

Appeals Progress Report

1. New Appeals

- 1.1 The appeal against the Council's non-determination of the second planning application at **Farnborough Airport, Farnborough Road, Farnborough** (25/00615/REV) for "*Variation of Conditions 2 (aircraft movements) and 6 (aircraft weight), and replacement of Conditions 7 (1:10,000 risk contour) and 8 (1:100,000 risk contour), of planning permission 20/00871/REVPP determined on the 22/02/2022, in order to: a) increase the number of non-weekday aircraft movements from 8,900 to 13,500 per annum, and b) amend the permitted annual flight movements weight category from 50,000-80,000 kg to 55,000-80,000 kg, retaining the overall cap of 1,500 movements (within this cap: aircraft between 50,000-55,000 kg that do not meet ICAO Chapter 14 (or equivalent) noise standards shall continue to be counted, and non-weekday movements within the revised category shall increase from 270 to 405), and to c) replace Conditions Nos. 7 (1:10,000 risk contour) and 8 (1:100,000 risk contour) with a new condition to produce Public Safety Zone maps in accordance with the Department for Transport Requirements*" has now been formally started by the Planning Inspectorate.
- 1.2 The Council's planning reference is 26/00002/NONDET and the Planning Inspectorate's reference is 6013192.
- 1.3 The appeal is currently timetabled to be considered at a Public Inquiry in 2027, and is scheduled to run over 16 sitting days in the weeks commencing Tuesday 11th May, Tuesday 18th May, Tuesday 8th June and Tuesday 15th June. The Inquiry will be held at the Council offices.
- 1.4 The Council submitted its Statement of Case to the Planning Inspectorate on 24th September 2026. The statement set out what Officers would be recommending at this point if the application was being considered by Development Management Committee. In summary, the statement recommends that it would be currently unlawful for a planning decision-maker to conclude that planning permission should be granted for the proposed development because to do so would be a breach of the Habitats Regulations. However, in the event that this breach could be overcome, Officers would be inclined to advise Members that, subject to suitable conditions and securing appropriate mitigation and subject to further assessment of the robustness and uncertainties in the assessments that have been provided, the proposed development should be granted planning permission.
- 1.5 At the time of writing, Officers were preparing an initial Statement of Common Ground with the appellant (due for submission to PINS by 9th October), to identify the matters that are agreed between the parties, those matters that remain under discussion, and those matters on which the parties currently hold different positions. It is intended to assist in narrowing the issues in dispute and identifying

the areas where further discussion or clarification may be required. Proofs of evidence, prepared by the Council's witnesses, will be due for submission 4 weeks before the Inquiry opens.

- 1.6 A request for additional information pursuant to Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 was outstanding at the point of the appeal being lodged. A formal response was provided with the appeal. Officers have advised PINS that there are certain procedural steps that remain to be undertaken following the Appellant's response to the Regulation 25 request, namely the re-publicising of the application/appeal following the receipt of the Regulation 25 response.
- 1.7 Officers consider that, following the issue of the Regulation 25 request, the ability to determine the application was suspended. That suspension only ends when the procedural requirements have been complied with, and a further 30 day period has elapsed.
- 1.8 Given that the appeal was lodged prior to the submission of the Appellant's response to the Regulation 25 request, Officers consider that responsibility for securing compliance with the publicity requirements now falls to PINS for the appeal and must be satisfied before the appeal can lawfully be determined.
- 1.9 A new appeal has started in respect of **248 Farnborough Road, Farnborough**. This is an appeal against the refusal of Advertisement Consent for *"Display of 3.298 by 2.74 metre non-illuminated advertisement display billboard at first-floor level on front (Salisbury Road) elevation of building"*; 26/00393/ADVPP. The reasons for refusal, by decision dated 1 September 2026, were:-

"The proposed generic advertisement display board would, by reason of its scale and prominent first-floor position, have a detrimental visual impact on the host building (and its architectural features) and its surroundings, thereby failing to comply with the requirements of Local Plan Policies DE9 and DE1 of the adopted Rushmoor Local Plan (2014-2032) and contrary to the principles of National Planning Practice Guidance relating to outdoor advertisement display."
- 1.10 The appeal is being considered under the Written Representations procedure and the Appeal Questionnaire has been submitted. The Council's planning reference is 25/0003/REFUSE and the Planning Inspectorate reference is 6016239. The Inspector's decision is awaited.

2. Decided Appeals

- 2.1 There are no decided appeals to report at this time.

3. Recommendation

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

Tim Mills
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