

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

Case Officer	Katie Ingram
Application No.	24/00644/FULPP
Date Valid	23rd October 2024
Expiry date of consultations	2nd January 2025
Proposal	Erection of one bedroom flat with parking below following demolition of garages
Address	<b>Land to the rear of 105 Park Road Farnborough</b>
Ward	St Mark's
Applicant	Mr Anthony Goff
Agent	Mr Michael Conoley
Recommendation	<b>GRANT</b>

## Description

### Site description –

The application site is broadly rectangular and measures 120sqm, with a depth of 10.2m to 9.9m and a frontage to South Street of 11.8m, and is occupied by 3 detached precast concrete single garages set back from the highway by 4m. The site is on the southern side of South Street, 20m from the junction with Park Road. The rear and side boundaries are fenced with 1.8m and 1.2m high timber fencing. The western-most garage forms part of the boundary with 105/105A Park Road. The area forward of the garages is hardstanding. The garages have been left in recent years to go into a state of dilapidation and the site is covered in Virginia Creeper.

105 & 105A Park Road is a two-storey building fronting Park Road subdivided into two flats. Adjoining the southern rear boundary is 103 Park Road, a two-storey semidetached dwelling, and the eastern boundary is adjoined by 1 South Street, a two-storey semi-detached dwelling. On the northern side of South Street opposite the site is 107 Park Road that is occupied by a development of 4 two storey semidetached dwellings facing Park Road, following recent redevelopment of the site from a vehicle sales premises and garage workshop in 2024/25 (23/00382/FULPP refers). South Street and Park Road in this location are largely residential characterised by a variety of different dwelling types. South Street is a cul-de-sac.

## Planning history –

### *FAU3903 (1967) 105 Park Road*

This application was approved for ‘conversion of existing dwelling into two self-contained flats’ subject to condition 1 that required a garage or parking space to be provided for each flat from South Street.

### *RSH03865 –*

In July 1983, planning application RSH03865 for ‘*demolition of existing garage and car port and erection of three garages at the rear 105/105a Park Road*’ was permitted subject to the following condition:

2. *‘the garages shall be used only for purposes incidental to the domestic use of the flats and shall not be used for any business, commercial or industrial use whatsoever’.*

*Reason – in the interests of the amenity of the area*

### *22/00496/FULPP –*

In September 2022, an application for ‘Erection of 2no. attached 1-bed dwellings, following demolition of 3 garages’ was refused for the following reasons:

- 1 The proposed development by way of its design, bulk and massing would be out of keeping with the character and appearance of the surrounding area and is an overdevelopment of the site, that would result in an adverse impact on visual amenities of the site and is therefore contrary to Policy DE1 of the Rushmoor Local Plan (2014-2032).
- 2 The proposed development has failed to demonstrate that there would be no adverse impacts from ground contamination on future occupants and therefore does not comply with Local Plan DE10 or 184 to 185 of the NPPF.
- 3 The proposed dwellings by reason of their siting, massing and bulk would have a harmful impact on neighbouring amenity by creating a sense of enclosure and being overshadowing to the private amenity space of the adjoining properties Nos.103 and 105A Park Road, and would therefore be contrary to Policy DE1 of the Rushmoor Local Plan (2014-2032).
- 4 The proposed development would fail to provide a satisfactory living environment for future occupants by reason of the small and cramped private amenity areas and bedroom sizes that do not meet the Nationally Described Space Standards and the application is therefore contrary to Policies DE2 and DE3 of the Rushmoor Local Plan (2014-2032).
- 5 The development is unacceptable in highway terms in that it fails to demonstrate that the displacement of established off-street parking spaces would have no adverse impact on the local highway network and is contrary to Policy IN2 of the Rushmoor Local Plan (2014-2032) and the relevant provisions of the Rushmoor Car and Cycle Parking Standards SPD (2017).
- 6 The proposal fails to address the likely significant impact of the development on the Thames Basin Heaths Special Protection Area as required by the Habitats

Regulations in accordance with the Council's Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy, and is therefore contrary to Rushmoor Local Plan Policy NE1 and retained Policy NRM6 of the South East Plan.

#### Proposed development –

The application is seeking demolition of the garages and erection of a building comprising a 1-bed flat on the first floor with a rear enclosed balcony, and 3 parking spaces in an undercroft parking area below at ground level. The building would front South Street with a dual pitched roof and side facing gables. It would be set back from the boundary with the highway by 2.7m and would have a footprint of 10.8m x 7.4m. It would have a dropped eaves height of 4.5m and a ridge height of 7.2m with the first-floor front dormer windows set into the eaves. The enclosed entrance staircase to the flat would be on the western side of the building and set back from the front elevation. Materials would comprise red facing brick and grey slate roof tiles, and front windows proposed are sliding sash windows.

The application is accompanied by a preliminary bat survey and site survey plan.

#### **Consultee Responses**

Ecology Team	Bats are not a constraint to development. The 'de minimis' exemption applies and statutory 10% biodiversity net gain is not required to be provided. Informative to advise to clear invasive plants from the site carefully to avoid spreading.
HCC Highways Development Planning	As the proposed development is for less than six dwellings and there is no change of vehicle access onto the public highway, Hampshire Highways Standing Advice applies.
Parks Development Officer	Provides details of public open space project at Queens Road Recreation Ground or King George V Playing fields to be supported by a contribution in accordance with Local Plan Policy DE6.
Environmental Health	Environmental Health raised no objection. They can find no former land use that would pose a significant contamination risk. The current site is hardstanding, and this surface will have to be removed as part of any redevelopment. If they are having private garden space, then it is likely this will require importation of clean material to make up levels and to provide a growing medium. If it is asbestos roofing, then provided this is removed by a certified asbestos specialist then the risks posed should be minimal. I don't think a Phase 1 is required given the circumstances. No further objections raised.
Thames Water	No comments received.

## Neighbours notified

When the application was validated in November 2024, a site notice was displayed and 11 letters of notification were sent to adjoining and nearby properties.

## Neighbour comments

11 representations were received from 1, 4 (two), 14, 17, 22 and 25 South Street; 105, 101 and 103 Park Road and 2 Oak Court, South Street objecting. It is noted the properties adjacent to the site are 105 and 105A Park Road, 103 Park Road and 1 South Street.

In late August 2025, a further 4 (late) objections were received from 105a Park Road, 19, 18, and 23 South Street and 3 additional objections were received from 1 and 17 South Street and 103 Park Road. There are therefore a total of 15 objections including 4 late objections. These are on the following grounds:

### Parking and highways considerations –

- Removes existing off street parking provision and adds another dwelling, and South Street is already facing challenges with limited parking as there are a lot of houses packed in tightly. There is also limited parking in Park Road
- The junction of South Street with Park Road is already very narrow and difficult and the new building will further enclose this junction with highway safety implications
- No visitor parking is provided
- No guarantee the owner will let out the 2 other spaces to local residents
- The garages should be redeveloped and rented to local residents – not developed as housing
- Contrary to Local Plan Policy IN2 (Transport)
- How will construction vehicles and materials get to the site without blocking the junction to Park Road
- There is a blind spot pulling out of the site and have seen many near misses
- Can the garage spaces be prevented from being converted to living spaces in the future? *[Officer note: a condition is recommended in event of approval that the parking spaces be retained for residential parking purposes only and the spaces will not be enclosed]*
- Recently completed building has already reduced on street parking due to rear garden parking
- No space for vehicles turning on this site as noted by Members site visit for previously refused application.
- This will remove street parking and obstruct safe vehicular access
- Residents complained to the Council when the construction vehicles for 107 Park Road parked dangerously but the Council did not monitor this and did not contact residents *[Officer note: Officers visited site when informed of dangerous parking and also wrote to and liaised with the developer reminding them of their obligations under the approved Construction Management Plan ]*.
- Residents have already had to endure significant disruption to traffic with the construction of 107 Park Road 4 dwellings and construction blocking access and causing highway safety issues

### Impact on neighbouring amenity –

- Building would block light to bathroom and cause loss of privacy to garden and bathroom of 105 Park Road
- Building will harmfully reduce light to house and garden of 103 Park Road and disrupt views of greenery to the site and will also cause a noise disturbance, as the balcony screen is not enclosed.
- Shift workers in the area including myself have been disturbed for the past year by the construction at 107 Park Road and a further 9 months directly on my property boundary would be very unsettling
- The privacy screens and roof lights would cause loss of privacy to 101 Park Road and affect views from that property

#### Visual impact –

- The design, bulk and massing of the building is out of keeping with the character of the surrounding area and is therefore contrary to Local Plan Policy DE1 – Design in the Built Environment
- Overdevelopment of a small site
- Small backland site should not be overdeveloped

#### Drainage and waste water disposal –

- Water pressure is low and sewer system is already overloaded on this run and an additional dwelling would make the problem worse. There are regular blockages when Thames Water have to come out
- The building would cover the only access point Thames Water have said they can use to unblock any blockages
- Another dwelling could not be supported in this regard

#### Other –

- A palm tree on 103 Park Road is under threat
- Would not meet the Nationally Described Space Standards for internal living or outdoor amenity space and is therefore contrary to Policy DE3 of the Local Plan and internal living conditions would be cramped
- Has not addressed land contamination issues and is therefore contrary to Policy DE10
- Has not addressed previous reasons for refusal
- The building would encroach onto the footpath
- The plans do not show how the 1.8m high obscure glazed balcony screens will be installed
- Has not provided mitigation on the Thames Basin Heaths Special Protection Area contrary to Policy NE1 and saved Policy NRM6 of the South East Local Plan.

Issues raised are addressed in the main body of the report unless commented on above.

### **Policy and determining issues**

The site is within the settlement boundary of Farnborough. Policies SS1 (Presumption in Favour of Sustainable Development), SS2 (Spatial Strategy), IN2 (Transport), IN3 (Telecommunications), DE1 (Design in the Built Environment), DE2 (Internal Residential Space Standards), DE3 (Residential Amenity Space Standards), DE4 (Sustainable Water Use), DE6 (Open Space, Sport and Recreation), DE10 (Pollution), NE1 (Thames Basin Heaths Special Protection Area), NE3 (Trees and Landscaping), NE4 (Biodiversity) and NE6

(Managing Fluvial Flood Risk) of the Rushmoor Local Plan (2014-2032) are relevant to the determination of the application. Also of relevance are the Rushmoor Car and Cycle Parking Standards SPD (2024), the Biodiversity SPD (2024) and the Open Space Interim Advice Note (2014) and the relevant policy and guidance in the National Planning Policy Framework (last updated December 2024).

The main determining issues in respect of this application are considered to be:

- 1) The principle of the proposed development
- 2) Impact on the appearance and character of the site and surrounding area
- 3) Impact on neighbours
- 4) The living environment created
- 5) Highways and parking considerations
- 6) Public Open Space
- 7) Flooding and drainage issues
- 8) Impacts on wildlife and biodiversity net gain

## **Commentary**

### **1. Principle of residential development in this location–**

Condition 2 of planning permission RSH03865 issued in 1983 restricts the use of the garages for purposes incidental to the domestic use of the flats only, and prevents any business, commercial or industrial use. Forecourt parking has been provided to the front of 105 & 105A Park Road and online street photographs demonstrate this was provided at some point in time between 2009 and 2012. It is not known how or who has been using the application site and the garages since then although the use appears to have continued as parking and/or storage. Officers have noted since 2022 the garages have not been in use but on occasion a vehicle is seen parking on the front hardstanding area. The sites are in different ownership to each other.

The site is in the settlement boundary of Farnborough. The site is not in a Conservation Area or within the curtilage of a Listed Building. This proposal brings into use a piece of land that would otherwise likely remain undeveloped into 1 dwelling and retains the off street parking element. The NPPF at Para. 125 states that planning decisions should give 'substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land'. The principle of the proposed development in this location is acceptable subject to compliance with development management criteria with the above national guidance holding some weight.

### **2. Design and impact on visual amenities–**

Policy DE1 'Design in the Built Environment' states that, among other things, new development will 'include high-quality design that respects the character and appearance of the local area', will 'respect established building lines', 'take account of adjacent building heights, fenestration, roof and cornice lines', and 'give appropriate consideration to the relationship between public and private space'.

The building, set back 2.9 m from the highway boundary, would share the front building line with 1 South Street. The ridge and eaves would be lower than surrounding houses by 1.5m

but window and cill levels would match those of the adjacent houses. The two front dormer windows would be cut into the eaves and the enclosed staircase would be set back and down on the western side. The applicant describes the building as emulating a 'Victorian coach house' style in their Design and Access Statement and on this site, this approach is credible given the period character of the built form in South Street and the undercroft parking arrangement proposed, and the building's scale. Materials would be red facing brick and slate tiles, and sliding sash windows on the front, details of which could be secured by condition (including surface treatments). Moulded coving and design detailing on the front elevation would add integrity to the style. It is also considered that the size of the building in relation to the plot size would be acceptable in this respect. The application would also develop a piece of land that has been left to deteriorate in the streetscene.

To conclude, the proposed development is of an appropriate design and scale and would have an acceptable impact on the appearance and character of the site and surrounding area and in this regard, complies with Policy DE1 of the Local Plan (2014-2032).

### **3. Impact on neighbouring amenity –**

When considering impacts upon residential neighbours, the basic question for the Council to consider is whether or not the impacts of the proposed development on the amenities of such neighbouring properties would be both material and harmfully impacted in planning terms. The correct test in this respect is whether or not existing neighbouring residential properties would, as a result of the proposed development, maintain acceptable amenities to meet the needs of residential occupation. The test is not that permission must be refused if any if any negative impact(s) are identified.

It is not the role of the Planning system to defend neighbours against the loss of any private views from their properties where these views are derived from over adjoining land not in their ownership. Nor to defend neighbours from all or any loss of light or sunlight where this does not impact materially upon the basic needs required for residential occupation. In terms of privacy concerns, a degree of mutual overlooking often, and quite conventionally, exists between neighbours and this is considered both normal and acceptable. It is necessary for the Council to consider whether or not occupiers of neighbouring residential properties would be likely to be subjected to unacceptable undue impacts rather than no impacts at all.

The properties most impacted are 105 and 105A Park Road to the west, 103 Park Road to the south and 1 South Street to the east.

The existing garage forms the western boundary wall with the rear amenity space of 105/105A Park Road and is 2m to 2.4m high. The side of the building would be setback by 0.6m to 2m from this boundary and the proposed building would be taller than existing, at 6m to 7m, however the increase in enclosure to the rear shared amenity space is not considered to be so materially harmful over the existing relationship as to warrant a reason for refusal on these grounds, given the rear amenity area is already enclosed and overshadowed. There are no ground floor windows overlooking the rear amenity area so no reduction in daylight to internal habitable rooms.

There is a ground floor window on the rear elevation of 105 nearer to the highway that serves a bathroom and it is currently obscurely glazed and the building would be 1.8m from this window. The occupants of 105 have raised an objection that the development would be materially harmful by reducing daylight and resulting in loss of privacy. The window is obscure glazed. When considering reduction in light to non-habitable rooms, less weight is given to

the harm caused, therefore it is considered a reason for refusal on these grounds would not be sustainable.

The common boundary with 103 Park Road is a 1.8m high timber fence. The building would be 0.3m to 1.6m from the common boundary with 103 Park Road. The building would extend above it by 2.7m to the eaves but it is considered that the impact on neighbouring amenity by way of creating a sense of enclosure to the garden of 103 along this wall would be acceptable. It would not result in overshadowing due to the orientation of the neighbouring site due south and it is considered that the impact by way of being overbearing would not be so significant as to warrant a reason for refusal. The rear garden of 103 Park Road has an outlook to the east and south as well as to the west and the development would not reduce any light from any rear facing windows of that dwelling. The roof of the building would slope back from the boundary to a height of 7.2m. Objections have been received that this would remove views of greenery. Views cannot be protected by planning controls.

An objection has been raised that the plans do not show how the 1.8m high obscure glazing screens around the balcony can practically be installed. The proposed elevation, floor and section plans show that the balcony screens can be installed surrounding the first-floor terrace/balcony in a satisfactory and practicable way. The obscure glazing of the screens, and roof lights above 1.7m head height would prevent overlooking. It is considered that any noise or disturbance from the balcony would not cause material harm to the occupants of the adjoining property.

The building would be alongside the side elevation of 1 South Street. There would be a small increase in built form against top northeast corner of the private rear garden of that property but it would not be so significant to cause material harm given the modest extent in this location. Most of the building would impact the narrow alleyway to the side of 1 South Street where the impact would be modest. The obscure glazed 1.8m high screening of the balcony would prevent overlooking into no. 1.

It is considered that the amenities of the occupiers of neighbouring properties have been carefully considered in the design of the proposed development such that no material and harmful impacts on existing residential neighbours would arise and, as such, the proposals are considered to comply acceptably with the requirements of Policy DE1 of the Rushmoor Local Plan in this respect.

It is considered that the impact on amenity of occupants of neighbouring dwellings from the proposed development would be acceptable and would not warrant a reason for refusal of the application and the application complies with Policy DE1 of the Local Plan in this regard.

#### **4. The Living Environment Created**

The proposal with one double bedroom and an internal floor area of 53sqm over a single storey (excluding the staircase) meets the minimum internal floor area requirements for a dwelling of this size, required by Policy DE1 of the Local Plan which is 50sqm. The dwellings is served by sufficient light and ventilation to the living areas. Policy DE3 (Residential Amenity Space Standards) requires a minimum 5sqm of balcony space accessed from a living room for flatted development and this is provided. It is acceptable that the proposed balcony is enclosed with obscure glazing in this instance. There would also be a narrow area of private amenity space at the rear of 10sqm that will be soft landscaped that would be of some value to future occupants. The application would provide a satisfactory living environment for future occupants.



## 5. Parking and highways considerations

The site is occupied by three garages set back from the boundary with the highway by 4m with hardstanding in front. The 1983 permission for demolition of existing garage and erection of the three garages was subject to a condition that 'the garage be used only for the purposes incidental to the domestic use of the flats and not be used for any business, commercial or industrial use whatsoever'. Online street photographs on Google demonstrate that forecourt parking was installed in front of 105 and 105A Park Road between 2009 and 2012 and has been in use since then. The use of the application site appears to have continued as parking or storage, although by 2022 the site has become covered in Virginia Creeper and not removed. The development of the application site will therefore not remove parking provision from 105 and 105A Park Road. The proposed development introduces a new 1-bed dwelling and off-street parking capacity for two other vehicles is also retained.

The site is served by a crossover that extends along the site's front boundary. For new development, the Rushmoor Car and Cycle Parking Standards SPD does not count garages towards parking (Principle 10) and so the parking has been designed to be 'undercroft', with three spaces beneath the building separated by pillars and no front enclosures. One space will serve the dwelling, in accordance with residential parking standards, and the 2 other spaces would be used either by the resident's visitors or local residents. In the event of approval a condition will secure parking spaces for residential parking use only, and not to be used by caravans, trailers and similar uses, or the spaces to be enclosed. The bays each measure internally 2.9m or 3m x 6m which complies with the bay dimensions for parking spaces within a car port (Principle 10).

In accordance with their consultation policy, Hampshire Highways have directed the Council to their Standing Advice as the proposal is for less than 6 dwellings and the site is not reached from a classified road. This requires turning provision within the site boundary so cars can leave and enter in a forward gear for 2 dwellings or more and parking to be in accordance with the adopted parking standards. Drivers are able to reach the space for the 1-bed flat in a forward or rear gear and leave the parking bay with sufficient room on South Street to enable this.

Objections have been raised that the proposal will remove street parking spaces on the northern side of South Street to allow vehicles to exit the site and will also be harmful to highway safety around the junction with Park Road. It is considered that there are sufficient sight lines for the vehicles to manoeuvre into and out of the site without detriment to highway safety. It is because the use of garages have declined that cars have been able to park opposite the site however, the site still has a use of off street parking and refusing the application on the grounds of displacing this street parking would not be reasonable.

Concerns have been raised that the development at 107 Park Road has removed street parking already. The dwelling in this scheme that has a dropped kerb on South Street uses a vehicular crossover that was existing and used as part of the garage workshop and 107 Park Road provides two parking spaces in accordance with the parking standards.

There is sufficient space to put the refuse bins and secure bicycle storage for 1 cycle in the undercroft area, and the refuse bins can be taken out and left outside on collection day.

The Rushmoor Car and Cycle Parking Standards SPD requires parking layouts to be of a high quality, taking account of crime prevention and personal safety, and to be well integrated into the public realm (Principle 22). Policy IN2 (Transport) of the Rushmoor Local Plan requires that development integrates into existing movement networks; provides safe, suitable and convenient access for all potential users; and provides appropriate parking provision, in terms of amount, design and layout in accordance with the adopted Car and Cycle Parking Standards SPD. It is considered that the proposed development accords with these requirements.

## **6. Impact on Trees**

Policy NE3 'Trees and Landscaping' states that the Council will not permitted development which would affect adversely existing trees worthy of retention particularly those subject to Tree Preservation Orders. The proposed development would not have any adverse impact on any trees that have sufficient amenity value worthy of retention and complies with Policy NE3 of the Local Plan (2014-2032).

## **7. Public open space provision**

Policy DE6 seeks adequate provision of public open space to cater for future residents. This is a circumstance when a contribution can be made to an identified public open space project (in this instance £2,289.00 towards playground renewal at Queens Road Recreation Ground). A completed S106 securing this amount on implementation has been received and the application complies with Policy DE6 of the Rushmoor Local Plan.

## **8. Flooding, drainage and other issues**

The site is in flood zone 1 i.e. land at least likelihood of flooding. Policy NE8 (Sustainable Drainage systems) states that the implementation of integrated and maintainable SUDS (using the SUDS management principles) in all flood zones for both brownfield and greenfield sites is required. This can be secured by an appropriately worded condition.

Several objections raise the issue that the building will be over the only drain opening that is able to unblock frequent sewerage blockages on the run of houses served by the waste water disposal sewer and the existing waste disposal system will not be able to take the burden of an addition dwelling. Thames Water were consulted but did not respond. Notwithstanding, this is not an issue that is a material planning consideration. The applicant will need to agree with Thames Water the connection to the existing foul water disposal system and this issue will be addressed then.

## **9. Impacts on Wildlife and Biodiversity Net Gain**

**Protected species:** A preliminary bat survey has identified that bats are not a constraint to development. An informative has been recommended by the Ecology Officer that the removal of the Virginia creeper is removed carefully.

**Thames Basin Heaths Special Protection Area:** The European Court of Justice judgement in 'People Over Wind, Peter Sweetman v Coillte Teoranta C-323/12' in April 2018 established the legal principle that a full appropriate assessment (AA) must be carried out for all planning applications involving a net gain in residential units in areas affected by the Thames Basin Heaths SPA, and that this process cannot take into account any proposed measures to mitigate any likely impact at the assessment stage. This process, culminating in the Council's Appropriate Assessment of the proposals, is overall described as Habitats Regulation

Assessment (HRA).

Undertaking the HRA process is the responsibility of the decision maker (in this case, Rushmoor Borough Council) as the 'Competent Authority' for the purposes of the Habitats Regulations 2017. The following paragraphs comprise the Council's HRA in this case:-

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

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

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

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

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

It is considered that there is sufficient information available with the planning application provided by the applicants with which the Council can undertake the HRA process. In this case the proposed development involves the creation of 1 net new residential unit within the Farnborough urban area. The proposed development is located within the 5km zone of influence of the SPA but outside the 400-metre exclusion zone. The proposed development is neither connected to, nor necessary to the management of, the Thames Basin Heaths SPA. Furthermore, the proposed development would not result in a net increase in traffic movements in excess of 1000 vehicular movements per day in proximity to the SPA.

All new housing development within 5 km of any part of the Thames Basin Heaths SPA, of which the current proposals would make a contribution, is considered to contribute towards an impact on the integrity and nature conservation interests of the SPA. This is as a result of

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

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

The AMS comprises two elements. Firstly, the maintenance of Suitable Alternative Natural Greenspace (SANG) to divert recreational pressure away from the SPA; and, secondly, the maintenance of a range of Strategic Access Management and Monitoring Measures (SAMMs) 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 been allocated capacity at Rushmoor's Rowhill Reserve SANG scheme sufficient for the 1 net new dwelling unit proposed. The applicants have completed a s106 Planning Obligation with Rushmoor BC to secure a financial contribution of £5,253.91 towards the SANG and SAMM element of the SPA mitigation to be paid upon the implementation of the proposed development.

Conclusions of Appropriate Assessment: The Council are satisfied that the applicants have adequately mitigated for the impact of their proposed development on the Thames Basin Heaths SPA in perpetuity in compliance with the requirements of New Rushmoor Local Plan Policy NE1 and the AMS. Accordingly, it is considered that planning permission can be granted for the proposed development on SPA grounds.

**Biodiversity Net Gain** – The application has satisfactorily demonstrated that it is exempt from the 10% Biodiversity Net Gain mandate as it meets the 'deminimis' exemption.

**Conclusion –**

It is considered that the proposed development is acceptable in terms of local character and impact on the streetscene, and would not have a materially harmful impact on neighbouring amenity. It is considered that the proposed development would provide an acceptable parking layout that complies with Policy IN2 and provides safe and convenient access. The proposal would provide an acceptable living environment; and would not result in harm to protected species, and, subject to financial contributions being secured in respect of Special Protection Area mitigation & avoidance and Public Open Space with a s106 Planning Obligation, the proposals would have no significant impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area; and appropriately address the Council's adopted Local Plan Policy DE6 concerning Public Open Space. The proposals are therefore considered to be acceptable having regard to the criteria of Policies SS1 (Presumption in favour of sustainable development) SS2 (Spatial Strategy), IN2 (Transport), DE1 (Design in the Built Environment), DE2 (Residential Internal Space Standards), DE3 (Residential Amenity Space Standards), DE4 (Sustainable Water Use), DE6 (Open Space, Sport and Recreation), DE10 (Pollution), NE1 (Thames Basin Heaths Special Protection Area), NE3 (Trees and Landscaping), NE4 (Biodiversity) and NE8 (Sustainable Drainage Systems).

### **Full recommendation:**

It is recommended that permission be **GRANTED**, subject to the following conditions:

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

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

- 2 The permission hereby granted shall be carried out in accordance with the following approved drawings. Drawing numbers: Location Plan scale 1:1250 dated 23.10.24, 1808 S-01 Existing plans and elevations, P-01 Proposed floor plans and elevations, P-02 Proposed Streetscene and section plans.

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;  
Fenestration & Doors;  
Rainwater Goods;  
All ground surfacing materials; and  
All Means of enclosure.

Reason - To ensure satisfactory external appearance\*.

- 4 Prior to the occupation of any part of the development hereby approved, on-plot secure cycle storage for each individual dwelling as shown on the plans hereby approved shall be provided and retained thereafter.

Reason - In accordance with the requirements of the Rushmoor Car and Cycle Parking Standards SPD (2024).

- 5 The parking spaces on approved Plan 1808 P-01 in the undercroft parking area shall not be enclosed and shall be used only for the parking of private motor vehicles, and a minimum of one parking space shall be permanently retained and kept available for use as a parking space to serve the flat above. All spaces shall be kept available at all times for parking and shall not be used for the storage of Caravans, boats or trailers.

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

- 6 No works shall start on site until details of provision for the parking and turning on site of operatives and construction vehicles during the construction and fitting out works have been submitted to and approved in writing by the Local Planning Authority and the measures so approved shall be implemented throughout the construction period.

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

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

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

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

- 9 Construction or demolition work of any sort within the area covered by the application shall only take place between the hours of 0800 – 1800 Monday to Fridays, and 0800 - 1300 on Saturdays, and no work shall take place on Sundays or 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.

- 10 In the event that unforeseen ground conditions or materials which suggest potential or actual contamination are revealed at any time during implementation of the approved development it must be reported, in writing, immediately to the Local Planning Authority.

A competent person must undertake a risk assessment and assess the level and extent of the problem and, where necessary, prepare a report identifying remedial action which shall be submitted to and approved in writing by the Local Planning Authority before the measures are implemented. Following completion of measures identified in the approved remediation scheme a verification report must be prepared and is subject to approval in writing by the Local Planning Authority.

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

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

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

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

Reason - To protect the amenities of neighbouring residential properties.

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

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

- 14 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.

- 15 Before the dwelling hereby permitted is first occupied, privacy screening shall be erected around the first floor terrace in accordance with the details shown in plan ref. 1801/P-01 and shall be permanently retained thereafter.

Reason - In the interests of the amenities of neighbouring residential properties.

## **Informatives**

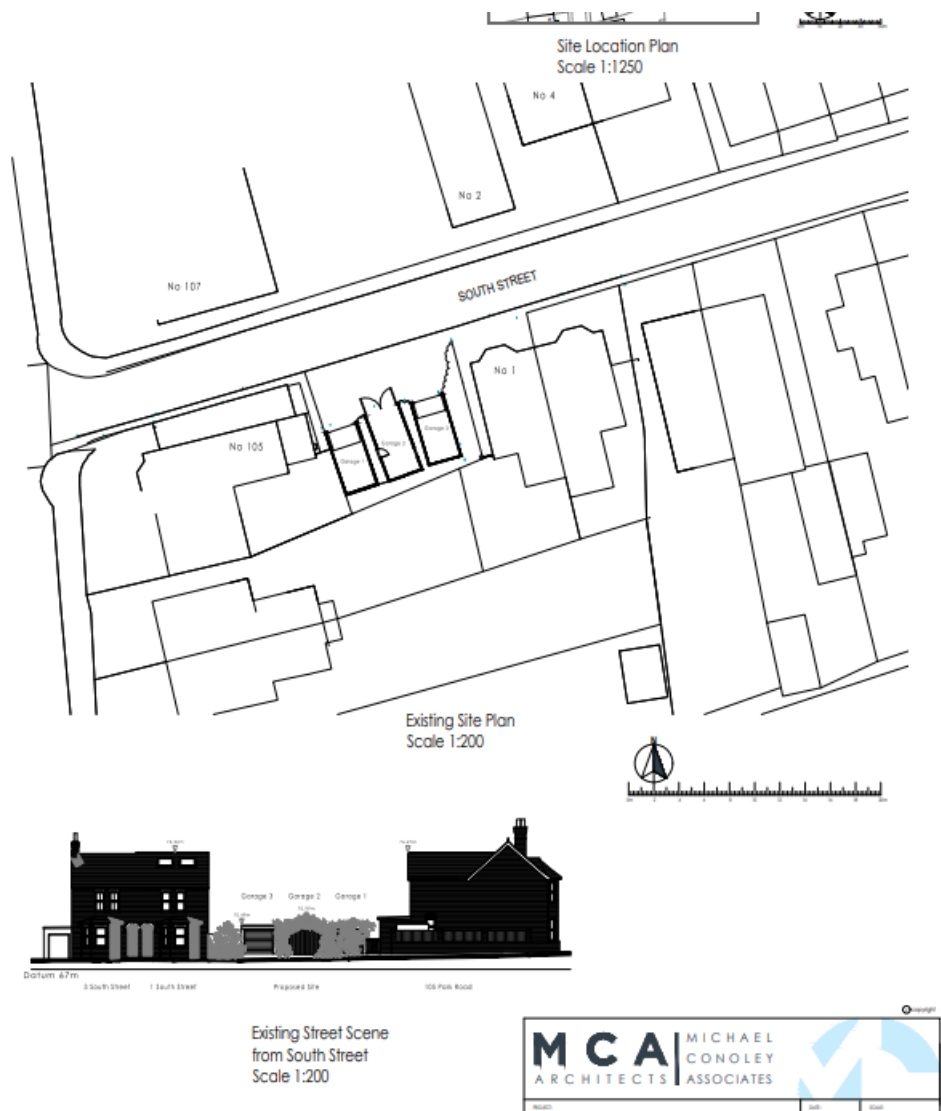
- 1 INFORMATIVE – The Local Planning Authority's commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of pre-application discussion to all, and assistance in the validation and determination of applications through the provision of clear guidance regarding necessary supporting information or amendments both before and after submission, in line with the National Planning Policy Framework.
- 2 INFORMATIVE - The Council has granted permission because it is considered that the proposals are considered acceptable in principle and in highways terms; would have no materially harmful visual impact on the character and appearance of the area or trees of amenity value worthy of retention; would have acceptable impacts on neighbours; would provide an acceptable living environment; subject to conditions, would provide satisfactory surface water drainage of the site; and satisfactorily address ecology & biodiversity issues and requirements; and, subject to s106 Planning Obligations, would have no significant impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area and appropriately address the Council's adopted Local Plan Policy DE6 concerning Public Open Space. The proposals are therefore considered to be acceptable having regard to the criteria of Policies SS1, SS2, DE1, DE2, DE3, IN2, DE1, DE2, DE3, DE11, IN2, NE1, NE2, NE4 and NE8 of the adopted Rushmoor Local Plan (2014-2032). It is therefore considered that subject to compliance with the attached conditions, and taking into account all other material planning considerations, including the provisions of the development plan, the proposal would be acceptable. This also includes a consideration of whether the decision to grant permission is compatible with the Human Rights Act 1998.
- 3 INFORMATIVE - Your attention is specifically drawn to the conditions marked \*. These condition(s) require either the submission and approval of details, information, drawings etc. by the Local Planning Authority BEFORE WORKS START ON SITE, BEFORE SPECIFIC ELEMENTS OF THE PROPOSAL ARE CARRIED OUT or, require works to be carried out BEFORE COMMENCEMENT OF USE OR FIRST OCCUPATION OF ANY BUILDING. Development started, carried out or occupied without first meeting the requirements of these conditions is effectively development carried out WITHOUT PLANNING PERMISSION. The Council will consider the expediency of taking enforcement action against any such development and may refer to any such breach of planning control when responding to local searches. Submissions seeking to discharge conditions or requests for confirmation that conditions have been complied with must be accompanied by the appropriate fee.
- 4 INFORMATIVE - The site is covered in a large quantity of Virginia Creeper (*Parthenocissus quinquefolia*), which is classed as a non-native, invasive species (on Schedule 9 of the Wildlife and Countryside Act 1981). The developer will need to ensure they do not cause any invasive non-native species to spread as a result of the works associated with the development in order to comply with the relevant legislation. To prevent the spread, Virginia Creeper should be eradicated using qualified and experienced contractors and disposed of in accordance with the Environmental Protection Act (Duty of Care) Regulations 1991. Further information on this species can be obtained from the GB Non-native Species Secretariat at '[www.nonnativespecies.org](http://www.nonnativespecies.org)'.
- 5 INFORMATIVE - This permission is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).

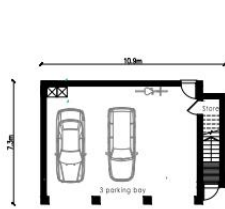


- 6      INFORMATIVE - Landscaping for this development hereby approved should seek to incorporate the following:
- Providing bird nesting and bat roosting provision erected on or integral within the new building.
  - Providing habitat enhancements for other species such as habitat / log piles
  - Using native species or species of known biodiversity benefit when planting new trees and shrubs, preferably of local provenance and grown only in the UK. Planting should focus on nectar-rich flowers and/or berries.
- 7      INFORMATIVE - It is a legal requirement to notify Thames Water of any proposed connection to a public sewer. In many parts of its sewerage area, Thames Water provides separate public sewers for foul water and surface water. Within these areas a dwelling should have separate connections: a) to the public foul sewer to carry waste from toilets, sinks and washing machines, etc, and b) to public surface water sewer for rainwater from roofs and surface drains. Mis-connections can have serious effect
- 8      INFORMATIVE - The developer should take action to ensure that vegetation clearance is timed to avoid the bird nest season of early March to August inclusive. If this is not possible and only small areas of dense vegetation are affected, the site should be inspected for active nests by a competent ecologist within 24 hours of any clearance works. If any active nests are found they should be left undisturbed with a buffer zone around them, until it can be confirmed by an ecologist that the nest is no longer in use. Part I of the Wildlife and Countryside Act 1981, as amended, makes it an offence to intentionally kill, injure or take any wild bird, or intentionally to damage, take or destroy its nest whilst it is being built or in use. Part I of the Wildlife and Countryside Act 1981, as amended, makes it an offence to intentionally kill, injure or take any wild bird, or intentionally to damage, take or destroy its nest whilst it is being built or in use.
- 9      INFORMATIVE - The applicant is advised that the development hereby approved is exempted from the standard national Biodiversity Net Gain (BNG) condition and that its requirements do not therefore apply in this case.
- 10     INFORMATIVE - In order to avoid risk arising from overbuilding of the gas network, the applicant is advised to check their proposals against the information at <https://www.linesearchbeforeudig.co.uk> and contact the Plant Protection Team at Scotland Gas Networks Plc [plantlocation@sgn.co.uk](mailto:plantlocation@sgn.co.uk) Tel: 0800 912 1722
- 11     INFORMATIVE - This permission is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended) dated 28 August 2025. If your legal obligations include payment of financial contributions, you must contact the Council at: [plan@rushmoor.gov.uk](mailto:plan@rushmoor.gov.uk) at least 20 days prior to implementing the planning permission, stating your intended date of commencement of development and requesting an invoice for the payment such funds to which you have committed. The payment of all contributions as required by the S106 obligation must be received prior to the commencement of development. If any payment due under the s106 Agreement is paid late interest will be payable from the date payment is due to the date of payment. Interest of 4% above the base lending rate specified in the s106 agreement will be applied.

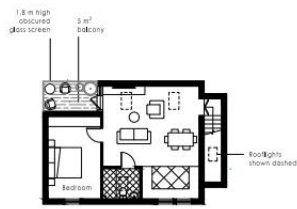
- 12      INFORMATIVE - The applicant is advised that failure to complete and/or retain works on site in accordance with approved details may constitute a breach of planning control resulting in enforcement action.
- 13      INFORMATIVE – It is an offence to kill, injure or disturb an individual bat; damage, destroy or obstruct access to a breeding site or resting place of that individual. Destruction of a bat roost is therefore an offence, regardless of whether a bat is present at the time of removal. The grant of planning permission does not supersede the requirements of this legislation and any unauthorised works in this regard could constitute an offence. If bats or signs of bats are encountered at any point during development then all works must stop immediately and advice sought from Natural England or a qualified specialist. The developer should be aware of the requirement to apply for a bat mitigation licence for any activity that may adversely impact on a potential roost.
- 14      INFORMATIVE - The applicant is advised that during the demolition and construction phases 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.
- 15      INFORMATIVE - Measures should be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway throughout the construction period.
- 16      INFORMATIVE - The applicant is advised to contact the Recycling and Waste Management section at Rushmoor Borough Council on 01252 398 164 with regard to providing bins for refuse and recycling. The bins should be: 1) provided prior to the occupation of the properties; 2) compatible with the Council's collection vehicles, colour scheme and specifications; 3) appropriate for the number of occupants they serve; 4) fit into the development's bin storage facilities.

Existing site and streetscene plan

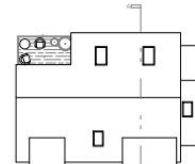




Proposed Ground Floor Plan  
Scale 1:100



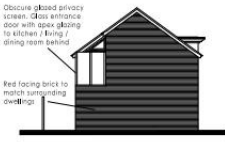
Proposed First Floor Plan  
Scale 1:100



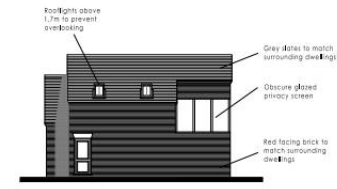
Proposed Roof Plan  
Scale 1:100



Proposed North (Front) Elevation  
Scale 1:100



Proposed East (Side) Elevation  
Scale 1:100



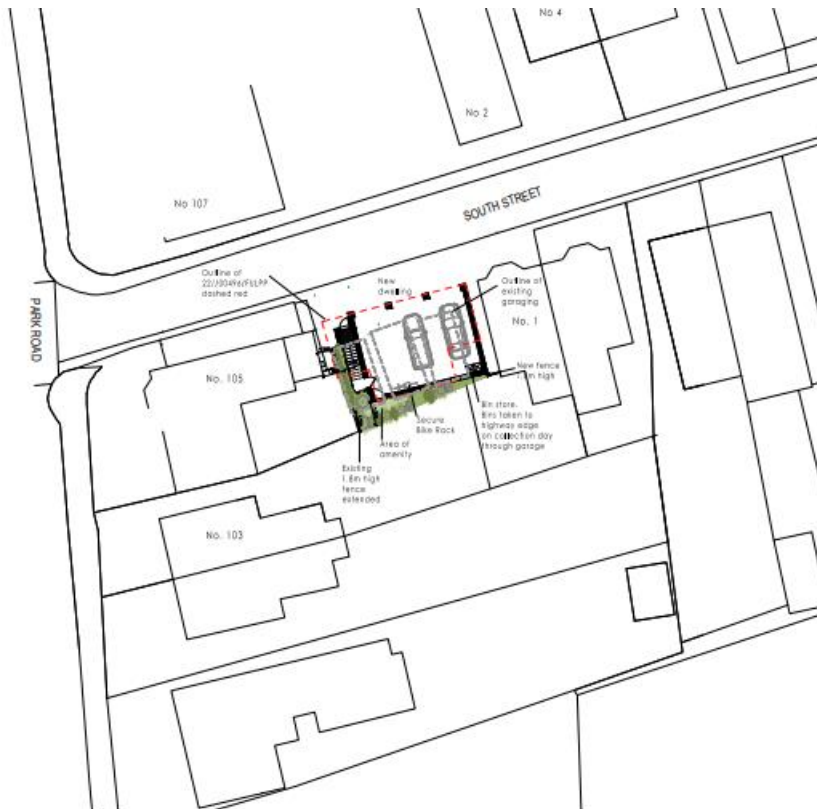
Proposed South (Rear) Elevation  
Scale 1:100



Proposed West (Side) Elevation  
Scale 1:100



## Proposed plans



Proposed Site Plan  
Scale 1:200

## Proposed site plan

