwater  
Valley Countryside  
Partnership

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

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

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

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

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

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

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

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

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

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

### **Neighbours notified**

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

### **Neighbour comments**

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

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

78 Hinton Wood  
Avenue, Highcliffe,  
Christchurch,  
Dorset

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

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

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

19 Wellington  
Place, Ash Vale

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

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

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

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

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

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

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

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

## **Policy and determining issues**

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



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

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

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

Also relevant is the Council's adopted Supplementary Planning Document (SPD) "Parking Standards" adopted in 2017. Since the SPD was subject to extensive public consultation and consequent amendment before being adopted by the Council, some significant weight can be attached to the requirements of this document. The advice contained in the National Planning Policy Framework most recently updated in July 2021 (NPPF) and National Planning Practice Guidance (NPPG) are also relevant.

It was the conclusion of the Council's Screening Opinion in May 2020 that similar proposals in nature, scope and scale to those now being proposed with the current application did not require the submission of an Environmental Impact Assessment as an 'urban development project' under Schedule 2 of the Town & Country Planning (Environmental Impact Assessment) (England and Wales) Regulations. Accordingly, it is considered that the same conclusion applies to the current proposals.

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

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

## **Commentary**

### **1. Principle -**

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

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

are defined as:-

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

The NPPF also advises that these roles should not be taken in isolation because they are mutually dependent, and the planning system should play an active role in guiding development to sustainable locations. The proposed development is seeking to make more efficient use of previously-developed land, which, within reason, also continues to be a clear objective of both Government planning guidance and current adopted local planning policy.

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

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

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

***"NE5 : Development within the countryside (outside the Defined Urban Area of Aldershot and Farnborough) will only be permitted where:***

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

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

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

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

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

Site Investigation : By its very nature and position, the application site has a direct and proximal relationship with the water environment, whether this be fluvial-, surface- and/or ground-waters. The application site has been used historically for commercial purposes for mineral extraction and/or minerals processing. The section of the site to the west of Lake 1 and Hollybush Lane is an historic former landfill site displaced by the construction of the Blackwater Valley Road (A331). Some land within the application has also historically been subject to unauthorised tipping/disposal of waste materials from elsewhere; The extent, nature and content of the tipped material is unknown; as is the extent to which this material was, or was not, removed from the land when it has, occasionally, been cleared. The former Lafarge site was developed and used on an unauthorised basis for, inter alia, reception and assessment of crash-damaged vehicles; the storage of motor vehicles; storage of de-polluted motor vehicle bodies and vehicle parts; all being uses that may have, or have, resulted in ground contamination. The extent of contamination arising from the unauthorised vehicle and vehicle parts storage use removed by Council enforcement action is equally unknown. The site has also been subject to extensive disturbance, clearance, and parts used for burning of other materials on large bonfires, from time to time over the last 10 years.

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

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

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

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

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

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

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

under any circumstances.

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

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

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

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

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

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

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

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

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

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

## 2. Visual Impact –

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

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

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

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

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

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

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

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



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

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

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

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

### **3. Impacts on Neighbours –**

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

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

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

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

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

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

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

#### **4. Highways Considerations –**

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

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

*d. provides appropriate parking provision;*

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

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

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

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

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

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

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

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

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

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

## **5. Ecology and Biodiversity-**

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

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

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

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

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

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

The retained South East Plan Policy NRM6 and adopted New Rushmoor Local Plan (2014-2032) Policy NE1 (Thames Basin Heaths Special Protection Area), Thames Basin Heaths Delivery Framework (2009) and Rushmoor's SPD Thames Basin Heaths Avoidance & Mitigation Strategy (2022)], state that residential development within 400m of the SPA should be refused and development within 5km of the SPA should provide Strategic Alternative Natural Greenspace (SANG) of 8ha/1000 additional population and contributions to Strategic Access Management and Monitoring Measures (SAMM) dependant on the number of bedrooms.

It is considered that there is sufficient information available with the planning application provided by the applicants with which the Council can undertake the HRA process. In this case the proposed development involves the creation of 9 net new residential units in the form of holiday accommodation that Natural England have identified as being likely to result in additional recreational pressure on the SPA. The proposed development is located within the 5km zone of influence of the SPA but outside the 400-metre exclusion zone. The proposed development is neither connected to, nor necessary to the management of, the Thames Basin Heaths SPA. Furthermore, and Natural England agree in their consultation response following receipt of the applicants revised Habitats Regulation Assessment (March 2021), that it is not considered that the proposed development would result in a net increase in traffic movements in excess of 1000 vehicular movements per day in proximity to the SPA.

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

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

term management, maintenance and funding of any such solution.

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

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

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

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

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

In this case the applicants have provided written evidence that they have acquired SANGS capacity from the Hart District Council Bramshot Farm SANGS scheme sufficient for the 9 new residential units proposed, costing the applicants £98,583.21, that has already been paid to Hart DC. Furthermore, the applicants are seeking to complete a s106 Planning Obligation with Rushmoor BC to secure a financial contribution of £8,793.47 towards SAMM to be paid upon the implementation of the proposed development.

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

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

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

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

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

The Council has no role or jurisdiction in the enforcement of protected wildlife legislation. Nevertheless, in the context of land use planning, Local Plan Policy NE4 (Biodiversity) requires that new development avoids significant harm to biodiversity and, if not possible, that adequate mitigation or avoidance measures are proposed such that no adverse effects on the conservation status of priority species. This policy states, inter alia:- *“Development proposals will be permitted if significant harm to biodiversity....resulting from a development can be avoided or, if that is not possible, adequately mitigated such that it can be clearly demonstrated that:*

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

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

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

In addition to Policy NE4, Local Plan Policy NE2 (Green Infrastructure) requires that

development provides green infrastructure features within the development and maximises opportunities for improvement to the green infrastructure network, including restoration of fragmented parts of the network. This approach is supported by the NPPF.

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

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

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

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

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



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

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

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

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

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

#### **Bats:**

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

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

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

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

**Badger:**

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

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

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

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

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

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

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

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

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

#### **Invasive Species:**

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

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

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

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

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

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

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

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

Combined with the specific landscaping and wildlife mitigation proposals proposed to be incorporated into the scheme, and subject to conditions, the Ecology Officer has concluded that the Applicants' have presented sufficient information and proposals to understand the likely impacts upon protected wildlife and ensure that ecological and biodiversity matters are appropriately addressed with the proposed development. Consequently, it is therefore recommended that planning permission can be granted subject to conditions in respect of ecology and biodiversity matters.

Biodiversity: Development proposals should seek to secure opportunities to enhance biodiversity and include proportionate measures to contribute, where possible to a net gain in biodiversity, through creation, restoration, enhancement and management of habitats and features, including measures that help to link key habitats. In this respect, the Environment Act 2021 introduces a statutory footing for securing measurable net gains for biodiversity, requiring a 10% minimum uplift post-development. However, this will not become a legal requirement until November 2023. Accordingly, for the time being, Rushmoor Borough Council have an expectation that all major planning applications, including those with 10 or more dwellings or over 10000 sqm of commercial floorspace, should seek to attain a minimum of 10% net gain in biodiversity value as a result of development on a voluntary basis ahead of the statutory obligation.

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

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

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

#### **Habitat Creation :**

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

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

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

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

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

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

#### **Birds:**

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

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

#### **Reptiles and Amphibians:**

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

#### **Invertebrates:**

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

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

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

for invertebrates.

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

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

## 6. Flooding and Drainage Issues –

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

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

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

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

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

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

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

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

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

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

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

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

Whilst the technical details/specification of this proposed surface-water drainage installations for the site are the subject of separate consideration and licence approval by the LLFA, it is considered that the proposed indicative drainage scheme submitted with the current planning application is feasible, credible and acceptable in principle and would deliver an improvement on the existing site drainage situation, thereby meeting the objectives of Local Plan Policy NE8.

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



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

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

## **7. Sustainability -**

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

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

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

## **8. Access for People with Disabilities –**

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

## **9. Other Issues -**

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

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

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

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

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

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

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

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

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

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

### **Overall Conclusions –**

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

### **Full Recommendation**

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

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

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

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

In the event that no satisfactory s106 Agreement and/or confirmation of the viability case to justify no provision of affordable housing are received by 30 November 2022 and no extension of time has been agreed, the Head of Economy, Planning and Strategic Housing be authorised to Refuse planning permission on the grounds that the proposal does not provide a financial contribution to mitigate the effect of the development on the Thames Basin Heaths Special Protection Area in accordance with The Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy and adopted Rushmoor Local Plan Policy NE1; and fails to secure appropriate amenity improvements to the Blackwater Valley Green Corridor contrary to adopted Local Plan Policy NE2.

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

Reason - As required by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The permission hereby granted shall be carried out in accordance with the following approved drawings and documents:

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

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

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

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

External walls

Roofing materials

Window/door frames

Balustrades

Ground surfacing materials.

Reason - To ensure satisfactory external appearance. \*

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

Reason - In the interests of visual amenity. \*

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

Reason - To safeguard the amenities of the area. \*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 15 All plant and machinery to be installed at any time in connection with the development hereby permitted shall be enclosed with soundproofing materials and mounted in a way which will minimise transmission of structure- and air-borne sound in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority.

Reason - To protect the amenities of the area. \*

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

Reason - In the interests of visual amenity.

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

The submitted details should also include details for the long-term maintenance arrangements for the surface water drainage and/or SUDS systems together with appropriate maintenance schedules for each drainage feature type and its ownership.

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

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

- 18 No works shall start on site until existing trees and shrubs/hedges to be retained on and adjoining the site have been adequately protected from damage with appropriate protective fencing during site clearance and works in accordance with the detail indicated within the submitted Aspect Ecology Revised Ecological Appraisal (January 2021) hereby approved. Furthermore, no materials or plant shall be stored and no buildings erected within protective fencing to be erected at the margins of the root protection area of each tree/shrub/hedge to be retained as appropriate.

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

- 19 No development or site clearance shall commence until, as indicated within the submitted Aspect Ecology Revised Ecological Appraisal (January 2021) hereby approved and in accordance with industry best practice guidance, an ecological walk-over survey has been undertaken by a suitably qualified ecologist immediately before the start of any site clearance and works on site to identify the presence of any protected species within the area of the works to be undertaken. In the event that protected species are identified within the area of the development hereby approved, no works shall start and a survey report incorporating a scheme of mitigation measures to protect any such protected species as are found shall be submitted to the Local Planning Authority for consideration and approval as appropriate. The scheme of mitigation as may subsequently be approved shall thereafter be implemented in full in accordance with the approved mitigation details prior to and/or during the commencement of works on site as specified in all respects.

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

- 20 No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall follow the recommendations set out in the submitted Aspect Ecology Revised Ecological Appraisal Report (January 2021) and industry best practice guidance, and include the following;
- a) the provision to be made for the parking and turning on site of operatives and construction vehicles during construction and fitting out works;
  - b) the arrangements to be made for the delivery of all building and other materials to the site;
  - c) the provision to be made for any storage of building and other materials on site;
  - d) measures to prevent mud from being deposited on the highway;
  - e) the programme for construction;
  - f) Construction methods;



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

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

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

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

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

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

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

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

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

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

(a) identify the areas or features on the site that are particularly sensitive for bats and identify the aspects of the development that would be likely to cause disturbance in or around the breeding sites and resting places of these species or along important routes used to access key areas of their territory, for example for foraging and commuting; and (b) show how and where all the proposed external lighting will be installed and demonstrate (through the provision of appropriate lighting plans and technical specifications) that those areas to be lit will not disturb or prevent the above species using their territory or gaining access to their breeding sites, resting places and foraging areas.

The SLMP as may be approved shall be implemented in full in accordance with the specifications and locations set out and retained as required thereafter at all times. No other external lighting shall be installed without prior express consent from the Local Planning Authority.

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

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

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

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

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

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

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

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

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

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

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

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

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

- Details of management responsibilities.

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

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

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

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

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

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

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

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

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

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

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

## **Informatives**

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

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

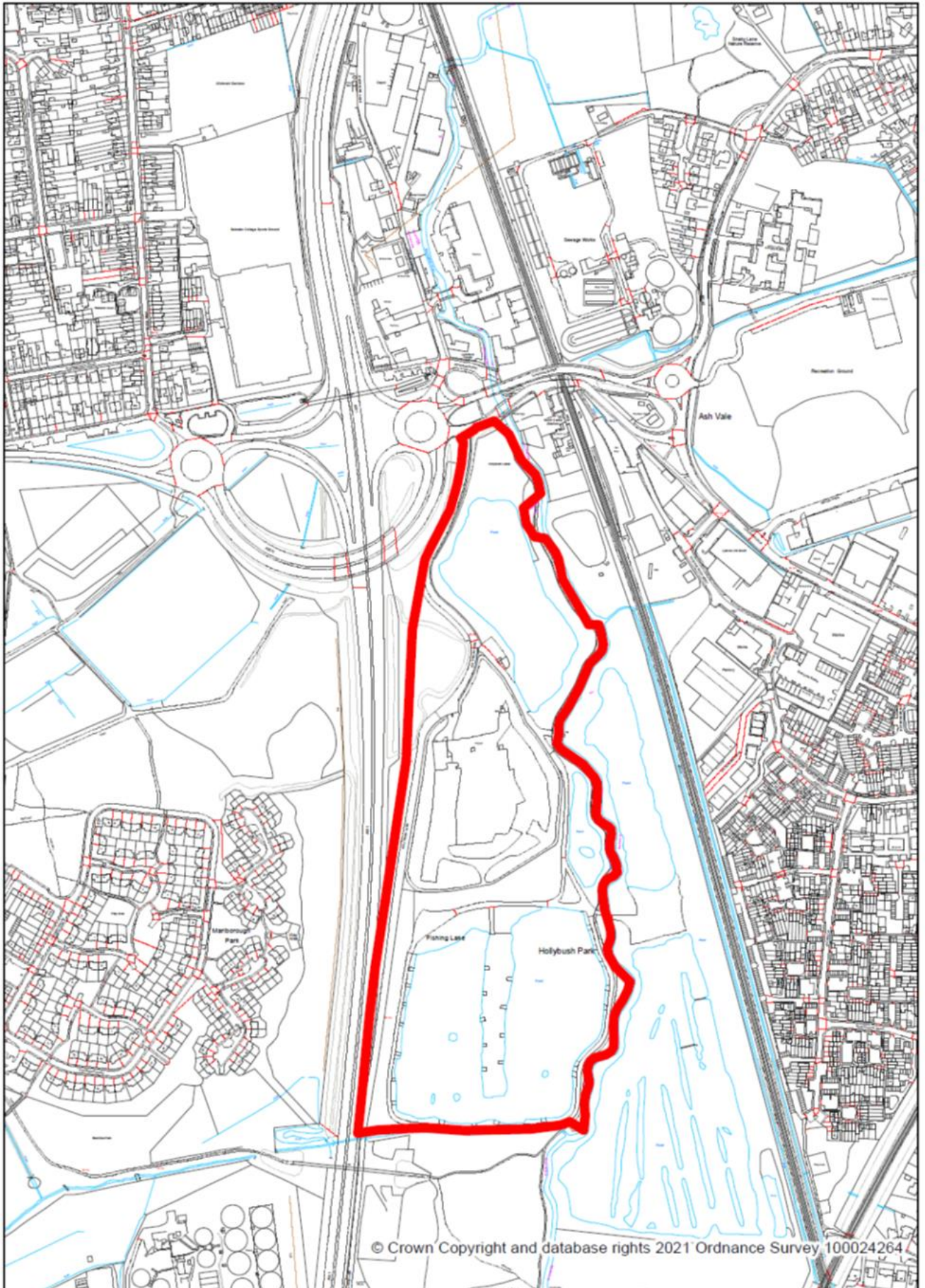
It is therefore considered that subject to compliance with the attached conditions, and taking into account all other material planning considerations, including the provisions of the development plan, the proposal would be acceptable. This also includes a consideration of whether the decision to grant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

- 2 INFORMATIVE - This permission is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended). If your legal obligations includes a payment of sums, then you must contact the Council (at [plan@rushmoor.gov.uk](mailto:plan@rushmoor.gov.uk)) at least 20 days prior to the commencement of development both stating your intended date of commencement and requesting an invoice to pay such funds. The payment of all contributions as required by such s106 must be received prior to the commencement of development.
- 3 INFORMATIVE - Your attention is specifically drawn to the conditions marked \*. These condition(s) require the submission of details, information, drawings etc. to the Local Planning Authority BEFORE a certain stage is reached in the development. Failure to meet these requirements is in contravention of the terms of the permission and the Council may take enforcement action to secure compliance. As of April 2008 submissions seeking to submit details pursuant to conditions or requests for confirmation that conditions have been complied with must be accompanied by the appropriate fee.
- 4 INFORMATIVE - The applicant is recommended to achieve maximum energy efficiency and reduction of Carbon Dioxide emissions by:
  - a) ensuring the design and materials to be used in the construction of the building are consistent with these aims; and
  - b) using renewable energy sources for the production of electricity and heat using efficient and technologically advanced equipment.
- 5 INFORMATIVE - No materials produced as a result of site preparation, clearance, or development should be burnt on site. Please contact the Council's Environmental Health Team for advice.
- 6 INFORMATIVE - The applicant is advised that during the construction phase of the development measures should be employed to contain and minimise dust emissions,

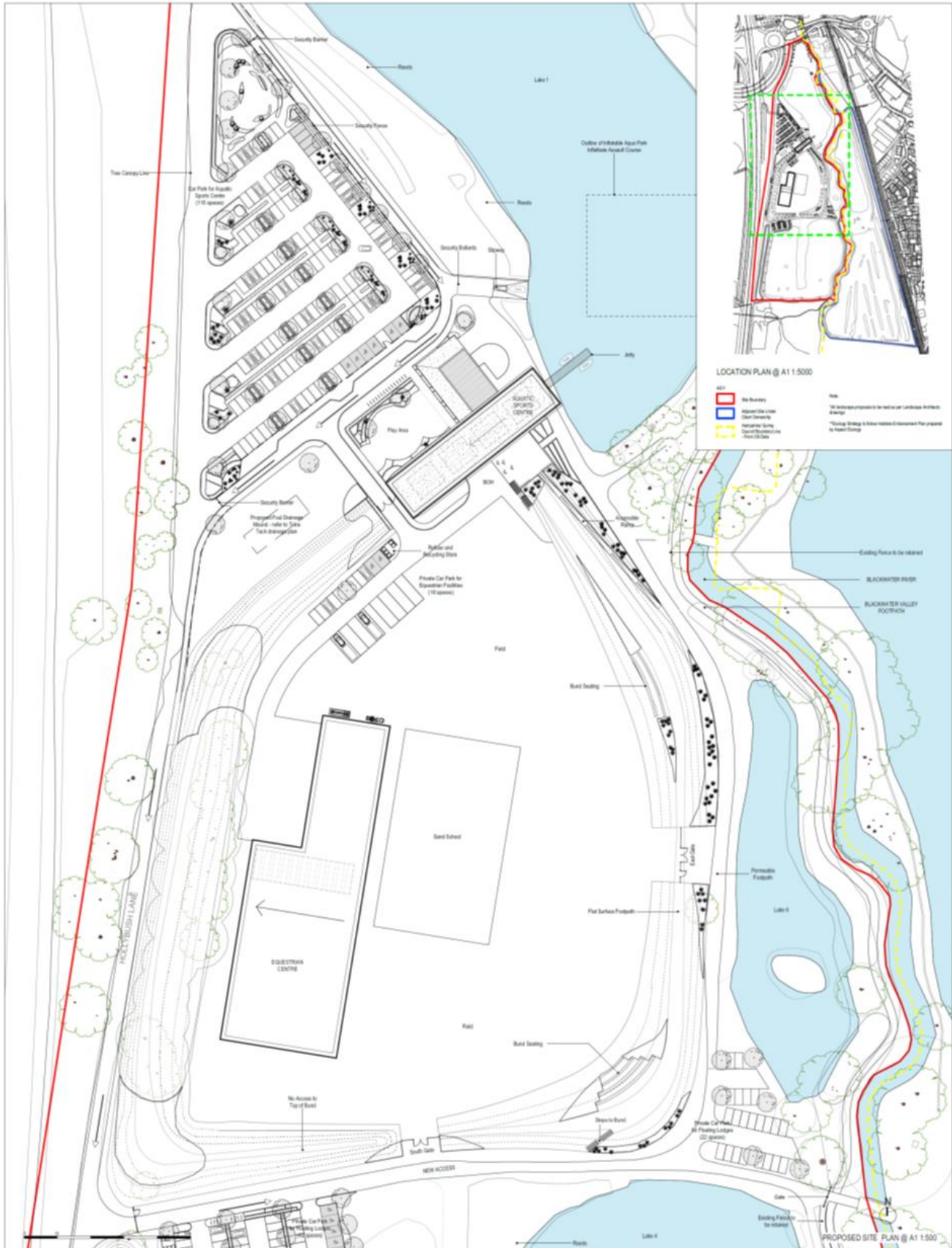
to prevent their escape from the development site onto adjoining properties. For further information, please contact the Council's Environmental Health Team.

- 7      INFORMATIVE - In the UK protected wildlife species, which includes badgers and all species of bats and nesting birds, are afforded statutory protection such that unlicensed harm and/or disturbance would constitute an offence. The grant of planning permission does not supersede the requirements of this legislation. If any protected species or signs of them are encountered at any point during development then all works must stop immediately and you should contact Natural England.
- 8      INFORMATIVE – Industry best practice guidance for avoidance of adverse impacts on nocturnal species as a result of artificial lighting is set out in BCT & ILP (2018) Guidance Note 08/18 Bats and Artificial Lighting in the UK. Bats and the Built Environment. Bat Conservation Trust, London & Institution of Lighting Professionals, Rugby.
- 9      INFORMATIVE - The applicant is requested to bring the conditions attached to this permission to the attention of all contractors working or delivering to the site, in particular any relating to the permitted hours of construction and demolition; and where practicable to have these conditions on display at the site entrance(s) for the duration of the works.
- 10     INFORMATIVE - The Local Planning Authority's commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of pre-application discussion to all, and assistance in the validation and determination of applications through the provision of clear guidance regarding necessary supporting information or amendments both before and after submission, in line with the National Planning Policy Framework.









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- All dimensions to be verified by the contractor before work is commenced
- Architect to be notified immediately if any discrepancies are found
- All shop drawings to be approved by Architect before work commences
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Notes	Significant Health, Safety & Environmental information relating to CDM
Health	
Safety	
Environmental	
It is assumed that all works will be carried out by a competent contractorking, where appropriate	

Rev	Date	Description	DRG	CHK
01	20.08.20	Planning Application & Update	DRG	CHK
02	20.08.20	Final Car Parking	DRG	CHK

Proposed Sports Centre Site Plan	
Client:	Dragages Development Ltd
Project No:	279
Project Name:	Hollybush Lakes
Project Address:	Hollybush Lakes, Aldenham (S17) SQ

**baca** ARCHITECTS

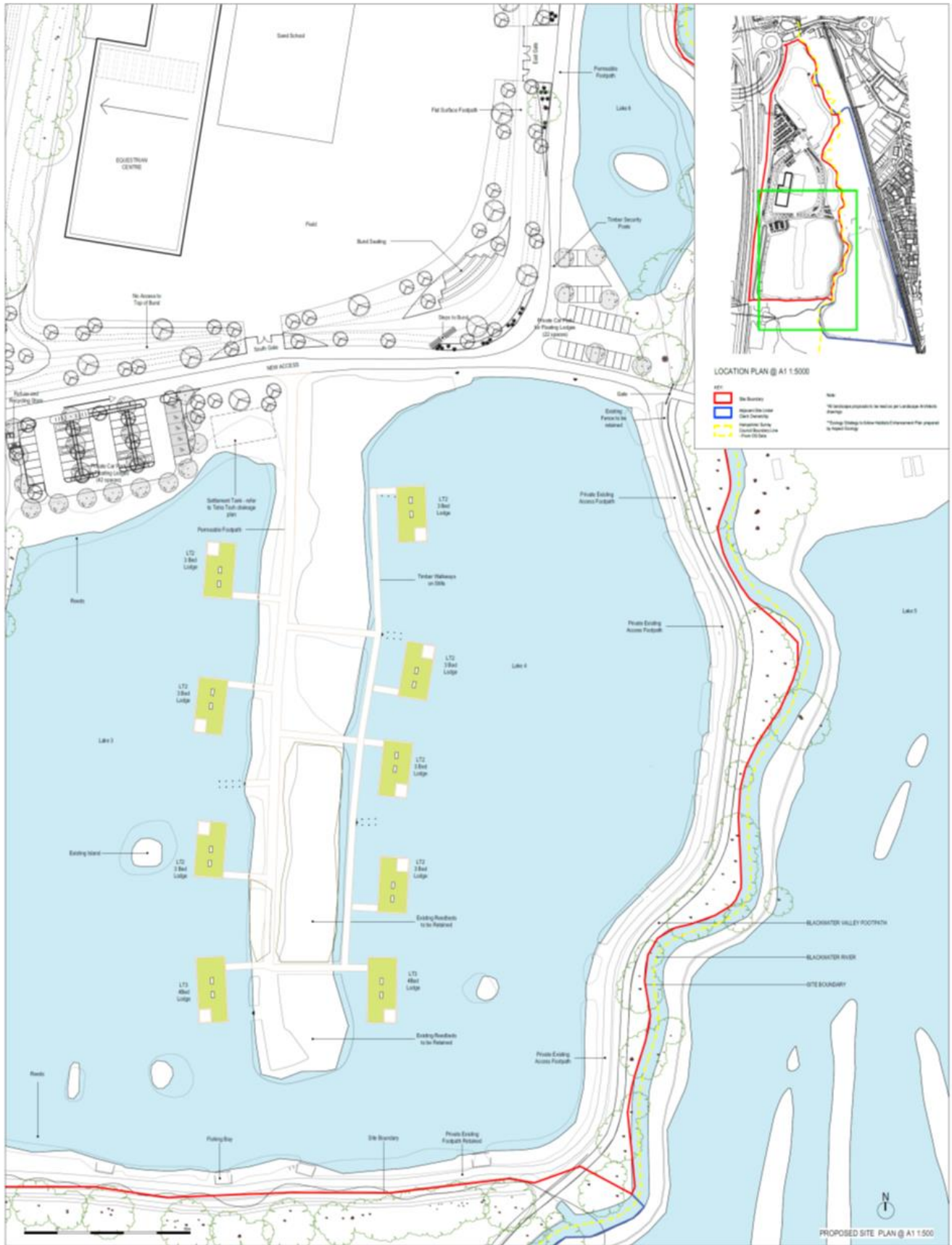
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1 to 1000 @ A3

Stage: **PLANNING**

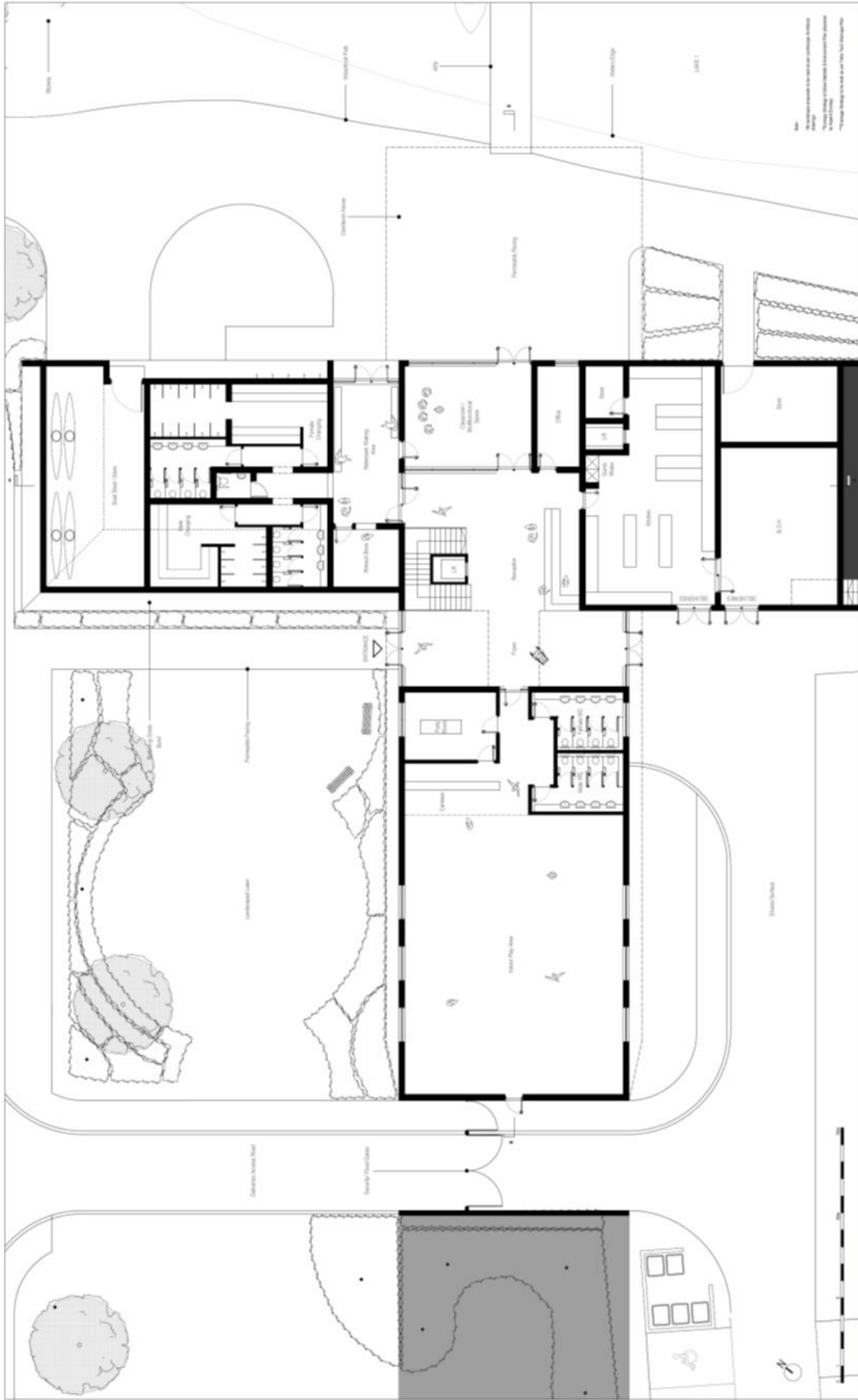
Drawing No: 279-200-102

Rev: A





Unit 1, 199 Long Lane, London, SE1 4PN T +44 (0) 20 7397 5620 mail@baca.uk.com		<b>ARCHITECTS</b> <b>baca</b>																						
1. All dimensions to be verified by the contractor before work is commenced. 2. Architect to be notified immediately if any discrepancies are found. 3. All design drawings to be approved by Architect before work commences. 4. All details to be in accordance with relevant British Standards and manufacturers' recommendations and specifications. 5. This drawing is the property of Baca Architects Limited. Copyright reserved. This drawing is not to be copied, reproduced, retained or disclosed to any unauthorised person other than the client without the specific consent in writing of Baca Architects Limited. All dimensions in mm.		<table border="1"> <tr> <td>Project Name</td> <td>Proposed Floating Lodges Site Plan</td> </tr> <tr> <td>Client</td> <td>Draysons Development Ltd</td> </tr> <tr> <td>Project No.</td> <td>179</td> </tr> <tr> <td>Project Name</td> <td>HAYBUSH LODGES</td> </tr> <tr> <td>Project Address</td> <td>HAYBUSH LN, ALDRIDGE GU12 5JN</td> </tr> </table>		Project Name	Proposed Floating Lodges Site Plan	Client	Draysons Development Ltd	Project No.	179	Project Name	HAYBUSH LODGES	Project Address	HAYBUSH LN, ALDRIDGE GU12 5JN											
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Project Address	HAYBUSH LN, ALDRIDGE GU12 5JN																							
<table border="1"> <tr> <td>Health</td> <td>Significant/Health, Safety &amp; Environmental information relating to CDM</td> </tr> <tr> <td>Safety</td> <td></td> </tr> <tr> <td>Environmental</td> <td></td> </tr> </table>		Health	Significant/Health, Safety & Environmental information relating to CDM	Safety		Environmental		<table border="1"> <tr> <td>Rev. No.</td> <td>18.05.22</td> <td>Floting lodges retained in 3 stages</td> <td>18.05.22</td> <td>18.05.22</td> </tr> <tr> <td>Rev. Date</td> <td>18.05.22</td> <td>Revised to include</td> <td>18.05.22</td> <td>18.05.22</td> </tr> <tr> <td>Rev. Description</td> <td></td> <td></td> <td></td> <td></td> </tr> </table>		Rev. No.	18.05.22	Floting lodges retained in 3 stages	18.05.22	18.05.22	Rev. Date	18.05.22	Revised to include	18.05.22	18.05.22	Rev. Description				
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Rev. Date	18.05.22	Revised to include	18.05.22	18.05.22																				
Rev. Description																								
It is assumed that all works will be carried out by a competent contracting work, where appropriate.		<table border="1"> <tr> <td>Scale</td> <td>1 to 1250 @ A1 1 to 5000 @ A3</td> </tr> <tr> <td>Phase</td> <td>PLANNING</td> </tr> <tr> <td>Drawing No.</td> <td>279-200-103</td> </tr> <tr> <td>Rev.</td> <td>A</td> </tr> </table>		Scale	1 to 1250 @ A1 1 to 5000 @ A3	Phase	PLANNING	Drawing No.	279-200-103	Rev.	A													
Scale	1 to 1250 @ A1 1 to 5000 @ A3																							
Phase	PLANNING																							
Drawing No.	279-200-103																							
Rev.	A																							



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Scale: 1:1000  
 Date: 15/08/2013  
 Project: 275/200/110

**Proposed Sports Centre  
 Ground Floor Plan**

Client: DIVERSITY DEVELOPMENTS LTD  
 Architect: bacca

Project Name: Proposed Sports Centre  
 Project Address: 159 Long Lane, London, SE1 4PN

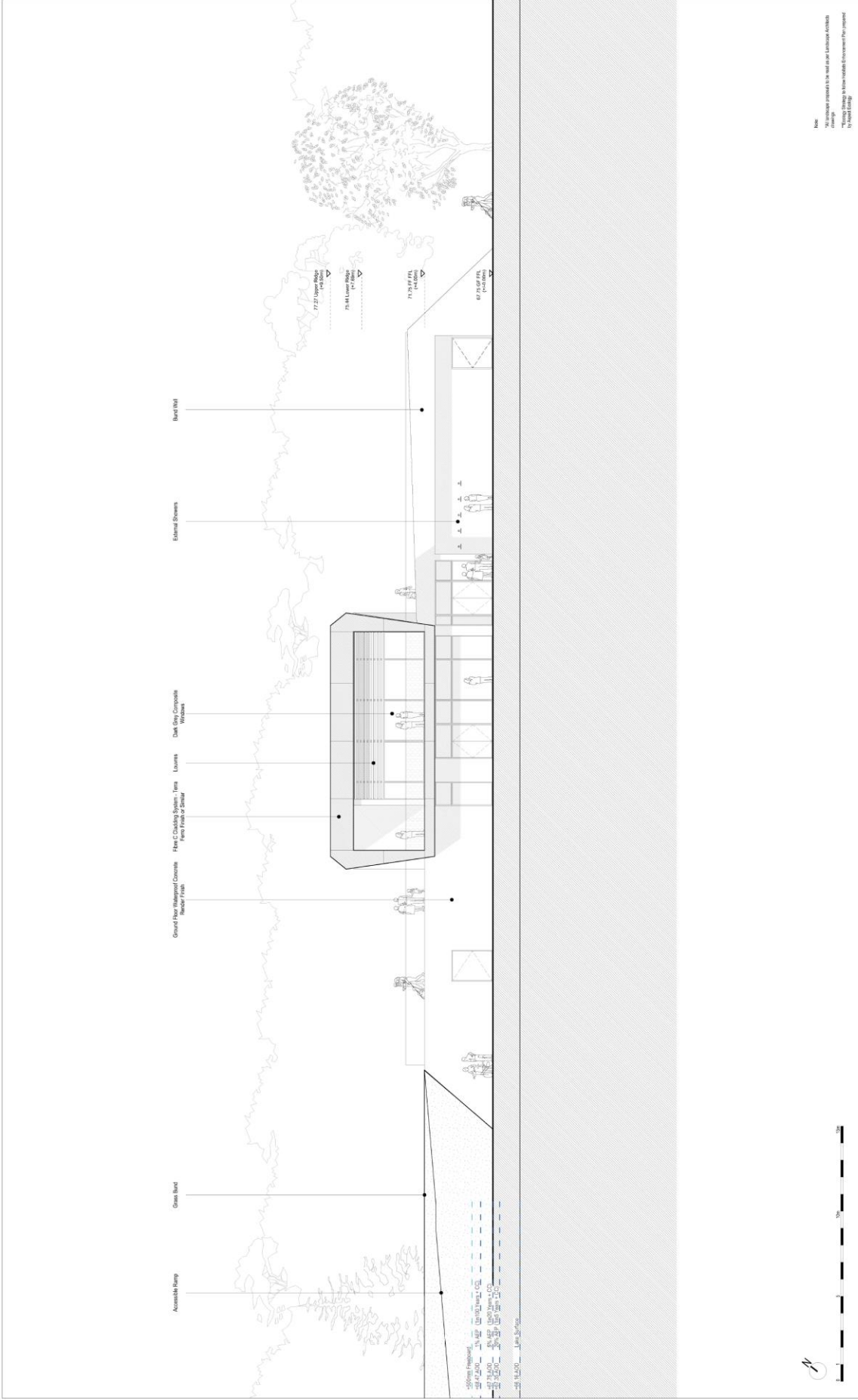
Scale: 1:1000  
 Date: 15/08/2013  
 Project: 275/200/110

Notes:  
 1. All dimensions are to the face of the wall unless otherwise stated.  
 2. All areas shown are to be approved by the relevant authorities.  
 3. All areas shown are to be approved by the relevant authorities.  
 4. All areas shown are to be approved by the relevant authorities.  
 5. All areas shown are to be approved by the relevant authorities.  
 6. All areas shown are to be approved by the relevant authorities.  
 7. All areas shown are to be approved by the relevant authorities.  
 8. All areas shown are to be approved by the relevant authorities.  
 9. All areas shown are to be approved by the relevant authorities.  
 10. All areas shown are to be approved by the relevant authorities.









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**Notes**

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All Dimensions in mm.

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**Client:** Drygarics Developments Ltd  
**Project Name:** Proposed Sports Centre  
**Address:** 199 Long Lane, London, SE1 1PN

**Drawing Title:** Proposed Sports Centre  
**East Elevation**

---

**Date:** 25.08.20  
**Scale:** 1:100 @ A1  
**Scale:** 1:200 @ A3

**Client:** Drygarics Developments Ltd  
**Project Name:** Proposed Sports Centre  
**Address:** 199 Long Lane, London, SE1 1PN

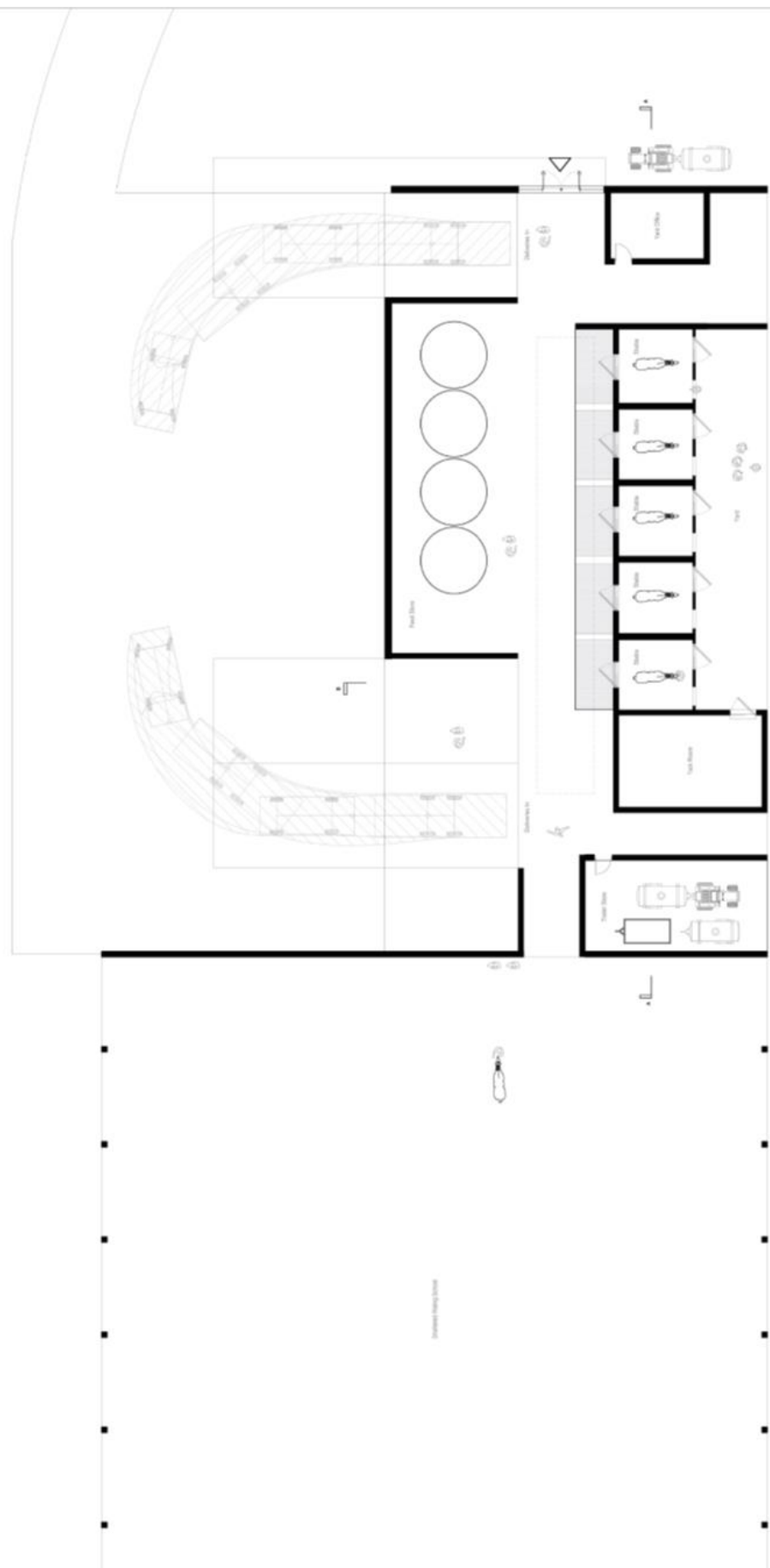
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**Author:** [Name]  
**Check:** [Name]  
**Drawn by:** [Name]

**Drawing No.:** 279-200-114  
**Rev:** A

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Existing Level Lines



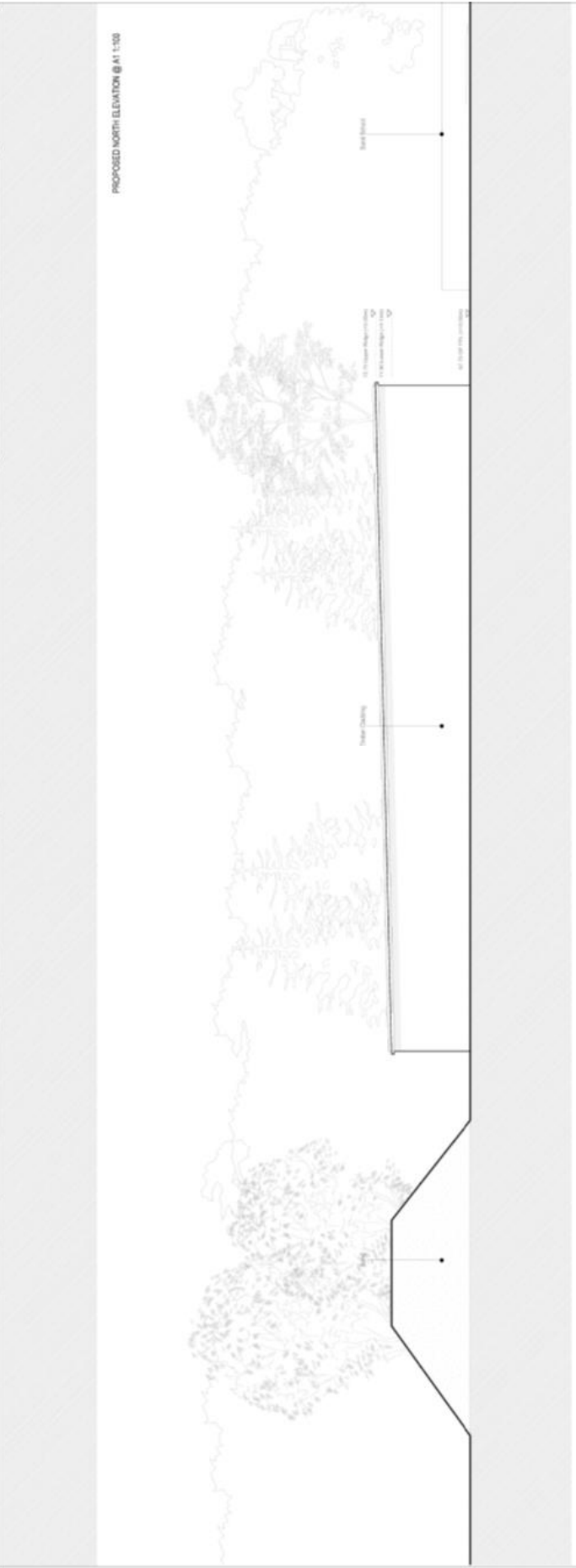
PROPOSED GROUND FLOOR PLAN @ A1:100

Unit 1, 179 Long Lane, London, SE1 4PN  
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 info@baca.co.uk

<p>1. All dimensions are to face unless otherwise stated.          2. All work to be in accordance with relevant British Standards and manufacturers' recommendations and specifications.          3. This drawing is the property of Beca Architects Limited and shall remain the property of Beca Architects Limited.          4. No part of this drawing shall be used for any other purpose without the written consent of Beca Architects Limited.</p>		<p>© Crown copyright and database right 2014 OS 100034400          Reproduction in whole or in part is prohibited          without the permission of Ordnance Survey</p>	
<p>Name:          Health, Safety &amp; Environmental Information relating to CDFP</p>	<p>Scale:          As shown</p>	<p>Client:          Proposed Equestrian Centre          Ground Floor Plan</p>	<p>Project No:          275-205-125</p>
<p>Author:          [Name]</p>	<p>Checker:          [Name]</p>	<p>Date:          15/08/24</p>	<p>Sheet No:          1 of 1</p>
<p>Drawn by:          [Name]</p>	<p>Checked by:          [Name]</p>	<p>Project Name:          Proposed Equestrian Centre</p>	<p>Project Address:          [Address]</p>
<p>Scale:          As shown</p>	<p>Scale:          As shown</p>	<p>Scale:          As shown</p>	<p>Scale:          As shown</p>







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 mail@bacc.co.uk

Proposed Equestrian Centre  
 North & South Elevations  
 Proposed by: Chryseers Developments Ltd  
 Planning No: 279/205/123

Date: 15.10.2018  
 Scale: 1:100 (E&S)  
 Drawing No: 279/205/123

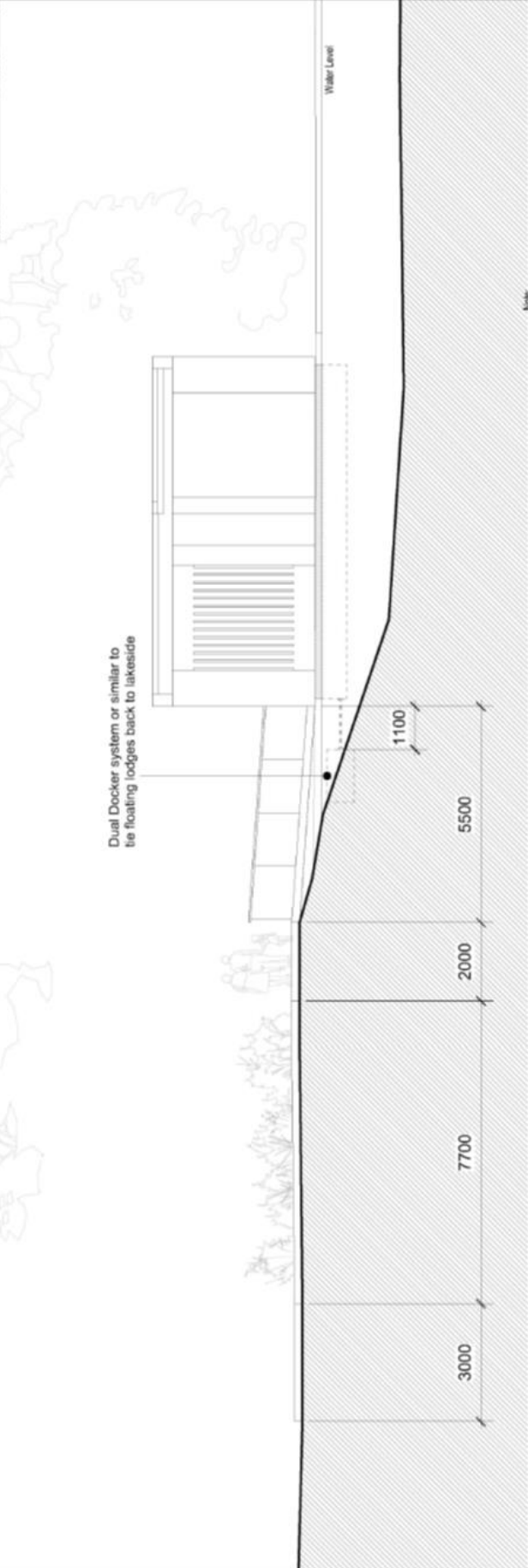
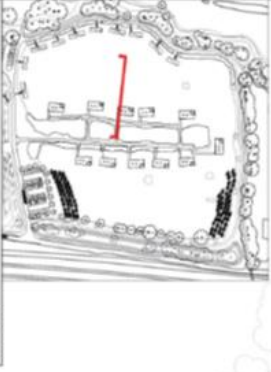
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- 1. All dimensions to be noted by the landscape architect work to be represented.
- 2. All dimensions to be noted by the landscape architect work to be represented.
- 3. All dimensions to be noted by the landscape architect work to be represented.
- 4. All dimensions to be noted by the landscape architect work to be represented.
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Note:

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

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

Project No.	279
Project Name	Hollybush
Project Address	Hollybush Ln, Adlestrop GL12 5QA

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PROPOSED TYPICAL MOORING SECTION AA @1:100

0 5 10m 50m

Scale: 1 to 100

Project No. 279  
 Project Name: Hollybush  
 Project Address: Hollybush Ln, Adlestrop GL12 5QA

Project No. 279-200-136  
 Project Name: PLANNING  
 Project Address: Hollybush Ln, Adlestrop GL12 5QA

Scale: 1 to 100  
 Project No. 279-200-136  
 Project Name: PLANNING  
 Project Address: Hollybush Ln, Adlestrop GL12 5QA

Scale: 1 to 100  
 Project No. 279-200-136  
 Project Name: PLANNING  
 Project Address: Hollybush Ln, Adlestrop GL12 5QA

Scale: 1 to 100  
 Project No. 279-200-136  
 Project Name: PLANNING  
 Project Address: Hollybush Ln, Adlestrop GL12 5QA

North Arrow

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 bacc architects  
 Unit 1, The Old Mill, London, SE1 4NY  
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 info@bacc.co.uk

Floating Lodges Typical Site Section  
 Project No. 279  
 Project Name: Hollybush  
 Project Address: Hollybush Ln, Adlestrop GL12 5QA

Scale: 1 to 100  
 Project No. 279-200-136  
 Project Name: PLANNING  
 Project Address: Hollybush Ln, Adlestrop GL12 5QA

Scale: 1 to 100  
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