### Development Management Committee 7th November 2018

### Item 7 Report No.PLN1829 Section C

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 OfficerDavid StevensApplication No.18/00466/FULPP
- Date Valid 25th June 2018
- Expiry date of 7th November 2018 consultations
- Proposal Erection of extensions and alterations to existing office building (Use Class B1) to facilitate conversion and change of use to residential use (Use Class C3) to provide 113 flats (comprising 7 X studio, 52 X 1-bedroom, 52 X 2-bedroom and 2 X 3-bedroom units); retention/provision of 199 on-site parking spaces and use of existing vehicular access to Farnborough Road; and landscaping including creation of new landscaped podium amenity courtyard
- Address Pinehurst House, 117 Farnborough Road Farnborough
- Ward Empress
- Applicant Pinehurst Investments Ltd
- Agent DRK Planning Ltd

Recommendation Grant subject to s106 Planning Obligation

A Members' Site Visit was undertaken on Saturday 20 October 2018.

### Description

Pinehurst House (117 Farnborough Road) is a large vacant office building (Use Class B1) located in a backland position on a site adjoining the south boundary of the Council Offices and immediately behind the building converted into flats (115 Farnborough Road, previously known as the Hillside Convent) that fronts the west side of Farnborough Road (A325). Vehicular access to and from Farnborough Road for Pinehurst House, in the form of on- and off- slip-roads, is shared with The Convent building. The shared exit slip-road serving both these sites joins the Farnborough Road slip-road exit from the Council Offices.

The application site has an irregular, roughly rectangular, shape covering approximately 0.91 hectares, within which the existing office building [of some 7,400 sqm floorspace] occupies a footprint covering approximately 50% of the overall site. It is nearer to the south and east sides of the site behind The Convent building. It comprises two decks of car parking with two storeys of office space above. The parking levels are partially recessed below ground level towards

the front (east) side of the site as the ground levels fall towards the rear of the site to the west. Together with some surface car parking within the site to the side and rear of the building, there are 238 existing parking spaces.

To the south, the site abuts a tree-lined public footpath, Pinehurst Passage, which leads from Farnborough Road to Merlin Road. To the south of the path is a private parking area serving blocks of flats at Lynx Court, Buccaneer Court and Bell Court. To the rear (west) of the site, the site has an open boundary with car parking forming part of the Meudon House site. Beyond this land are residential dwellings at Lion Road and Jupiter Close. To the north the site shares a boundary with the Council Offices.

The Pinehurst House offices were formerly attached by a first-floor corridor bridge link to The Convent building when both were in office use. At the closest point the two buildings are separated by a façade-to-façade gap of 4.2 metres. Pinehurst House has deep overhanging eaves which reduce the gap at this level to 3.5 metres. The gap between the facades of the buildings is generally at least 6.6 metres for the southern side of The Convent. It is greater on the north side, at between 28.2 and 29 metres, where there is a hard landscaped entrance courtyard. Between Pinehurst House and The Convent is a drive serving a parking area used by some occupiers of the Convent. Further existing parking belonging to occupiers of the Convent adjoins the entrance courtyard of Pinehurst House. There is a further row of parking spaces to the north side of the access road. These parking areas for The Convent do not form part of the application site and are unaffected by the current proposal.

There are groups of mature trees along both the north and west boundaries of the site subject to Tree Preservation Orders. Further TPO trees are located outside the application on the other side of Pinehurst Passage and to the north and east of Lynx Court.

The application proposes the erection of extensions and alterations Pinehurst House. Primarily this involves removal of all of the existing shallow-pitched roofs (and plant) and the addition of up to three further storeys of accommodation under flat 'green' roofs. This would facilitate conversion of the building to residential (Use Class C3) providing 113 flats. The scheme comprises 7 studio, 52 1-bedroom, 52 2-bedroom and 2 3-bedroom units. 199 on-site parking spaces are proposed including retention of most of the existing car parking within the building, and most of the existing external surface parking. The development would use the existing Farnborough Road slip-roads as the means of access. Whilst there is an existing internal road link between the application site and the adjacent Meudon House site, this was an arrangement created when both were occupied by IBM. The sites are now in separate ownership and the link will be closed.

The existing mature landscaping (including TPO trees) within the site will be retained and some new and re-modelled landscaped areas for the use of residents will be created. The wooded area along the north boundary of the site (shared with the Council Offices) would be cleared of some undergrowth and informal paths created. The existing parking area adjoining the main entrance into Pinehurst House in the north-east corner would be re-graded and soft landscaped as a combination of private and communal amenity space. An existing internal lightwell would be enlarged and opened out to the north flank of the building by the removal of a section of the existing building above the parking levels. This would create a new private communal amenity area. A play area would be provided adjoining the west (rear) boundary of the site on land previously used for surface parking. An existing track running along the south boundary of the site parallel with Pinehurst Passage would be retained for emergency access. Each flat within the proposed development would be provided with some form of private amenity space in the form of balconies or roof terraces.

The application is supported by a Design & Access Statement, Planning Statement, Transport Statement incorporating a Framework Travel Plan, Air Quality Assessment, Arboricultural Impact Assessment, Daylighting & Sunlighting Report, Energy & Sustainability Statement, Flood Risk Assessment, Noise Impact Assessment, Preliminary Ecological Appraisal, Preliminary Structural Report, Public Consultation Statement, Economic Viability Assessment; and an Appropriate Assessment Information Form. Further supporting information on highways issues has been provided subsequently by the applicants' Transport Consultants to address requests for more information from the Highway Authority (Hampshire County Council).

In amended by plans received on 18 October 2018, the proposals indicate the possibility of creating a pedestrian and cycleway connection into the adjoining Meudon House site to the rear to link into the pedestrian path/cycleway proposed with that scheme. This is in addition to undertaking improvements to link the site into the existing pedestrian path/cycleway on Farnborough Road. These amendments have arisen as a result of discussions with the Highway Authority (Hampshire County Council) and on which a formal response is, at the time of drafting this report, awaited. Also submitted were a revised Framework Travel Plan and an amended Arboricultural Report.

The applicants' Economic Viability Assessment concludes that the proposed development cannot provide any affordable housing on viability grounds. This conclusion has been confirmed by independent analysis by the District Valuer's Office. The applicant is preparing a s106 Planning Obligation to secure Special Protection Area, Transport, Travel Plan and Public Open Space financial contributions; together with financial viability re-appraisal and overage clauses.

The application has been with the Council for some time and, at the time of writing, is currently subject to an agreed extension of time for determination expiring on 30 November 2018.

### **Relevant Planning History**

The land occupied by Pinehurst House and The Convent was previously part of Farnborough Technical College; and before that known as 'Hillside Convent'. Planning permission was granted in 1985 (RSH/04407) for the alteration and enlargement of the existing vehicular entrance from the College Site, which was combined with the Farnborough Road slip-road from the adjoining Council Offices.

Planning permission was granted in August 1988 (RSH/05603) for the refurbishment and partial demolition of existing building [The Convent] and change of use to offices; together with construction of new offices [Pinehurst House, originally known as the 'Hillside Convent Offices Annexe'] linked to existing building, provision of improved access, car parking and landscaping. This permission was then subject to amendments, with a revised scheme permitted in February 1989, RSH/05895. The development was implemented and built commencing in 1990.

Planning permission was granted subject to conditions in October 1990 (RSH/0715) for the formation of a vehicular and pedestrian access route to the adjoining site [Meudon House] and erection of traffic barrier at the exit onto Farnborough Road. In January 1994 planning permission was subsequently granted for the relief of Condition No.2 of planning permission RSH/07150 and the erection of a traffic control barrier at the vehicular entrance into the Pinehurst House offices site from the adjoining site [Meudon House], 91/00149/FUL. This barrier still remains in place at the boundary of the current application site and Meudon House.

Planning permission was granted in December 2013 for the change of use of the existing B1

office building [The Convent] to provide 13 two-bedroom and 1 three-bedroom flats 13/00493/COUPP. The first-floor corridor link between The Convent and Pinehurst House was removed prior to this application in mid-2013 following the grant of an earlier planning permission for residential conversion of The Convent building in December 2012, 12/00729/FUL.

The Council formally confirmed in July 2018 that the current proposals did not require an Environmental Impact Assessment (18/00484/SCREEN).

A planning application submitted by London Wall Outsourcing Investments Ltd relating to the adjoining Meudon House site is currently under consideration by the Council, 18/00140/FULPP. This application proposes demolition of existing structures and erection of 205 dwellings comprising 93 one-bedroom flats; 80 two-bedroom flats and 32 three-bedroom townhouses with associated access [to Meudon Avenue], parking and landscape arrangements. This application is also to reported to this Committee.

In addition, here is a current outline application, 18/00367/OUTPP in relation to the former police station site submitted by Homes England for the erection of up to 174 units across 8 storeys (plus a semi-underground car park) with associated car parking, cycle parking, open space, landscaping, lighting, drainage and associated infrastructure, engineering and service operations (all matters reserved). This application is under consideration and will be reported to the Development Management Committee in due course

#### **Consultees Responses**

| Planning Policy                         | No planning policy objections.   |
|---|--|
| Community - Contracts Manager<br>(Bins) | No objections.   |
| Environmental Health                    | No objections subject to conditions and informatives.  |
| Parks Development Officer               | Provides details of Public Open Space projects to which s106 contributions are required.   |
| Environment Agency                      | No comment : The proposals are for development of a type<br>and location that the EA do not wish to be consulted upon.<br>EA Standing Advice should be consulted instead.  |
| HCC Highways Development<br>Planning    | No Highways Objections : Following receipt of amended<br>plans and a revised Framework Travel Plan on 18 October<br>2018 subject to:-<br>(1) the applicant entering into a s106 Planning Obligation to<br>secure (a) a Transport Contribution of £49,343.90 towards<br>cycle links from the site to Farnborough town centre to be<br>used for either provision of a cycle link adjacent to the A325<br>Farnborough Road, or towards an alternative cycle route via<br>the adjacent Meudon House development and crossing<br>Meudon Avenue; (b) the submission and implementation of<br>a full Travel Plan; (c) payment of Travel Plan approval<br>(£1,500.00) and monitoring fees (£15,000.00).; and (d)<br>provision of a surety mechanism to ensure implementation<br>of the Travel Plan (a bond value of £41,750.00); and |

|  | (2) imposition of a condition to require the submission of a Construction Traffic Management Plan.   |
|--|--|
| Hampshire Fire & Rescue<br>Service         | No objections, but provides generic comments concerning fire safety precautions and facilities.  |
| Housing                                    | No objections on the basis that the non-provision of<br>affordable housing is justified by an Economic Viability<br>Assessment that has been independently reviewed on<br>behalf of the Council. Nevertheless, it is recommended that<br>Economic Viability re-appraisal clauses are incorporated into<br>the s106 Planning Obligation in the event that completion of<br>the development is protracted. |
| Natural England                            | No objection provided that appropriate SPA mitigation and avoidance is secured.  |
| Thames Water                               | No comments received during the consultation period, thereby presumed to have no objections.   |
| Hampshire & I.O.W. Wildlife<br>Trust       | No comments received during the consultation period, thereby presumed to have no objections.   |
| Crime Prevention Design<br>Advisor         | No objections, but makes a number of recommendations for detailed crime prevention measures to be incorporated into the proposed development.  |
| TAG  | No objections.   |
| Scottish & Southern Energy                 | No objections : Provides information and general guidance<br>on the position of electricity cables on and in the immediate<br>vicinity of the application site.  |
| Southern Gas Network<br>(Formerly TRANSCO) | No comments received during the consultation period, thereby presumed to have no objections.   |
| South East Water                           | No comments received during the consultation period, thereby presumed to have no objections.   |
| Lead Local Flood Authorities               | No objections.   |
| Aboricultural Officer                      | No objections subject to conditions.   |

### **Neighbours Notified**

In addition to posting a site notice and press advertisement, 176 individual letters of notification were sent to properties in Farnborough Road (including all of the Flats at 115 Farnborough Road), Buccaneer Court, Bell Court, Lynx Court, Jupiter Close, Lion Road, Farnborough College of Technology and the representatives of the applicants for planning application 18/00140/FULPP relating to Meudon House, Meudon Avenue. These written notifications have included all properties adjoining the application site.

### **Neighbour Comments**

Representations have been made by the occupiers of Flat Nos.2, 3, 6, 10, 12 & 13 The Convent; the owners of Flat Nos.1, 4, 5, 8, 9, 11 & 14 The Convent; The Convent Management Company (also the owner of Flat No.4); and the owner/occupier of 17 Lion Road. The following summary grounds of objection have been raised:-

- (a) Despite pre-application consultation by the applicants, the concerns of residents of The Convent have been ignored. The proposals are unreasonable. The applicant's suggestion that residents of The Convent broadly support the proposals are incorrect and the applicants have not fairly represented them.
- (b) Health and safety concerns for the construction period of the proposed development and beyond: The building phase will create extensive heavy traffic that would need to be completely isolated from the current site entrance off the A325 shared with The Convent flats. It is suggested that this could be addressed by the creation of a new access for the site off the A327 Meudon Avenue road to service vehicular access for both construction traffic and, indeed, the entire scheme once completed and occupied. [Officer Note: this suggestion would involve significant use of land in separate private ownership and is part of the proposal. The impacts of the construction period of a development cannot be a material consideration when determining planning applications.]
- (c) Whilst it is appreciated that the existing building is already located close the rear of The Convent building and it is more straightforward to build from the existing building structure, the proposed development would be significantly taller and/or bulkier than the existing building and building roof, thereby having a significant negative impact upon the narrow space between the proposed development and The Convent flats. This would be as a result of:
  - loss of light,
  - loss of outlook,
  - significant intrusion and overbearing impact,
  - loss of privacy due to overlooking from windows, balconies and roof terrace areas,
  - noise and disturbance, including additional traffic noise and from bin collections and other servicing,
  - air pollution etc.

Further, residents of The Convent would have no say in the moderation of the loudness of music and voices of residents of the proposed development using their balconies, terraces etc. Not all new residents would be reasonable in their behaviour and think of others.

When challenged about the issue of privacy and noise by Convent residents, the applicants dismissed their concerns as somewhat trivial.

It is suggested that more space be provided between The Convent building by setting the proposed development further back.

(d) The fact that the Pinehurst House offices were allowed to be built so close to The Convent building (approximately 3.5 metres at the narrowest point) is hard to believe and the applicant's desire to build on the existing footings only compounds this previous bad decision : this should not be allowed to continue. The building as it currently exists would certainly not get planning permission to be built next to The Convent flats if it was being proposed from scratch. The narrow gap between the buildings would also be unacceptable if new build on fire and health and safety grounds : it is considered unlikely that fire trucks with long extension ladders would be able to get round the back of the building. Providing a greater building-to-building separation would ease these concerns.

- (e) There are National and local guidelines which require a minimum separation distance between buildings of between 13 metres and 22 metres. [Officer Note: References provided by the objectors appear to relate to documents published by other authorities; they do not form part of Rushmoor's Development Plan or supplementary planning documents.]
- (f) The proposed development would infringe upon Convent residents' rights to light [Officer Note: common law rights to light are a private property matter between landowners which can be asserted and established by those claiming to benefit from them; they are not a matter for consideration in the determination of a planning application.]
- (g) The proposed development would result in the loss of existing private views from flats in The Convent [Officer Note: loss of a private view is not a matter for consideration in the determination of a planning application.]
- (h) The height of the proposed development is considered to be excessive. The proposed 5-storey height would not be in keeping with adjacent apartment blocks in the immediate area, which are generally of 3 and 4 storey height only and are well spaced from each other.
- (i) Unacceptable size, layout and density of development. The increased size and scale of building cannot be justified. The proposed development would completely change the character of the area and have a negative environmental impact on this urban green space. The proposed development is entirely out of keeping with the density found in The Convent, where there are only fourteen apartments.
- (j) The proposed development would have a negative heritage impact upon The Convent building, which is thought to be a Building of Local Importance. The Convent building is an asset to Farnborough and the western façade (the rear elevation) of The Convent buildings deserves to be more readily visible. [Officer Note: The Convent building is not designated as a Building of Local Importance : the respondents who have raised this point have been advised of this.]
- (k) Noise intrusion : a small amount of noise between these two buildings already echoes and travels a long way, but would be increased as a result of the proposed development. When in office use, the offices were empty at weekends and public holidays, therefore quiet;
- (I) With a greater density of occupants there would be many more smokers than used to stand around the exit points when the offices were in use.
- (m)When The Convent flats were marketed prospective purchasers were made aware that Pinehurst House was intended to be redeveloped. This appeared to offer the prospect of an improvement to the building's current dire architecture and the prospect of the inevitable disturbance was accepted. However owners/occupiers of The Convent flats

did not contemplate being presented with the development currently being proposed. [Officer Note: This is not a matter that can be taken into account in the determination of this application].

- (n) Increased traffic levels : The proposed development would cause significant traffic issues around the slip-road junction with Farnborough Road The slip-road is shared with The Convent residents and the adjacent Council offices. The number of cars per household has increased in modern times, as have the range and number of home deliveries households receive. Vehicular activity associated with the proposed development would be 24/7, not just weekday working hours. The proposed development is considered likely to cause excessive use of the slip-road and create a significant bottleneck close to the already busy Pinehurst roundabout on the A325. Expecting the existing slip-road access to cope with the traffic associated with the proposed development is unrealistic and unsafe.
- (o) Inadequate parking provision for the needs of residents and their visitors. It is proposed that 197 on-site parking spaces be provided, but with 113 flats there will be more than 200 cars coming and going as most modern households have more than 1 vehicle. There has been no mention of visitor parking, which also needs to be addressed. There are no side roads for visitors to utilise in this vicinity, therefore any spare space on site will be used for parking, including The Convent parking area.
- (p) There is no clarity with the planning application about the demarcation between the existing Convent parking and the proposed soft landscaping of the proposed development. [Officer Note: the submitted plans clearly show that all the parking provided for The Convent is separate from the parking and landscaping of the current proposed development.]
- (q) There is an existing oversupply of apartments in the area : would the community not be better served by the site providing a smaller number of good family 3- or 4-bedroom executive homes instead of more apartments? The footprint of the development should be reduced and a scheme produced for a smaller number of good family homes. It is believed that the Council's quota for providing 1- or 2-bedroom apartments has already been exceeded [Officer Note: there is no such quota. The Council must consider the proposals as submitted on their planning merits and cannot prescribe preferred alternative proposals as part of the development management process. The content and type of development proposed is a matter for the developer who must address the relevant Planning Policies. ]
- (r) The strength of the existing foundations of Pinehurst House to support the additional storeys is questioned [Officer Note: this is a matter for the Building Regulations and not a matter for consideration in the determination of a planning application. The applicants have, for information, submitted a Structural Engineers' Report with the application that concludes that the existing structure of Pinehurst House has more than sufficient capacity to support the load of the additional storeys without modification].

Whilst raising specific objections as summarised above, a number of correspondents indicate that they are not opposed to the principle of the proposed residential re-development of the site. It is considered that the impact for Farnborough is potentially positive for retail trade, job opportunities and regeneration. However, it is considered equally important to ensure that negative impacts in the direct locality of the building are appropriately taken into account and minimised. It is strongly believed that the present proposal should be reviewed and other forms

of housing development for the site explored instead.

The occupier of No.17 Lion Road raises objection on the following specific additional grounds:-

- (s) The proposed development does not appear to provide any increase in the Rushmoor affordable house stock as per planning policy.
- (t) The submitted Noise Impact Assessment states that the proposed site has industrial premises at its western boundary and fails to identify that there are residential properties west of the proposed development.
- (u) The submitted Daylight and Sunlight Report needs to be checked for correctness. It has two blocks of residential properties to the west of the site both tagged 9-17 Jupiter Close on numerous drawings. However Lion Road has been omitted from the drawings.

The Farnborough Society comment that, although the site was originally occupied as offices with the access designed to cope with the traffic associated with a large number of staff based at the site, the access route should nevertheless be re-examined to ensure that it will be sufficient to meet the demands of the proposed 113 residential units.

All three Empress Ward Councillors (Cllrs Lyon, Smith and Munro) have, whilst emphasising that they are not opposed to the proposed flats per se, registered objection for the same principal grounds as set out in the preceding summary. They requested that the Committee undertake a Site Visit [which was undertaken on Saturday 20 October 2018] and that they be allowed to address Members at the Committee meeting when the application is to be considered. The following additional points are made:-

- (a) The proposed development would have an adverse impact upon the street scene not just on Farnborough Road, but also on Kestrel Road and other roads in the Farnborough Central Development;
- (b) No account has been taken of the narrow corridor between the two developments (The Convent and the proposed development) both from a noise and fire safety perspectives. On this latter point, the fire safety of potentially evacuating so many residents through such a small space should be taken into account [Officer Note: this is a matter for the Building Regulations and not a matter on which the application can be determined, however the gap between the two buildings would not be the only route to be used for the evacuation of the property in the event of a fire : there would be multiple evacuation points from a development of this scale.]
- (c) The proposed development would encroach on green space which is well known to be the habitat for a number of birds and other wildlife in an area already short of such spaces;
- (d) The economic justification for not providing affordable housing in the scheme submitted by the applicants is incoherent – it is suggested that the developer has overpaid for the site and is looking for the Council to absorb this margin through accepting no affordable housing;
- (e) The applicant makes unrealistically low assumptions on car ownership and usage on the site. They also ignore the rising level of traffic associated with increasing home deliveries in the modern world, visits by visitors, workmen etc.

## Policy and Determining Issues

The site is within the built up area of Farnborough and part of a Key Employment Site also including the Council Offices and Meudon House. Farnborough Road close to the application site is a 'Green Corridor'.

The site is not located within or immediately adjoining a Conservation Area, nor a statutorily Listed Building, nor a non-statutory heritage asset such as a Building of Local Importance.

Adopted Rushmoor Core Strategy (October 2011) Policies SS1 (Spatial Strategy), CP1 (Sustainable Development Principles), CP2 (Design and Heritage), CP3 (Renewable Energy and Sustainable Construction), CP4 (Surface Water Flooding), CP5 (Meeting Housing Needs and Housing Mix), CP6 (Affordable Housing), CP8 (Supporting Economic Development), CP10 (Infrastructure Provision), CP12 (Open Space, Sport and Recreation), CP13 (Thames Basin Heaths Special Protection Area), CP15 (Biodiversity), CP16 (Reducing and Managing Travel Demand), and CP17 (Investing in Transport) are relevant to the consideration of the current proposals.

Whilst the Core Strategy has policies that replace specific Local Plan policies, a number of Local Plan policies continue to be 'saved' and therefore remain in use for the time being until they are replaced by future tranches of Local Development Framework documents. In this respect, Local Plan Policies ENV5 (green corridors), ENV13 (trees), ENV16 (general development criteria), ENV19 (landscaping), ENV41-44 (surface water run-off), OR4 & OR4.1 (public open space), TR10 (general highways criteria), and H14 (amenity space) are 'saved' policies that remain relevant to the consideration of this application.

The New Rushmoor Local Plan 2014 to 2032 contains emerging policies that are relevant to the consideration of the current application and has now reached an advanced stage of preparation. Proposed main modifications to the Plan are, at the time of writing this report, subject to public consultation following receipt of the Inspector's provisional findings after the Local Plan Inquiry held in May 2018. It is currently anticipated that the New Local Plan will be formally adopted in early 2019. However, where there is now no reason for any changes to be made to the policies and content of the Plan because no modifications are being recommended and/or there is no difference in the policy approach currently taken with the Core Strategy, the new Plan can be considered to carry some weight in the consideration of planning applications.

The Council's adopted Supplementary Planning Documents (SPD) on 'Housing Density and Design' (May 2006), 'Planning Contributions - Transport' 2008, new 'Car and Cycle Parking Standards' (adopted November 2017), the Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy as updated November 2017; and the advice contained in the new National Planning Policy Framework (July 2018) and Planning Practice Guidance are also relevant.

The main determining issues are considered to be:-

- 1. Principle of development;
- 2. The visual impact on the character and appearance of the area, including impact on trees;
- 3. The impact on neighbours;
- 4. The living environment created;
- 5. Impact on wildlife;

- 6. Highway considerations;
- 7. Affordable housing;
- 8. Drainage issues;
- 9. Renewable energy and sustainability;
- 10. Access for people with disabilities; and
- 11. Public open space.

# Commentary

**1. Principle** - The proposals seek to re-use a vacant commercial site. Government legislation seeks to encourage and enable conversions of vacant offices into residential use. Whilst the current proposals are not 'permitted development' in this respect because the proposals involve the significant extension of the existing building, legislation clearly indicates the general acceptability of proposals for the residential conversion of vacant offices. The existing office use of the site has not been extinguished by the vacancy of the building; and planning permission would not be required for resumption of office use and occupation of the site; or, indeed, for residential conversion. These options remain as a significant 'fallback' position.

The proposed development is seeking to make more efficient use of previously developed land, which is a clear objective of the NPPF and local planning policy.

The application site is outside, but adjoining, the defined Farnborough Town Centre area. The site currently forms part of the Meudon Avenue Key Employment Site allocation, as designated under adopted Rushmoor Core Strategy Policy SS1 (Spatial Strategy). However, whilst Core Strategy Policy CP8 (Supporting Economic Development) seeks to resist the loss of employment land and to promote development which would support and enhance the function and operation of Rushmoor's Key Employment Sites, the emerging draft Rushmoor Local Plan de-allocates the Meudon Avenue site for employment use. The draft Rushmoor Local Plan was submitted to the Planning Inspectorate for examination in February 2018 and forms a material consideration in the determination of planning applications. The principle of residential development of this site is therefore considered acceptable. The Planning Policy Manager raises no objections to the proposals.

On the basis that the proposed development relies upon emerging policy the application has been advertised as a departure from the current Development Plan on a precautionary basis. The notification period in this respect expires on 7 November 2018.

Objections have been raised on the basis that the proposed density and height of development exceeds that of existing residential development in the vicinity. However, whilst some nearby residential development is in the form of two-storey houses, there are blocks of flats of similar height. The fact that the proposed development would be a larger single block and be of a density that is higher than the adjoining flats at The Convent is not considered to result in a harmful impact upon the character and appearance of the area overall. There are no policies in the Development Plan which prescribe the density or, indeed, height of development.

It is considered that the density and height of the proposed development is acceptable in principle and consistent with Government objectives and the Council's adopted and emerging planning policies.

2. Visual Impact - Although, as noted by objectors, the application site is visible from a

number of publicly accessible places on adjoining and nearby land, including from the Farnborough Central Development, it does not command a prominent position within the townscape. The site is obscured by the Convent building to the east and belts of mature trees to the north, west and south. Although the proposed development would result in a materially taller building, it would continue to benefit effectively from the same mature boundary screening. There would be minimal and acceptable loss of existing trees from the site. The proposed development is designed to make use of the existing building in modified and extended form; and to reflect the prevailing modern design and external appearance of adjoining and nearby residential buildings of comparable mass and height. The proposed development gives the opportunity to provide re-invigorated and new landscape planting to the site. It is considered that the overall visual impact of the development would be sympathetic and would not harm the established visual character and appearance of the area.

**3. Impact on neighbours -** The existing lawful use of the application site has the potential to have a significant impact on adjoining and nearby neighbours. This is most notably the case in respect of The Convent. The flat conversion of The Convent took place approximately five years ago and consequently, whilst aware of the likelihood of future use or development, residents there have not experienced Pinehurst House offices in full use. The lawful commercial office use could be resumed, and the consequences of this in terms of noise disturbance and activity, including car parking, traffic generation, lighting of external areas, and operation of plant etc. are a material consideration in the determination of the current application.

The significant degree of separation, intervening screening, and the design and orientation of the proposed flats from neighbouring residential development to the south and west (Lynx Court, Buccaneer Court and Bell Court, Lion Road and Jupiter Close) provides acceptable relationships with all of these neighbours. It is also considered that there would not be any material and harmful planning impact upon the Council Offices.

A Members' Site Visit was undertaken in this case partly in the context of representations from owners and residents of The Convent, who are the source of all but one of the objections received. The Site Visit included inspections of Flat Nos.2, 3, 4, 10, 12 & 13 The Convent, which represented examples of flats in the north and south halves of The Convent building on different storeys. At the core of the objections raised by owners and occupiers of The Convent is that they neither envisaged that proposals for Pinehurst House would involve the addition of further storeys of accommodation; nor that the existing building-to-building separation distance would be retained. They believe that the developer has paid inadequate regard to the impact on their properties, and that the proposed development would have an unacceptable impact upon them, primarily in terms of loss of day/sunlight, outlook and privacy.

The Council must consider whether or not the impact of the proposed development as submitted is materially harmful in planning terms to the extent that refusal of planning permission would be justified. Since the rear elevation of The Convent faces west it does not receive direct sunlight until after midday and receives most direct sunlight in the late afternoon and evening. In this respect it is important to take into account the existing relationship with Pinehurst House in terms of day/sunlighting, outlook and privacy. It is notable that the majority of windows in the rear elevation of The Convent are fitted with louvred Venetian blinds reflecting the proximity to the application building. The impact of the proposed development upon neighbours at The Convent (whether considered to be positive, neutral or negative) would be more significant in respect of some flats than for others.

The southern half of the rear elevation of The Convent mainly has a facade-to-facade separation of 6.7 or 7.6 metres at ground floor level. At the south end of The Convent there is a further element of the building that is set back 13 metres from the nearest ground floor facade of Pinehurst House. The central entrance and stairwell core of The Convent has a separation of 4 metres from Pinehurst House [which corresponds to the position of the former bridge link between the buildings] although this part of The Convent does not contain habitable rooms. The northern half of The Convent building is further separated from the facade of Pinehurst House. The minimum separation is approximately 28 metres between building facades. The rear elevation of the Convent building contains a significant number of windows to habitable rooms looking directly or obliquely towards Pinehurst House. Although objections have suggested that Pinehurst House should never have been built so close to the rear of The Convent, Pinehurst House was designed and built as an extension to that building when it was in office use. The building to building separation was considered acceptable when the conversion of The Convent was determined. The potential occupiers were aware of the existence and proximity of Pinehurst House and the likelihood of future development or use.

The proposal retains the existing building facades at ground level and the stepped-back first floor adjoining the south half of The Convent building, but proposes the removal of the substantial overhanging roof eaves that partially shade the gap between the buildings at these levels. The proposed additional storeys of accommodation feature a progressive and significant stepping back; and flat roofs designed to avoid impact on daylighting and aspect. The Daylighting & Sunlighting Report submitted with the application states that, in the developed condition, all windows in the rear elevation of The Convent building would retain adequate daylight and sunlighting. The elevation of the proposed development facing the rear elevation of the south half of The Convent is shown to be finished in red brick at ground floor level and more light-reflective finishing materials for the storeys above, comprising buff bricks and profiled composite and aluminium cladding panels.

Consideration has been given to privacy issues in the design of the east elevation of the proposed development. This elevation features fewer and smaller windows, comprising a mixture of obscurely-glazed and oriel designs to limit overlooking, and no balconies or terraces. Privacy screening would also be provided to the ends of the nearest amenity terrace balustrades facing north and south in the flank elevations of the proposed development with the same aim. Those areas of roof that are not to be amenity terraces would be 'green' roofs and not accessible for amenity purposes by residents. Planning conditions can be used to ensure that these privacy features are provided and retained thereafter.

The individual relationships between the proposed development and flats at The Convent are considered in the following paragraphs:-

### South half of The Convent (Flat Nos.4, 13, 6, 14, 9, 10 and 12).

**Flat No.4** is a ground-floor 2-bedroom flat. It has three pairs of windows on the rear elevation serving the two bedrooms and the lounge. The lounge also receives light from the front of the building via the kitchen. The rear façade of this flat is 7.6 metres from the existing east elevation of Pinehurst house with a block paved vehicle driveway and some parking spaces to the side between. The existing eaves and roof edge of Pinehurst house project a further 0.7 metres into the gap between the buildings with the roof edge approximately half way up the windows.

As a result of the proposed development the existing separation from the ground- and firstfloor levels of Pinehurst House would be unchanged, but the existing projecting roof eaves would be removed. The continuous panoramic glazing of the existing building would be replaced in this elevation by small obscurely glazed and/or directional windows. The most direct relationships would be with proposed flats Nos.007 and 108 at ground and first floor levels respectively. Although three additional storeys of building are proposed above these existing storeys, the extent of the set-back of the new storeys would be such that only the top halves of the elevations of the second- and third-floors (at this point containing flat Nos.205 and 303) would be visible to a person standing close to the windows of Flat No.4, at separation distances of 17 and 22 metres respectively. Obscurely-glazed privacy screens would be provided to the sides of the side facing balconies of flat Nos.303 and 304. The fifthfloor (at this point containing Flat No.401) would be set so far to the west that it would not be visible above the storev below from the windows of Flat No.4. Persons standing on the terrace area of Flat No.401 would not be able to see the windows of Flat No.4 due to the intervening parapets of the storeys below. It is considered that there would be no material and undue overlooking of windows from the new development; and no material diminution in the extent of day/sunlighting as a result of the increased height of building. It is considered that the impacts of the proposed development upon this neighbouring flat would be acceptable in planning terms.

**Flat No.13** is a ground-floor 2-bedroom flat which has its entrance door at the base of the stair turret at the southern end of the building. It has two pairs of windows on the rear elevation serving two bedrooms that are separated 6.7 metres from the ground floor east elevation of Pinehurst House, beside those of Flat No.4. This flat has a polygonal lounge area looking out over the gardens to the front of building which is unaffected by Pinehurst House.

The impact of the proposed development upon this ground-floor flat would be similar to that on Flat No.4. However, because Flat 13 is closer to the south-east corner of Pinehurst House and has the east facing lounge area, it is less affected by the Pinehurst building. The most direct relationships would be with proposed Flat Nos.008 and 108 in this respect at groundand first-floor levels respectively, where the directional bedroom windows of Flat Nos.008 (and 007 beyond) and Nos.108 (and 107 beyond) would provide only limited oblique views towards the windows of Flat No.13. Although three additional storeys of building are proposed above the existing storeys, as with Flat 4, the extent of the set-back of the new storeys is such that only the top halves of the elevations of the second- and third-floors (at this point most directly containing Flat Nos.206 and 304) would be visible to a person standing at the windows of Flat No.13 at separation distances of 16 and 22 metres respectively. Obscurely-glazed privacy screens are to be provided to the sides of the sideways facing balconies of Flat Nos.206 and 304. The fifth-floor (at this point containing Flat No.401) is set so far back that it is not considered that it would be visible above the storey below from the windows of Flat No.13 and, as with Flat No.4, persons standing on the terrace area of Flat No.401 would be unable to see the windows of Flat No.13. It is considered that there would be no material and undue overlooking of the bedroom windows from the new development; and no material diminution in the extent of day/sunlighting as a result of the increased height of the building. It is considered that the impacts of the proposed development upon this neighbouring flat would be acceptable in planning terms.

**Flat No.6** is a first-floor 2-bedroom flat that has a similar layout and arrangement to Flat No.4 below and Flat No.9 above, with the main difference from these two adjoining flats being that the three pairs of rear-facing windows are slightly longer. These windows are situated 10 metres from the first-floor east elevation of Pinehurst House, with the eaves of the main roof projecting 0.7 metres closer to the windows of Flat No.6 and with the roof edge approximately

level with the mid-point of the windows. The rear windows serving the bedrooms and lounge of this flat overlook the main pitched roof of Pinehurst House which recedes to a distance of approximately 15 metres.

The windows of this flat are located above the retained ground-floor facade of Pinehurst House which would contain Flat No.007. This flat is also approximately a half-storey above the first-floor level of Pinehurst House which would contain bedrooms of Flat Nos.107 and 108. Obscurely-glazed and/or directional windows in these units would ensure that there would be no undue overlooking. A person standing directly at the windows of Flat No.6 would be 15 metres from the facade of Flat No.205 at second-floor level where the only facing window would be obscurely-glazed. The top half of the new third-floor level above (here containing Flat No.303 with facing lounge, kitchen and bedroom windows) would be 21 metres distant. The sideways-facing balcony of Flat No.303 would have an obscurely glazed privacy screen to the side. Only the upper part of the fifth-floor (containing Flat No.401) would be visible from the windows of Flat No.6 and a person standing on the terrace outside Flat No.401 would be some 26 metres distant, and the fifth-floor facade 28 metres distant. It is considered that there would be no material and undue overlooking of windows from the new development; and no material diminution in the extent of day/sunlighting as a result of the increased height of building. It is considered that the impacts of the proposed development upon this neighbouring flat would be acceptable in planning terms.

**Flat No.14** is a first-floor 2-bedroom flat above Flat No.13 and has a similar layout including a feature lounge area facing the front of The Convent building. The bedroom windows of this unit are affected by proximity to Pinehurst House. At this level the separation distance from Pinehurst House is approximately 9 metres with, like Flat No.6, the main roof edge of Pinehurst House approximately level with the mid-point of the flat windows. The direct view from these windows is largely of the roof slope of Pinehurst House.

It is considered that the impact of the proposed development upon this adjoining first-floor flat would be an amalgam of the impacts arising for Flat Nos.13 below and No.6 adjoining. As with Flat No.13, it is the bedrooms only of Flat No.14 that would be affected, since the lounge of this unit is located to the front of The Convent building. Because this flat is closer to the south-east corner of Pinehurst House, it is less affected in terms of day/sunlighting. Flat Nos.008 and 108 at ground- and first-floor levels respectively would both be at lower level such that the directional bedroom windows of Flat Nos.008 (and 007 beyond) and Nos.108 (and 107 beyond) would provide limited upward oblique views towards the windows of Flat No.14. A person standing at the bedroom windows of Flat No.14 would be 15 metres from the facade of Flat No.206 at second-floor level, where the only facing window would be obscurely-glazed and a further window would be a directional oriel window. The top half of the new third-floor level (here containing Flat No.304 with lounge window) would be 20 metres distant. The side-facing balcony of Flat No.304 would have an obscurely-glazed privacy screen. Only the top half of the fifth-floor (containing Flat No.401) would be visible from the windows of Flat No.14 and a person standing on the terrace outside Flat No.401 would be 26 metres distant and the fifth-floor facade 28 metres distant. It is considered that there would be no material and undue overlooking of the bedroom windows from the new development; and no material diminution in the extent of day/sunlighting as a result of the increased height of building. It is considered that the impacts of the proposed development upon this neighbouring flat would be acceptable in planning terms.

**Flat No.9** is a second-floor 2-bedroom flat with a similar layout to the flats below: Flat Nos.6 and 4. It has rear windows identical to Flat No.4 also serving the bedrooms and the lounge, although there is no kitchen window providing extra light to the lounge from the front of the

building. The top of the existing pitched roof of Pinehurst House is approximately level with the mid-point of the rear windows of this flat at a separation of 15 metres.

It is considered that this neighbouring flat would not be materially affected by the proposals in respect of the ground- and first-floor levels, since these are below. The proposed new second-floor level (here containing Flat No.205 with a single obscurely-glazed window in the facing elevation) would also be almost a storey lower and separated by 15 metres. The side-facing terrace of Flat No.205 and balcony of Flat No.303 above would have obscurely-glazed privacy screens to the side. A person standing directly behind the windows of Flat No.9 would be slightly lower than, and separated 20 metres from, the façade of Flat No.303 at proposed third-floor level, which would contain facing lounge, kitchen and bedroom windows. A person standing at the windows of Flat No.9 would see the top-half of the fifth-storey containing Flat No.401 above the parapet roof edge of the storey below at a separation distance of 27 metres. A person standing on the terrace outside Flat No.401 would be some 24 metres distant. It is considered that there would be no material and undue overlooking of windows from the new development; and no material diminution in the extent of day/sunlighting as a result of the increased height of building. It is considered that the impacts of the proposed development upon this neighbouring flat would be acceptable in planning terms.

**Flat No.12** is a third-floor 2-bedroom flat. It has three dormer windows in the rear roof slope of The Convent serving the bedrooms and lounge. This flat is at a noticeably higher elevation than the roof of Pinehurst House and looks down on the large expanse of the roof and roof plant of this adjoining building.

It is considered that the windows of this neighbouring flat would be materially unaffected by the proposed development at ground-, first- and second-floor levels, since these storeys are considerably lower. The proposed third-floor (most directly containing Flat No.303 with facing lounge, kitchen and bedroom windows and a privacy-screened sideways-facing balcony) would be 22 metres distant and still lower down. The proposed fifth-storey level containing Flat No.401 is at an equivalent level and separated some 28 metres façade to façade, with a person standing on the terrace area outside this unit being 25 metres distant. It is considered that there would be no material and undue overlooking of windows from the new development; and no material diminution in the extent of day/sunlighting as a result of the increased height of building. It is considered that the impacts of the proposed development upon this neighbouring flat would be acceptable in planning terms.

**Flat No.10** is a two-storey 2-bedroom duplex flat located over the second- and third-floors of The Convent building above Flat No.14. This flat has two pairs of long windows which are shared between the two floors of the flat. At second-floor the windows serve the bedrooms, whilst all four windows serve a lounge/kitchen living space at third-floor level above. The cill of the **bedroom** windows is approximately level with the top of the adjoining pitched section of the main roof of Pinehurst House at a distance of 14 metres, with the remainder of the roof slope in view. The **lounge** windows are at a higher level that the roof of Pinehurst House and, like the windows of Flat No.12, look down upon the expanse of the roof of the adjoining building. This flat also has a study room at second-floor level at the top of the stair turret above Flat No.14.

It is considered that the bedroom windows of this neighbouring flat would be materially unaffected by the proposed development at ground- and first-floor levels, since these storeys of Pinehurst House are considerably lower. Since the lounge windows of Flat No.10 are a storey above, it is considered that these windows are also unaffected by the proposed second-floor level, most directly containing Flat No.206 here. A person standing at the bedroom windows of Flat No.10 would be separated 14.5 metres from, and approximately a

half-storey height above, the façade of Flat No.206, which would contain an obscurely-glazed window and a directional oriel window. The opposite façade of Flat No.304 on the storey above (containing a lounge window) would be slightly higher than the bedroom windows of Flat No.10, with a separation distance of 19 metres. The safety rail and parapet roof edge of the storey below would also be likely to provide some partial screening between the two flats. The side-facing balconies of Flat Nos.205 and 304 above would have obscurely-glazed privacy screens to the side. A person standing in the bedroom windows of Flat No.401, but at a separation distance of 26 metres. A person standing on the terrace of Flat No.401 would be no less than 23 metres from the bedroom windows of Flat No.10.

The lounge windows of Flat No.10 would be at a higher level than Flat No.304 at the thirdfloor level, with would have facing lounge window at a distance of 19 metres. The façade of Flat No.401 at fourth-floor level (containing two corner lounge windows and a bedroom window) would be higher and separated by a distance of 25.5 metres. A person standing on the terrace outside Flat No.401 would be no less than 23 metres distant. Whilst the lounge windows in particular of Flat No.10 command wide views above and beyond the existing Pinehurst House that would be affected by the proposed development, it is not however considered that this would be to the extent that permission could be refused on this ground.

It is therefore considered that there would be no material and undue overlooking of windows from the new development; and no material diminution in the extent of day/sunlighting as a result of the increased height of building on this neighbouring flat. It is considered that the impacts of the proposed development upon this neighbouring flat would be acceptable in planning terms.

### North half of The Convent (Flat Nos.3, 2, 5, 7, 8 and 11).

Flats in the north half of The Convent have a different relationship with Pinehurst House, which is sited further from the rear elevation in this area. The closest separation being at the east end of the north elevation adjoining the position of the former bridge. This existing section of the north elevation has a projecting element with a gable roof at the main entrance to the building, which is to be removed. The Pinehurst House parking spaces adjoining the main entrance are to be removed and the area planted as a communal amenity area. Due to the degree of separation from the directly facing east elevation of the proposed development (containing Flat Nos.003 & 004, 103 & 104, 203 and 301), it is not considered that any material or undue impact from this direction. Accordingly it is considered that the main impacts upon flats in the north half of The Convent arise from the oblique impact of the proposed additional storeys of building and the possibility of oblique overlooking as a result of the provision of windows, amenity terraces and balconies in this elevation. As with the flats in the south half of the Convent, the impacts are reduced at upper storey levels.

**Flat No.3** is a ground-floor 2-bedroom flat. It has an internal layout and rear window arrangement that mirrors Flat No.4. It has three pairs of windows on the rear elevation serving two bedrooms and the lounge. The direct separation of these windows is some 29 metres. This flat has a closer relationship with a section of the north elevation of Pinehurst House [containing the main entrance and gabled roof] which is right angles level with the central staircase core of The Convent building.

The proposed development would result in the creation of amenity terrace for Flat Nos.007 and a balcony for Flat No.107 at ground and first-floor levels in the retained north elevation of Pinehurst House. these would be provided with obscurely glazed privacy screens to the side. The impact of the proposed additional storeys above is reduced due to the progressive

stepping back of the storeys in west and south directions. The nearest corner of the terrace of Flat No.205 (also provided with a privacy screen to the side) would be between 17 and 19 metres at an oblique angle. The roof and parapet of the storey below would also prevent views of the windows of Flat No.3. The separation distance and viewing angle increases with respect to the balcony for Flat No.303 on the third-floor. Windows in the east elevation of this proposed unit are further separated again, with views of the windows of Flat No.3 also likely to be blocked by the projecting central section of The Convent building containing the main entrance and staircase. The nearest corner of the terrace balustrade of Flat No.401 is approximately 26 metres distant. It is considered that there would be no material and undue overlooking of windows of Flat No.3 from the new development; and no material diminution in the extent of day/sunlighting as a result of the increased height of building. It is considered that the impacts of the proposed development upon this neighbouring flat would be acceptable in planning terms.

**Flat No.5** is a first-floor 2-bedroom flat with an internal layout and rear window arrangement that mirrors Flat No.6. It has a similar layout to Flat No.3 below and Flat No.8 above. It has a relationship with Pinehurst House that is similar to that of Flat No.3 albeit located on the floor above.

This flat would have a similar relationship with the proposed development and similar separation distances and oblique viewing angles from the same proposed flats as for Flat 3. It is considered that there would be no material and undue overlooking of windows of Flat No.5 from the new development; and no material diminution in the extent of day/sunlighting as a result of the increased height of building.

**Flat No.2** is a two-storey 2-bedroom duplex flat located over the ground- and first-floors of The Convent building below Flat No.7. It has an entrance at the base of the north stair turret adjacent to the site vehicular access and the flat includes part of the staircase within the unit itself. This flat has two pairs of windows on each floor, with all four windows at ground-floor level serving the lounge. Due to a fall in ground levels adjoining this section of The Convent, the ground floor is significantly above ground level when viewed from the exterior. The two pairs of windows at first-floor level in this flat serve the bedrooms. All of the windows of this flat in the rear elevation are 28 metres from the facing portion of Pinehurst House across an intervening parking area and a proposed communal amenity area beyond.

A combination of significant separation distance and/or an oblique viewing angle means that there would be no material and undue overlooking of Flat No.2. Furthermore, it is considered that there would be no material diminution in the extent of day/sunlighting as a result of the increased height of building.

**Flat No.8** is a second-floor 2-bedroom flat with an internal layout and rear window arrangement that mirrors Flat No.9. It has a similar layout to Flat Nos.5 and 3 below. As with Flat Nos.3 and 5, this flat is located closest to the section of the north elevation of Pinehurst House containing the main entrance, which is situated at right angles.

Given the separation distances and oblique relationship, it is considered that there would be no material and undue overlooking of Flat No.8, and no material diminution in the extent of day/sunlighting as a result of the increased height of building.

**Flat No.7** is a two-storey 2-bedroom duplex flat located over the second and third floors above Flat No.2 and mirrors the arrangement of Flat No.10 with the windows serving bedrooms and a lounge. It has the same separation distances from Pinehurst House as Flat No.2, only with a more elevated position.

This neighbouring flat with windows in the rear elevation of the Convent building is the furthest from the proposed development. It is considered that no material and undue overlooking from the proposed development would arise. Furthermore, it is considered that there would be no material diminution in the extent of day/sunlighting as a result of the increased height of building.

**Flat No.11** is a 2-bedroom third-floor flat that mirrors Flat No.12 and has three dormer windows in the rear roof slope. It is above Flat No.8. As with Flat No.7, the windows of this flat (serving the bedrooms and lounge) have an elevated view over the wider expanse of the roof of Pinehurst House.

The elevated position and orientation of this flat in relation to Pinehurst House means that it is also considered that no undue relationships with the proposed flats and amenity terraces and balconies would arise with the proposed development. Furthermore, it is considered that there would be no material diminution in the extent of day/sunlighting as a result of the increased height of building.

It is appreciated that owners and occupiers of flats at The Convent are concerned by, and object to, the impact of the proposed development which will inevitably change the aspect and environment to which they are accustomed and which existed when they acquired their flats.

An objective analysis of the impacts of the proposed development upon each individual flat concludes that, whilst the result would be significant to varying degrees, the amenities and living environment of The Convent flats would not be affected to the extent that it would be reasonable to refuse planning permission for this reason.

The Council's Environmental Health Team recommend that a condition be imposed to require submission of a Construction Method Statement to set out the measures to be employed during the construction phase to minimise noise, vibration, dust and other emissions as far as practicable to protect neighbouring amenity. Likewise the parking and traffic generation impacts of the demolition, construction and fitting-out periods of the development. Although planning applications cannot be refused on account of the likely construction phase impacts, it is considered reasonable to require the submission of details of construction management measures given the scale of the development and the clear potential for this to give rise to nuisance and inconvenience to neighbours.

### 4. The living environment created -

All the proposed flats would provide accommodation meeting or exceeding the Government minimum internal floorspace standards appropriate for their level of occupancy. They would also be provided with balconies providing appropriate private usable amenity space in accordance with the requirements of emerging New Rushmoor Local Plan Policy DE3. The proposed flats would also be provided with shared communal amenity areas on site; and some existing landscaped areas containing mature trees would also be retained on site. The plans also show provision of a gymnasium facility within the development.

The Air Quality Report submitted with the application demonstrates to the satisfaction of the Council's Environmental Health Team that impacts of the operational phase of the proposed development on local air quality will not be significant and be below the relevant UK air quality objective levels. In terms of the construction phase of the development, it is noted that some adverse impacts are identified and appropriate mitigation measures are recommended,

which Environmental Health recommend be incorporated into Construction Method Statement.

The submitted Noise Impact Report has assessed the existing noise environment in the vicinity of the site. Whilst the Report does consider the existing noise from operations at Farnborough Airport, it does not take into consideration the fact the airport has permission for up to 50,000 business aviation movements per annum by 2019. This is a potential doubling of movements over those currently experienced, representing a potential 3dB increase in daytime noise levels that needs to be accounted for when determining the level of noise mitigation required. Furthermore, whilst Environmental Health consider that it is possible to specify adequate sound insulation measures to address this, detail is lacking about what the insulation measures would or could be. Accordingly, it is recommended that a condition be imposed requiring the submission of details concerning the type of glazing and ventilation to be used for all habitable rooms to achieve the appropriate internal noise levels.

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

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

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

#### HRA Screening Assessment under Regulation 63(1)(a) of the Habitats Regulations.

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

Heathland is prone to nitrogen deposition due to increases in Nitrogen Oxide. Calculations undertaken for the Rushmoor Borough Council Local Plan found that there will be no incombination 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 Rushmoor Core Strategy 2011 Policy CP13 (Thames Basin Heaths Special Protection Area) and Thames Basin Heaths Avoidance & Mitigation Strategy (2018)], 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 113 net new residential flats close to Farnborough Town Centre. As such, the proposed development is located within the 5km zone of influence of the SPA but outside the 400 metre exclusion zone. The proposed development is neither connected to, nor necessary to the management of, the Thames Basin Heaths SPA. Furthermore, the proposed development would not result in a net increase in traffic movements in excess of 1000 vehicular movements per day in proximity to the SPA.

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

#### Appropriate Assessment under Regulation 63(1) of the Habitats Regulations.

If there are any potential significant impacts upon the Thames Basin Heaths SPA, the applicant must suggest avoidance and/or mitigation measures to allow an Appropriate Assessment to be made. The Applicant must also provide details that demonstrate any long term management, maintenance and funding of any such solution.

The project the subject of the current planning application being assessed would result in a net increase of dwellings within 5 km of a boundary of part of the Thames Basin Heaths SPA. In line with Natural England guidance and adopted Rushmoor Core Strategy 2011 Policy CP13 and Thames Basin Heaths Avoidance & Mitigation Strategy (2018), a permanent significant effect on the SPA due to an increase in recreational disturbance as a result of the proposed new development is likely. As such, in order to be lawfully permitted, the proposed development will need to secure a package of avoidance and mitigation measures.

Rushmoor Borough Council formally adopted the latest version of the Thames Basin Heaths SPA Avoidance & Mitigation Strategy (AMS) in May 2018. The AMS provides a strategic solution to ensure the requirements of the Habitats Regulations are met with regard to the incombination 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 CP13 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 at the Bramshot Farm SANG within Hart District sufficient for the 113 new dwelling units proposed at a cost of £612,789.20. Furthermore, the applicants are also seeking to secure a financial contribution of £52,315.00 towards SAMMS by way of a s106 planning obligation submitted to Rushmoor BC requiring payment of this additional financial contribution upon the implementation.

### Conclusions of Appropriate Assessment.

On this basis, subject to the completion of a satisfactory s106 Planning Obligation in this respect, it is considered that the applicants will be in a position to address the impact of their proposed development on the Thames Basin Heaths SPA in perpetuity in compliance with the requirements of Core Strategy Policy CP13 and the AMS.

According to the submitted Preliminary Ecological Appraisal Report the application property has negligible potential to host roosting bats and other protected wildlife species. Nevertheless, it is recommended that any site clearance and demolition works at the property are undertaken outside the bird nesting season (March to September inclusive); or the building must be checked for nesting birds immediately prior to any works commencing – and no works be undertaken if an occupied nest is found. Similarly, if any other protected species such as bats are found. The submitted report recommends some practices to be adopted for the site clearance and construction period in these respects. In the circumstances, it is considered appropriate that a condition be imposed to require the

developer to implement the recommendations of the submitted report, combined with an informative to remind the applicant of the requirements of the Wildlife & Countryside Act with respect to any protected wildlife species encountered on site.

**6. Highways Considerations -** The application is accompanied by a Transport Assessment examining, as it must, the detailed highway implications of the proposed development compared with the situation that would occur with the existing offices in operation, which is the current lawful planning use of the application site.

Given the existing lawful office use of the site is served by 238 on-site parking spaces using the existing Farnborough Road vehicular entrance, it is considered that the proposed development, provided with 199 on-site parking spaces and using the same route with a pattern of movement access and egress likely to be less concentrated in the morning and evening rush-hours, would generate fewer traffic movements to and from the site. Notwithstanding the concerns expressed by some objectors in this respect, the existing width and geometry of the vehicular entrance is adequate to serve the proposed development, including visits by refuse and delivery lorries.

The scheme proposes parking provision in full accordance with the Council's adopted Parking Standards in terms of both residents and visitors. 169 spaces should be allocated specifically to residents (1 space for each 1-bedroom unit and 2 spaces for the 2 and 3-bedroom units). The remainder of the spaces (30) are visitor spaces. Of the overall parking provision, there are 17 disabled parking bays, located centrally within the internal parking decks. There are also some 13 motorcycle spaces and 169 bicycle spaces.

The proposed development has no effect on any of the existing parking spaces belonging to The Convent.

Satisfactory cycle storage/parking and bin storage provision is shown to be provided on site in various locations adjoining the parking areas.

A revised Framework Travel Plan and amended plans showing provision of cycleway links were formally submitted to the Council on 18 October 2018 that resolve the remaining concerns of Hampshire County Council Highways. Hampshire County Council Highways have now confirmed that the scheme has now fully addressed their concerns in respect of the highways considerations and that the proposals are considered acceptable in highway terms.

In this respect HCC Highways require: (1) the applicant to enter into a s106 Planning Obligation to secure (a) a Transport Contribution of £49,343.90 towards cycle links from the site to Farnborough town centre to be used for either provision of a cycle link adjacent to the A325 Farnborough Road, or towards an alternative cycle route via the adjacent Meudon House development and crossing Meudon Avenue; (b) the submission and implementation of a full Travel Plan; (c) payment of Travel Plan approval (£1,500.00) and monitoring fees (£15,000.00).; and (d) provision of a surety mechanism to ensure implementation of the Travel Plan (a bond value of £41,750.00); and (2) imposition of a condition to require the submission of a Construction Traffic Management Plan.

Subject to the necessary financial contributions and requirements being satisfactorily secured with a s106 Planning Obligation it is considered that the proposals are acceptable in highway terms and, as such, comply with the requirements of Core Strategy Policies CP10, CP16 and CP17.

# 7. Affordable Housing –

Core Strategy Policy CP6 requires provision of 35% affordable housing with developments of 15 or more net dwellings subject to viability. Emerging draft New Rushmoor Local Plan Policy LN2 requires provision of 30% affordable housing with developments of non-town centre site with 11 or more net dwellings, also subject to viability. Policy SP7 relating specifically to the proposed allocation of the Meudon House and Pinehurst House sites for sustainable residential development sets out an expectation for delivery of affordable housing in accordance with Policy LN2. Providing an applicant is able to demonstrate (and the Council independently verify) that the financial viability of the proposed scheme cannot support some or all of the affordable housing requirement of Policy LN2, the scheme would remain compliant with the policy. This approach is in accordance with Government Planning Policy & Practice Guidance.

The applicants have stated that the proposed development is not financially viable if a requirement to provide affordable housing is included. To address the requirements of emerging Policy LN2, the application was supported by a Viability Assessment. This submission has been assessed independently on behalf of the Council by DVS Property Specialists, the commercial arm of the District Valuer's Office. The conclusion of this report is that DVS concurs with the applicant's Viability Assessment that the development cannot support the provision of affordable housing on viability grounds even if the Council were to waive the requirements for Transport and public open space contributions. Whilst objections suggest that the applicants have paid too much for the site and that this is instrumental in causing the lack of financial viability for provision of affordable housing, the District Valuer considers the purchase price for the site by the applicants to be reasonable.

As any planning permission granted on this site could take some time to build once implemented, DVS recommend that the development should be subject to a financial reassessment clause to be secured by the s106 Planning Obligation. This would ensure that the applicant/developer does not benefit from any improvement in the market value of the scheme that could justify provision of affordable housing or an equivalent financial contribution in the event that completion of the proposed development were to be protracted.

Therefore, subject to this provision being secured with the s106 Planning Obligation, it is considered that the proposed development is fully compliant with the requirements of Policy CP6 and emerging Policy LN2. Furthermore, the Council's position is protected to reexamine project viability should it appear that economic conditions improve in the future whilst the scheme remains unfinished. This would be up to the ceiling of the equivalent of the full 30% provision (34 dwelling units) sought by emerging draft New Rushmoor Local Plan Policy LN2.

### 8. Surface Water Drainage -

A Flood Risk Assessment has been submitted with the application. The site is located on land at lowest risk of flooding. The applicants indicate that a SUDS system would be incorporated into the development to deal with surface water drainage on site. The Lead Local Flood Authority (Hampshire County Council) consider that the submitted information is acceptable in principle and forms a sound basis on which to design a detailed scheme. Accordingly, subject to the imposition of a condition to require the submission of details in this respect, it is considered that the requirements of Core Strategy Policy CP4 would be met.

### 9. Sustainable Development and Renewable Energy -

Following the Royal Assent of the Deregulation Bill 2015 (on 26 March 2015) the Government's current policy position is that planning permissions should no longer be granted requiring or subject to conditions requiring compliance with any technical housing standards such as the Code for Sustainable Homes. This is other than for those areas (such as Rushmoor) where Councils have existing policies referring to the attainment of such standards. In the case of Rushmoor this means that we can still require energy performance in accordance with Code Level 4 as set out in Policy CP3 of the Rushmoor Core Strategy. Sustainability and Energy Statements were submitted with the application in this respect. Such measures may be secured by way of condition and on this basis no objection is raised to the proposal in terms of Policy CP3.

## 10. Access for People with Disabilities -

It is considered that there is no reason why development would be unable to provide adequate access for people with disabilities, where necessary, in accordance with the Building Regulations. In the circumstances it is considered that adequate facilities would be provided for people with disabilities using the proposed development.

### 11. Public open space -

The Local Plan seeks to ensure that adequate public open space (POS) provision is made to cater for future residents in connection with new residential developments. Core Strategy Policy CP10 and saved Local Plan Policies OR4 and OR4.1 allow provision to be made on the site, or in appropriate circumstances, a contribution to be made towards upgrading facilities nearby. The policy does not set a threshold of a particular number of dwellings or size of site above which the provision is required. In this case, the scheme is able to provide childrens' play space on site sufficient to cover this element of the overall POS requirement, in addition to some significant retention and new provision of landscape planting. These communal areas of the scheme would be retained in the ownership of the developer, whom would retain the responsibility for their maintenance. However a financial contribution is required towards the off-site provision/enhancement of the amenity open space and sport pitch elements. It is considered that planning conditions can be imposed to require the retention, and submission of details of the proposed management, of the on-site play spaces and landscaping.

This is a circumstance where a contribution [in this case £192,575.00 towards the off-site provision of public open space comprising: Landscaping, park furniture, footpaths, fencing and infrastructure at King George V Playing Fields, Farnborough (£100,524.15), Playground refurbishments at King George V Playing Fields, Farnborough (£74,911.68), and Sports pitch improvements at King George V Playing Fields, Farnborough (£17,139.18)] secured by way of a planning obligation would be appropriate. Subject to the applicant satisfactorily completing and submitting the s106 Agreement in this respect, the proposal is considered to be acceptable within the terms of Core Strategy Policies CP10, CP11 and CP12 and saved Local Plan Policy OR4.

# **Conclusions** -

The proposals are considered acceptable in principle, would have no material and harmful impact upon the visual character and appearance of the area, give rise to less than substantial harm to heritage assets, have no material and adverse impact on neighbours, would provide an acceptable living environment and are acceptable in highway terms. On the basis of the provision of a contribution towards the Bramshot Farm SPA mitigation scheme, the proposals are considered to have no significant impact upon the nature conservation

interest and objectives of the Thames Basin Heaths Special Protection Area. The proposals are thereby considered acceptable having regard to Policies CP2, CP5, CP8, CP10, CP11, CP12, CP13, CP15, CP16 and CP17 of the Rushmoor Core Strategy and saved Local Plan Policies ENV17, ENV28, ENV35, TR10, OR4/OR4.1 and H14.

## Full Recommendation

It is therefore recommended that:-

A. Subject to:

(a) no substantial objections being received in respect of the advertising the proposals as a Departure from the Development Plan before the expiry of the notification period on 7 November 2018;

(b) the completion of a satisfactory Planning Obligation under Section 106 of the Town and Country Planning Act 1990 by 26 November 2018 to secure the following:-

- 1) **£52,315.00** contribution towards the Bramshot Farm SPA strategic access management measures (SAMMS).
- 2) £192,575.00 towards the off-site provision of public open space comprising: Landscaping, park furniture, footpaths, fencing and infrastructure at King George V Playing Fields, Farnborough (£100,524.15), Playground refurbishments at King George V Playing Fields, Farnborough (£74,911.68), and Sports pitch improvements at King George V Playing Fields, Farnborough (£17,139.18);
- 3) **£49,343.90** Transport Contribution towards cycle links from the development site to Farnborough town centre to be used for either provision of a cycle link adjacent to the A325 Farnborough Road, or towards providing an alternative cycle route via the adjacent Meudon House development and crossing Meudon Avenue;
- 4) the submission and implementation of a full Travel Plan;
- 5) **£16,500** for the implementation, evaluation and monitoring of the full Travel Plan; and
- 6) provision of a surety mechanism to ensure implementation of the full Travel Plan (with a bond value of £41,750.00)
- 7) Financial viability re-assessment clauses in the event that the implementation and completion of the scheme is protracted beyond three-years from commencement and market conditions improve the value of the scheme. With any affordable housing financial contribution in lieu of on-site provision being up to the ceiling of the equivalent value of the full 30% affordable housing provision (34 dwelling units) required by emerging New Rushmoor Local Plan Policy LN2

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

However, in the event that a satisfactory s106 Agreement is not received by 26 November 2018 the Head of Planning, in consultation with the Chairman, be authorised to **REFUSE** planning permission on the grounds that the proposal does not make satisfactory provision for a transport contribution in accordance with Council's adopted 'Transport Contributions'

SPD and Core Strategy Policies CP10, CP16 and CP17; public open space in accordance with Core Strategy Policies CP10, CP11 and CP12 and saved Local Plan Policy OR4; and 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 Core Strategy Policies CP11 and CP13.

**B.** The Head of Planning be authorised to amend the deadline for the completion of the s106 Planning Obligation should the circumstances be considered appropriate.

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 November 2017 and to accord with the resolution of Rushmoor's Cabinet on 17 June 2014 in respect of Planning Report No PLN1420.

2. Unless agreed in writing by the Local Planning Authority, the permission hereby granted shall be carried out in accordance with the following approved drawings and details - OSEL Architects Drawing Nos. E17-005/SITEX001 REV.A, -EXP001 REVB, -EXP002 REV.B. -EXP003 REV.A. -EXP004 REV.A. -EXP005 REV.A. -EXP006 REV.A, -EXE001, -EXE002, -EXS001, -SIT001 REV.E, -PRP001 REV.B, -PRP002 REV.C, -PRP003 REV.G, -PRP004 REV.E, -PRP005 REV.E, -PRP006 REV.F, PRP007 REV.E, -PRP008 REV.F, -PRE001 REV.D, -PRE002 REV.D, -PRS001 REV.C, -PRS002 REV.B, -PRS003 REV.A, -DET001, -DET002, -PRE003 REV.A, OPEN SPACES OS 1495-17.1 & Motion Drawing No.170807-02 Rev.A; And Planning Statement. Design Statement, Transport Statement, Arboricultural Impact Assessment, Public Consultation Statement, Flood Risk Analysis & Drainage Report, Report, Ecology Appraisal & Bat Survey, Air Quality Assessment, Noise Daylight/Sunlight Report, Structural Report, Energy & Sustainability Report, Motion Revised Framework Travel Plan Rev.D.

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

3. Notwithstanding any indication of materials which may have been given in the application, or in the absence of such information, construction of the following elements of the development hereby approved [the external walls, roofing materials, window frames/glazing, rainwater goods, and any new external hard-surfacing materials] 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.

Reason - To ensure satisfactory external appearance. \*

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

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

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

Reason - To safeguard the amenities of neighbouring property. \*

6. The dwelling units hereby permitted shall not be occupied until the parking spaces, bicycle storage and bin storage areas shown on the approved plans have been constructed, surfaced and made available to occupiers of, and visitors to, the development; in the case of parking spaces in accordance with a scheme of allocation that has been submitted to and approved in writing by the Local Planning Authority. Thereafter these facilities shall be kept available at all times for their intended purposes and allocation as shown on the approved plans. Furthermore, the parking spaces shall not be used at any time for the parking/storage of boats, caravans or trailers.

Reason - For the avoidance of doubt and to ensure the provision, allocation and retention of adequate off-street car and bicycle parking, servicing, and bin storage within the development. \*

7. The dwelling units hereby permitted shall not be occupied until the cycleway connection to the west boundary of the site as shown on the approved plans have been completed and made available for use.

Reason – To ensure adequate pedestrian and cycleway connectivity of the proposed development.

8. 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.

9. Prior to the first occupation of the flats hereby permitted, details for a communal aerial/satellite dish/fibre-optic system shall be submitted to and approved in writing by the Local Planning Authority. The new flats hereby permitted shall not be occupied until the approved scheme has been installed and made operational.

Reason - In the interest of the visual amenity of the area by avoiding the unnecessary proliferation of aerial/satellite dish installations on the building.

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

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

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

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

12. No part of the development hereby approved shall be occupied until a landscape management plan detailing management responsibilities and maintenance schedules has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the details so approved.

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

13. No works shall start on site until existing trees and shrubs/hedges to be retained on and adjoining the site have been adequately protected from damage during site clearance and works in accordance with the details that are set out in the Open Spaces Arborcultural Impact Assessment Report Revision A received October 2018 and tree retention and removal plans hereby approved with the application. Furthermore, no materials or plant shall be stored and no buildings erected within protective fencing to be erected at the margins of the root protection area of each tree/shrub/hedge to be retained as appropriate.

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

14. With the exception of any trees specifically shown on the approved plans to be felled, or as may be otherwise agreed in writing by the Local Planning Authority, no tree, or hedge within the application site shall be lopped, topped, felled, destroyed or damaged.

Reason - To preserve the amenity value of the tree(s) and shrubs.

15. No works consisting of foundations and services (pipes drains cables etc) shall start until a construction method statement detailing how impact on the roots of trees identified for retention will be avoided, has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out strictly in accordance with the method statement so approved.

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

16. 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 building 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 exception of lighting identified and agreed as being necessarily required solely 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 - In the interests of the amenities of nearby residential properties; and to ensure that there is no inappropriate or unnecessary use of lighting at the site in the interests of biodiversity.

- 17. Prior to the commencement of development (including any demolition) a Construction, Environmental & Traffic Management Plan to be adopted for the duration of the construction period shall be submitted to and approved in writing by the Local Planning Authority. The details required in this respect shall include:
  - (a) the provision to be made for the parking and turning on site of operatives and construction vehicles during construction and fitting out works;
  - (b) the means and measures to be taken to control noise, dust, vibration, smoke and other emissions arising from the implementation of the development;
  - (c) the arrangements to be made for the delivery of all building and other materials to the site, including construction servicing/delivery routes;
  - (d) the provision to be made for any storage of building and other materials on site;
  - (e) measures to prevent mud from being deposited on the highway;
  - (f) the programme for construction; and
  - (g) the protective hoarding/enclosure of the site.

Such measures as may subsequently be approved shall be retained at all times as specified until all construction and fitting out works have been completed.

Reason - In the interests of the amenity, safety and convenience of adjoining and nearby residential properties and the safety and convenience of highway users. \*

18. No construction works pursuant to this permission shall take place until measures to incorporate Sustainable Drainage Systems (SUDS) into the new built development have been submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented in full prior to the first occupation of the new building and retained in perpetuity.

Reason - To reflect the objectives of Policy CP4 of the Rushmoor Core Strategy. \*

19. Prior to the first occupation of any of the dwellings hereby permitted, details of measures to achieve the energy performance standards in accordance with Code Level 4 of the Code for Sustainable Homes or equivalent for each of the dwellings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented in full prior to the first occupation of the dwelling(s) to which they relate and retained in perpetuity.

Reason - To reflect the objectives of Policy CP3 of the Rushmoor Core Strategy.

20. 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.

21. Site clearance and works to implement the permission hereby permitted shall be undertaken in accordance with the recommendations of the Open Spaces Preliminary Ecological Appraisal & Bat Survey Inspection Report dated October 2017 hereby approved.

Reason - In the interests of protected wildlife.

22. No dwelling within the development hereby permitted shall be occupied until details of the provision of Electric Car Charging Points within the development has been submitted to and approved in writing by the Local Planning Authority. The Electric Car Charging Point installation so approved shall subsequently be installed and made operational and available to occupiers of the development prior to the occupation of the first dwelling unit within the development.

Reason – To reflect the objective of enabling a sustainable development.

23. The gymnasium to be provided within the development hereby permitted shall be used solely for purposes ancillary and incidental to the residential occupation of the development hereby approved.

Reason – In the interests of the amenity of occupiers of the proposed development and adjoining properties.

24. The development hereby approved shall not be occupied until measures to protect occupiers of the proposed building external noise have been implemented in accordance with a scheme to include, for example, acoustic double-glazing and ventilation which has been first submitted to and approved in writing by the Local Planning Authority.

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

25. Other than the identified amenity terraces and balconies shown on the approved plans allocated to specific dwelling units, the roof areas of the development hereby permitted shall not, at any time, be used as balcony, sitting-out, or amenity areas.

Reason - To preserve the privacy and amenities of neighbouring property.

26. Notwithstanding any indication which may have been given in the application, or in the absence of such information, the development hereby approved shall not be occupied until full details of the scheme for the provision of obscure glazing of windows, terrace

balustrades and privacy screens within the development have been submitted to and approved in writing by the Local Planning Authority. Those means and measures so approved shall subsequently be implemented in full prior to the first occupation of the dwelling units to which they relate and retained thereafter at all times.

Reason – In the interests of the amenity and privacy of adjoin residential properties.

27. Prior to the first occupation of the development the communal amenity space shall be provided, made available for use and thereafter retained for its designated purpose.

Reason - To meet the recreational needs of future residents.

## Informatives

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

The proposals are considered acceptable in principle, would have no material and harmful impact upon the visual character and appearance of the area, give rise to less than substantial harm to heritage assets, have no material and adverse impact on neighbours, would provide an acceptable living environment and are acceptable in highway terms. On the basis of the provision of a contribution towards the Bramshot Farm SPA mitigation scheme, the proposals are considered to have no significant impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area. The proposals are thereby considered acceptable having regard to Policies CP2, CP5, CP8, CP10, CP11, CP12, CP13, CP15, CP16 and CP17 of the Rushmoor Core Strategy and saved Local Plan Policies ENV17, ENV28, ENV35, TR10, OR4/OR4.1 and H14.

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

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

- 5 INFORMATIVE The applicant is advised to contact the Recycling and Waste Management section at Rushmoor Borough Council on 01252 398164 with regard to providing bins for refuse and recycling. The bins should be:
  - 1) provided prior to the occupation of the properties;
  - 2) compatible with the Council's collection vehicles, colour scheme and specifications;
  - 3) appropriate for the number of occupants they serve;
  - 4) fit into the development's bin storage facilities.
- 6 INFORMATIVE 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.
- 7 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.
- 8 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.
- 9 INFORMATIVE It is a legal requirement to notify Thames Water of any proposed connection to a public sewer. In many parts of its sewerage area, Thames Water provides separate public sewers for foul water and surface water. Within these areas a dwelling should have separate connections: a) to the public foul sewer to carry waste from toilets, sinks and washing machines, etc, and b) to public surface water sewer for rainwater from roofs and surface drains. Mis-connections can have serious effects: i) If a foul sewage outlet is connected to a public surface water sewer this may result in pollution of a watercourse. ii) If a surface water outlet is connected to a public foul sewer, when a separate surface water system or soakaway exists, this may cause overloading of the public foul sewer at times of heavy rain. This can lead to sewer flooding of properties within the locality. In both instances it is an offence to make the wrong connection. Thames Water can help identify the location of the nearest appropriate public sewer and can be contacted on 0845 850 2777.
- 10 INFORMATIVE The planning permission hereby granted does not authorise the applicant, or his agents, to construct a new/altered access to, or other work within, the public highway. A separate consent for works within the highway must first be obtained from the highway authority who may be contacted at the following address:-Hampshire County Council Highways Sub Unit, M3 Motorway Compound, Hook, Hampshire, RG27 9AA.
- 11 INFORMATIVE Future occupiers of the development should be made aware that aircraft approaching and departing TAG Farnborough Airport could be seen, and (dependent on weather conditions and ambient noise from other sources) heard from the application site.

- 12 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.
- 13 INFORMATIVE In the UK all species of bats are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and under Schedule 2 of the conservation (Natural Habitats & c) Regulations 2004. The grant of planning permission does not supersede the requirements of this legislation and any unauthorised works would constitute an offence. If bats or signs of bats are encountered at any point during development then all works must stop immediately and you should contact Natural England.
- 14 INFORMATIVE The Local Planning Authority's commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of preapplication 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.






THE CONTRACTOR MUST VERIEY ALL DIMENSIONS ON SITE BREVEWARD SHOP DRA WINGS OR COMMENCING WORK OF ANY VAID. HO DIMENSIONS TO BE SCALED FROM THIS DRAWING. No. Date Description





Existing South Elevation



PROJECT; PINEHURST REDEVELOPMENT Ose achitects and development consultants

CLIENT: PINEHURST INVESTMENTS LTD

DRAWING: Existing South and West Elevation

DRAWING No: E17-005/EXE002

REV:

SCALE: 1: 200 @A1 DEAWW. Y. Date 0/10917 CHECKED.Th Date 0/10917 CHECKED.Th Date 0/10917 SCALESTRAC. The according to 0/10917 CHECKED.The control of the 0/10917 SCALE CHECKED.The CHECKED.THE CHECKED CHECKED CHECKED.THE CHECKED.THE CHECKED CHECKED CHECKED CHECKED.THE CHECKED.THE CHECKED CHECKED CHECKED CHECKED.THE CHE

Existing West Elevation





















Proposed South Elevation



Proposed West Elevation

development consultants PROJECT:

PROJECT: PINEHURST REDEVELOPMENT CLIENT: PINEHURST INVESTMENTS LTD

DRAWING: Proposed South and West Elevation DRAWING No: REV. E17-005/PRE002 D Scale: 1:200 @a1

SCALE: 1: 200 @A1 DRAWN: VI. Date 25/09/17 OLECKED: TM Date 25/09/17 SCALE: 0.101/97 16/02/23 A47 16/02/23 SCALE: 0.101/97 16/02/23 A47 16/02/23





Proposed North Elevation

DRAWING: Proposed East and Nerth Elevation DRAWING No: E17-005/PRE001 D

CLIENT: PINEHURST INVESTMENTS LTD

PINEHURST REDEVELOPMENT

PROJECT:

development consultants

CLICTOODT TACOOL SCALE: 1: 200 @A1 BCALE: 1: 200 @A1 DRAWN: N. Data 25/09/17 DREAM: Nav. Loster NULTH TacaDT24 artificatio 25/04/2017 article 12/04/2017 artification 24/04/2017 Scalar article articl A 1105 Residence and the service of the service of

F

AL106

Pat 006

Public Pu 1 ú 9 I Factor Flat 007 × × -Gener roof to broat And Second -B.00.8.00 Tentor Construct To Yout To Yout To Yout 888 3 Section H-H 3.ar Core H Ċ Ш Betroom Buttoom Betroom Bedroom route Bodracen Bodroom 10108 6664 9136 14814 The set of a set of the set of th 13834 19860 18888 Re 009 Fig 207 WEDA Fie 108  $\nabla$ SX BA Gen Rod to access to brank Coloristant in Santas in Santa A Checked W 1

DRAWING: Proposed Sections F-F, G-G, H-H Relationship to rear of Convert Building NB: Windows to Convent Building as shown accurately with floor levels estimated. DRAWING No: E17-005/PRS003

CLIENT: PINEHURST INVESTMENTS LTD PINEHURST REDEVELOPMENT Ose architects and development consultants PROJECT:

REV:

L

SCALE: As indicated (2)41 DRAWW RC Date 10/10/17 DEAWW RC Date 10/10/17 CHECKED Th Date 10/10/17 Stream Plane, Lawar WU Limit Location and Location

Roof Plan Key 1: 200

2 Proposed Section G-G



