

**Urgent Action – Blandford House and Malta Barracks, Shoe Lane Aldershot  
Application Reference 17/00914/OUTPP**

**1.0 Background**

- 1.1 On 6th November 2019 the Development Management Committee resolved to grant planning permission for:

*Development of up to 180 dwellings (including the conversion of Blandford House and retention of three existing dwellings) including access, internal roads, demolition of buildings, amenity space, green infrastructure and sustainable drainage systems (Matters for Approval - Access Only) to include FULL approval of details for the provision of 13.7ha of Suitable Alternative Natural Greenspace (SANG) and associated car park (18 spaces).*

The decision was to grant subject to completion of a S.106 Planning Obligation by 28 February 2020 and, in the event the agreement was not completed, to refuse permission.

- 1.2 Despite efforts to complete the s106 by 28th February 2020, the applicants were concerned that this deadline was not achievable and requested an extension of the s106 completion deadline. Accordingly, an extension of time for completion of a satisfactory s106 Planning Obligation until Friday 27<sup>th</sup> March 2020 was agreed as an urgent action by the Chairman of the Development Management Committee, in consultation with the Head of Economy, Planning and Strategic Housing on 28th February 2020.
- 1.3 This action was noted at DMC on 11<sup>th</sup> March 2020 where Members approved an amendment to the agreed recommendation allowing for additional flexibility in the timescale beyond that date, to be agreed by the Head of Economy, Planning and Strategic Housing in consultation with the Chairman should it prove necessary.
- 1.4 On the 31<sup>st</sup> March 2020, taking into account the significant progress made, a further extension of time was agreed by the Chairman, Cllr Bruce Thomas, for the legal agreement to be completed by 30<sup>th</sup> April 2020. On the 5<sup>th</sup> May 2020 this was extended to the 15<sup>th</sup> May 2020, as authorised by the Vice Chairman, Cllr John Marsh.

**2.0 Urgent Action**

- 2.1 During the negotiation and drafting of the s106 legal agreement it has been necessary to make amendments to the planning conditions set out in the Development Management Committee recommendation/s, primarily to provide consistency with the negotiated terms of the s106 legal agreement. This urgent

action was considered appropriate and necessary in order to meet the extended deadline of 15<sup>th</sup> May 2020 for the s106 legal agreement to be completed. The amendments to the conditions were authorised by the Vice Chairman, Cllr John Marsh on the 5<sup>th</sup> May 2020.

2.2 The key changes concern conditions 20, 24, and 25. Small changes have also been made to other conditions to provide clarity, correct typos and to refer to the amended SANG Delivery Strategy March 2020.

2.3 *Condition 20 (Equipped Play Space) –*

The wording of this condition has been amended to provide consistency with the revised terms of Schedule 8 of the s106 Agreement relating to the equipped play space and the associated triggers for its delivery.

2.4 *Condition 24 (Development SANG) and Condition 25 (Strategic/Third Party SANG) –*

The wording of the conditions have been amended to make it clear that compliance with Condition 24 is required only in the event that the Blandford Woods SANG is delivered in two distinct phases, and Condition 25 in the event that the SANG is delivered in a single phase. The conditions have also been amended to ensure that they are consistent with the requirements of the s106 legal agreement, particularly in relation to footpath routes, links to Wellesley Woodlands and maintenance in perpetuity.

### **3.0 Completion of the s106 legal agreement**

3.1 The s106 legal agreement was completed on the 15<sup>th</sup> May 2020 and the planning permission was issued on the same day. The full list of revised planning conditions, as set out on the planning decision notice reads:

1 The first application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. All subsequent reserved matters shall be submitted no later than seven years from the date of this permission.

Reason - To comply with the provisions of section 92(2) of the Town and Country Planning Act 1990.

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

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

3 No development (with the exception of the SANG and SANG car park and the demolition of the Category 1 buildings identified on drawing number 6048/PO1 Rev A shall take place in any Development Zone identified on Phasing Plan 2491-C-1106-SK3, until an application for details relating to appearance,

landscaping, layout and scale of the development hereinafter called "the reserved matters" shall be submitted to and approved in writing by the Local Planning Authority in respect of that Development Zone/Reserved Matters Area. Notwithstanding any indications on the illustrative and parameter plans submitted with the outline planning application, each Reserved Matters Application shall include details of the following:

- 1) Details relating to appearance, landscaping, layout and scale of the development;
- 2) Details relating to the positions and widths of roads, footpaths and accesses;
- 3) Specification of the type of construction for the roads and footpaths, including relevant horizontal cross sections and longitudinal sections showing the existing and proposed levels together with details of street lighting and the method of disposing surface water;
- 4) The alignment, height and materials of all walls and fences and other means of enclosure;
- 5) Plans detailing existing and proposed site levels;
- 6) Plans detailing the layout of foul sewers and surface water drains;
- 7) Provision of SuDs drainage features;
- 8) Provision of children's play space (where applicable to the development zone);
- 9) Provision for storage and removal of refuse and recycling;
- 10) Condition survey of locally listed buildings;
- 11) Heritage Impact Assessment;
- 12) Energy performance & sustainable construction statement;
- 13) Water Efficiency Statement;
- 14) Utilities Statement;
- 15) Ecological Management Plan;
- 16) Landscape Management Plan;
- 17) Contamination Remediation Strategy;
- 18) Construction Environmental Management Plan;
- 19) Construction Traffic Management Plan;
- 20) Arboricultural Development Statement;
- 21) Archaeological Written Scheme of Investigation;
- 22) Noise Report including measures to protect the occupiers of the residential properties from external noise;
- 23) Lighting Assessment;
- 24) Statement of compliance with the Affordable Housing Strategy or in respect of the first reserved matters application an Affordable Housing Strategy.

The development shall be carried out in accordance with the details as approved.

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.

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

Drawings: GTASHOT\_BH/SK/05 (Site Location Plan); 2491-A-1201-B (Access & Movement Parameter Plan); 2491-A-1200-B (Land Use Parameter Plan); GTASHOT(BH).1/GA/11 (SANGS car park layout); GTASHOT(BH).1/GA/12 (SANGS car park cross section); 6048/PO1 Rev A (Demolition Plan); and, 2491-C-1106-SK3 (Phasing Plan).

Documents: Planning Statement (Savills, October 2017); SANG Delivery Strategy (Holbury, March 2020); Delivery Strategy (March 2018); Design & Access Statement - Revision A; Shadow Appropriate Assessment (Holbury, September 2019); Ecological Impact Assessment (LCES, September 2017); Landscape Character and Visual Impact Assessment (Allen Pyke, October 2017); Heritage Statement (ADAM Urbanism, RA/6048 - March 2018 Rev B); Flood Risk Assessment (MB, October 2017); Air Quality Assessment (WYG, October 2017); Noise Assessment (WYG, September 2017); Phase 1 Geoenvironmental Desk Study Report ref: LP01149 (LEAP, 19/04/2016); Utilities Assessment (MB, October 2017); Historic Environmental Desk-Based Assessment ref: 79183.01 (Wessex Archaeological, April 2017); Arboricultural Implications Report ref: 16045-01 (SJA Trees, October 2017); Transport Assessment (Mayer Brown, October 2017); Travel Plan (Mayer Brown, February 2018) and Response to HCC Highways (Mayer Brown, received 23/02/2018).

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

- 5 Notwithstanding the Delivery Strategy submitted as part of the application, details of a Phasing Strategy for the residential redevelopment of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the submission of the first Reserved Matters Application (RMA). The details shall include the following:
  - (i) A layout plan confirming the extent of each Development Zone/ Phase to which future RMAs will relate;
  - (ii) An indicative phasing programme for the submission of the RMAs;
  - (ii) An indicative phasing programme for the implementation of the consent;
  
- 6 No part of the residential development shall commence until a scheme design at Queens Roundabout, which accommodates pedestrian and cycle movements up to and across the junction via the proposed western footway/cycleway on A325 Farnborough Road, without unacceptably impacting on operational performance of the junction, is submitted to and approved by the Local Planning Authority in consultation with the Local Highway Authority. The approved scheme will be fully implemented in line with the programme agreed with the Local Planning Authority and the Local Highway Authority.

Reason - To provide satisfactory pedestrian and cycle access and in the interests of highway safety.\*

- 7 No part of the residential development shall commence until a programme is submitted to and agreed in writing by the Local Planning Authority, in consultation with the Local Highway Authority and the Basingstoke Canal Authority; setting out a programme for the submission, approval and implementation of a phased scheme of works at A325 Farnborough Road, Shoe Lane, Forge Lane, and Basingstoke Canal, or alternative arrangements on land within the Applicants control, which accommodate pedestrian and cycle movements to and from the development. The development shall be implemented fully in accordance with the programme and details as agreed. And retained thereafter for the life of the development.

Reason - To provide satisfactory pedestrian and cycle access and in the interests of highway safety.\*

- 8 Vehicular access to Shoe Lane shall be retained from both Forge Lane and Government House Road at all times, unless otherwise agreed in writing with the Highway Authority.

Reason: In the interests of highway safety

- 9 Notwithstanding the Arboricultural Implications Report submitted with the application, no trees shall be removed in any Development Zone and no development shall take place in any Reserved Matters Area until an Arboricultural Development Statement (ADS) has been submitted to and approved in writing by the Local Planning Authority, concerning the relevant zone/phase. The ADS shall include an updated Tree Removal Plan and a detailed Tree Protection Plan and Method Statement illustrating everything that is required to ensure the safe and healthy retention of trees during the development process, and to provide a working document for site personnel. The development shall be carried out in accordance with the approved Arboricultural Development Statement/s.

Reason - To safeguard against unnecessary removal of trees and preserve the health and amenity value of retained trees.\*

- 10 No development shall take place in any Reserved Matters Area (RMA) until a surface water drainage scheme (including detailed design drawings and associated calculations) for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The Sustainable Drainage Systems (SUDS) shall subsequently be implemented in accordance with the approved details, prior to first occupation of any development within the RMA to which they relate.

Reason - To prevent the increased risk of flooding and to improve and protect water quality.\*

- 11 Development shall not commence on any Reserved Matters Area (RMA) until there has been submitted to and approved in writing by the Local Planning Authority: -

- i. an intrusive site investigation report documenting the extent, scale and nature of contamination present, identified as appropriate by the Phase 1 Geoenvironmental Desk Study Report submitted with the application;
- ii. if identified as necessary; a detailed scheme (Remediation Method Statement) for remedial works and measures shall be undertaken to avoid risk from contaminants/or gas identified by the site investigation when the site is developed and proposals for future maintenance and monitoring, along with verification methodology. Such scheme to include nomination of a competent person to oversee and implement the works.

The development shall be carried out in accordance with the Remediation Method Statement as approved, prior to commencement of development within the relevant RMA.

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

- 12 No occupation within any Reserved Matters Area shall take place until a verification report demonstrating completion of works set out in the approved Remediation Method Statement 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. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

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

- 13 In the event that unforeseen ground conditions or materials which suggest potential or actual contamination are revealed at any time during implementation of any part 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 any measures identified in the approved remediation scheme a verification report must be prepared and submitted to the Local Planning Authority for approval prior to first use or occupation of the area of the development to which it relates.

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

14 Development (including demolition) shall not commence on any Reserved Matters Area (RMA) until there has been submitted to and approved in writing by the Local Planning Authority, a site-specific Construction Environmental Management Plan (CEMP). The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust, site lighting, site traffic and other pollution. The plan should include, but not be limited to:

- i. Construction programme;
- ii. Site specific operational control procedures / mitigation measures;
- iii. Proposals for the protection of existing environmental features (including water quality and drainage, nature conservation, archaeology and cultural heritage);
- iv. Pollution control contingency plan;
- v. Arrangements for liaison with the Council's Pollution Control Team;
- vi. Procedures for complaint management, public consultation and liaison.

The development shall be carried out in accordance with the details as approved.

Reason: To safeguard the amenities of surrounding occupiers and to avoid any adverse impacts on ecologically sensitive local receptors, during the construction phases of the development.\*

15 Development (including demolition) shall not commence on any Reserved Matters Area until there has been submitted to and approved in writing by the Local Planning Authority, a Construction Traffic Management Plan specific to that area. This should include; construction traffic routes, parking and turning provision to be made on site, measures to prevent mud from being deposited on the highway and a programme for construction. The development shall be carried out fully in accordance with the details as approved.

Reason: To safeguard the amenities of surrounding occupiers and in the interests of highway safety.\*

16 Development shall not commence on any Reserved Matters Area (other than the demolition of the Category 1 buildings identified on drawing number 6048/PO1 Rev A and not including the proposed SANG establishment works) until there has been submitted to and approved in writing by the Local Planning Authority, a Written Scheme of Investigation (WSI), designed to recognise, characterise and record any archaeological features and deposits that may exist on the site. The assessment shall take the form of trial trenches located within the areas of proposed housing, including those areas where buildings are to be demolished and trees cleared. The archaeological investigations shall be carried out fully in accordance with the WSI as approved.

Reason - To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets.\*

- 17 Development shall not commence on any Reserved Matters Area (other than the demolition of the Category 1 buildings identified on drawing number 6048/PO1 Rev A and not including the proposed SANG establishment works) until there has been submitted to and approved in writing by the Local Planning Authority, a Programme of Archaeological Mitigation of Impact, based on the results of trial trenching as required by the Written Scheme of Investigation (WSI). The mitigation measures shall be carried out fully in accordance with the Programme of Archaeological Mitigation of Impact as approved.

Reason - To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations.\*

- 18 Following completion of the archaeological fieldwork, and prior to first occupation of the Reserved Matters Area to which it relates, a report shall be submitted to and approved in writing by the Local Planning Authority, setting out and securing appropriate post-excavation assessment, specialist analysis and reports, publication and engagement where appropriate. The recommendations within the report shall be carried out fully in accordance with the Fieldwork Report, as approved in accordance with timescales agreed by the Local Planning Authority.

Reason - To contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available.\*

- 19 No residential unit within Development Zones A, C, D, E & F on Phasing Plan 2491-C-1106-SK3 shall be occupied until the Amenity Open Space within the phase to which it relates has been provided in accordance with the details approved by the relevant Reserved Matters Application. The areas shall thereafter be retained and made available for that purpose.

Reason - To ensure satisfactory on-site open space provision to serve future occupiers of the development.

- 20 No more than 25% of the residential units within Development Zone C or F on Phasing Plan 2491-C-1106-SK3 shall be occupied until the equipped play areas (Equipped Play Space) within the relevant phase to which it relates, has been completed and equipped in accordance with the details approved by the relevant Reserved Matters Application. In any event, at least one Equipped Play Space shall be provided prior to the occupation of 45 units in the development. The Equipped Play Spaces shall thereafter be retained and made available for that purpose.

Reason - To ensure satisfactory on-site provision for formal children's play.

- 21 No demolition of buildings or part of buildings, other than the demolition of the Category 1 buildings identified on drawing number 6048/PO1 Rev A shall take place, unless otherwise agreed through the approval of the relevant Reserved



Matters Application applicable to the Development Zone in which the building is located.

Reason: To safeguarded the existing locally listed buildings and ensure that any alterations or loss of historic fabric is justified and appropriate.

- 22 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.

- 23 The SANG shall be implemented in accordance with the SANG Delivery Strategy (Holbury, March 2020) hereby approved and subsequently in accordance with the SANG Ecological Management Plan/s (SANG EMP), which in the case of the Development SANG shall be submitted to the Local Planning Authority for approval, in consultation with Natural England, prior to the commencement of Blandford House and Malta Barracks and in relation to the Strategic SANG, prior to the commencement of any third party development scheme which would rely on it. Thereafter, a written report specifying compliance and detailing any amendments required to either SANG EMP or a combined report if appropriate, shall be submitted on the anniversary of the approval of the first SANG EMP.

Reason - To ensure that satisfactory mitigation is in place to prevent significant impact on the Thames Basin Heath Special Protection Area (SPA).\*

- 24 In the event that the Blandford Woods SANG is to be delivered in two distinct phases, no residential unit within the development shall be occupied until compartments C and D East, as identified on Figure 2 of the SANG Delivery Strategy, together with footpath links to Wellesley Woodlands and a footpath link between Compartments C and D East identified on Figure 8 of the strategy, and including the provision of a 2.5km footpath route accessible to the public have been delivered and made fully available to the public, in accordance with the works outlined in Section 4 - SANG Establishment and in accordance with the phasing requirements in Section 5 – Phasing of the SANG Delivery Strategy (Holbury, March 2020), hereby approved. The SANG comprised within compartments C and D East together with the footpath links to Wellesley Woodlands, the footpath link between Compartments C and D East and the 2.5km footpath, shall thereafter be maintained for a period of at least 80 years.

Reason - To ensure that satisfactory mitigation is in place to prevent significant impact on the Thames Basin Heath Special Protection Area (SPA).

- 25 In the event that the Blandford Woods SANG is to be delivered in a single phase of works, compartments C, D East and D West (as identified on Figure 2 of the SANG Delivery Strategy) and the SANG Car Park (drawing GTASHOT(BH).1/GA/11 and GTASHOT(BH).1/GA/12, including the provision

of a 2.3km footpath route accessible to the public as identified on Figure 9 of the strategy, shall be delivered and made fully accessible to the public in accordance with the works outlined in Section 4 - SANG Establishment and in accordance with the phasing requirements in Section 5 – Phasing of the SANG Delivery Strategy (Holbury, March 2020), hereby approved. The SANG comprised within compartments C, D East and D West together with the SANG Car park and the 2.3km footpath shall thereafter be maintained for a period of at least 80 years.

Reason - To ensure that satisfactory mitigation is in place to prevent significant impact on the Thames Basin Heath Special Protection Area (SPA).

26 Development shall not commence on the SANG and SANG Car Park until there has been submitted to and approved in writing by the Local Planning Authority:

- i. a desk top study carried out by a competent person documenting all previous and existing uses of the site and adjoining land, and potential for contamination, with information on the environmental setting including known geology and hydrogeology. This report should contain a conceptual model, identifying potential contaminant pollutant linkages.
- ii. if identified as necessary; a site investigation report documenting the extent, scale and nature of contamination, ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study.
- iii. if identified as necessary; a detailed scheme for remedial works and measures shall be undertaken to avoid risk from contaminants/or gas identified by the site investigation when the site is developed and proposals for future maintenance and monitoring, along with verification methodology. Such scheme to include nomination of a competent person to oversee and implement the works.

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

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

27 Works shall not commence on the SANG Car Park until there has been submitted to and approved in writing by the Local Planning Authority, a site-specific Construction Environmental Management Plan (CEMP). The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust, site lighting, site traffic and other pollution. The plan should include, but not be limited to:

- i. Construction programme;
- ii. Site specific operational control procedures / mitigation measures;

- iii. Proposals for the protection of existing environmental features (including water quality and drainage, nature conservation, archaeology and cultural heritage);
- iv. Pollution control contingency plan;
- v. Arrangements for liaison with the Council's Pollution Control Team;
- vi. Procedures for complaint management, public consultation and liaison.

The development shall be carried out in accordance with the details as approved.

Reason: To safeguard the amenities of surrounding occupiers and to avoid any adverse impacts on ecologically sensitive local receptors, during the construction phases of the development.\*

- 28 Development shall not commence on any Reserved Matters Area (other than the demolition of the Category 1 buildings identified on drawing number 6048/PO1 Rev A and not including the proposed SANG establishment works) until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

#### **4.0 Recommendation**

- 4.1 That the report be **NOTED**

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*BACKGROUND PAPERS: Planning Application File 17/00914/OUTPP*