

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

Case Officer	Katie Ingram
Application No.	21/00545/FULPP
Date Valid	12th July 2021
Expiry date of consultations	18th August 2021
Proposal	Two storey and first floor rear extension to facilitate change of use of Public House (sui generis) with ancillary accommodation into 4 flats (2 x 1-bed and 2 x 2-bed) with associated amenity space and refuse and cycle storage
Address	<b>The White Lion 20 Lower Farnham Road Aldershot Hampshire GU12 4EA</b>
Ward	Aldershot Park
Applicant	Mr A Jaman
Agent	Mr W Pierson
Recommendation	<b>Refuse</b>

## Description

The application site is occupied by a Public House with living accommodation (a manager's flat) at first floor level. The property is on a corner plot at the junction of Lower Farnham Road and Stone Street. The two storey, end-of terrace building is attached to the southern end of a row of two storey houses at Nos. 10-18 Lower Farnham Road. It is a yellow stock brick building with a pitched, tiled roof and white painted rear elevation.

The rear of the building has been extended adjacent to the side boundary with No 18 Lower Farnham Road, there is a single storey rear extension with a flat roof, used as a roof terrace by the first floor flat; a two storey rear extension set down from the main ridge height and a single storey rear extension near the boundary with Stone Street.

The ground floor forms the public house, with a centrally positioned bar and two public rooms arranged around the core of the building, toilets to the rear, and servicing arrangements within the inner parts of the building. A central staircase behind the bar leads to the first-floor accommodation, arranged as two bedrooms, living room, bathroom and kitchen. A door from this flat leads to a first-floor terrace on the flat roof of one of the single storey extensions.

The main entrance to the pub is on the Lower Farnham Road frontage. There is also a side door onto Stone Street. There is an outside seating area in front of the building enclosed by a low brick wall.

There is a storage yard at the rear of the building 45sqm in size which is mostly enclosed by low close boarded fencing. There is an area of hardstanding next to the yard with a dropped kerb to Stone Street which is used for refuse storage and the parking of one vehicle.

To the rear of the site are four maisonettes at 2-4 Stone Street and a gravelled driveway leading to their garages, which immediately adjoins the site boundary. Immediately adjoining the site to the north is No.18 Lower Farnham Road, a two-storey terraced dwelling house with a rear garden.

The western side of Lower Farnham Road in this location is residential but opposite the site on the eastern side are a vehicle sales premises and single storey warehouse building which is part of the larger Blackwater Trading Estate. 40m north of the site is the junction of Lower Farnham Road and Ash Road (A323) where there is a small supermarket and parade of shops. Stone Street is characterised by terraced and semidetached properties with no off street parking.

The property was listed by the Council as an Asset of Community Value on 4 October 2019 under the Assets of Community Value (England Regulations) 2021.

There is no recent planning history on file for the site.

#### *Proposed development*

The application is seeking planning permission to change the use of the public house and develop it for residential use. The single storey rear extension adjacent to No.18 would be retained and the remainder of the rear extensions would be partially demolished and developed to be a full height first floor rear extension matching the main ridge height of the building with a pitched roof, and with a depth of 5m from the main rear elevation.

The building would accommodate two flats on the ground floor and two on the first floor. There would be two 2-bedroom units (3 person) and two 1-bedroom (2 person) units. Flat 2 at the rear ground floor would benefit from private amenity space directly accessible from a rear door. The remainder of the existing yard would be converted to a communal outdoor amenity area for the flats with an area of 35sqm, which would also have the refuse storage area and a bicycle store for Flats 1, 3 and 4. The existing parking space on the site would be removed.

There would be no change to the front elevation and all existing windows and entrance doors to the road frontages would be retained. A new communal stairwell and entrance hall from the entrance door on Stone Street would be implemented.

The application proposes to retain the first-floor roof terrace for the benefit of Flat 3.

#### **Consultee Responses**

Aldershot Civic Society

Awaiting comments

Planning Policy

Objection to application for failing to demonstrate compliance with the 'Development Affecting Public

## Houses' Supplementary Planning Document.

HCC Highways Development Planning	Awaiting comments
Parks Development Officer	No objection subject to stated obligations
Environmental Health Officer	No objection subject to conditions
Contract Management	Proposed plan shows insufficient bin provision

### **Neighbours notified and comments:**

A site notice was displayed and 13 letters of notification sent to adjoining and nearby properties on Stone Street and Lower Farnham Road. At the time of writing there have been 70 representations objecting to the scheme from addresses in: Lower Farnham Road, Stone Street, Brookfield Road, Wolfe Road, Waterloo Road, Ash Road, Bell Vue Road, Campbell Close, Herron Wood, Romsey Road, Romsey Close, Queens Road, Sefton House Grosvenor Road, York Crescent, Belland Drive, Newport Road, Lower Newport Road, Gloucester Road, St Peters Park, Herrett Street, Jubilee Road, Eddy Road, Blackman Gardens, Chetwode Road, Tongham Road, Montgomery Drive, Victoria Road, Wavell Court, Gillian Close, Calvert Close, Boxalls Lane, Gillian Avenue, St Georges Road, Kingfisher Walk, Haig Road, Northfields Close, Coronation Road and Clive Road, Aldershot; Star Lane Ash, Rectory Road, Farnborough, The Street, Tongham, Dorset Avenue, Fleet, Malthouse Close and Northfield Road, Church Crookham, Golf Links and Hurstmere Close Hindhead, Herons Mead, Bromham, Bedford, Raglan Place, Bishopston, Bristol and The Timbers, Fareham. The notification period ends on 11 August and Members will be updated on any further representations received at the Committee Meeting. Objections have been raised on the following grounds:

#### Loss of public house

- The local community are keen to support this pub, one of the few remaining in the area, and a group is even prepared to buy it
- It is a viable pub whether it is run by the new owner or the community group already set up to buy it as a community asset
- Aldershot has lost too many pubs which can be the heart of communities/valuable meeting spaces
- As the pandemic draws to a close (hopefully) communities need spaces to meet and socialise again
- A financially proven business offering employment and valuable spaces for community use (celebrations, wakes, fund raising - all previous examples)
- An environment that provides support in an age in increasing isolation, social media use and mental ill health
- It is contrary to Local Plan Policy LN8 as the premises are clearly viable and needed in the long term
- Let us save our cultural heritage for future generations
- The pub is near to North Town (pop 6744) where there are now no pubs surviving
- There is so little in the way of community meeting points as it is, that to allow this one to be removed would create further isolation for those who need points of contact the most
- A much loved and busy pub until COVID hit
- The policy also states that it must be proven to be non-financially viable first before a change of use. Before closure the pub was a thriving concern popular with many locals who live

within walking distance

- There appears to be no evidence that this pub cannot operate as a viable and successful business
- This Public House was subject to a proposed rescue before the pandemic hit, and the fact that due to its size it was never able to reopen should extend any period of planning consideration until the local population are able to come to the rescue of a much needed meeting place
- The application is contrary to the National Planning Policy Framework (2012, Paragraph 70) as stated in the Local Plan which requires local authorities to plan positively and protect community facilities such as public houses, as they have an important role in enhancing their local communities
- The current owners seem unwilling to engage with all offers from the community to assist in helping to facilitate this establishment becoming a community aided asset
- Closure of Prince of Wales and the Heron have left Heron Wood and Tices Meadow areas without a community pub

### Parking

- We already have massive issues with parking in the street so this can only make it worse
- Plans don't show any parking but there are potentially another 8 cars which will be added
- If the existing garden and parking place were utilised for parking this would lessen the impact on the neighbourhood for parking. Maybe a terrace (enclosed to assist not overlooking neighbouring properties)

### Impact on neighbouring amenity

- Negative impact on the amount of light and privacy of neighbouring property.

### Other

- Would destroy jobs
- We don't need more flats. We are overrun with flats in Aldershot with no regard to the poorly maintained roads, school places or doctors and surgery places

### Cllr Mike Roberts (Aldershot Park Ward)

Objects on behalf of all Ward Councillors of Aldershot Park on the grounds that the White Lion has been a tremendous community hub with widespread support to and from the community for many years. It has been a regular in the CAMRA Good Beer Guide and is supported by the Aldershot Civic Group. The pub is listed as an Asset of Community Value and therefore must and should remain as to its main activity in that wider context.

### **Policy and determining issues**

The site is located in the defined urban area of Aldershot. The site is not located in a Conservation Area nor adjoins one. There are no Listed Buildings in the vicinity of the site. Therefore, Policies SS1 (Presumption in favour of sustainable development), SS2 (Spatial Strategy), IN1 (Infrastructure and Community Facilities), IN2 (Transport), DE1 (Design in the Built Environment), DE2 (Residential Internal Space Standards), DE3 (Residential Amenity Space Standards), DE6 (Open Space, Sport and Recreation Facilities), LN8 (Public Houses), NE1 (Thames Basin Heaths Special Protection Area) and NE4 (Biodiversity) of the adopted Rushmoor Local Plan (2014-2032) are relevant to this application.

The Council's adopted supplementary planning documents (SPDs) 'Car and Cycle Parking Standards' 2017 and 'Development Affecting Public Houses' 2015, and Thames Basin Heaths

Special Protection Area Avoidance and Mitigation Strategy (AMS) as updated April 2021 are also relevant.

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

1. Principle of development with regard to the loss of the public house and its status as an Asset of Community Value
2. Visual impact
3. Impact on neighbouring amenity
4. The living environment created
5. Highways considerations
6. Public Open Space
7. Impact on wildlife

## **Commentary**

### **1. Principle of development with regard to loss of public house**

The property was listed by the Council as an Asset of Community Value (ACV) on 4 October 2019. The premises are therefore recognised by the Local Authority as having a use which furthers the community's social well-being or social interests and in this regard ACV status is a material planning consideration. Consideration of policy guidance in the NPPF (2021) and the Council's own adopted Local Plan Policy LN8 (Public Houses) and the 'Development Affecting Public Houses' Supplementary Planning Document confers on this application the appropriate weight and consideration, in this regard.

Chapter 8 (Promoting Healthy and Safe Communities) of The National Planning Policy Framework (2021) recognises that public houses are 'community facilities' and as such 'provide social, recreational and cultural benefits that 'enhance the sustainability of communities and residential environment'. It states that planning decisions should 'plan positively for the provision and use of shared spaces, community facilities and other local services', and guard against their unnecessary loss.

Recognising the social and cultural value of public houses in the community the Local Plan Policy LN8 (Public Houses) specifically deals with development proposals resulting in the loss of a public house.

*Policy LN8 states 'Development proposals resulting in the loss of a public house will be permitted where it can be proven that there is no longer-term need for the facility. In order to justify no longer-term need, the applicant will need to provide evidence of effective marketing for A4 use for a period of at least twelve months. In determining such applications, the Council will have regard to the content of the 'Development Affecting Public Houses' SPD'.*

The preamble to Policy LN8 states that marketing information should include confirmation by a commercial property agent that the premises were marketed extensively at a reasonable price in relation to condition, location and floorspace and for a minimum period of 12 months; evidence that contact information was posted in a prominent location on the site in the form of an advertising board and that particulars were made available to enquirers on request, an enquiry log showing the nature and number of enquiries and why they were unsuccessful; and a copy of all advertisements in the local press and trade journals.

The Council's 'Development Affecting Public Houses' Supplementary Planning Document

(SPD) adopted in 2015 requires applicants to demonstrate that a public house has been marketed for at least 12 months as a public house 'free of tie and restrictive covenant' and that there has been no interest in either the freehold or leasehold. It further requires applicants to demonstrate that 'reasonable efforts have been made to preserve the facility', including setting out evidence of any diversification options explored, and to prove that it would 'not be economically viable to retain the building or site for its existing use class'. The SPD also states that the Council requires evidence that there are 'alternative public houses within easy walking distance' and that such alternatives 'offer similar facilities and a similar community environment to the public house which is the subject of the application'.

The application is supported by a Marketing report from a commercial property surveyor specialising in licensed / leisure properties and a Planning Statement which addresses some of the requirements of the 'Public Houses' SPD.

The Marketing Report states that the public house was marketed from January 2019 to October 2020 by Savills Licensed Leisure agents – a period of 21 months.

The report argues that the White Lion public house is unviable because trade is mainly drink focussed and the public house does not benefit from 'passer by' custom. The pub has a limited food offering with a small kitchen and has no parking.- Given lifestyle preferences trending towards spending money on going out to eat and drinking at home in the past decade it is hard for such premises to compete against the larger managed house operations. The report concludes that for these reasons the business is unviable, even prior to the Covid-19 pandemic.

The report states that the premises were marketed at a price of £275,00 from January 2019 to October 2020 on Savills' website, third party websites such as Rightmove Commercial and a monthly newsletter targeted to 7000 operator-subscribers. The sales particulars used have been provided. The report states that 37 enquiries were received and two offers were received, one from a local community group and one from a restaurant operator who retracted their offer once they factored in cost of refurbishment into their business plan and found it was no longer viable. Approximately 12 viewings were carried out. The report states that over a 21 month period this rate of interest is relatively low.

It is considered that the detail provided in the report does not adequately comply with the requirements of the Public Houses SPD. It is not clear whether the marketing was able to continue uninterrupted from March 2020 given that the marketing period overlapped with government prescribed lockdowns and the introduction of other Covid-19 restrictions. No evidence has been provided to demonstrate that the asking price was reasonable and appropriate. No screenshots of adverts placed on the Savills' webpage or other third-party websites are included. Annex A of the 'Development Affecting Public Houses' SPD requires a 'For Sale' signboard to be affixed to the premises and no evidence of this has been provided. In addition, the applicants have not demonstrated that 'reasonable efforts have been made to preserve the facility, which includes setting out and providing of any evidence of any diversification options explored. A large part of the report focuses on higher level market conditions in the pub and leisure investment area pre- and post-Covid 19 which is not relevant to the site.

Annex B also states that 'a commercial viability study should accompany any application for redevelopment or change of use' to help the Council determine whether a public house is no longer economically viable which should include evidence in the form of audited accounts which cover a minimum of the last three trading years. This information has not been provided.

It is considered that the applicant has failed to provide sufficient evidence to demonstrate that there is no longer a term need for the public house. In this regard, the proposal conflicts with Policy LN8 of the Rushmoor Local Plan and the requirements of the 'Development Affecting Public Houses' Supplementary Planning Document.

## **2. Visual Impact -**

The proposed first-floor rear extension would have a hipped roof matching existing roof pitch and height, and flush with the rear elevation of the existing single storey extension would increase the footprint of the building very little with a maximum projection of 5m from the rear elevation. It would replace the visually discordant mix of existing rear extensions. There would be no change to the front elevation and existing windows and doors, and the fascia signs would be retained. It is considered the proposed development would be of an appropriate scale and would respect the character of the site and surrounding area and thereby have an acceptable visual impact and comply with Policy DE1 of the adopted Rushmoor Local Plan.

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

The properties adjoining the site are no.18 Lower Farnham Road and to the South, Nos 2-4 Stone Street.

The rear first floor extension would be set in from the northern side boundary with No.18 by 2.4m and would have an eaves height of 5.5m. This does not differ significantly from the existing, lower two storey rear extension which has an eaves height of 4.5m. It is considered the impact of this extension on the rear garden of No.18 would be acceptable given these separation distances. It is noted that there is a long single storey extension/outbuilding in the rear garden of No.18 along this boundary so any increase in overshadowing would impact that building.

The application proposes to retain the existing roof terrace for the benefit of Flat 3. The roof terrace is well established and has an existing door from the managers flat leading to it. It would have an area of 5m x 2m and be screened on both sides by 1.7m high close boarded fencing. There is a rear window on the rear elevation of No. 18 which would be affected by this screening by way of a minor loss of outlook. However, the impact is not considered so severe to warrant a reason for refusal. There is existing screening of 1.2m high bamboo fencing and as stated, the boundary on the side of No.18 has a long flat roofed building alongside it so the impact would not be to the immediate garden area.

The proposed first floor extension would have rear windows serving a living room and bedroom. The elevation would be 9.5m to the side elevation of Nos. 2 and 4 Stone Street which has two high level small windows at first floor level and ground floor level each. Views from the windows would be oblique and would not cause harmful overlooking. Views would not be to any private amenity space.

An objection has been raised that the extension would have an adverse impact on light to No. 4 Stone Street. Taking into account the height of the proposed extension and distance between the two properties it is not considered that the reduction in daylight would be materially harmful to No. 4 Stone Street to the extent that a reason for refusal on this ground could be supported.

The side elevation of the extension on Stone Street would have a window serving a living room.

Views would be across Stone Street to the rear amenity space of No. 1 Stone Street. The relationship is a standard one in an urban setting and would not cause unacceptable or particularly intrusive overlooking.

The application would have an acceptable impact on the amenity of occupants of neighbouring properties and in this regard, would comply with Policy DE1 of the adopted Rushmoor Local Plan (2014-2032).

#### **4. The living environment created –**

Flats 1 and 4 are one-bedroom two person properties and Flats 2 and 3 are two-bedroom three person properties. The flats comply Minimum Internal Floor area standards and storage areas required by Policy DE2 for their occupancy rates.

Flat 2 has an internal floor area of 61sqm (not 66sqm as stated on the plans). The bedrooms are both 9sqm which is contrary to Policy DE2 which states that where a dwelling has two or more bed spaces, one room must be a double (i.e. more than 11.5sqm) However, a reason for refusal on this ground could be addressed by an adjustment to the internal layout which would meet the standard.

Policy DE3 requires a minimum of 5sqm outdoor private amenity space in the form of balconies or other, for flat development, and states that where site conditions make it impossible to provide private open space, additional internal living space equivalent to the private open space requirement may be added to the minimum internal floor area. Flats 1 and 4 have no private amenity space but provide the additional 5sqm of internal floor area (IN addition, Flat 1 benefits from external amenity space to the front of the property). Flats 2 and 3 both have private useable outdoor amenity space.

The Contracts Manager has commented that the bin storage area on the plans is not large enough to accommodate the required bins. Given the location of the bin storage area in the communal amenity area at the rear of the site, this could be increased in size to address the shortfall.

Occupants of the proposed flats overlooking Lower Farnham Road would be affected by noise from road traffic. The Council's Environmental Health Officer has raised no objection providing that in the event of an approval the applicant demonstrates that the sound insulating properties of the building envelope will be sufficient to achieve the recommended internal ambient noise level guideline values as set out within BS 8233:2014.

It is considered the living environment created for future occupants would be acceptable and the application would comply with Policies DE2 and DE3 of the Rushmoor Local Plan in this respect.

#### **5. Parking and highways considerations:**

Residential development should provide parking spaces in accordance with the requirements of Appendix A of the Rushmoor Car and cycle Parking Standards SPD, and that there should be a minimum parking standard of one space per dwelling notwithstanding the size of location of the development (Principles 6 and 7). As the site is not in a Town Centre location, a development of two x 2-bed and two x 1 bed flats is required to provide 6 parking spaces.

The application proposes no parking spaces for the scheme.



The Parking Standards recognise that where a change of use would result in a higher parking standard a development is not required to make up for any deficiencies in the existing provision (Principle 2).

The pub has a bar area of approximately 30sqm and there is therefore an existing shortfall of 2-3 spaces on the site, using the current standards, which are expressed as maximum standards. There is therefore a significant shortfall of parking provision on the site in relation to the proposal.

Stone Street is not in a controlled parking zone as noted by the application but is characterised by terraced housing with no on-site parking where there is very limited parking availability, as evidenced by conditions observed during two site visits.

The applicant has provided no justification for the lack of parking provision other than to argue that the site is in a sustainable location close to local amenities and public transport and is therefore suitable for a residential use without the need for the use of the private car. Whilst the site is close to shops and services on Ash Road it would be more than 1km from Aldershot Town Centre and 1.2km to Aldershot Train Station. Residential developments in the defined Aldershot Town Centre are required under the standard to provide a minimum of 1 space per dwelling.

Views from the Highway Authority are yet to be received on the application and the Members will be updated at the Meeting.

It is considered that the application provides insufficient parking and therefore fails to comply with the requirements of Policy IN2 (Transport) of the Rushmoor Local Plan and the adopted Rushmoor Car and Cycle Parking Standards SPD.

## **6. Public Open Space**

The Local Plan seeks to ensure that adequate open space provision is made to cater for future residents in connection with new residential developments. Policy DE6 refers to the Council's standard and, in appropriate circumstances, requires a contribution to be made towards the enhancement and management or creation of open space, for part or all of the open space requirement.

The Council's Parks Development Officer has reviewed the proposal and considers a financial contribution of £6,200 towards playground renews at Aspen Grove Blackwater Way or infrastructure improvements at Aldershot Park would be appropriate, to be secured by way of a planning obligation. The applicant is in the process of securing such an agreement. Subject to this the proposal is considered acceptable within the terms of Local Plan Policy DE6.

## **7. Impact on wildlife**

### Special Protection Area

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 in-combination impacts on the habitats as a result of development in the Local Plan, including an allowance for 'windfall' housing developments. However within the screening process it will need to be ascertained whether development outside the Local Plan within 200m of the SPA will increase vehicle movements to above 1000 extra trips/day or exceed the Minimum Critical Page 27 Load by over 1% either alone or in-combination with the Local Plan.

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

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

The retained South East Plan Policy NRM6 and adopted New Rushmoor Local Plan (2014-2032) Policy NE1 (Thames Basin Heaths Special Protection Area) and Thames Basin Heaths Avoidance & Mitigation Strategy (2021), 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 3 net new residential units within the Aldershot urban area. The proposed development is located within the 5km zone of influence of the SPA, but outside the 400-metre exclusion zone. The proposed development is neither connected to, nor necessary to the management of, the Thames Basin Heaths SPA. Furthermore, the proposed development would not result in a net increase in traffic movements in excess of 1000 vehicular movements per day in proximity to the SPA.

All new housing development within 5 km of any part of the Thames Basin Heaths SPA, 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. 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 3 dwellings within 5 km of a boundary of part of the Thames Basin Heaths SPA. In line with Natural England guidance and adopted Rushmoor Local Plan Policy NE1 and the Thames Basin Heaths Avoidance & Mitigation Strategy (2019), 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 April 2021. The AMS provides a strategic solution to ensure the requirements of the Habitats Regulations are met with regard to the in-combination effects of increased recreational pressure on the Thames Basin Heaths SPA arising from new residential development. This Strategy is a partnership approach to addressing the issue that has been endorsed by Natural England.

The AMS comprises two elements. Firstly the maintenance of Suitable Alternative Natural Greenspace (SANG) 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 NE1 and the AMS applicants must:-

- (a) secure an allocation of SPA mitigation capacity from either the Council's SANGS schemes, or from another source acceptable to Natural England and to the Council; and
- (b) secure the appropriate SANG and/or SAMM in perpetuity by making the requisite financial contribution(s) by entering into a satisfactory s106 Planning Obligation that requires the payment of the contribution(s) upon the first implementation of the proposed development.

These requirements must be met to the satisfaction of Natural England and Rushmoor Borough Council (the Competent Authority) before the point of the decision on the planning application.

However, although the applicant is aware of the need to address SPA impact and has indicated

they are prepared to make a financial contribution for SPA mitigation and avoidance, they have declined to enter into pre-application discussion or negotiation to secure an allocation of SPA mitigation capacity to support their proposals nor have they demonstrated any alternative arrangement by which the requirements of the Habitats Regulations could be addressed. Since the applicant has not taken steps to address this policy requirement it is considered that they have not mitigated for the impact of the proposed development on the Thames Basin Heaths Special Protection Area. The proposals thereby conflict with the requirements of Rushmoor Local Plan Policy NE1. The conclusion of the Appropriate Assessment in this case is, therefore, that planning permission be refused on SPA grounds.

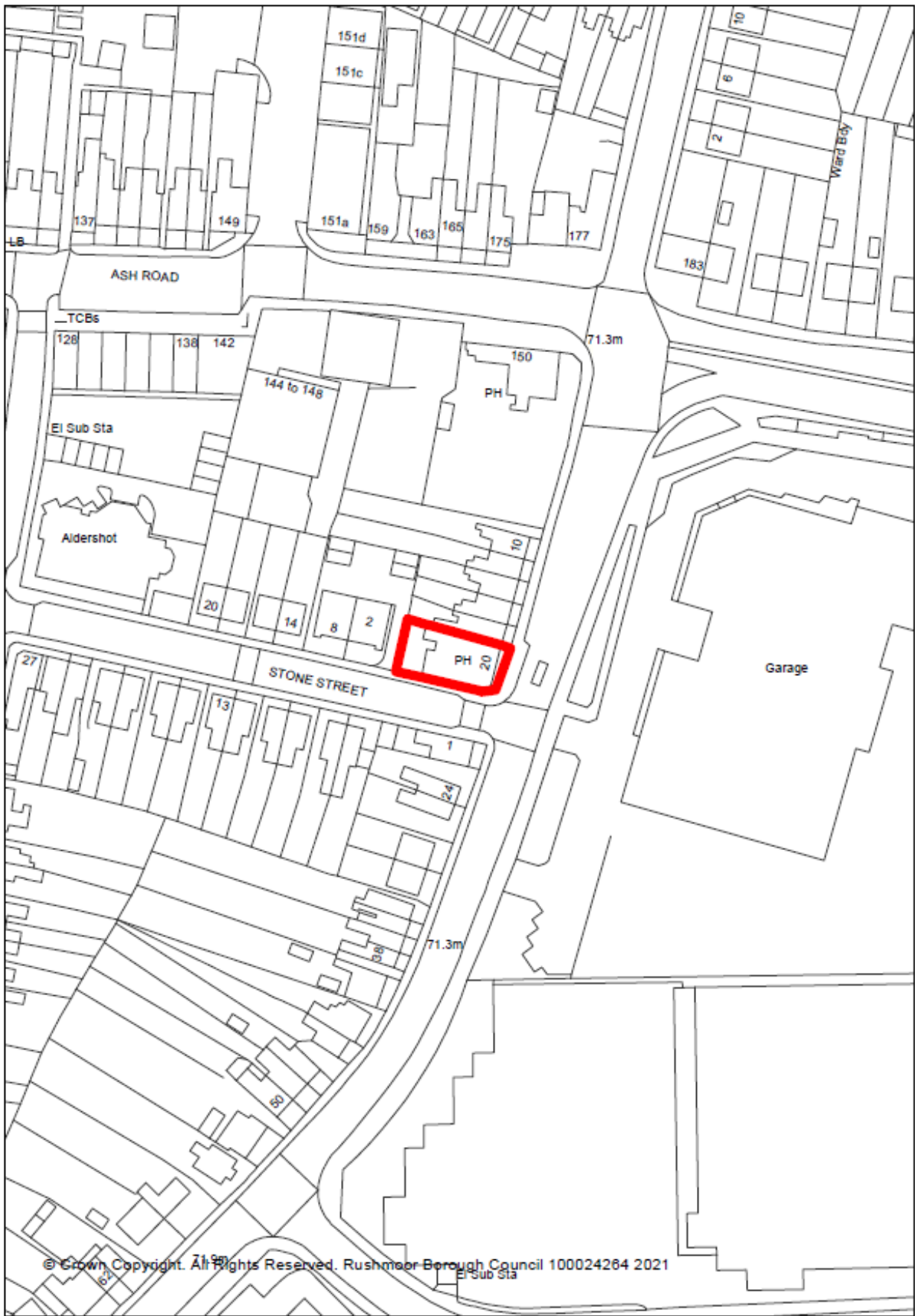
### Site Specific Protected Species



The building is relatively old although it is not in a poor state of repair and there is no woodland or obvious bat foraging sites nearby. It is considered that the proposed development would not adversely affect the conservation status of priority species and would not be contrary to the requirements of Policy NE4 (Biodiversity) of the adopted Rushmoor Local Plan.

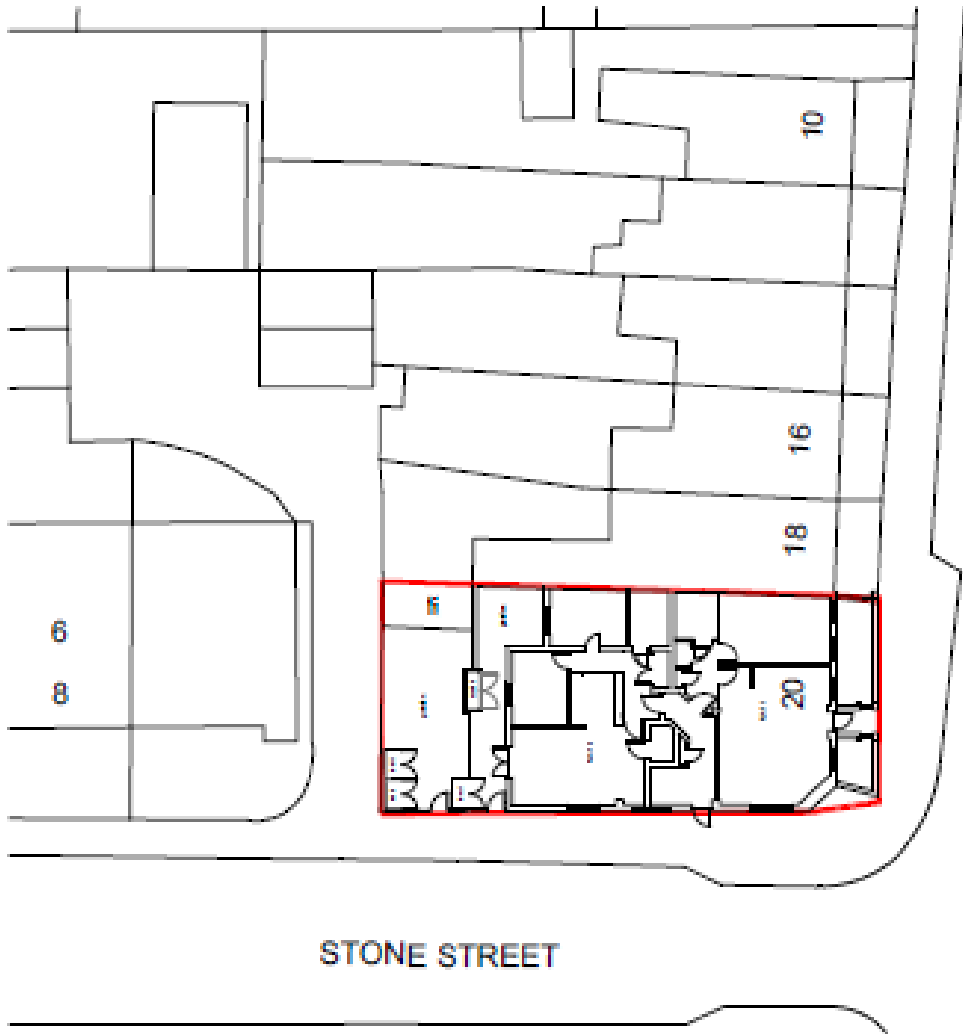
### **Full Recommendation**

It is recommended that permission be REFUSED for the following reasons:

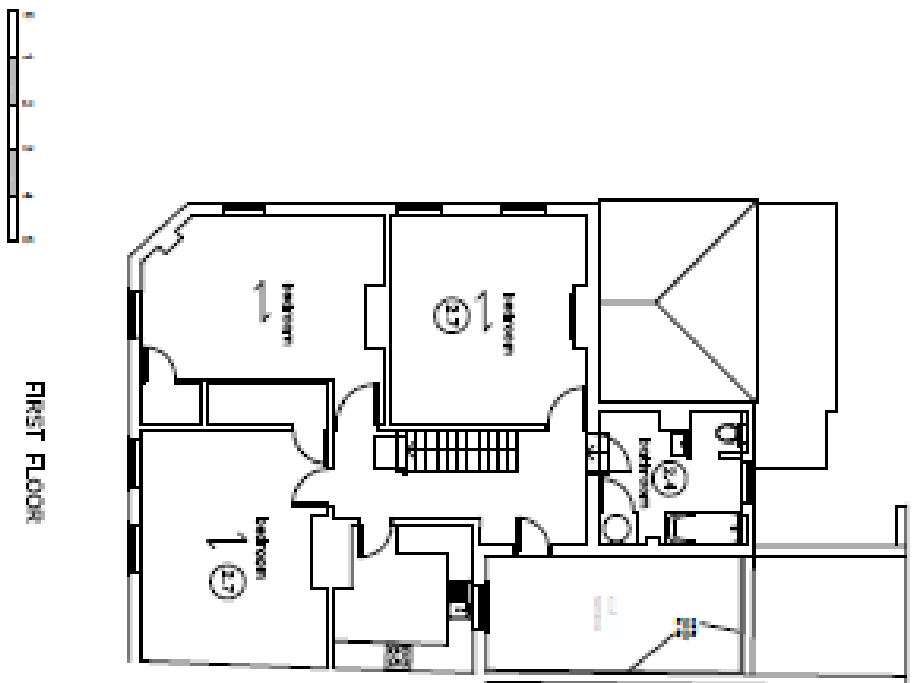
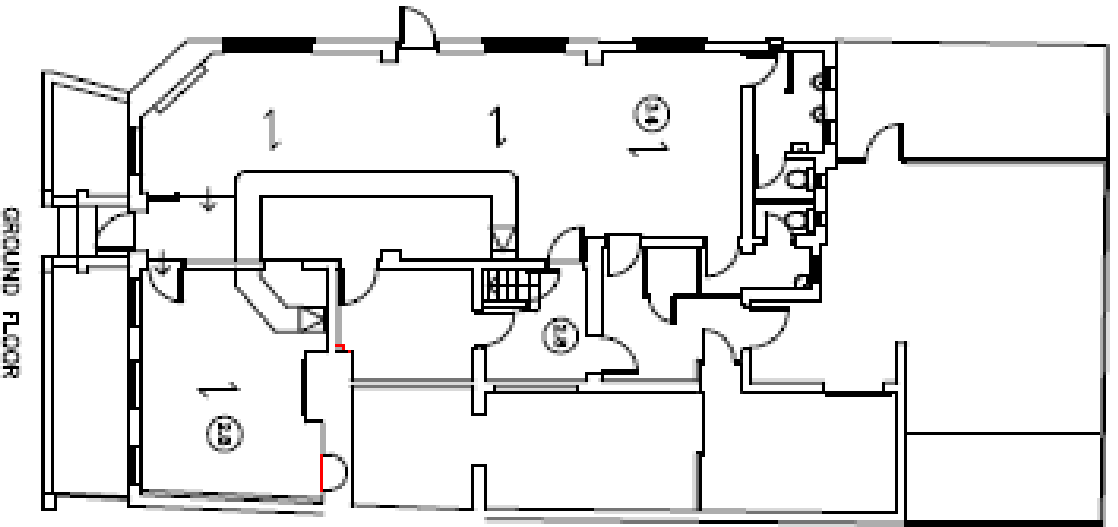
1. The application has not been supported by sufficient evidence to demonstrate that there is no-longer term need for the public house. In this regard, the proposal conflicts with Policy LN8 of the Rushmoor Local Plan and the requirements of the adopted 'Development Affecting Public Houses' supplementary planning document and would thereby give rise to the loss of a community facility with the status of an Asset of Community Value.
2. The development would fail to provide sufficient on-site car parking to the detriment of the free flow and safety of the surrounding highway network the residential amenities of neighbouring property and the living conditions of proposed occupiers. In this regard it contravenes the requirements of Local Plan Policy IN2 and the Council's adopted Car and Cycle Parking Standards SPD.
3. The proposal fails to address the likely significant impact of the development on the Thames Basin Heaths Special Protection Area as required by the Habitats Regulations in accordance with the Council's Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy, and is therefore contrary to Rushmoor Local Plan Policy NE1 and retained Policy NRM6 of the South East Plan.




		15, 16, 18, 20 LOWER FARNHAM ROAD, AUTHERSLOTT, HANTS RG24 0BA	15/10/2014
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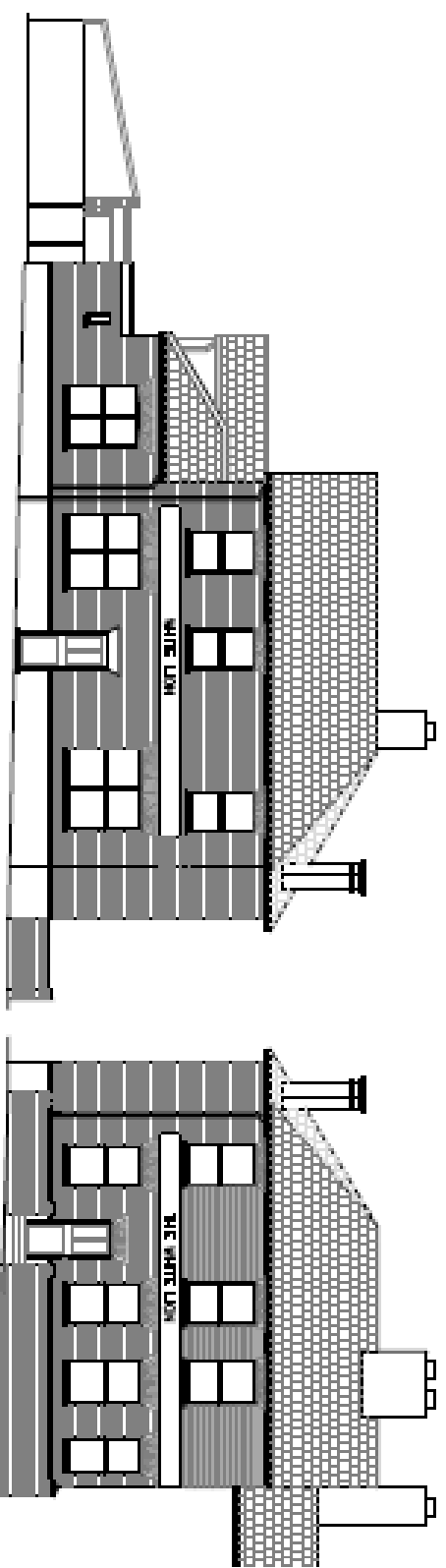


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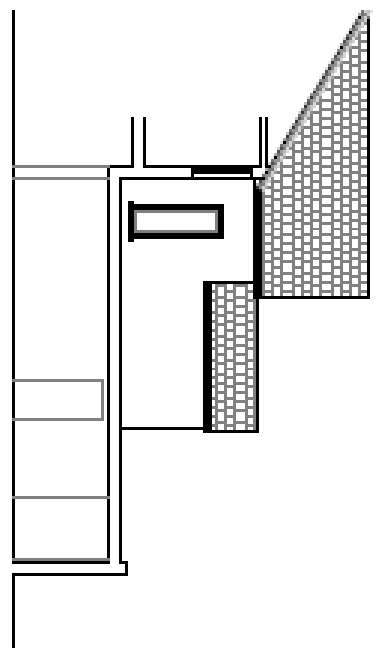
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<p><b>2014 COMPENSATION REPORT &amp; DISCLOSURE</b></p>	
<p><b>REPORTING PERIOD</b></p>	
<p><b>DATE</b></p>	
<p><b>PERIOD</b></p>	
<p><b>DATE</b></p>	
<p><b>DATE</b></p>	

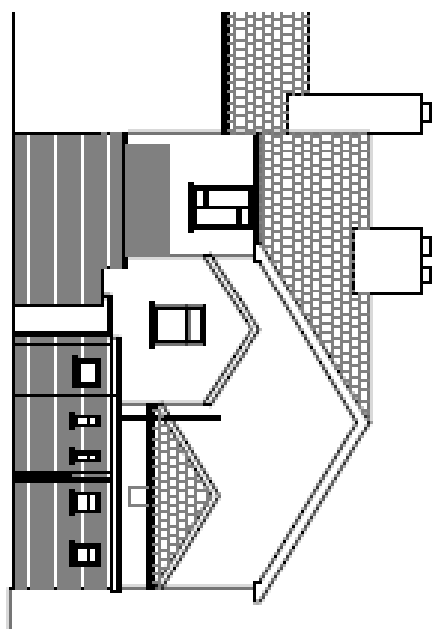


SIDE ELEVATION (STONE ROAD)


FRONT ELEVATION (LOWER FARNHAM ROAD)



SIDE ELEVATION



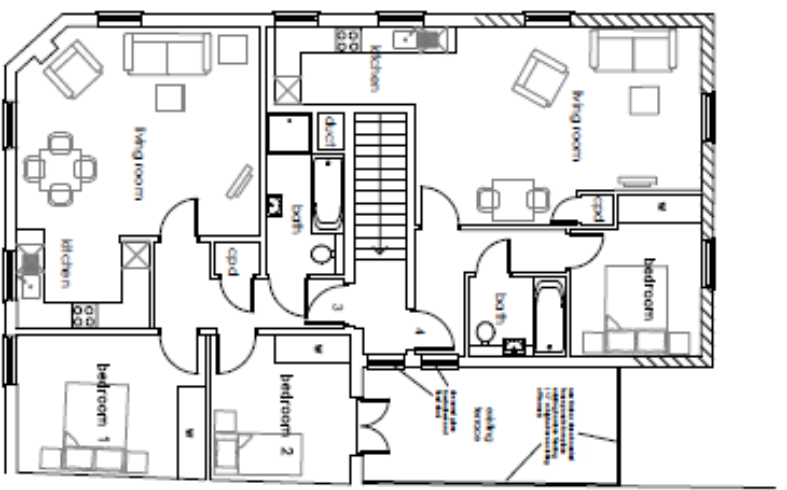
REAR ELEVATION


  
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GROUND FLOOR

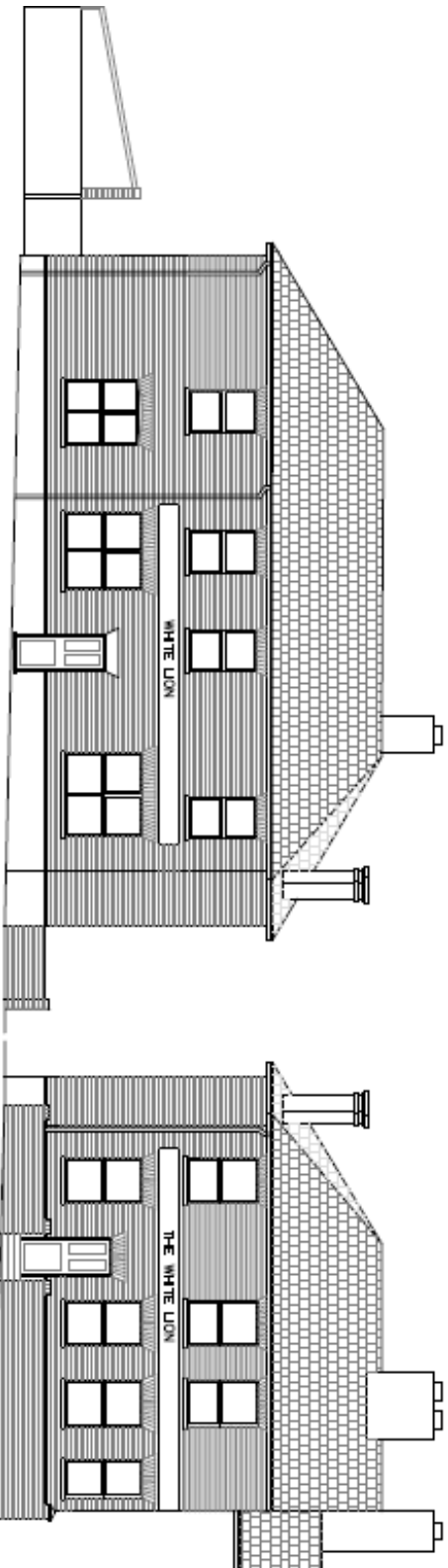


FIRST FLOOR

- GVA
- 1 = 25 sqm
  - 2 = 44 sqm
  - 3 = 42 sqm
  - 4 = 30 sqm

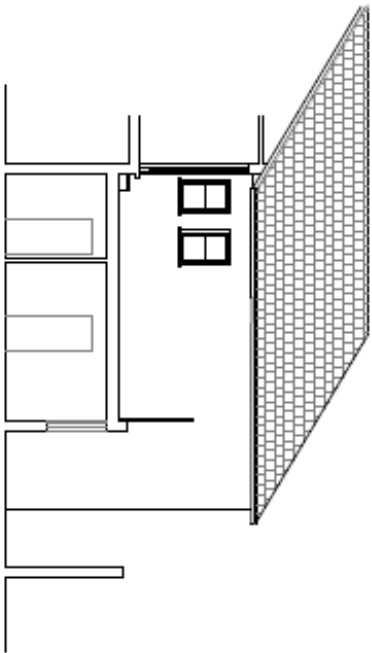


	<p><b>GVA</b>          GVA Architects Ltd          201A/201B, Market Street          Manchester, M1 1PL          Tel: 0161 275 1234          Fax: 0161 275 1235          Email: info@gva.co.uk</p>	<p>ALL RIGHTS RESERVED. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.</p>
<p>PROPOSED PLANS</p>	<p>30 LOWER FASHAW          ROAD, ALDSWORTH,          GURF 4EA</p>	
<p>2014/201</p>		
<p>1:100 GVA</p>		

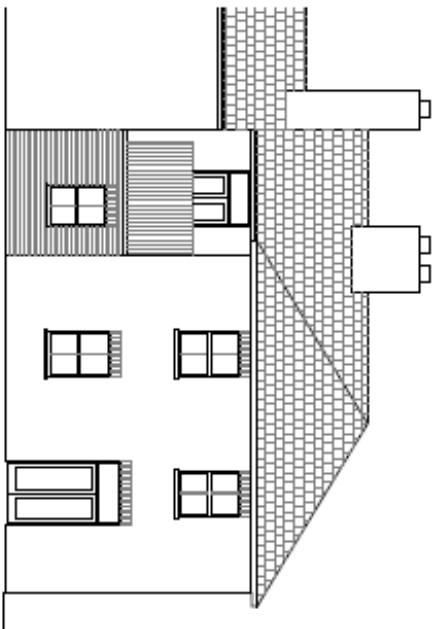


SIDE ELEVATION (STONE ROAD)

FRONT ELEVATION (LOWER FARNHAM ROAD)



SIDE ELEVATION



REAR ELEVATION

Notes: 1. All work to be done in accordance with the Building Regulations 2010.

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<p><b>GR&amp;P</b></p> <p>GRAND RIVERS &amp; PARTNERS LLP          201 LOWER FARNHAM ROAD, ALDESBOROUGH, NORFOLK, NR21 4BA          TEL: 01493 777777          FAX: 01493 777778          WWW.GR&amp;P.CO.UK</p>	
NO	201 LOWER FARNHAM ROAD, ALDESBOROUGH, NORFOLK, NR21 4BA
NO	PROPOSED ELEVATIONS
DATE	2004/02
BY	1100/01/03