

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	David Stevens
Application No.	21/00066/FULPP
Date Valid	4th February 2021
Expiry date of consultations	9th March 2021
Proposal	Erection of 10 X 3-bedroom 3-storey detached houses with vehicular access from Sorrell Close; together with associated parking, internal access driveway and landscaping
Address	Briarwood Sorrel Close Farnborough
Ward	St John's
Applicant	M L Management Ltd
Agent	Carter Jonas LLP
Recommendation	Grant subject to s106 Planning Obligation

Description & Relevant History

The site is within the Barningly Park housing estate, which was built in the 1980s between the M3 motorway and A327 link road at Junction 4a to the north-west of Trunk Road. The application land is a recently cleared site with an irregular shape previously occupied by an institutional building surrounded by residential development. The site measures approximately 0.3 hectares and has an existing vehicular entrance in the form of a private roadway 'Sorrel Close' owned by Hart District Council and which is located outside the red-line of the application site. This runs north to the site from the adopted turning head at the end of Nutmeg Close. The site has a long-established legal right of way along Sorrel Close.

The site is bounded to the north and south by areas of mainly grassed public open space, with both of these boundaries bounded by stands of mature trees and vegetation. The areas of public open space are owned by Rushmoor Borough Council and Hart District Council respectively. To the west, the site abuts the east side of Herbs End, with the closest residential properties opposite being Nos.8 & 10 and 18 & 26. To the east, the site adjoins a narrow strip of land owned by Rushmoor Borough Council, with the rear garden boundaries of houses at Nos.91 Broadmead and 6, 8, 10 & 12 Thyme Court. There are further residential properties within sight of the application land located in Herbs End, Purmerend Close, Broadmead, Nutmeg Court and Juniper Road.

The application site had a long history of institutional use pre-dating the development of the surrounding housing estate. Although the building at the site was more recently known as 'Briarwood', it was previously called 'Broadhurst House'. The building was of two-storey height and had a cruciform footprint occupying a substantial portion of the centre of the site. There was also a detached garage block located in the north-east corner of the site. Until a boundary review transfer to Rushmoor in 1992, the site was land within the jurisdiction of Hart District Council. Planning permission granted by Hart Council in 1967 for change of use of private residence to Rehabilitation Centre with playing fields. This institutional use was retained when the Barningly Park housing estate was developed in the 1980s, but ceased to be used for this purpose and became vacant approximately 6 years ago. Since then the property was sold into private ownership and, although boarded-up, became a target for vandalism and break-ins with associated anti-social behaviour. The roof of the building was substantially damaged by a fire set in the building in 2019. In June 2020, in the light of continued break-ins and anti-social behaviour, Rushmoor served a S.215 'Untidy Site' Notice to require the owner to demolish the building and detached garage block and to remove all of the demolition materials from the site within a period of 18 weeks. These works have since been undertaken and completed, leaving the site cleared and enclosed with site fencing and timber hoardings.

The proposal is for the residential re-development of the site with 10 X 3-bedroom detached houses. The existing private roadway (Sorrel Close) entering the south-east corner would be retained as the sole vehicular access. This would lead into a private shared surface roadway which would initially run parallel with the east site boundary then turn west towards and terminate at a turning head. All the proposed houses would have a simple rectangular footprint measuring 6.5 x 10 metres and be arranged backing onto the south, west and north boundaries surrounding the internal cul-de-sac roadway. With the exception of Units 8 and 10, which would have the longer elevation of the building fronting the internal roadway, the remainder of the proposed houses would be sited with the narrower face of the building as the plot frontage. Plots 1, 2 & 3 would back onto the south boundary of the site with private rear gardens measuring 10 metres in depth. Plots 4, 5, 6 & 7 would back onto the west boundary of the site adjoining Herbs End with private rear gardens of 8.5 metres in depth. Plots 8, 9 & 10 would back onto the north boundary of the site with private rear gardens of a minimum of 10 metres in depth.

Parking, comprising two spaces each, would be provided largely on-plot adjoining the houses all in the form of open parking spaces. Two visitor parking spaces would also be provided in the space between Plots 7 and 8.

The proposed new houses would have three-storeys of accommodation, although the second floor would be partially within the roofs. The roofs of the houses would be simple longitudinal ridges (or transverse ridges in the case of Plots 8 and 10) reaching a maximum height of 10.8 metres at the ridge and 7 metres to eaves above ground level. The external design is relatively conventional modern in style. The indicated external finishing materials are buff brick, with the remainder of the elevations in grey vertical boarding and some metal cladding spandrel panels between windows. The roofs are indicated to be blue/black slate. The houses would be arranged with the entrance hallway, kitchen, dining and utility rooms on the ground-floor; living rooms, bathroom and a bedroom on the first-floor; and two further bedrooms (one with en-suite) and a study room at second-floor level.

The application is accompanied by a Planning, Design & Access Statement, a separate Design & Access Statement prepared by the applicants' architects, a Transport Statement, Arboricultural Impact Assessment & Tree Protection and Tree Survey Reports, an Ecological

Impact Assessment, Flood Risk Assessment & Drainage Statement, and a Phase 1 Site Investigation Report.

The applicants are seeking to complete a s106 Planning Obligation to secure the necessary Public Open Space and SPA mitigation and avoidance financial contributions to address adopted Local Plan Policies and SPA impact.

Consultee Responses

HCC Highways Development Planning	No objection subject to imposition of a condition requiring a Construction Management Plan.
Environmental Health	No objections subject to standard conditions and informatives.
Contract Management	No objections.
Aboricultural Officer	No objections subject to Tree Protection conditions.
Hampshire Fire & Rescue Service	No objections and provides generic fire safety precautions advice.
Natural England	No objection subject to appropriate SPA mitigation being secured.
Hampshire & I.O.W. Wildlife Trust	No comments received within the consultation period, thereby presumed to have no objections.
Neighbourhood Policing Team	No comments received within the consultation period, thereby presumed to have no objections.
Thames Water	No objections, but the views of the Lead Local Flood Authority should be sought.
Lead Local Flood Authorities	No objection subject to condition.
Parks Development Officer	No objections and identifies POS project for which a s106 contribution is to be sought.
Hart District Council	No objections.

Neighbours notified

In addition to posting a site notice and press advertisement, 87 individual letters of notification were sent to the occupiers of properties in Nutmeg Close, Thyme Court, Herbs End, Purmerend Close, Broadhurst and Juniper Road, including all properties located adjoining or opposite the application site.

Neighbour comments

At the time of writing this report a total of 35 representations have been received from the occupiers of Nos.1, 2 & 3 Nutmeg Court; 18, 22, 26, 41, 87, 89 & 91 Broadhurst; 2, 6, 8, 10,

12, 17 & 23 Thyme Court; 7 & 15 Juniper Road; 8 & 10 Herbs End; 16 Purmerend Close; 11 & 16 Comfrey Close; 26 Chamomile Gardens; 8 Marjoram Close; 7 Coriander Close; 2, 7 & 9 Tarragon Close; 2 & 15 Fennel Close; 70 Harvey Road; 93 Kingsley Road (Farnborough); and 4 Albany Road, Fleet.

A number of the representations received indicate that they have no objections to the residential re-development of this brownfield land in principle. In this respect it is variously commented the site has endured anti-social behaviour associated with the dilapidated ruin of the fire-damaged Briarwood building blighting the community and link roads for some six years, so some form of re-development on this brown field site has been expected, is welcomed and it is hoped that development of the site will eradicate previous problems. Nevertheless it is opined that the replacement development must be the right, tailor-made, development for the site and, as such, **objection** is raised on the following summary grounds:-

- (a) The proposed development is an unacceptable over-development of the site that would be over-populated. It would be an over-crowded high-density development.
- (b) Adverse impact upon the visual character and appearance of the Barningly Park housing estate (comprising of homes built by Charles Church and Martin Grant Homes) due to the three-storey height and uncompromising modern design of the proposed houses; and the indicated use of external facing materials considered to be of unsightly 'industrial' appearance that would not be hidden by existing trees and vegetation. There is no existing three-storey high development in the Estate and existing houses are of traditional vernacular appearance and use of external materials such that proposed development would be unsympathetic to, clash with, and be out of keeping with the general character of the area. It would be an eyesore that would spoil the 'feel' and ambience of the Estate that has attracted existing residents to live there. The existing local character has been ignored. Red or brown bricks would be closer to the existing external facing materials present in the area – not the buff bricks and cladding proposed.
- (c) The scale, mass and height of the proposed houses would be over-dominant and intended solely to maximise the number of dwellings and developer profits.
- (d) Likely increased speed of/speeding traffic in Broadhurst and Nutmeg Court.
- (e) The proposed development is not acceptable or suitable with the current proposed vehicular access arrangements. The private access driveway for the site (Sorrel Close) is of one-way width and is not suitable for two-way traffic. The curve of Nutmeg Court also means that this is also effectively only suitable for one-way traffic. The Sorrel Close roadway is not designed for the level of traffic, including refuse, delivery and emergency vehicles, that would be associated with the proposed development.
- (f) The applicants' assessment of likely traffic generation for the proposed development is considered to significantly underestimate likely traffic volumes. Moreover, as previously existing, Briarwood did not generate much traffic as the use was an institutional residential use.
- (g) The Sorrel Close roadway is already in a poor state or repair due to damage caused by heavy vehicles associated with the demolition of the existing building and clearance of the site. It is not explained how, and by whom, the roadway would be repaired and maintained.
- (h) The proposed development would provide inadequate parking : the proposed new houses have potential to have more than the three-bedrooms indicated and, as such, to be even more deficient in on-site parking : 2 on-site spaces for each house is considered inadequate. Provision for visitor parking of just two spaces for the entire development is also inadequate;

- (i) No garages are provided for the proposed houses.
- (j) Existing on-street parking congestion problems in the area, particularly in Broadhurst, Nutmeg Court and Herbs End that would be likely to be exacerbated by overspill parking from the proposed development : residents and visitors to the vicinity already park on grass verges and pavements in the Estate. The private parking areas at the Broadhurst flats are already frequently subject to unauthorised parking to the inconvenience of residents - and this is thought likely to get worse as a result of the proposed development.
- (k) Existing problems with emergency vehicle, delivery lorries/vans and refuse lorry access to Nutmeg Court and other nearby congested areas within the Estate would be exacerbated;
- (l) No provision is made for the safety of pedestrians using Sorrel Close – it is part of an established pedestrian link within the Estate. Danger to pedestrians (particularly children) and persons with disabilities using Sorrel Close due to likely increased traffic and the lack of a pavement;
- (m) Parking on the grassed areas to the side of Sorrel Close is likely to occur. Combined with the likely creation of unofficial passing spaces using the grassed margins, the grassed areas would be damaged and turned to mud or dust and look unsightly – and be a danger to pedestrians. A way needs to be found to prevent mis-use of the grassed areas either side of the Sorrel Close roadway [*Officer Note: the Sorrel Close roadway and the public open space area to the west of the roadway (and to the south of the site) is land owned by Hart District Council. The grassed verge to the other (east) side of roadway and also land to the east of the application site itself is owned by Rushmoor Borough Council. The Property sections of both Councils have been notified and made aware of the current planning application and the potential implications for land adjoining the proposed development in the ownership of the Councils*].
- (n) Concerns regarding the possibility of Nutmeg Court being the location where bins for the proposed development would be positioned on collection days to be emptied. The proposed bin collection point within the proposed development itself is considered to be redundant in this respect since refuse lorries would not be likely to drive along Sorrel Close to empty bins on site because it is a private roadway. Collection of bins for the proposed development from Nutmeg Court is considered unacceptable.
- (o) The proposed first-floor lounge windows of the proposed houses could give rise to loss of (or a perceived loss of) privacy due to overlooking of adjoining and nearby properties at Nos. 6 & 8 Thyme Court, 7 & 15 Juniper Road and 8 & 10 Herbs End;
- (p) The relationship of the proposed development (Units 4-7) with existing properties in Herbs End (Nos.8 & 10 mentioned) too close; and the proposed houses too tall and overbearing and would give rise to a loss of light and outlook (bathroom and kitchen windows at No.10 Herbs End specifically mentioned in this respect). Similarly, the proposed Plot 10 house is thought to be too close to nearby Thyme Court properties.
- (q) Inadequate details have been submitted for the boundary enclosures to be erected to the margins of the application site – there is concern that these could give the proposed development an inappropriate institutional appearance.
- (r) Loss of, or threat to, mature trees, including TPO trees. Unnecessary loss of wildlife habitat (birds and possibly bats mentioned) and greenery. Adverse impacts likely on trees and wildlife bordering the application site. The site itself was already cleared of trees and vegetation before the application was submitted. Proposed dwellings are thought to be located too close to trees and the three-storey height of the proposed houses could have adverse implications. There should be no further felling of existing trees and tree and foliage retention maximised. [*Officer Note: No trees located within the application site itself have been removed as a result of the site clearance : indeed,*

what has been removed were garden shrubs not the subject of any protection and, as such, the site owner was within their rights to undertake this work. There is only one tree within the application site that is subject to TPO protection, which is a Scots Pine tree (part of Tree Group G6 of TPO No.408A) that remains intact].

- (s) Some trees outside the application site are shown to be unnecessarily removed to make way for the proposed development even though they are located on adjoining land and belong to the owners of the adjoining land - in this case Rushmoor & Hart Councils. [*Officer Note: this is a private property matter for the applicants to seek to resolve with the owners of the trees concerned : nevertheless these comments appear to originate from the practice of Arboricultural Consultants to grade trees in their reports to include a category recommending felling for those trees that are not considered to be worthy of retention even though there is no need or intention for the developer to undertake such work].*
- (t) There is a need to improve local ecology and replacement tree planting is required.
- (u) Increased air pollution, disturbance, noise and pollution detrimental to health and the environment.
- (v) The proposed development should be modified to reduce the number of dwelling units, reduce the building heights to two-storeys only, revised external materials to be more appropriate to the estate, and increased on-site parking provision. Vehicular access to the proposed development should be formed from Herbs End instead – in this respect the existing impediment of a covenant should be explored further. Alternatively, Sorrel Close needs to be upgraded to be a seamless addition to Nutmeg Court that is provided with kerbed edging and a pavement. [*Officer Note: the Council must consider the proposals that have been submitted with the application. The Council cannot consider alternative proposals that may be preferred instead or, indeed, refuse permission because alternative developments of the site can be envisaged].*
- (w) Noise, disturbance, inconvenience, heavy vehicle traffic and activity, overspill parking in Nutmeg Court etc during the construction period [*Officer Note: it is Government guidance that the impacts of the construction period of a development cannot be taken into account in determining planning applications].*
- (x) Loss of property value [*Officer Note: this is not a matter that can be taken into account in considering a planning application];*

A representation has also been received from **Hampshire Swifts**. This is a charity devoted to the conservation of Swifts in Hampshire and part of a national network of Swift groups throughout the UK. It is requested that consent for the proposed development should include a requirement for multiple internal nest sites for Swifts. Hampshire Swifts strongly recommend the installation of at least 10 integral Swift bricks within the development – and that this is secured by the imposition of a planning condition.

Policy and determining issues

The site is located within the built-up area of Farnborough. The site is not located within or near a Conservation Area and it does not contain a Listed Building or is near one.

Policies DE1 (Design in the Built Environment), DE2 (Residential Internal Space Standards) and DE3 (Residential Amenity Space Standards), DE6 (Open Space, Sport & Recreation), IN2 (Transport), NE1 (Thames Basin Heaths Special Protection Area), NE2 (Green Infrastructure – including Green Corridors), NE3 (Trees), NE4 (Biodiversity) and NE6-NE8 (Flood Risk and Drainage) of the adopted New Rushmoor Local Plan (2014-2032) are relevant to the consideration of the current application.

Also relevant is the Council's adopted Supplementary Planning Document (SPD) "Parking Standards" adopted in 2017. Since the SPD was subject to extensive public consultation and consequent amendment before being adopted by the Council, some significant weight can be attached to the requirements of this document. The advice contained in the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) is also relevant.

In this context, the key determining issues are considered to be:-

1. The Principle of the proposals;
2. Visual Impact
3. Impact on trees;
4. Impact on Neighbours;
5. The Living Environment Provided;
6. Highways Considerations;
7. Impact on Wildlife;
8. Drainage Issues; and
9. Public Open Space.

Commentary

1. Principle -

The proposals seek to develop existing brownfield land within an established residential housing estate in the built-up area of Farnborough. The proposed development is seeking to re-use previously developed land, which, within reason, continues to be a clear objective of both Government planning guidance and current adopted local planning policy.

The current scheme proposes the provision of ten dwelling units. New Rushmoor Local Plan Policy LN2 requires 30% affordable housing on schemes of 11 or more dwelling units, subject to viability. However, since the scheme proposes fewer dwelling units than this threshold, the requirements of this policy do not apply in this case.

Given the previously developed nature of the land, the Council's Environmental Health Team request that intrusive site investigations are undertaken in accordance with the recommendations of the submitted Phase 1 Site Investigation Report. This can be required by imposition of the usual standard planning conditions.

In the circumstances, it is considered that the proposals are acceptable in principle (subject to all usual development control issues being satisfactorily resolved in detail), since the proposals are clearly in line with Government objectives and the Council's own adopted planning policies.

2. Visual Impact -

The application site was left vacant, dilapidated and neglected for a considerable period of time and this has not had a positive impact on the character and appearance of its immediate surroundings, despite the site being, to an extent, screened and softened in views by distance and mature trees and other foliage. In any event, the site was previously occupied by a large building that also had its own impact upon the visual character and appearance of the area.

In this case, the vicinity of the application site has a mixed character, with a variety of conventional dwelling types, sizes, building-to-building separations, orientations and relationships and a variety of external materials. The site is not located within or near to a Conservation Area. It is Government planning guidance that, in assessing impact of proposed development upon the character and appearance of an area, this should be considered in the light of the impact upon the area as a whole. As a result, the existence of differences from neighbouring buildings in terms of such matters as building height, design, number of storeys and external finishing materials are not likely to be sufficient to identify material harm on the character and appearance of an area as a whole. Indeed, it is extremely rare for the character and appearance of an area to be narrowly defined by a particular building type, design, age, size, height and overall appearance : the character of most urban landscapes is usually defined by a more eclectic mixture of features and characteristics and, as such, there is room for variations in, for example, building design, scale, height and appearance. Furthermore, modern housing estates such as Barningly Park cover a large area and are, in a visual sense, compartmentalised into smaller areas : estate roads are typically curved and housing arranged into cul-de-sacs limiting the extent to which any particular locality can be seen from another. As in this case, housing is also interspersed with areas of public open space, trees and landscape planting. Views of the site from every direction would be relatively confined. It is therefore considered that it is impossible for one locality within an estate to be readily seen from other areas within the estate and, in any event, to such an extent as to have any conceivable material and adverse visual impact upon the character and appearance of the area as a whole.

Whilst undeniably of a relatively modern design and external appearance the proposed houses are considered to be entirely conventional and acceptable. Quality external materials would be used that are dominantly of traditional brick and slate. Given the variety of external materials used in the Estate, which includes examples of buff bricks, it is considered that the proposed development would make its own contribution to the existing variety found within the Estate.

The layout of the proposed development provides clear opportunities for quality landscape planting that could include native hedge planting of the site boundaries and other native planting. It is considered that details in this respect can be secured with the usual planning conditions.

Notwithstanding the objections raised, it is not considered that the proposed development would materially and harmfully affect the visual character and appearance of the area. Indeed, that the proposed development would be appropriately sympathetic to the already varied pattern and form of development of the area. It is therefore considered that the proposals are acceptable in visual terms.

3. Impact on Trees -

A good number of the trees in the immediate vicinity of the application site are of significant stature and amenity value; and are located outside the boundaries of the site, mainly on the margins of the public open space to the north and south of the application site, where they provide partial screening of the site from the main areas of the public open space in which they are situated. In the case of the trees outside the site to the north (on land in the ownership of Rushmoor BC), there are some 13 trees, of which 12 (mainly Oaks, but also a Horse Chestnut and a Pine) form part of Tree Group 7 of Tree Preservation Order No.407. There is also a non-TPO Holly tree in this group of trees. Combined with a group of three

Leyland cypress trees situated just within the site boundary, all are shown to be retained.

With respect to trees located outside the application site to the south (on land in the ownership of Hart District Council), these comprise a total of 12 trees, of which 5 Scots Pines adjacent to Sorrel Close near the site access point (most of Tree Group G6) and an Oak tree (T33) of TPO No.408A. The final Scots Pine tree of Tree Group No.6 of TPO 408A is located just within the application site boundary near the access point and is the only TPO tree located within the application site. All of these trees are shown to be retained. A further 6 lesser trees are also located just within or outside of the south boundary of the application site. Although two of these tree are identified by the applicants' Arboricultural Consultant as being compromised and are recommended for removal, this action is not required to enable the proposed development to take place and such action would, in any event, require the consent of the landowner.

To the west side, adjoining Herbs End there is a non-TPO Cherry tree that is indicated to be retained. Similarly, there are two Yew trees indicated to be retained located beyond the east boundary of the site (land owned by Rushmoor BC) close to the existing site access. A pair of Rowan trees also located on land outside the application site (owned by Rushmoor BC) located between Sorrel Close and the rear boundary of No.91 Broadhurst are identified by the applicants' Arboricultural Consultant as being in decline and recommended for removal. However, this action is not required to enable the proposed development to take place and such action would, in any event, require the consent of Rushmoor BC.

Given the evident value of the adjacent trees it is considered that the proposed development has been designed to provide adequate separation from them. No protected trees are proposed to be removed as a result of the proposals. Although the applicants' Arboricultural Consultant considers that four lesser non-TPO trees should perhaps be removed, there is no necessity for this work to be done as a consequence of the proposed development and, in any event, the applicant does not own these trees. Arboricultural Impact Assessment & Tree Protection and Tree Survey Reports have been submitted with the application assessing both the condition/quality of the trees, but also setting out recommended tree protection measures to be observed for the duration of the construction phase of the proposed development.

The Council's Arboricultural Officer is satisfied that the existing trees to be retained would be adequately protected from harm during the construction period. Furthermore, whilst it can be a matter of concern that 'future resident pressure' may arise where existing trees are located adjoining or within proposed new house plots, whereby undue pressure may be brought to bear on the Council to allow inappropriate works to trees in the future, the Council's Arboricultural Officer also raises no objections to the proposals in this respect. Indeed, it is considered that the position and amenity space provision of the proposed house plots has been appropriately considered in the site layout design to ensure that no proposed house plot would be unduly and inappropriately impacted and dominated by trees and tree shading. Furthermore, the houses offer spacious internal accommodation. In the circumstances, it is not considered that any concern about future resident pressure is sufficient to justify the refusal of planning permission in this case. Subject to the imposition of conditions requiring the proposed tree protection measures be implemented in full and retained for the duration of the construction period of the proposed development, it is considered that the proposals are acceptable having regard to Policy NE3.

Overall, subject to imposition of standard tree protection conditions, it is not considered that the proposed development would materially and harmfully affect trees worthy of retention.

4. Impact on neighbours -

The existing long-standing disuse of the application site, unresolved status, vandalism and other anti-social behaviour associated with the site, in addition to uncertainty about the future development and use of the site, have been matters of concern to local residents for a number of years.

A number of amenity concerns have been raised by objectors, predominantly in respect of loss of light and outlook; the potential for loss of privacy due to undue overlooking of adjoining and nearby residential properties in Thyme Court, Juniper Road, Herbs End; and also concerns about undue noise, disturbance, activity and pollution. Concerns are also raised by residents in Nutmeg Court about bin collections from the proposed development.

When considering impacts upon neighbours, the basic question for the Council to consider is whether or not the impacts of the proposed development on the residential amenities of neighbouring properties would be both materially *and* harmfully impacted in planning terms. The correct test in this respect is whether or not existing neighbouring properties would, as a result of the proposed development, maintain acceptable amenities to meet the needs of residential occupation. It is not the role of the Planning system to defend neighbours against the loss of any private views from their properties where these views are derived from over adjoining land not in their ownership. In terms of privacy concerns, a degree of mutual overlooking often exists between neighbours and this is considered both normal and acceptable. It is necessary for the Council to consider whether or not occupiers of neighbouring properties would be subjected to unacceptable undue overlooking rather than any overlooking at all. Overall, it is the role of the Planning system to consider and decide whether or not neighbouring and nearby residential properties would continue to possess an acceptable living environment for occupiers in planning terms as a result of a proposed development.

In this context, the impact of the proposed development upon the nearest and/or adjoining residential properties surrounding the application site are considered in the following paragraphs:-

Nos.6, 8, 10 & 12 Thyme Court : These four neighbouring properties have rear gardens enclosed by conventional 1.8 metre timber fencing backing onto the 6-metre wide grassed strip of land owned by the Council that separates them from the east side of the application site. As a consequence these properties would have a largely unobstructed view of the application site from the rear windows of their houses, certainly at first-floor level, but less so at ground floor level. In terms of the proposed development, the closest elements of the scheme would be Plot 10 (sited sideways-on to these neighbours) and the internal access roadway. The minimum building-building separation distance would be approximately 20 metres from the blank side elevation of the Plot 10 house and the rear elevation of No.10 Thyme Court. The projecting part of the side elevation of the Plot 9 house would be a further 12 metres distant, but also be a blank elevation. In order of further increasing building-building separation distances at increasingly oblique angles from the side wall of the Plot 10 house are Nos.8 Thyme Court (22 metres), 12 (25 metres) and 6 (28 metres). The front elevation of the Plot 1 house faces the access roadway near the site entrance and, as such, faces obliquely towards the rear of No.12 Thyme Court, but at a minimum separation of approximately 32 metres distant. The Plot 1 house is specifically designed such that the living room window is furthest offset and would have a separation distance of approximately 34 metres from the rear wall of No.12 and 20 metres from the rear fence boundary of this

neighbouring property with a pair of yew trees located between.

In the circumstances, whilst it is accepted that the proposed development would be visible from these neighbouring Thyme Court properties, the impact upon the occupiers would cause insufficient material planning harm to justify the refusal of planning permission. Indeed, a direct building-to-building separation distance of 20 metres with no intervening screening other than a conventional 1.8 metre boundary fence separating the garden areas is conventionally considered to maintain adequate mutual privacy between residential properties and, thereby, to be acceptable in planning terms.

No.4 Thyme Court and No.15 Juniper Road : These properties are separated from the north boundary of the application site by the intervening Rushmoor-owned area of public open space, albeit at its east end where it narrows down into a footpath link that runs between the private-drive serving No.4 and the side boundary of No.6 Thyme Court. These neighbouring properties are sited roughly parallel to the public open space boundary and share a rear garden boundary with each other. Although objection to the proposals has been raised by the occupier of No.15 Juniper Road, to date no comments have been received from the occupiers of No.4 Thyme Court. In this location, the side boundaries of these properties would be separated a minimum of approximately 32 metres (rear elevation of the Plot 10 house to the side boundary of No.4 Thyme Close) and 34 metres (rear elevation of Plot 9 house. Although the occupiers of No.7 Juniper Road have also objected raising overlooking concerns, this property is located even further distant from the proposed development. In all cases these neighbouring properties would also benefit from the significant screening effect of the mature TPO tree belt located on the public open space area adjoining the application site. It is considered that the relationship of the proposed development to these nearby residential properties is acceptable in planning terms.

Nos.8 & 10 Herbs End : Are a pair of semi-detached houses fronting the west side of Herbs End obliquely opposite the north-west corner of the application. The front elevations of these properties face the Rushmoor-owned public open space north of the application site and views of the application site are screened by the end of the TPO tree belt that adjoins the north side of the application site. A smaller area of public open space lays adjacent to the side of No.10 Herbs End, separated by a private drive that serves Nos.12-16 Herbs End further to the rear. Objection has been raised concerning the proximity of Plots 4-7 of the proposed development to No.8 & 10 Herbs End although it is the rear of the Plot 7 house that is the closest : the building-building separation distance is approximately 27 metres between the nearest front corner of No.10 and the nearest corner of the Plot 7 house. The windows of the Plot 7 house are also orientated such that they would not face directly towards No.10 and, indeed, designed to look towards the adjoining public open space. Given the design of the proposed scheme combined with the retained TPO tree screen it is considered that the relationship of the proposed development with Nos.8 & 10 Herbs End would be acceptable.

Nos.18 & 26 Herbs End : Occupiers of neither of these nearby residential properties have made representations in respect of the planning application to date. These properties are a pair of back-to-back houses that are sited sideways-on to the Herbs End road frontage opposite the south-west corner of the application site. In this location, No.18 is angled to face towards the smaller area of public open space located between Nos.10-16 and 18-24 Herbs End. With the exception of a small first-floor bathroom or toilet window in the side elevation facing the road, this property does not have any significant view towards the application. Similarly, No.26 Herbs End has no view towards the application site, with its front elevation facing south down Herbs End towards the cul-de-sac end. The nearest element of the proposed development in respect of these neighbouring properties would be the Plot 4

house, which would be separated a minimum building-building distance of 23 metres. It is not considered that the relationship of the proposed development with these nearby neighbouring properties would be undue.

No.91 Broadmead : This detached property is located backing onto the Rushmoor-owned grass verge adjoining the east side of the Sorrel Close roadway near the entrance into the application site at the south-east corner. The rear garden of this property is enclosed with conventional timber fencing. In this location the nearest elements of the proposed development would be the internal access roadway, with the Plot 1 house beyond. The closest building-building separation distance between the front elevation of the Plot 1 house and the rear elevation of No.91 would be approximately 32 metres at an oblique angle. On this basis it is considered that the relationship with this neighbouring property would be acceptable.

Specific concerns have been raised concerning the possible loss of some smaller trees located outside the application site to the rear of No.91. However, as has been commented previously in this report, there is no need for these trees to be removed to enable the proposed development to proceed and such works would necessitate the agreement of Rushmoor BC as landowner.

Nos.1, 2 & 3 Nutmeg Court : Although these properties are located some distance from the proposed development [the corner of the Plot 1 house is separated in excess of 35 metres from the nearest corner of the house at No.3 Nutmeg Court at a very oblique angle] they front the sole vehicular access route to the development site. Sorrel Close runs from the adopted highway turning head at Nutmeg Court adjacent to the side of No.3 Nutmeg Court. However it is not considered that the proposed development would give rise to a volume of traffic materially different to that which could have arisen with the site in its former institutional use. Furthermore, a private drive access serving a residential development of the size proposed is not an unusual arrangement within housing developments nationwide. In the circumstances, whilst occupiers of Nos.1, 2 & 3 Nutmeg Court would be impacted by the proposed development, this is not considered to be to the extent that would justify the refusal of planning permission.

Concern has also been specifically raised about the prospect of the refuse and recycling bins from the development being emptied into the refuse lorry in the vicinity of the Nutmeg Court turning head instead of this activity taking place within the proposed development itself. However it would be usual for refuse lorry collections to take place from the nearest adopted public highway.

Due to a combination of the design, degree of separation and the orientation of the proposed new houses relative to neighbours it is considered that the proposals would provide acceptable relationships with all adjoining neighbours having regard to outlook, sunlighting/daylighting and privacy considerations. It is not considered that any other property in the vicinity not specifically mentioned above would be materially and adversely impacted by the proposed development having regard to residential amenity considerations.

Concerns have also been expressed by objectors about the possibility of generally increased noise, disturbance and pollution arising from the proposed residential development. However it is considered that the type and nature of activity resulting from the proposed development would be conventional and typical of that which occurs in residential cul-de-sacs. In the circumstances, whilst it is appreciated that the proposals would result in change for existing residents, the resulting activity would neither be undue nor unacceptable in planning terms. It

is considered that objectors' concerns in this respect would be insufficient justification for the refusal of planning permission.

In conclusion it is considered that the proposed development would have an acceptable impact upon neighbours.

Given the cul-de-sac location of the application site it is considered appropriate that a condition be imposed to require submission of a Construction Management Plan to set out the measures to be employed during the construction phase to minimise noise, vibration, dust and other emissions to, as far as practicable, limit impacts upon the amenity of neighbours. Likewise, the parking and traffic generation impacts of the construction and fitting-out periods of the development. Although planning applications cannot be refused on account of the likely construction phase impacts, it is considered reasonable to require the submission of details of construction management measures given the scale of the development and the clear potential for this to give rise to nuisance and inconvenience to neighbours.

5. The living environment created -

The proposed houses would provide accommodation meeting the Government minimum internal floorspace standards appropriate for their level of occupancy. The proposed development is also able to provide on-site amenity space for residents in the form of private rear gardens exceeding the requirements of New Local Plan Policy DE3.

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

6. Highways considerations -

It is current Government guidance that denying planning permissions on highways grounds is only justified and appropriate where it is demonstrated to give rise to '**severe**' harm to the safety and/or convenience of highway users. It is not sufficient to merely identify concern about a highway matter. Furthermore, clear evidence of wider highway harm(s) being caused with severe impact(s) must be identified. As a consequence, refusal on highway grounds is required to exceed a high threshold. Furthermore, it is long-standing Government guidance that it is neither appropriate nor reasonable for developers to be required to resolve existing highway problems in the vicinity of their site in order to secure planning permission that they are neither responsible for, nor would materially exacerbate.

The proposed development would utilise the existing vehicular access to/from Nutmeg Court via Sorrel Close. The applicants benefit from a long-standing legal right of way to use Sorrel Close. The roadway itself is land owned by Hart District Council; and the land to either side is owned by either Hart District or Rushmoor Borough Councils, whom could take measures to prevent misuse of, or damage to, the grassed verges were this to occur. The issue of the repair and maintenance of the Sorrel Close roadway is a private property matter to be resolved, if necessary, between the developer and the landowner.

Sorrel Close would, as now, be a private shared surface driveway where pedestrians are not segregated from vehicular traffic. This is an arrangement that encourages slow incoming and

outgoing traffic speeds and is a conventional feature of many small infill residential developments (such as the current proposals) nationwide. Shared surfaces do not need to be wide enough for two-way traffic; and there is good visibility along the driveway and ample turning space provided on-site for passing manoeuvres to take place. It is considered to be of an acceptable width and overall standard to serve the proposed development. The overall arrangement and position of parking internally within the development is considered to be acceptable.

Although concerns have been raised by objectors about additional traffic arising as a result of the proposed development, it is not considered that this would be materially different from the level of traffic that could have arisen from the former institutional use of the site. In this respect the property was not used particularly intensively during its final years of use as the institutional use was wound down. It is considered that it is legitimate for the applicants' Transport Statement to consider the implications of the potential traffic generation that could typically arise from an institutional use of the type and scale that could have previously existed on this site in assessing the impact of the proposed new development.

Possible excess traffic speeds in Broadhurst and Nutmeg Court are a further concern that has been raised by objectors. However, it is considered inappropriate to withhold planning permission on the basis of motorist behaviour that would, if it were possible, be reckless and potentially illegal and subject to law enforcement.

The Highway Authority (Hampshire County Council) has raised no objections to the proposed development on the grounds of traffic generation and any the capacity of Sorrel Close and Nutmeg Court to serve the traffic associated with the proposed development. Additionally, no concerns are expressed about the safety or capacity of the junction of Nutmeg Court with Broadhurst. The sightlines and junction arrangement there are considered to be conventional and acceptable.

Notwithstanding the objections raised concerning the adequacy of the proposed parking provision, the proposed development makes provision for on-site parking comprising two parking spaces for each of the proposed 3-bedroom houses; plus a further two unallocated parking spaces would also provided within the development for visitors. Cycle parking is shown to be provided by sheds with each of the proposed house plots. The proposals thereby meet the Council's adopted parking standards in full and, as such, the proposed development makes appropriate and acceptable provision for parking on-site to support itself.

All of the proposed house plots are shown to be provided with adequate space for the storage of refuse/recycling bins and this can be secured and retained with the imposition of the usual planning condition. Whilst objectors consider the proposed bin collection arrangements to be unacceptable, the proposed arrangements are conventional and no objections are raised by the Council's Operations Manager (Domestic Bin Collection).

No Transport Contribution can currently be justified in this case because the proposed development is too small to justify seeking such a contribution.

It is considered that the proposals are acceptable in highways terms.

7. Impact Upon 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 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 (2019)], 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 10 net new residential units within the Farnborough urban area. As such, the proposed development is located within the 5km zone of influence of the SPA but outside the 400-metre exclusion zone. The proposed development is neither connected to, nor necessary to the management of, the Thames Basin Heaths SPA. Furthermore, the proposed development would not result in a net increase in traffic movements in excess of 1000 vehicular movements per day in proximity to the SPA.

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

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

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

The project the subject of the current planning application being assessed would result in a net increase of dwellings within 5 km of a boundary of part of the Thames Basin Heaths SPA. In line with Natural England guidance and adopted New Rushmoor Local Plan Policy NE1 and Thames Basin Heaths Avoidance & Mitigation Strategy (2020), 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 2020. 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 CP13 and the AMS applicants must:-

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

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

In this case the applicants have provided written evidence that they have acquired SANGS capacity from the Hart District Council Bramshot Farm SANGS scheme sufficient for the 10 new dwelling units proposed, costing the applicants £101,114.70 that has already been paid to Hart DC. Furthermore, the applicants are also seeking to provide a financial contribution of £7,110.00 towards SAMMS by way of a s106 planning obligation submitted to Rushmoor BC, on implementation of the proposed development.

Conclusions of Appropriate Assessment.

On this basis, the Council are satisfied that, subject to the receipt of a satisfactory completed s106 Planning Obligation, the applicants will have satisfactorily mitigated for the impact of their proposed development on the Thames Basin Heaths SPA in perpetuity in compliance with the requirements of New Rushmoor Local Plan Policy NE1 and the AMS. Accordingly it is considered that planning permission can be granted for the proposed development on SPA grounds.

Site Specific Protected Species.

According to the submitted Ecological Impact Assessment, the application property has limited potential to host roosting bats and other protected wildlife species. Indeed, the most likely potential for wildlife interest arises from the tree belts that are located adjoining the site to the north and south on land in separate ownership. It is not considered that the proposed development would have any material and harmful impact on this. In any event, should the developer encounter protected wildlife species on site during the course of implementing the proposed development they are entirely separately obliged to observe the requirements of the Wildlife & Countryside Act 1999.

Biodiversity.

In addition to Policy NE4, Local Plan Policy NE2 (Green Infrastructure) requires that development provides green infrastructure features within the development and maximises opportunities for improvement to the green infrastructure network, including restoration of fragmented parts of the network. This approach is also supported by the NPPF. In this respect, development proposals should seek to secure opportunities to enhance biodiversity and include proportionate measures to contribute, where possible to a net gain in biodiversity, through creation, restoration, enhancement and management of habitats and features, including measures that help to link key habitats. Given the existing limited biodiversity potential of the site itself, but its position adjoining public open space and mature trees, it is considered that there is clear potential to provide proportionate biodiversity gain even with relatively modest, but eminently achievable, works within the site itself.

In the circumstances, it is considered appropriate that a condition be imposed to require the developer to submit details of, and implement and retain, biodiversity enhancements as part of the development to meet the requirements of New Rushmoor Local Plan Policy NE4. This could include, for example, the provision of some nesting boxes for birds. It is also considered appropriate to add an informative to remind the developer of the requirements of the Wildlife & Countryside Act with respect to any protected wildlife species that may be encountered on site notwithstanding the results of the various surveys already undertaken.

8. Surface Water Drainage -

Adopted Local Plan Policy NE8 (Sustainable Drainage Systems) requires that developments include the implementation of integrated and maintainable Sustainable Urban Drainage Systems (SUDS) in all flood zones for both brownfield and greenfield sites. The site is located on land at lowest risk of flooding. A Flood Risk Assessment and Drainage Statement Report has been submitted with the application that considers how to incorporate SUDS having regard to the need to protect the rooting areas of trees to be retained. Indeed, constructing soakaways within the rooting areas would not be appropriate. The applicants indicate that a SUDS soakaway system could be incorporated into the development to deal with surface water drainage on site that would be located under the parking spaces and roadway within the development. Or, alternatively, that surface water storage could be disposed of at an appropriate controlled low rate into the existing public sewers.

The Lead Local Flood Authority (Hampshire County Council) (LLFA) has considered the applicants' submissions in this respect and notes that infiltration testing would need to be undertaken to establish whether or not adequate soakaway disposal is feasible and appropriate. Nevertheless, it is considered that the controlled discharge off-site disposal solution offers a viable alternative should soakaways not work. In the circumstances the LLFA raises no objections subject to the imposition of a condition to require details to be submitted of the surface water drainage solution to be adopted for the site. Subject to the imposition of the requested condition to require the submission of details in this respect, it is considered that the requirements of adopted Rushmoor Local Plan Policies NE6-8 would be met.

9. Public open space -

Policy DE6 of the New Rushmoor Local Plan seeks to ensure that adequate open space provision is made to cater for future residents in connection with new residential developments. The policy does not set a threshold of a particular number of dwellings or size of site above which the provision is required. The site is not big enough to accommodate anything other than the development proposed and any associated landscape planting.

This is a circumstance where a contribution [in this case £22,000.00 towards the off-site provision of public open space comprising: Play area refurbishment/renewal at either Pinewood Park or Pyestock Crescent Playground] secured with a s106 Planning Obligation would be appropriate. Subject to the applicant satisfactorily completing and submitting the s106 Obligation in this respect, the proposal is considered to be acceptable having regard to the requirements of adopted Rushmoor Local Plan Policy DE6.

Conclusions -

Notwithstanding the objections raised in the representations received, the proposals are considered acceptable in principle; would have no material and harmful impact upon the visual character and appearance of the area as a whole; have no material and adverse impact on neighbours; would provide an acceptable living environment; and are acceptable in highway terms. Having regard to the contribution already made towards the Bramshot Farm SPA mitigation scheme and the Strategic Access Management Measurement contribution to be secured by the s106 Planning Obligation, the proposals would have no significant impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area. Subject to the Public Open Space contribution being secured by the s106 Planning Obligation the proposals would satisfactorily address the requirements of adopted Rushmoor Local Plan Policy DE6. It is not considered that the site harbours any significant protected wildlife, nevertheless appropriate biodiversity gain can be secured as a result of the development. The proposals are thereby considered acceptable having regard to Policies DE1, DE2, DE3, DE6, IN2, NE1, NE3, NE4 and NE6-8 of the adopted Rushmoor Local Plan (2014-2032).

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 by 30 April 2021 to secure the SAMMs SPA and Public Open Space contributions as set out in the report, the Head of Planning in consultation with the Chairman be authorised to **GRANT** planning permission subject to the following conditions and informatives:-

However, in the event that a satisfactory s106 Agreement is not received by 30 April 2021, the Head of Planning, in consultation with the Chairman, be authorised to **REFUSE** planning permission on the grounds that the proposal does not provide a financial contribution to mitigate the effect of the development on the Thames Basin Heaths Special Protection Area in accordance with The Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy and adopted Rushmoor Local Plan Policy NE1; and does not make appropriate provision for Public Open Space in accordance with the requirements of adopted Rushmoor Local Plan Policy DE6.

1. The development hereby permitted shall be begun before the expiration of one year from the date of this permission.

Reason - As required by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, to reflect the objectives of the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy as amended November 2017 and to accord with the resolution of Rushmoor's Cabinet on 17 June 2014 in respect of Planning Report no PLN1420.

2. The permission hereby granted shall be carried out in accordance with the following approved drawings and details – L01 REV.A; PP 0010 REV.B; PE 0010; PE 0011; PE 0009; PE 0012; PE 0013; PE 0014; PP 0031 REV.A; PP 0032 REV.A; PP 0033 REV.A; PP 0034 REV.A; PP 0011 REV.B; Design & Access Statement; Ecological Impact Assessment; Flood Risk Assessment & Drainage Statement; Planning, Design & Access Statement; Transport Statement; Tree Survey Report;

Phase 1 Site Investigation; and Arboricultural Impact Assessment & Tree Protection Report

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

3. Construction of the following elements of the development hereby approved shall not start until a schedule and/or samples of the materials to be used in them have been submitted to, and approved in writing by, the Local Planning Authority. Those elements of the development shall be carried out using the materials so approved and thereafter retained:

External walls;
Roofing materials;
Window frames;
Rainwater Goods; and
Ground Surfacing Materials

Reason - To ensure satisfactory external appearance. *

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

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

5. Prior to occupation or use of the development hereby approved, screen and boundary walls, fences, hedges or other means of enclosure for the boundaries of the overall site and between adjoining plots within the development hereby approved shall be installed in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed and retained in accordance with the details so approved prior to the first occupation of the new dwellings hereby permitted.

Reason - To safeguard the amenities of neighbouring property. *

6. The development hereby permitted shall not be occupied until the parking spaces shown on the approved plans have been constructed, surfaced and made available to occupiers of, and visitors to, the development as allocated on the approved plans. Thereafter these parking facilities shall be kept available at all times for their intended purposes as shown on the approved plans. Furthermore, the parking spaces shall not be used at any time for the parking/storage of boats, caravans or trailers.

Reason - For the avoidance of doubt and to ensure the provision, allocation and retention of adequate off-street car parking. *

7. Provision shall be made for services to be placed underground. No overhead wire or cables or other form of overhead servicing shall be placed over or used in the development of the application site.

Reason - In the interests of visual amenity.

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

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

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

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

10. Prior to the commencement of development a Construction & Traffic Management Plan to be adopted for the duration of the construction period shall be submitted to and approved in writing by the Local Planning Authority. The details required in this respect shall include:

- (a) the provision to be made for the parking and turning on site of operatives and construction vehicles during construction and fitting out works;
- (b) the arrangements to be made for the delivery of all building and other materials to the site;
- (c) the provision to be made for any storage of building and other materials on site;
- (d) measures to prevent mud from being deposited on the highway;
- (e) the programme for construction; and
- (f) the protective hoarding/enclosure of the site.

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

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

11. No construction works pursuant to this permission shall take place until a detailed surface water drainage scheme for the site, based on the principles within the Proposed Drainage Strategy ref: 4307-BRIA-ICS-XX-RP-C-07.001, has been submitted and approved in writing by the Local Planning Authority. The submitted details should include:-

- a. A technical summary highlighting any changes to the design from that within the Flood Risk Assessment hereby approved.
- b. Infiltration test results undertaken in accordance with BRE365 and providing a representative assessment of those locations where infiltration features are proposed.
- c. Detailed drainage layout drawings at an identified scale indicating catchment areas, referenced drainage features, manhole cover and invert levels and pipe diameters, lengths and gradients.

- d. Detailed hydraulic calculations for all rainfall events, including the listed below. The hydraulic calculations should take into account the connectivity of the entire drainage features including the discharge location. The results should include design and simulation criteria, network design and result tables, manholes schedule tables and summary of critical result by maximum level during the 1 in 1, 1 in 30 and 1 in 100 (plus an allowance for climate change) rainfall events. The drainage features should have the same reference that the submitted drainage layout.

Details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings. The submitted details shall include:-

- a. Maintenance schedules for each drainage feature type and ownership.
- b. Details of protection measures.

The condition of the existing sewer that will take surface water from the development site should be investigated before any connection is made. If necessary, improvement to its condition as reparation, remediation, restitution and replacement should be undertaken. Evidence that the Asset Owner has agreed to the proposed connection and discharge rate should be submitted to the Local Planning Authority before any such connection is made.

Such details as may be approved shall be implemented in full prior to the first occupation of the new building and retained in perpetuity.

Reason - To reflect the objectives of Policy NE8 of the New Rushmoor Local Plan (2014-2032). *

12. No works pursuant to this permission shall commence 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. *

13. In the event that unforeseen ground conditions or materials which suggest potential or actual contamination are revealed at any time during implementation of the approved development it must be reported, in writing, immediately to the Local Planning Authority. A competent person must undertake a risk assessment and assess the level and extent of the problem and, where necessary, prepare a report identifying remedial action which shall be submitted to and approved in writing by the Local Planning Authority before the measures are implemented.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared and is subject to approval in writing by the Local Planning Authority.

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

14. Prior to occupation of any part of the development hereby approved, the refuse bin and cycle storage for each individual house plot and communal bin collection area as shown on the plans hereby approved shall be provided in full and retained thereafter at all times.

Reason - In the interests of visual amenity and highway safety.

15. No works shall start on site until existing trees and shrubs/hedges to be retained on and adjoining the site have been adequately protected from damage during site clearance and works in accordance with the details that are set out in the Venners Arboriculture Arboricultural Impact Assessment & Tree Protection Report hereby approved with the application. Furthermore, no materials or plant shall be stored and no buildings erected within protective fencing to be erected at the margins of the root protection area of each tree/shrub/hedge to be retained as appropriate.

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

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

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

17. 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, D and E of Part 1; and Class L of Part 3; 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 to prevent adverse impact on traffic and parking conditions in the vicinity.

18. 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 additional windows, doors or openings of any kind shall be inserted in the first-floor elevations and roofs of the new development hereby permitted without the prior permission of the Local Planning Authority.

Reason - To protect the amenities of neighbouring residential properties.

19. 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, garages 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. *

20. The development hereby approved shall not be occupied until measures to protect buildings (and garden areas) from railway noise have been implemented in accordance with a detailed scheme to include the acoustic fence shown on the plans hereby approved, together with full details of acoustic double glazing and acoustic ventilation as described in the Noise Impact Assessment report submitted with the application, that has been first submitted to and approved in writing by the Local Planning Authority.

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

21. The development hereby approved shall not be occupied until a biodiversity enhancement plan and a pro-forma checklist clearly setting out the steps required to implement these enhancements has been submitted to, and approved by, the Local Planning Authority.

Note: the enhancement plan and checklist should be based on the recommendations in the various wildlife reports submitted in support of the application, presenting them in a clear and concise format suitable for use during construction site project management.

No dwelling shall be occupied until the checklist approved under this condition has been completed, signed off by the project ecologist / wildlife consultant and approved in writing by the Local Planning Authority.

Reason: to protect and enhance biodiversity in accordance with Policy NE4 of the New Rushmoor Local Plan (2014-2032) and para 175 of the NPPF. *

INFORMATIVES

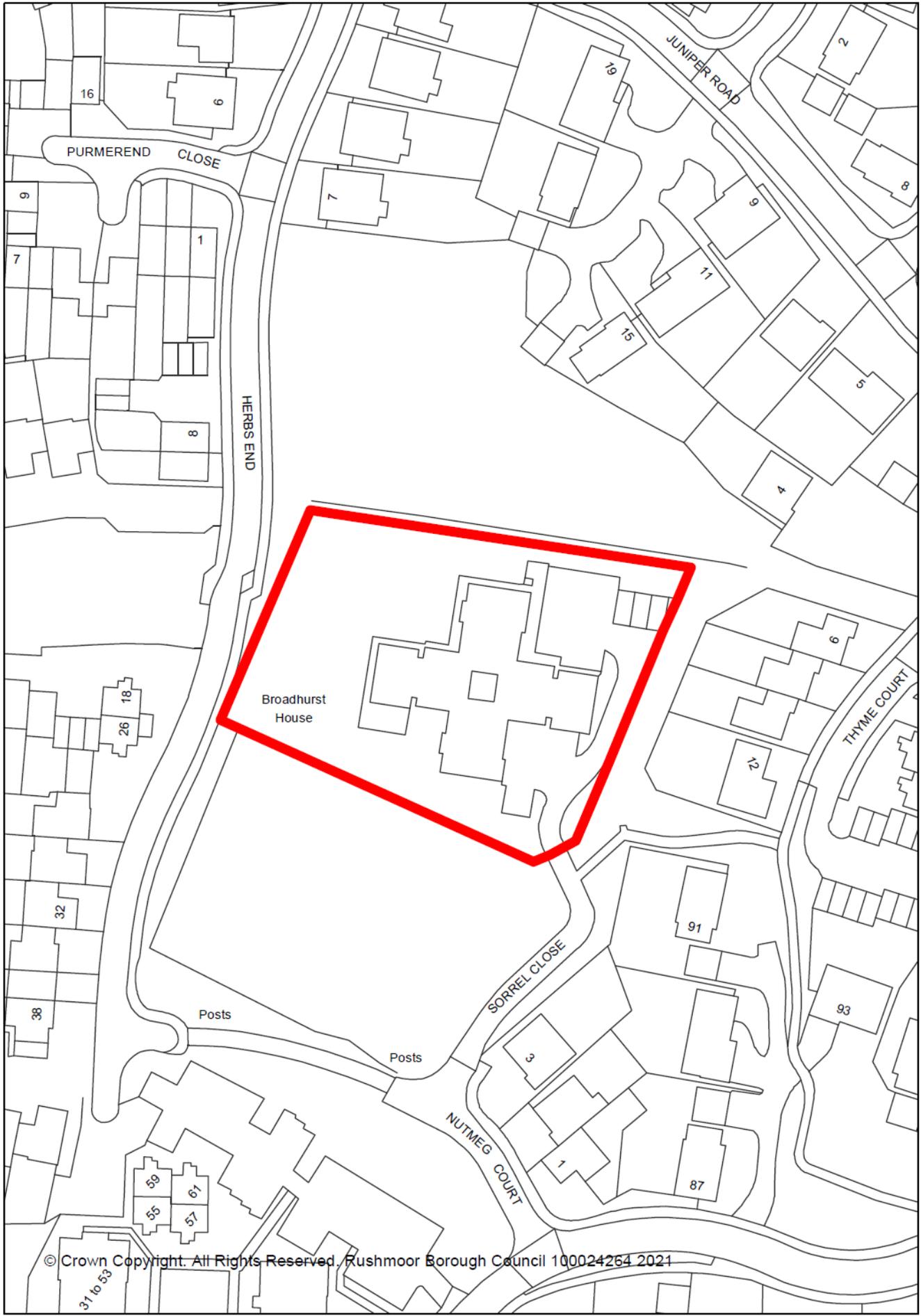
- 1 **INFORMATIVE - REASONS FOR APPROVAL-** The Council has granted permission because:-

The proposals are considered acceptable in principle; would have no material and harmful impact upon the visual character and appearance of the area as a whole; have no material and adverse impact on neighbours; would provide an acceptable living environment; and are acceptable in highway terms. Having regard to the contribution already made towards the Bramshot Farm SPA mitigation scheme and the Strategic Access Management Measurement contribution to be secured by the s106 Planning Obligation, the proposals would have no significant impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area. Subject to the Public Open Space contribution being secured by the s106 Planning Obligation the proposals would satisfactorily address the requirements of adopted Rushmoor Local Plan Policy DE6. It is not considered that the site harbors any significant protected wildlife, nevertheless appropriate biodiversity gain can be secured as a result of the development. The proposals are thereby considered acceptable having regard to Policies DE1, DE2, DE3, DE6, IN2, NE1, NE3, NE4 and NE6-8 of the adopted Rushmoor Local Plan (2014-2032).

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

- 2 **INFORMATIVE -** This permission is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
- 3 **INFORMATIVE -** Your attention is specifically drawn to the conditions marked *. These condition(s) require the submission of details, information, drawings etc. to the Local Planning Authority BEFORE a certain stage is reached in the development. Failure to meet these requirements is in contravention of the terms of the permission and the Council may take enforcement action to secure compliance. As of April 2008 submissions seeking to submit details pursuant to conditions or requests for confirmation that conditions have been complied with must be accompanied by the appropriate fee.
- 4 **INFORMATIVE -** The applicant is recommended to achieve maximum energy efficiency and reduction of Carbon Dioxide emissions by:
- a) ensuring the design and materials to be used in the construction of the building are consistent with these aims; and
 - b) using renewable energy sources for the production of electricity and heat using efficient and technologically advanced equipment.
- 5 **INFORMATIVE -** The applicant is advised to contact the Recycling and Waste Management section at Rushmoor Borough Council on 01252 398164 with regard to providing bins for refuse and recycling. The bins should be:
- 1) provided prior to the occupation of the properties;
 - 2) compatible with the Council's collection vehicles, colour scheme and specifications;

- 3) appropriate for the number of occupants they serve;
 - 4) fit into the development's bin storage facilities.
- 6 INFORMATIVE - No materials produced as a result of site preparation, clearance, or development should be burnt on site. Please contact the Council's Environmental Health Team for advice.
- 7 INFORMATIVE - The applicant is advised that during the construction phase of the development measures should be employed to contain and minimise dust emissions, to prevent their escape from the development site onto adjoining properties. For further information, please contact the Council's Environmental Health Team.
- 8 INFORMATIVE - It is a legal requirement to notify Thames Water of any proposed connection to a public sewer. In many parts of its sewerage area, Thames Water provides separate public sewers for foul water and surface water. Within these areas a dwelling should have separate connections: a) to the public foul sewer to carry waste from toilets, sinks and washing machines, etc, and b) to public surface water sewer for rainwater from roofs and surface drains. Mis-connections can have serious effects: i) If a foul sewage outlet is connected to a public surface water sewer this may result in pollution of a watercourse. ii) If a surface water outlet is connected to a public foul sewer, when a separate surface water system or soakaway exists, this may cause overloading of the public foul sewer at times of heavy rain. This can lead to sewer flooding of properties within the locality. In both instances it is an offence to make the wrong connection. Thames Water can help identify the location of the nearest appropriate public sewer and can be contacted on 0845 850 2777.
- 9 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.
- 10 INFORMATIVE - The applicant is requested to bring the conditions attached to this permission to the attention of all contractors working or delivering to the site, in particular any relating to the permitted hours of construction and demolition; and where practicable to have these conditions on display at the site entrance(s) for the duration of the works.
- 11 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.

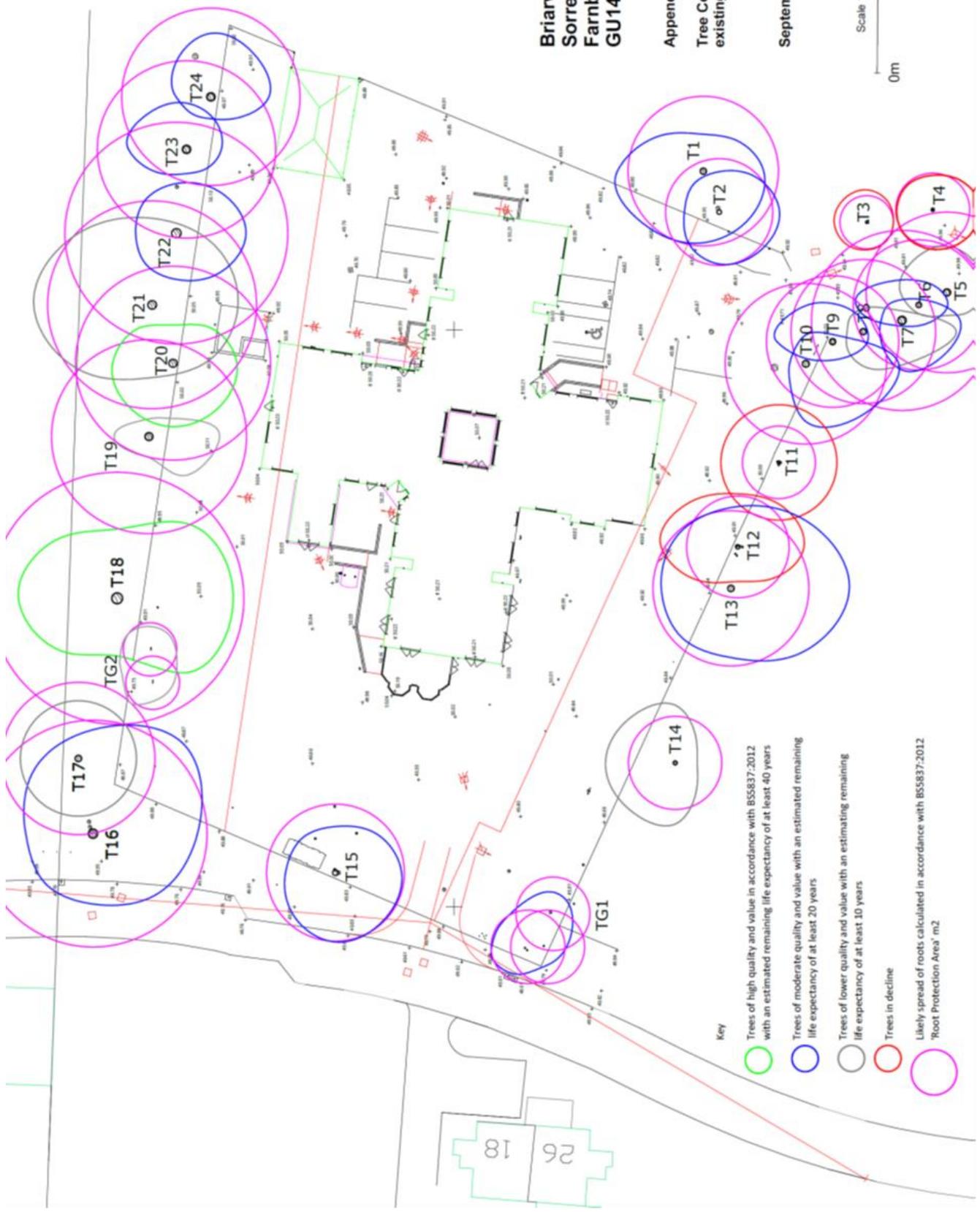


**Briarwood
Sorrels Close
Farnborough
GU14 9XW**

**Appendix 1
Tree Constraints on the
existing layout**

September 2020

Scale 1:200 on A2
0m 15m





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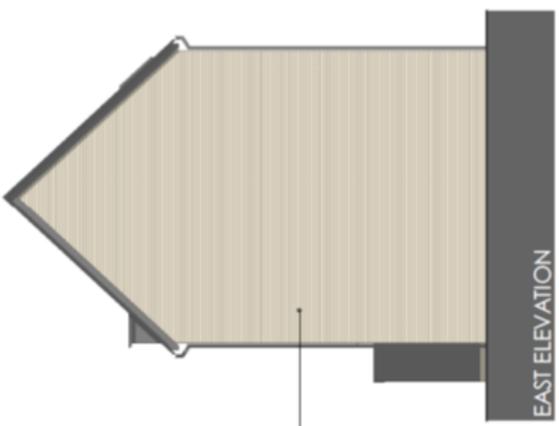


revision date description
status
PLANNING
PROJECT TITLE
BRUARWOOD, SORREL CLOSE,
FARNBOROUGH, GU14 9XW
DRAWING TITLE
PROPOSED ELEVATIONS TYPE B
DATE
05/10/20
SCALE
IG 1:100
JOB NUMBER
20036 - PE0011 -
The Studio Church Road, Wexley, Oxford, OX3 1JZ
01865 87926 | info@andersonorr.com | www.andersonorr.com

Anderson Orr
Architects



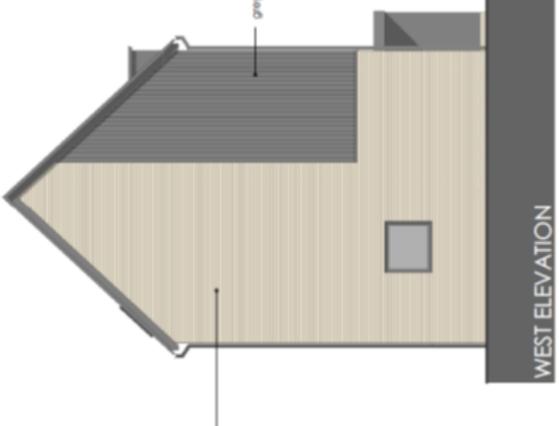
SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



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revision date description

PLANNING

PROJECT: THE
BRIARWOOD, SORREL CLOSE,
FARNBOROUGH, GU14 9XW

DRAWING: THE
ELEVATIONS PLOT 10 TYPE C (V1)

ISSUED: 05/10/20
SCALE: IG 1:100

PROJECT NO: 20036 - PE0012 -

THE STUDIO: 70 Church Road, Witley, Oxford, OX12 8JL
01235 83956 | info@andersonorr.com | www.andersonorr.com

Anderson Orr
Architects



NOTE:

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FLOOR AREA (approx.)

Ground Floor - 52.6sqm/566 sqft
 First Floor - 52.6sqm/566 sqft
 Second Floor - 52.6sqm/566 sqft
 TOTAL - 157.8sqm/1708 sqft



Ground Floor

Plots 2, 4, 5 & 9 (Plot 6 handed)



First Floor

Plots 2, 4, 5 & 9 (Plot 6 handed)



Second Floor

Plots 2, 4, 5 & 9 (Plot 6 handed)

A 11/01/21 Storage floor area added
 revision 03/06 description

DATE

PLANNING

PROJECT SITE
 BRIARWOOD, SORREL CLOSE,
 FARNBOROUGH, GU14 9XW

PROJECT NO.
 FLOOR PLANS - TYPE B

DATE
 05/10/20 IG 1:100

DATE OF REVISION

20036 - PP0031 - A

The Studio, 79 Church Road, Woodley, Oxford, OX3 1LZ
 01865 579736 | andersonorr.com | www.andersonorr.com

Anderson Orr
 Architects



FOR USE IN CONNECTION WITH THE ARCHITECTURAL COMPETITION
FLOOR AREA (approx.)
 Ground Floor - 52.8sqm/566 sqft
 First Floor - 52.6sqm/566 sqft
 Second Floor - 52.8sqm/566 sqft
TOTAL - 157.8sqm/1698 sqft



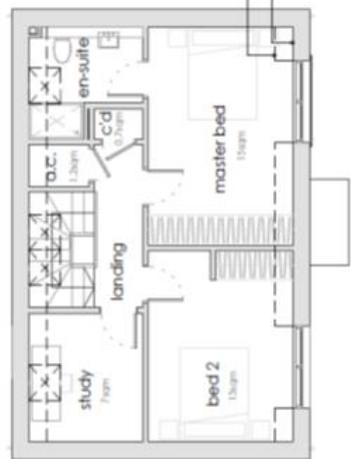
Ground Floor

Plot 10



First Floor

Plot 10



Second Floor

Plot 10

A 15/01/21 Storage floor area added
 revision date description
 date

PLANNING

client: The
 BRIARWOOD, SORREL CLOSE,
 FARNBOROUGH, GU14 9XW
 architect: The
 FLOOR PLANS - PLOT 10 TYPE C (V1)
 05/10/20 IG scale: A3
 1:100
 job name: plot 10
20036 - PP0032 - A
 The Studio: 10 Church Road, Worsley, Oldham, OL3 1JZ
 0161 624 595 | info@andersonorr.com | www.andersonorr.com

Anderson Orr
 Architects



SITE ELEVATION A

PROPOSED PLOT 7

PROPOSED PLOT 8

PROPOSED PLOT 9

PROPOSED PLOT 10



SITE ELEVATION B

PROPOSED PLOT 4

PROPOSED PLOT 5

PROPOSED PLOT 6

PROPOSED PLOT 7

