

**Development Management Committee  
4th December 2019**

**Head of Economy, Planning and  
Strategic Housing  
Report No.PLN1961**

**Planning ref: 19/00337/FULPP**

**Meudon House, Meudon Avenue, Farnborough, Hampshire, GU14 7NB**

## **1. INTRODUCTION**

- 1.1 Demolition of existing structures and erection of 197 dwellings comprising 86 one bedroom flats; 77 two bedroom flats and 34 three bedroom houses with associated access, parking and landscape arrangements.**

This planning application was reported to the Development Management Committee on 18<sup>th</sup> September 2019 when it was resolved to grant conditional planning permission subject to completion of a S.106 agreement. It was accepted that no affordable housing would be provided on site following an independent review of the Applicants' viability assessment submission. It was however resolved to include an outturn viability review mechanism in the associated S.106 agreement in accordance with the Council's newly adopted SPD.

- 1.2** The Applicant, Bellway Homes, acquired the site with the benefit of an extant planning permission ref: 18/00140/FULPP dated 8<sup>th</sup> March 2019. This permission, for the demolition of the existing building and the erection of 205 open market dwellings in the form of one substantial 6 storey apartment building (93 one bedroom flats and 80 two bedroom flats) and 32 three bedroom townhouses, has not been implemented.
- 1.3** The application the subject of this report, submitted by Bellway Homes, sought permission for material amendments to the scheme. The layout and massing of the proposed development remained largely unchanged and there is a small reduction on the number of units proposed.

## **2. DECISION TAKEN**

- 2.1** The decision taken by this Committee on the 18th September 2019 was to grant planning permission subject to conditions and a s106 legal agreement which would secure SAMM contributions, open space contributions, an affordable housing review mechanism, transport contributions, a travel plan and monitoring fees and require the transfer of SANG mitigation secured in respect of the previous scheme to the new proposal.

## **3. BACKGROUND**

- 3.1** Following the committee resolution Bellway Homes considered the requirement for a 'late stage review' of viability, which would be triggered prior to occupation of 75% of the residential units. Subject to market conditions at the time this could potentially result in a deferred contribution to affordable housing.

- 3.2 The Council sought the obligation in order to ensure that viability is re-tested based on figures arising from the actual cost and values of the development in progress, which by then would be substantially complete. However, Bellway Homes consider that the review would introduce uncertainty, particularly when considering the fall-back position of the extant permission, which secured a review solely triggered by delayed completion of the development of over three years.
- 3.3 Since the extant permission was granted, the Council adopted a new Affordable Housing Supplementary Planning Document on the 17<sup>th</sup> September 2019. This sets out the Council's requirements for viability review mechanisms, secured through s106 agreements. However, as noted by the Applicant, the SPD was adopted the day before the current planning application was considered by this Committee on the 18<sup>th</sup> September 2019.
- 3.4 Bellway Homes have therefore presented alternative offers to the Council, which would require changes to the heads of terms of the legal agreement set out in the resolution of 18<sup>th</sup> September. The following report sets out and discusses the offers and a consequent amended recommendation.

#### **4. THE APPLICANTS' OFFERS**

- 4.1 The Bellway Homes offers have arisen from concern that the current iteration of the late stage review mechanism would introduce a level of uncertainty from a commercial perspective, which would not occur were they to adopt the fallback position of implementing the extant planning permission, which secures a review solely triggered by delayed completion of the development (over three years).
- 4.2 If the extant permission were implemented, no affordable housing would be provided on site and providing the scheme were completed in three years, there would be no re-assessment of viability and no likelihood of any contribution in-lieu of off-site affordable housing provision.

#### *Affordable Housing Options Discussed*

- 4.3 Given the particular circumstances of this case, the following possible options, the first three of which are offered by Bellway in lieu of the late-stage review mechanism, have been discussed:
  1. *An off-site Affordable Housing Contribution of £1,000,000 on the basis that 50% is payable prior to commencement and 50% is payable prior to the occupation of the 98<sup>th</sup> dwelling (50% of dwellings) (Bellway Homes Offer).*
  2. *On-site provision of 10% Affordable Housing (20 units) based on a policy compliant tenure mix: 70% affordable rented (14 units) / 30% shared ownership (6 units). The 20 units would all be provided within floors 1 and 2 of the north western core of the apartment block. A higher percentage of affordable rented units could not be achieved without additional grant funding. (Bellway Homes Offer).*
  3. *On-site provision of 15% Affordable Housing (30 units) on a 100% shared ownership basis. The 30 units could be provided within floors 1, 2 and 3 of the north western core of the apartment block. (Bellway Homes Offer).*

4. *Late-stage review at a pre-determined stage in the development in order to ensure viability is re-tested on figures arising from the actual cost of the development and any arising deferred contribution to affordable housing paid prior to occupation of a specified percentage of the private residential units. (This is the unchanged mechanism as accepted on 18<sup>th</sup> September).*
- 4.4 Bellway Homes have confirmed that the options 1 to 3 do not rely on additional grant funding from the Council. Radian Homes RP have confirmed that acquiring affordable units on a leasehold basis within a split affordable and private core would be acceptable in this instance.
- 4.5 Following discussions with Radian HA and the Council's Housing Strategy & Enabling Manager, Bellway Homes have made the following two further offers which would rely on grant funding of £500,000:  
  
*(I) On-site provision of 10% Affordable Housing (20 units) on a 100% affordable rent basis. The 20 units can all be provided within floors 1 and 2 of the NW core of the apartment block.*  
  
*(II) On-site provision of 15% Affordable Housing (30 units) on the following tenure: 20% affordable rent (6 units) / 80% shared ownership (24 units). The 30 units can all be provided within floors 1, 2 and 3 of the NW core of the apartment block.*
- 4.6 In summary, this offer is predicated on the availability of £500,000 grant funding from the Council to enable the tenure of 6 affordable units to be changed from shared ownership to affordable rent tenure.

## 5. COMMENTARY

- 5.1 Having considered the options, the payment of a cash sum (option 1) would give the certainty of a contribution towards affordable housing, but at the present time presents the difficulty of finding a suitable site in which the Council could invest it. At current grant levels, the offered sum of £1,000,000 would on a suitable site deliver approximately 20 housing units. Consequently there is considered to be no significant advantage in accepting a cash sum rather than securing the offered provision of 20 units on the site.
- 5.2 The second option is more attractive because it provides the certainty and the site to deliver on-site affordable housing (20 units) of which 14 would be affordable rented and would address and immediate identified housing need.
- 5.3 The 3rd option is less attractive at the demonstrated housing need in the borough is for affordable rented accommodation rather than shared ownership.
- 5.4 The remaining option of continuing with the existing recommendation would deliver no affordable housing immediately and would be dependent on the state of the market at the time of a re-test and could of course ultimately result in no affordable housing, either on-site or by way of a financial contribution.
- 5.5 Further discussion is continuing around the possibility of augmenting the number of

affordable rented units offered by option 2 with a subsidy using contributions for off-site provision secured from other sites.

- 5.6 The alternatives to the original recommendation and resolution provide the possibility and actual delivery of on-site affordable rented accommodation.
- 5.7 The level of subsidy required to secure additional affordable housing (over and above that offered in 'Option 2') implied in the current offer set out at 4.5 - 4.6 above is not considered to represent value for money. At the time of writing further negotiations are in progress with a view to securing an improved offer. The prospect of additional provision as a result is not therefore precluded by the recommendation.

## 6. CONCLUSION

- 6.1 Whilst the Bellway proposals all represent a departure from the newly adopted Affordable Housing SPD because they do not include an outturn retest mechanism, they all represent an improvement in terms of the prospects of securing affordable housing when compared to the extant planning permission. Considerable weight must be given to the 'fallback' of implementing the extant planning permission because it remains valid and requires only the discharge of conditions before work can commence.
- 6.2 The new scheme is more attractive in terms of design and connectivity, and hence it can be seen as disadvantageous if the fallback position were followed. Especially as it would be highly unlikely to result in any contribution to affordable housing.
- 6.3 The particular circumstances of this case (Particularly the status of the extant permission) therefore mean that the proposed arrangement would not compromise the Council's ability to require future applications and S.106 agreements to provide the re-test mechanism in accordance with the Affordable Housing SPD.

## 7. FULL RECOMMENDATION

It is recommended that subject to the completion of a satisfactory Planning Obligation under Section 106 of the Town and Country Planning Act 1990 to secure the measures set out in (but not restricted to) the Heads of Terms of the Agreement below, the Head of Economy, Planning and Strategic Housing, in consultation with the Chairman, be authorised to **GRANT** planning permission subject to the conditions and informatives set out below. (The detailed terms of the S106 agreement to be agreed by the Corporate Manager – Legal Services):-

### HEADS OF TERMS – S.106 AGREEMENT

- 1) **Affordable Housing** – no fewer than 20 affordable residential units without external subsidy (including a minimum of 14 affordable rented units) to be provided within the scheme in accordance with details and a timescale to be agreed prior to implementation of the planning permission.
- 2) **SANG Payment** – Mechanism to ensure the transfer of existing SANG allocation from the previously approved scheme to the new proposal prior to implementation.

- 3) **SAMM Contributions** – Developer to pay **£98,990** contribution towards Strategic Access management and Monitoring measures in accordance with the Council's TMH SPA Avoidance and Mitigation Strategy.
- 4) **Open Space Contribution - £399,000** payable to the Council towards the provision of open space more specifically for the renewal of skatepark provision in Farnborough Town Centre, playground refurbishment at Elles Close and improvements to changing facilities at Queens Road Recreation Ground all within Farnborough.
- 5) **Transport Contribution - £115,000** payable to the County Council towards the provision of the pedestrian and cycle crossing point at Meudon Avenue and minor improvement to the pedestrian route to Tower Hill School in the form of finalising the link from Pinehurst Avenue to Sulzers roundabout underpass.
- 6) **Travel Plan** – the submission and implementation of a full Travel Plan to the County Council.
- 7) **Travel plan Approval Fee - £1,500** payable to the County Council.
- 8) **Travel Plan Bond** - provision of a surety mechanism to ensure implementation of the full Travel Plan with a bond value of **£34,600**.

However, in the event that a satisfactory s106 planning obligation is not completed by 4<sup>th</sup> February 2020 the Head of Economy, Planning and Strategic Housing, in consultation with the Chairman, be authorised to **REFUSE** planning permission on the grounds that the proposal fails to make appropriate provision for affordable housing, open space, nor mitigate its impact on the highway and the Thames Basin Heaths Special Protection Area, contrary to the relevant policies of the Council's Development Plan and associated supplementary planning guidance:

*Time limit*

- 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 July 2019 and to accord with the resolution of Rushmoor's Cabinet on 17 June 2014 in respect of Planning Report no PLN1420.

*Approved Plans*

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

091814-BEL-TV-LOC01; 091814-BEL-TV-LOC02 A; 091814-BEL-TV-01;  
091814-BEL-TV-02 A; 091814-BEL-TV-03 A; 091814-BEL-TV-04 A; 091814-PER01;  
091814-PER02; 091814-PER03; 091814-BEL-TV-SEC01; 091814-BEL-TV-SEC02;  
091814-BEL-TV-SEC03; 091814-BEL-TV-SS01; 091814-BEL-TV-SS02;

091814-T01-E1; 091814-T01-E2; 091814-T01-E3; 091814-T01-P1; 091814-T02-E1; 091814-T02-P1 ;091814-T03-E1; 091814-T03-E2; 091814-T03-E3; 091814-T03-P1; 091814-T04-E1; 091814-T04-E2; 091814-T04-E3; 091814-T04-P1; 091814-BS01; 091814-BEL-TV-E1; 091814-BEL-TV-E2; 091814-BEL-TV-E3; 091814-BEL-TV-E4; 091814-BEL-TV-E5; 091814-BEL-TV-E6; 091814-BEL-TV-E7; 091814-BEL-TV-E8; 091814-BEL-TV-E9; 091814-BEL-TV-P1; 091814-BEL-TV-P2; 091814-BEL-TV-P3; 091814-BEL-TV-P4; 091814-BEL-TV-P5; 091814-BEL-TV-P6; 091814-BEL-TV-ATLP; 091814-50A; 091814-50B; 091814-50C; 091814-50D; 091814-50E; 091814-61A; 091814-62A; 091814-62B; 091814-70A; 091814-70B; 091814-70C; 091814-70D; 091814-78A and 091814-78B.

Transport Statement Version 2 ref: 70054052 (WSP, June 2019); Transport Note (WSP, 18<sup>th</sup> June 2019); Travel Plan Revision 2 ref: 70020462-TP (WSP, June 2019); Utilities Statement Revision 3 ref: 70054052 (WSP, May 2019); Arboricultural Impact Assessment ref: 10140\_AIA.001 (Aspect, June 2019); Tree Schedule ref: 10140 TS 01 (Aspect, March 2019); ( Energy Statement ref: 70054052 Revision 1 (WSP, May 2019); Daylight and Sunlight Report Revision 2 ref: 70054052-DS1 (WSP, May 2019); Ground Investigation Report ref: 70024052\_Meudon houseGIR\_V2 (WSP, May 2019); Air Quality Assessment ref: 70054052-AC1 001 (WSP, May 2019); Acoustics Report ref: 70054052-AC1 001 (WSP, May 2019); Habitats Regulations Assessment ref: 70054052 Rev 2.0 (WSP, May 2019); Preliminary Geo-Environmental Risk Assessment ref: 70054052-PRAR04 (WSP, May 2019); Preliminary Ecological Appraisal ref: 70020462 Rev 3 (WSP, May 2019); Bat Preliminary Roost Assessment ref: CRM.1265.003.EC.R.001 (Enzygo, January 2019); Construction Environmental Management Plan Issue 3 (Stuart Michael Associates, May 2019); Contamination Assessment and Remedial Methodology ref: CRM.1265.009. GE.R.001.A (Enzygo, May 2019); Flood Risk Assessment ref: 54052-FRA-005 Rev 7 (WSP, August 2019) and WSP Flood Risk Assessment cover letter ref: 70054052/AG/DH/01 dated 16<sup>th</sup> August 2019.

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

### *Demolition strategy*

- 3 In the event that demolition works are not to take place concurrently as part of the construction of the proposed development, a demolition strategy shall be submitted to the Local Planning Authority for approval. Once approved, demolition and associated mitigation measures shall be undertaken in accordance with the approved strategy.

Reason - In the interests of the visual and residential amenities of the area and highway safety

### *Tree Protection*

- 4 Prior to the demolition of the existing building(s) on site and the removal of any trees identified for removal on drawing numbers 10140 TPP 01 (1/3), (2/3) and (3/3), the tree protection measures as shown at Appendix C of the submitted Arboricultural Impact Assessment (drawing numbers 10140 TPP 01 (1/3), (2/3) and (3/3)) shall be implemented in full and approved by a suitably qualified Arboriculturalist before any demolition, its associated preparation and tree removal commences. The approved tree

protection measures shall remain in situ until all development has ceased on site. Prior to first occupation of the development, a completion report shall be submitted to and agreed in writing by the local planning authority, to demonstrate satisfactory compliance with the tree protection measures outlined in the Arboricultural Impact Assessment as approved.\*

Reason - To safeguard retained trees on site and to safeguard the character and appearance of the area and biodiversity.

#### *Arboricultural Method Statement*

- 5 Notwithstanding any details submitted with the application, no development other than demolition of the existing building(s) and the removal of any trees identified for removal on drawing numbers 10140 TPP 01 (1/3), (2/3), 3/3), shall be carried out until an Arboricultural Method Statement, to include the details of any tree works and works within or affecting the Root Protection Area of any retained trees, together with a scheme for auditing tree protection and subsequent reporting, has been submitted to, and approved in writing by the Local Planning Authority. Such works should be carried out strictly in accordance with the approved details. Prior to first occupation of the development, a completion report shall be submitted to and agreed in writing by the local planning authority, to demonstrate satisfactory compliance with the tree protection measures outlined in the Arboricultural Method Statement as approved.\*

Reason: To safeguard retained trees on site and to safeguard the character and appearance of the area and biodiversity.

#### *Levels*

- 6 Notwithstanding any details submitted with the application no works of construction of the buildings hereby approved shall start until plans showing details of the existing and proposed ground levels, proposed finished floor levels, levels of any paths, drives and parking areas and the height of any retaining walls within the application site have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed and retained in accordance with the details so approved.

Reason - To ensure a satisfactory form of development in relation to neighbouring property and the character of the area.\*

#### *Materials*

- 7 Prior to the construction of external walls, and installation of roofs and window frames, and notwithstanding the details submitted with the application, a schedule and/or samples of the materials to be used in these parts of the development shall be submitted to, and approved in writing by, the Local Planning Authority. The Development shall be completed and retained in accordance with the details so approved.

Reason - To ensure satisfactory external appearance.\*

#### *Traffic Island*

- 8 Prior to the first occupation of the development, a traffic island shall be provided at the Meudon Avenue entrance to separate physically traffic entering and leaving the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The island shall be provided in accordance with these details and thereafter maintained and retained.

Reason - In the interests of pedestrian and cyclist safety.\*

*Hard landscaping proposals including pedestrian and cycle connectivity*

- 9 Prior to the installation of any paving, footpaths and roadways within the development hereby approved, and notwithstanding the details submitted with the application, details of the surfaces of all road, paths and hard landscaping, together with a scheme for pedestrian and cycle connectivity, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:
- (i) Pedestrian and cycle access to and routes within the site;
  - (ii) Location and details of raised tables on key crossings within the site to prioritise cycle/pedestrian movements;
  - (iii) Provision of a path suitable to cater for cyclists along the south east corner of the Site (path aligned as shown on Figure 4 of the Transport Statement hereby approved);
  - (iv) Scheme to implement 20mph speed limit on all internal roads;
  - (v) Detailed drawings/sections where appropriate; and
  - (vi) Schedule of materials/samples where appropriate.

The hard landscaping scheme shall be completed and retained in accordance with the details so approved prior to the first occupation of the development. At least one formal cycle connection to the site shall be operational prior to first occupation of the development.

Reason - To ensure satisfactory external appearance, drainage arrangements, site accessibility and to promote alternative modes of transport.\*

*Soft landscaping proposals and biodiversity enhancements*

- 10 Notwithstanding the details submitted with the application, details of a landscaping scheme for the site, including measures for biodiversity enhancement including those outlined in section 6.4 of the Preliminary Ecological Appraisal ref: 70020462 Rev 3 (WSP, May 2019) hereby approved, shall be submitted to, and approved in writing by the Local Planning Authority. The scheme and enhancements so approved shall be implemented in full, prior to the first occupation of any part of the development or the first available planting season whichever is the sooner. Any tree/shrub removed, dying or becoming seriously diseased within five years of planting shall be replaced by trees/shrubs of similar size and species to those originally required to be planted.

Reason – In the interests of the appearance of the site and to secure a net gain for biodiversity in accordance with the National Planning Policy Framework.\*

*Boundary Treatment*



- 11 The development shall not be occupied until details of all screen and boundary walls, fences, hedges or other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The design of garden fences shall have regard to the recommendations in section 6.4 of the Preliminary Ecological Appraisal ref: 70020462 Rev 3 (WSP, May 2019) hereby approved. The development shall be completed and retained in accordance with the details so approved prior to first occupation.

Reason - To safeguard the appearance of the site and the amenities of neighbouring properties.\*

#### *Parking*

- 12 Notwithstanding the details submitted with the application, prior to first occupation of the development hereby approved, a detailed plan confirming the layout, allocation and marking out of the proposed parking spaces, including visitors' parking spaces, shall be submitted to and approved in writing by the local planning authority. The development hereby approved shall not be occupied until the car parking facilities shown on the approved plans associated with that part of the development they would serve are completed and ready for use. The parking spaces shall be thereafter retained solely for parking purposes (to be used by the occupiers of, and visitors to, the development).

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

#### *Cycle Parking*

- 13 Notwithstanding the details submitted with the application, prior to first occupation of the development hereby approved, details of secure cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sheltered cycle parking where the provision is proposed outdoors. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the part of the development to which they relate and shall thereafter be retained for use at all times.

Reason - To serve the functional needs of the site and promote alternative modes of transport.\*

#### *Street Lighting*

- 14 Prior to first occupation of the part of the development to which it relates, details of a street lighting strategy including all parking areas shall be submitted to the Local Planning Authority for approval. Once approved the lighting shall be installed and made available for use prior to the first occupation of the development to which it relates and thereafter retained in operation.

Reason - In the interests of amenity and security.\*

#### *Noise Mitigation*

- 15 Notwithstanding any details submitted in the application no dwelling shall be occupied until measures to protect buildings and garden areas from traffic or other external noise

(including the dog kennels within the Rushmoor Borough Council site) have been implemented in accordance with a scheme to include, for example, bunds, acoustic barriers and double glazing, which has been first submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented as approved and retained for the life of the development.

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

*Aerial/satellite/fibre facilities*

- 16 Notwithstanding any details submitted in the application no dwelling shall be occupied until details of the location and appearance of the communal aerial/satellite/fibre facilities to that part of the development to which they relate have been submitted to and approved in writing by the Local Planning Authority. The approved system shall then be installed and made operational before the relevant dwellings are occupied.

Reason - In the interests of the visual amenity of the area.\*

*Delivery of communal amenity spaces*

- 17 Prior to the first occupation of any part of the development, details of the timetable for the provision of communal amenity spaces within the development and a maintenance strategy for the ongoing maintenance of these amenity spaces, shall be submitted to the Local Planning Authority for approval. Once approved, the communal amenity spaces shall be provided and managed in accordance with these details and thereafter retained/maintained.

Reason – To meet the recreational needs of future residents and to safeguard the appearance of the site.\*

*Arboricultural Management*

- 18 Prior to the first occupation of any part of the houses hereby approved an arboricultural management strategy for trees within the site shall be submitted to the Local Planning Authority for approval, to include as a minimum annual inspections and remedial tree works as necessary to demonstrate good arboricultural management and to ensure appropriate relationships between trees, buildings and amenity space/gardens are retained both within and beyond the site.

Reason - In the interests of the visual amenities of the area and to safeguard the amenities of proposed and adjoining occupiers.\*

*Remediation Verification Reports*

- 19 No occupation shall take place until a verification report demonstrating completion of works set out in the approved Contamination Assessment and Remedial Methodology and the effectiveness of the remediation shall be submitted to and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

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

*Vehicular Access*

- 20 No part of the development hereby approved shall be used or occupied until the proposed means of vehicular access has been completed and made available for vehicular use.

Reason - To ensure adequate means of access is available to the development.\*

*Refuse and Recycling Storage*

- 21 The refuse and recycling bin storage facilities as shown on the approved plans shall be provided and made available for use prior to first occupation of the relevant part of the development to which they relate, and thereafter retained for their designated purpose for the life of the development.

Reason - To serve the functional needs of the site and safeguard the amenities of the area.\*

*Electric Vehicle Charging Facilities*

- 22 The electric charging facilities shown on the approved plans associated with that part of the development they are to serve shall be completed and made ready for use by the occupiers prior to first occupation of that part of the development to which they relate. The electric charging facilities shall be thereafter retained

Reason - In the interests of sustainable development, energy efficiency and to promote alternative modes of transport.\*

*Construction Environmental Management Plan*

- 23 The development shall be carried out strictly in accordance with the Construction Environmental Management Plan Issue 3 (Stuart Michael Associates, May 2019) hereby approved.

Reason - In the interests of highway safety, the amenity of neighbouring occupiers and local environmental conditions.

*Contamination Remediation*

- 24 The development shall be carried out strictly in accordance with the Contamination Assessment and Remedial Methodology ref: CRM.1265.009. GE.R.001.A (Enzygo, May 2019) hereby approved.

Reason - In the interests of highway safety, the amenity of neighbouring occupiers and local environmental conditions.

*Permitted Development*

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

Reason - To protect the amenities of neighbouring residential properties and the character of the area, including having regard to trees of amenity value and to prevent adverse impact on traffic and parking conditions in the vicinity.

#### *Hours of Construction*

- 26 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.

#### *Surface Water Drainage*

- 27 Prior to the erection of any part of the new buildings hereby approved and notwithstanding the details submitted with the planning application, a detailed surface water drainage strategy, together with details of arrangements for future maintenance shall be submitted to and approved in writing by the local planning authority. The surface water drainage strategy must show that the runoff from storm events up to and including 1 in 30 year should be managed within the system. Surface flooding for storm events above this maybe acceptable providing buildings are not flooded, access ways are not adversely affected and flood risk to off-site areas is not increased. There should be no flooding of buildings for storms up to the 1 in 100 year plus CC% event. The approved scheme shall be implemented in full prior to the occupation of the development to which it relates and retained in perpetuity.

Reason: In order to prevent surface water flooding and pollution of the water environment.\*

### **Informatives**

- 1 INFORMATIVE - REASONS FOR APPROVAL- The Council has granted permission because the proposal would have an acceptable impact on the character of the area, it would create a satisfactory living environment for future occupiers, have an acceptable impact on adjoining non-residential and residential occupiers and meet the functional requirements of the development. The proposal is acceptable in highway terms, it makes satisfactory provision for affordable housing and public open space, addresses its impact on the SPA. It complies with the Council's Rushmoor Local Plan policies, the Council's adopted Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy and the National Planning Policy Framework/Planning Practice Guidance. 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** – The Local Planning Authority’s commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of pre-application discussion to all, and assistance in the validation and determination of applications through the provision of clear guidance regarding necessary supporting information or amendments both before and after submission, in line with the National Planning Policy Framework.
- 3      **INFORMATIVE** - Your attention is specifically drawn to the conditions marked \*. These condition(s) require either the submission and approval of details, information, drawings etc.by the Local Planning Authority **BEFORE WORKS START ON SITE, BEFORE SPECIFIC ELEMENTS OF THE PROPOSAL ARE CARRIED OUT** or, require works to be carried out **BEFORE COMMENCEMENT OF USE OR FIRST OCCUPATION OF ANY BUILDING**. Development started, carried out or occupied without first meeting the requirements of these conditions is effectively development carried out **WITHOUT PLANNING PERMISSION**. The Council will consider the expediency of taking enforcement action against any such development and may refer to any such breach of planning control when responding to local searches. Submissions seeking to discharge conditions or requests for confirmation that conditions have been complied with must be accompanied by the appropriate fee.
- 4      **INFORMATIVE** - This permission is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
- 5      **INFORMATIVE** - The applicant is advised to follow good practice in the demolition of the existing buildings on site including the re-use of all material arising from demolition as part of the redevelopment wherever practicable.
- 6      **INFORMATIVE** - The applicant is advised to contact the Recycling and Waste Management section at Rushmoor Borough Council on 01252 398164 with regard to providing bins for refuse and recycling. The bins should be:
  - 1)      provided prior to the occupation of the properties;
  - 2)      compatible with the Council's collection vehicles, colour scheme and specifications;
  - 3)      appropriate for the number of occupants they serve;
  - 4)      fit into the development's bin storage facilities.
- 7      **INFORMATIVE** - 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.
- 8      **INFORMATIVE** - No materials produced as a result of site preparation, clearance, or development should be burnt on site. Please contact the Head of Operational Services for advice.
- 9      **INFORMATIVE** - The applicant is advised that during the demolition and construction phases of the development measures should be employed to contain and minimise dust emissions, to prevent their escape from the development site onto adjoining properties. For further information, please contact the Head of Operational Services.

- 10      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.
- 11      INFORMATIVE - The applicant is advised that there may be a need to comply with the requirements of the Party Wall (etc.) Act 1996 before starting works on site. The Party Wall (etc.) Act is not enforced or administered by the Council but further information can be found on the Planning Portal website <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance> and you are able to download The party Wall Act 1996 explanatory booklet.
- 12      INFORMATIVE - It is a legal requirement to notify Thames Water of any proposed connection to a public sewer. In many parts of its sewerage area, Thames Water provides separate public sewers for foul water and surface water. Within these areas a dwelling should have separate connections: a) to the public foul sewer to carry waste from toilets, sinks and washing machines, etc, and b) to public surface water sewer for rainwater from roofs and surface drains. Mis-connections can have serious effects: i) If a foul sewage outlet is connected to a public surface water sewer this may result in pollution of a watercourse. ii) If a surface water outlet is connected to a public foul sewer, when a separate surface water system or soakaway exists, this may cause overloading of the public foul sewer at times of heavy rain. This can lead to sewer flooding of properties within the locality. In both instances it is an offence to make the wrong connection. Thames Water can help identify the location of the nearest appropriate public sewer and can be contacted on 0800 316 9800.
- 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 - All wild birds and their nests are protected under the Wildlife and Countryside Act 1981 (as amended). If any trees are to be removed or buildings demolished during the bird breeding season (March-September inclusive) they should first be inspected by an experienced ecologist to ensure that no active nests are present. If an active nest is discovered it should be left in situ until the young have fledged.





