

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.

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| Case Officer | Katie Ingram |
| Application No. | 21/00231/FULPP |
| Date Valid | 19th May 2021 |
| Expiry date of consultations | 20th July 2021 |
| Proposal | Erection of an apartment building and ten terraced houses comprising a total of 17 dwellings (3 x 1-bed, 4 x 2-bed and 10 x 3-bed) with associated landscaping and parking, with vehicular access from Morris Road, following demolition of all buildings on site |
| Address | 209 - 211 Lynchford Road Farnborough |
| Ward | St Mark's |
| Applicant | Farnborough Assets Ltd |
| Agent | Mrs Kay Collins |
| Recommendation | Grant subject to completion of s106 Planning Agreement |

Description

The site is level and is located on the north side of Lynchford Road (A3011) between the junctions with Morris Road and Gravel Road. It has an area of 0.3 hectares and is 'L' shaped, partly occupying a backland position behind Nos.213 to 227 Lynchford Road. The site fronts Lynchford Road and has a frontage measuring 24m there, but broadens out to the rear, with the northern site boundary measuring 60m wide.

Whilst there are some commercial uses nearby fronting Lynchford Road, the immediate vicinity of the site is residential. The application site is mainly surrounded by residential properties. Part of Lille Barracks is on the opposite side of the road. No.213 Lynchford Road is an end-of-terrace two-storey house attached to the side of one of the buildings at the application site. The south boundary of the site forms the rear boundaries of Nos.213-227 Lynchford Road. The eastern boundary of the site bounds the rear forms the rear of Nos. 44-50 Gravel Road and 229 Lynchford Road. The rear (northern boundary) of the site abuts some recently built houses at Nos. 1-4 Alfreds Court and the side boundary of No. 17b Morris Road. To the west, No. 207 Lynchford Road is a 3-4 storey block of residential flats, with No.13a Morris Road (a property in commercial use) further to the rear.

There are two main buildings on the site. Fronting Lynchford Road there is a part two-storey, part single-storey, brick building set back from the Lynchford Road frontage boundary by 9m, with some parking in front. This is the building attached to the side of No.213 Lynchford Road. The front of this building was last occupied by a gym and the remainder divided into a number of commercial units, but is now mostly vacant. This building has a flat roof of 6m in height at the front, but most of the length of the building extending back into the site is single-storey with a double dual pitched roof of 5.8m high at the ridge and 2.8m at eaves. This building has an overall footprint of 18m wide by 40m long. To the west of the building is a driveway leading to a central parking area to the rear.

The rear north-east corner of the site is occupied by two attached gable-ended industrial/light industrial brick buildings facing towards the central parking area. The tallest unit, closer to the northern site boundary, has an eaves height of 6m and a ridge height of 8m. The attached smaller building has an eaves height of approximately 3.5m and a ridge height of 5.5m. They form a footprint of 28m wide and are 25m and 18m deep respectively. They are occupied by a window frame designer/supplier and vehicle body repair workshop.

The site has two vehicular entrances from Lynchford Road. There is a one-way system on the site and cars exit the site onto Morris Road, using a private unmade access road. This road is flanked by the side boundaries of Nos. 17b and 15 Morris Road to the north; and the front boundaries of Nos. 13a, 13, 11 and 9 Morris Road on the south side. No. 13a is a commercial building, but the remainder of these properties are residential dwellings. This private road is included within the red-line of the application site.

There is limited planning history for the site. Planning Application 15/00924/COU for a change of use from storage to a gymnasium was granted in 2016.

Proposed development

The application is seeking planning permission for the erection of 17 dwellings on the site, following demolition of all existing buildings, laid out in the following way:-

- A. 7 flats (4x 2-bed and 3x 1-bed) in a 3-4 storey apartment building fronting Lynchford Road adjacent to No. 207 Lynchford Road;
- B. 2 x three-storey 'town houses' fronting Lynchford Road attached to the apartment building (A) and also attached to the adjoining eastern property No. 213 Lynchford Road;
- C. 5 x three-storey (3-bed) houses in a terrace with a north-south orientation in the rear 'L' shaped part of the site between Alfreds Court and the rear of Lynchford Road properties. This terrace would have an overall footprint 21m wide by 9.5m deep;
- D. 3 x three-storey (3-bed) terraced houses (Terrace 2) with an east-west orientation to the rear of the proposed apartment building (A). This terrace would have an overall footprint 12.5m wide by 9.5m deep;
- E. A communal car parking courtyard containing 33 spaces, including three disabled spaces; and
- F. 2 parking spaces in front of the proposed 'town houses' (B).

The application seeks to permanently close off one of the existing vehicle entrances from Lynchford Road such that vehicular access to and from the site would be exclusively via the private road from Morris Road, with the exception of the pair of parking spaces to serve the proposed town houses (B). Refuse collection would, however, remain from Lynchford Road

via a refuse storage area on the ground floor of the apartment building (A) to be used for all properties in the proposed development.

Each of the proposed houses in the scheme would be provided with a rear garden area.

The application is supported by an Acoustic Design Statement, Land Contamination Report, Arboricultural Assessment, Drainage Strategy, Transport Statement, Financial Viability Report, Ecology Enhancement Plan, Detailed Landscape Plan and Planning Statement.

The applicants are in the process of preparing and submitting a S106 Planning Obligation to secure the Strategic Access Management and Monitoring (SAMM) financial contributions towards SPA mitigation; and also the enhancement of public open space.

Consultees

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| Arboricultural Officer | No objection subject to conditions. |
| Ecologist Officer | Further information required. |
| HCC Highways Development Planning | No highway objections and confirms that no Transport Contribution can be required given the net reduction in traffic generation potential. |
| Hampshire Fire & Rescue Service | No objection. Advice provided, which has been passed on to the applicants. |
| Environmental Health | No objection subject to conditions. |
| Thames Water | No objection subject to informatives. |
| South East Water | No response received during the consultation period, thereby presumed to have no objections. |
| Parks Development Officer | No objection subject to stated obligation. |
| Surface Water Drainage Consultations | Further information required. |
| Hampshire Constabulary | No response received during the consultation period, thereby presumed to have no objections. |
| TAG | No objection. |
| Contract Management | No objection. |

Representations:

Five representations have been received raising objections to the scheme, from Nos. 213, 223 and 225 Lynchford Road, and Nos. 9,11 and 15 Morris Road. There is also one further representation making neutral comments. These are set out below:-

(a) 213 Lynchford Road:

- As our house is partly attached to the existing building which will be demolished, we are concerned about what damage may occur to our house, and whether the developer will be liable for any damage or compensation
- What effect will this have on living arrangements and the use of our garden. The wall of the existing building lines the full length of our garden. What will be done to make sure it is safe for our family. And if there is a period where we can't use the garden will it be for a long time and will we be compensated
- There are also ground level vents that will be covered by the building
[Officer Note: The above issues are Party Wall considerations that are addressed by legislation outside of the planning system and are not material to the determination of this application. The applicant must approach the property owner directly to address these concerns]
- Our chimney is a working chimney and a wall up against ours seems to us to be dangerous. Our chimney will not function properly due to the airflow being obstructed
[Officer note: This is a private property matter between the developer and this adjoining property owner. The applicant has been made aware of this matter.]
- Our biggest concern of the proposed replacement building is the height of the town houses directly adjoining our property, as they will be significantly taller than the existing building and would cause loss of sunlight to our garden for most of the day. We have very limited sunlight in our garden as it is
- We noticed that the property is also planned to be built further forward than the front line of our house, and although there is an overhang planned the first floor and above will still block light into our front windows
- The proposed build will class our property as a mid-terrace and no longer an end terrace. Will this therefore mean the value of our property will drop
[Officer note: Change in property values resulting from adjoining development is not a consideration material to the assessment of planning applications]
- There are still things that we like about the proposed development, but are concerned about the above.

The other objections are summarised as follows:

(b) Access Road/Highway Issues

- Our property, 9 Morris Road, also has an express right of way over the access road, as do 11 and 13 Morris Road. The proposed development must not infringe upon this.
- 9, 11 and 13 Morris Road have been able to park outside their properties on the unregistered land since at least 1965 and reserve the right to defend this historic arrangement and note that, to the best of our knowledge, the title holders of the proposed development have no legal right to interfere with it as the land is unregistered.
- It appears that one of the titles on the application site has an express right of way over this access road, but the second title does not. This may have implications for access to proposed dwellings on the site

[Officer Note: These are private property matters that cannot be considered under the remit of the planning process]

- Access road has limited width and cannot support two-way traffic.
- Access road has a weight limit
- Access road will only provide limited access for emergency services
- Safety concerns along access road especially as No 9's door opens directly out onto the road
- Harmful noise pollution and vehicle emissions to residents, from cars using the access
- New residents who are dog owners will have to walk their dogs along the access road to reach open spaces. Who will be responsible for keeping this road clean from dog mess? *[Office note: the future behaviour of residents not a material consideration to this planning application].*

(c) Asbestos Removal

- The buildings to be demolished contain asbestos in the roof, guttering and flue
[Officer Note: The removal of asbestos is subject to separate legislation and procedures set by the Health and Safety Executive : it is not a matter material to the consideration of the planning application].

(d) Construction Noise

- Noise during construction will affect my quality of life and disrupt night workers trying to sleep

(e) Impact of buildings to neighbouring amenity

- The building will result in a brick side elevation at the rear of my garden that is considerably higher than the existing building

(f) Congestion

- This development will add further to the congestion and pollution from Lynchford Road

(g) Procedural matters

- The planning application includes unregistered land which is the access leading from Morris Road. The unregistered land does not form part of the applicant's registered titles and therefore evidence of ownership of the unregistered land should be provided if it is to be included within the boundary of the proposed development site.

[Officer Note: An amended application form with a Certificate C declaring that the application was advertised in The Hampshire Independent in order to take all reasonable steps to find out the names and addresses of any other owners of the unregistered part of the application site was submitted to the LPA. Undertaking this process and completing a Certificate C renders the application valid.]

(h) Other

- In the history of the site, I see no reference to the fact that the very elongated building running North to South on the site was originally the first cinema in Farnborough called The Empire Electric Theatre opened in 1911. There is documentary evidence that it was opposite Artillery Road which is shown on OS maps. Is it possible, if approved, that within the conditions the developer could perhaps consider naming the development to reflect this, e.g. Empire House/Mews? *[Officer Note: This is not a matter for the planning application, but it has been suggested that this correspondent contact the agent/applicant directly to make this request].*

Policies and determining issues

The site is located in the defined urban area of Farnborough. The site is not located in a Conservation Area nor adjoins one. There are no Listed Buildings located in the immediate vicinity of the site.

Policies SS1 (Presumption in favour of sustainable development), SS2 (Spatial Strategy), IN1 (Infrastructure and Community Facilities), IN2 (Transport), IN3 (Telecommunications), DE1 (Design in the Built Environment), DE2 (Residential Internal Space Standards), DE3 (Residential Amenity Space Standards), DE4 (Sustainable Water Use), DE6 (Open Space, Sport and Recreation), DE8 (Indoor and Built Sport and Recreation Facilities), DE10 (Pollution), LN1 (Housing Mix), LN2 (Affordable Housing), NE1 (Thames Basin Heaths Special Protection Area), NE2 (Green Infrastructure), NE3 (Trees and Landscaping), NE4 (Biodiversity) and NE8 (Sustainable Drainage Systems) 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, Affordable Housing SPD, 2019 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
2. Visual Impact including landscaping
3. Impact on neighbouring amenity
4. The living environment created
5. Highways considerations
6. Affordable housing
7. Impact on trees
8. Public Open Space
9. Flood risk and drainage
10. Impact on wildlife

Commentary

1. Principle of development -

The site is not designated as an Employment Site by the Local Plan. The loss of the industrial and commercial units is therefore acceptable. It is considered that the loss of the gym has been adequately justified by the applicant in accordance with Policy DE8, which states that the loss of indoor and built sports and recreation facilities will be resisted unless equivalent or improved replacement facilities are provided; or the use is demonstrated to be either unviable or that there are adequate alternatives. The applicant has provided a survey demonstrating that there are nine other gym and fitness centres within a 5km radius of the application site. There is an equal split between larger chains and smaller independently owned gym facilities, such as the gym previously located at the application site. The applicant has argued that the gym was not viable compared to the larger chains. A small gym is not a specialist-built facility and could relatively easily occupy another tenancy. In fact the operator of the gym on this site (Fitness UK) has moved to a new facility in Aldershot following the grant of planning permission in 2019. It is therefore considered that the proposals comply with the requirements of Policy DE8.

The Land Contamination Assessment Report submitted with the application has identified elevated concentrations of ground contamination across the site that will need to be remediated to render the site suitable for residential development. Ground gas monitoring has also suggested that the ground gas levels should be further investigated and appropriate gas protection measures will be required. The Council's Environmental Health Officer has reviewed the submitted information and raises no objections subject to the usual conditions to ensure that an appropriate remediation strategy is submitted to the Council for approval and subsequent implementation in full.

The proposed residential development is therefore considered acceptable in principle in this location subject to also being found acceptable in respect of all relevant planning issues in detail.

2. Visual Impact -

The proposed development would be of conventional traditional-style design and appearance and use of external facing materials.

Lynchford Road to the west of the application site is characterised by tall red facing brick terraced houses built up to the highway boundary (now subdivided into flats) of three to four storeys in height. Adjoining these, immediately to the west of the site is No. 207 Lynchford Road, a modern four storey apartment building, with forward projecting gable features/dormers at third and fourth storey levels, whose design is influenced by the height, scale and architectural details of the adjacent town houses. The roof pitch and ridge and eaves heights of the proposed apartment building (A) would match those of No.207. Two flat roofed front dormers match the cornice lines of the dormers on the front elevation of No.207. A vertical emphasis on the front elevation of the apartment building, created by the placement and shape of window openings and a narrow central recess, would continue the established rhythm in the street scene. The plans indicate the use of two different types of bricks, and also render to add further interest and variation to the elevations. The rear of the apartment building has a higher eaves height of 11.4m, and a flat roof height of 11.4m for a depth of 4.2m, to accommodate adequate ceiling heights for the proposed rear fourth-storey apartments. The overall depth of the building largely matches that of No.207 and it is considered the visual impact at the rear would be acceptable. The rear flat roof would not be visible from Lynchford Road as it would be obscured behind the existing and proposed buildings to either side.

Adjoining the east elevation of the apartment building are two 'town houses' (B) with a frontage to Lynchford Road of 9.5m. They would have dual pitched roofs with a ridge height and eaves height of 10.7m and 7.5m respectively; and would be set back 2.8m from the front main wall of the adjacent apartment building (A). They would also be attached to, and set forward from, the front wall of No.213 Lynchford Road by 1.3m. It is considered that the proposed three-storey height of the 'town houses (B) would provide a satisfactory visual transition in height between the apartment building (A) and the adjacent two-storey terraced houses of No.213 onwards. The existing dropped kerb will be retained in front of the town houses (B) and one parking space is proposed to the front of each dwelling with a small overhang above ground level. Cornice lines and fenestration opening of the 'town houses' (B) align with the apartment building (A).

Overall, it is considered that the Lynchford Road frontage of the propose development would be sympathetic to its surroundings and have an acceptable visual impact.

The proposed rows of terraced houses (C) and (D) at the rear of the site would be of two-

storey height and also have an entirely conventional design and external appearance. Each dwelling has a private rear garden rectangular in shape with a minimum area of 42sqm. Although much less publicly visible than the Lynchford Road frontage portion of the proposed scheme, it is considered that these further dwellings in the scheme would have an acceptable visual appearance.

Soft landscaping on the site is provided mainly in the private amenity areas which forms approximately 18% of the site area. The application is supported by a detailed landscape and planting plan. Flowering shrubs and hedges would be planted in front of the apartment building (A), town houses (B) and terraced houses (C & D). A total of 16 Field Maple trees would screen the houses and gardens from the parking areas. There would also be a row Hawthorn trees against the side elevation of Terrace (D). It is considered that the proposed planting is appropriate and would help soften the visual appearance of the development.

It is considered that the scale, site layout, plot grain and design of the proposed development is in keeping with the character of the surrounding area and, as such, that the proposals comply with Policy DE1 of the Rushmoor Local Plan.

3. Impact on Neighbours -

As described above, the site is bound on all sides by residential development, with the exception of the commercial use at No.13a Morris Road, which is situated against the west boundary of the site.

The existing gym and office building is attached to No.213 Lynchford Road, and its side elevation forms the entire side boundary wall to the rear garden of No. 213. As such, this existing building has a significant negative impact upon the living environment and amenities of occupiers of this neighbouring property. Although the proposed three-storey town houses (B) would also be attached to the No. 213 Lynchford Road following the removal of the existing commercial building they would only project 0.7m beyond the rear elevation of No.213 and the remainder of the side boundary of the rear would comprise standard boundary fencing. Whilst the taller height of the town houses (B) would result in some loss of sunlight to the rear north facing garden of No. 213, the new relationship with the application land resulting from the proposal would result in significantly less built form situated against the boundary of No.213, allowing more light and sunlight into the garden area from the west. The town houses (B) would also project forward from the front elevation of No. 213 by 1.3m, however, given that the front elevation is south-facing and the proposed building projection is limited it is considered there would not be a significantly harmful reduction in sunlight and daylight incident upon the front windows of No.213. Overall, it is considered the impact of the proposed development on No. 213 Lynchford Road would be acceptable in planning terms.

The occupants of No. 213 have also raised the specific concern that the taller roof of the town houses would obstruct the air flow to their adjacent working chimney. It would seem likely that this would require some alterations, although it is not considered that any conceivable solution to this issue would have any material and harmful planning impacts. In any event, the granting of planning permission for the proposed development would not supersede the private property rights of the owners of No.213; and the developer would have to negotiate a mutually acceptable solution with them in order to implement this part of their proposed development. The resolution of this issue would be a matter for the Building Regulations and the Party Walls etc Act. It is entirely a private property matter between the developer and the owners of No.213 and, as such, is not a matter for consideration with the current application.

The existing industrial/warehouse building on the site is situated 1m from the north boundary of the application site shared with Nos.1-2 Alfreds Court and No. 44 Gravel Road; 1.3m from the rear /side garden boundaries with Nos.50 & 48 Gravel Road and No.229 Lynchford Road; and 0.8m from the rear boundaries of Nos.221 to 227 Lynchford Road to the south. The northern elevation of the industrial building has an eaves height of 5.5m and a ridge height of 8m sloping back from the boundary and presents a roof gable end to the rear of properties on Gravel Road. The southern elevation of that building measures approximately 3m at the eaves and 5.5m at the ridge, sloping back from the boundary. It is clear that this existing commercial building to be removed has an existing impact upon the amenities of the residential properties that it adjoins.

The side elevation of the row of five terraced houses (C) would be situated 3.5m from the north boundary with 1 Alfreds Court, with an eaves height of 5.6m and a gable end with a ridge of 8.5m. Additional bulk is also added by the transverse roof to the front and rear of the main pitch, which is dropped down by 0.4m from the main ridge. However, this relationship is not considered to result in any significant increase in bulk or overshadowing or loss of light when compared with the existing situation; and with no further loss of light to rear facing windows. It is considered that the relationship with No. 2 Alfreds Court would be improved since there would be no built form immediately to the rear of this neighbouring property as a result of the proposed development. Loss of daylight to rear facing windows and solar panels have been considered and calculated to have minimal impact. There are no windows in the flank elevations of the proposed terrace.

Houses '3, 4 and 5' in Terrace (C) would be separated 9.8m from the rear boundaries of Nos. 48-50 Gravel Road and almost 20m from the rear elevations of the houses in these plots. Houses '5 and 6' would be separated 9.8m from the rear side boundary of No.229 Lynchford Road. The windows to the second floor bedrooms of Terrace (C) are proposed to be obscure glazed and fixed shut to a height of 1.7m above finished floor level (without having a detrimental impact on occupant amenity) and so it is considered that the terrace would not result in harmful levels of overlooking. The windows of the first floor would be screened by existing trees along the boundaries between the properties and the relationship is not considered to cause a material harmful impact to neighbouring amenity.

The south (side) elevation of the Terrace (C) would be situated 4m from the southern boundary with the rear of properties Nos.221 – 223 Lynchford Road. It would be taller than the existing commercial building, measuring 5.6m and 8.5m at the eaves and apex ridge height, but present a significantly narrower flank elevation to its neighbours. Although the proposals would result in some loss of outlook from the garden/rear windows of Nos. 221 to 223, it is considered that the separation distances involved, together with the location to the north of the rear gardens, is such that the relationships with these neighbours is also considered to be acceptable in planning terms.

The front elevations of Houses 9 and 10 of Terrace (D), would be 11m from the rear garden of 17b Morris Road, a semi-detached property. Given the distance between these, it is considered that the second-floor windows serving a bedroom may result in a perception of overlooking and loss of privacy. It is therefore recommended that a condition be imposed in the event of approval that these second floor windows are obscurely-glazed and fixed shut to a height of 1.7m above floor level. The side elevation of the terrace (D) would be 0.3m from the west site boundary with No. 13a Morris Road, however, since this property is in commercial use and the building itself a further 9 metres distant, it is considered that no material and harmful amenity impacts would arise to this neighbour.

With regards to the proposed apartment building (A), whilst it would project 1m beyond the rear elevation of No. 207 Lynchford Road, it is not considered that this would have a material and harmful impact upon the daylighting of adjoining windows. Furthermore, it is considered that views from balconies on the rear elevation of the proposed apartment block would be oblique and, as such, not cause any material loss of privacy due to overlooking.

The access road from Morris Road is flanked to the north and south by Nos.15 & 17b Morris Road to its north and Nos.9,11 and 13 to the south. The central parking area is to the south of 17 b Morris Road and Nos 1-4 Gravel Road. It is considered that the number of vehicle movements using the site would be less than the potential movements (including commercial vehicles) that could be generated from the operation of the existing commercial units and, as such, it is considered the impacts on neighbouring amenity of the proposed residents' car courtyard area would be acceptable.

Taking all matters into consideration it is considered that the proposal would have an acceptable impact on the amenities of the occupants of neighbouring properties and would therefore comply with adopted Local Plan Policy DE1.

4 Living environment created -

It is considered that the proposed flats and houses would all meet the minimum internal floor space standards and private amenity standards required for their indicated occupancy levels. Furthermore, the proposed flats (A) provide on-site private amenity space in the form of a private garden for Flat 1 (30sqm) and 5sqm balconies for Flats 2-7. Gardens for the proposed town houses (B) and terraced houses (C & D) exceed the minimum amenity space standards. As a result, it is considered that the proposals meet the requirements of adopted Local Plan Policies DE2 and DE3.

The acoustic design statement submitted with the application recommends specifications for double and secondary glazing systems to be used for the front elevation of the apartment building (A) and town houses (B) overlooking Lynchford Road, due to the levels of traffic noise measured at this location. The applicant has confirmed they would proceed with these glazing systems rather than reduce the glazed elements in the apartment building. The Council's Environmental Health Officer is satisfied that the proposal will ensure a satisfactory internal acoustic environment for the occupants of the flats subject to a condition that acoustic mitigation measures are agreed with the Council in accordance with the acoustic design statement prior to the occupation of the development. This will also include acoustically rated through-wall trickle ventilation for all habitable rooms overlooking Lynchford Road.

The acoustic report notes that good acoustic design is reflected in the development with balconies at the rear and all bedrooms in the flats being rear facing.

There is the potential for some overlooking from the balconies on the proposed apartment building (A) into the rear garden of houses 8-10 (Terrace D), although the separation distance is 20m, which is generally considered to be adequate. It is a matter for prospective purchasers/occupiers to decide whether they chose to live in the proposed development and the separation distances are large enough resulting in unacceptable impact on occupant amenity by way of overlooking. It is noted that the site will be landscaped with trees in the rear gardens of the houses providing some screening.

With regards to refuse storage and collection, the Council's Contracts Management Team have highlighted that rubbish collections for the whole development to take place from the

Lynchford Road frontage, as Morris Road has historic problems with rubbish collections due to its narrow width and extensive street parking. Furthermore, taking this into account, it is considered that it would be more appropriate for the proposed houses in the scheme to use communal bins rather than having individual refuse and recycling wheelie bins. collecting rubbish as it is narrow with parking on both side of the street. The ground floor of the apartment block (A) is provided with the necessary bin storage area and also an adjoining bin holding area that can be adapted to be a communal bin storage has the bin storage area for the houses in the scheme. Subject to the imposition of an appropriately-worded condition to require the submission of the bin provision and collection arrangements for the development it is considered that the rubbish storage and collection arrangements for the proposed development would be acceptable.

5. Highways Considerations -

Access to the site will be solely via the private road from Morris Road since it is proposed that vehicular access directly from Lynchford Road be closed-up, with the exception of the pair of parking spaces for the proposed town houses (B). As Morris Road is a one-way road, access to this road must be via Lynchford Road eastbound by a left turn only into Morris Road. Egress from the site is right-turn only into Morris Road and, as such, away from Lynchford Road, which would have to be reached by using other roads, such as High Street or Queens Road & Peabody Road. Whilst this situation is not ideal, it is largely the existing situation and new residents would soon learn how to get to and from the site. Further, the application is accompanied by a Transport Statement that demonstrates that the traffic generation potential of the proposed development would be significantly lower than the potential traffic that could be associated with the resumption of the existing commercial uses at the site.

The private access road from Morris Road to be used to serve the proposed development has a width of 6.2m and at its entrance is flanked by No. 9 and 15 Morris Road set back slightly from the highway. As has been noted in the objections, this roadway is subject to existing historic parking by occupiers of the adjoining residential properties such that it is of effective single-way at a time traffic width. Nevertheless, it is considered that since this roadway has, for many years served as the egress to commercial traffic from the site alongside the residents' parking, it would be adequate to cope with the reduced size and weight of traffic that would be expected of the proposed residential development.

Having regard to these considerations, the Highway Authority (Hampshire County Council) has raised no objections to the proposals.

Furthermore, HCC Highways has confirmed that no Transport Contribution can be required in this case since the traffic generation potential of the proposed development is considered to be less than that of a resumption of commercial uses at the site,

35 parking spaces of the correct dimensions, including 4 visitor spaces, are provided in a communal courtyard on the site to serve the development. This provision complies fully with the Council's adopted Parking Standards of 1 space per 1-bedroom and 2 spaces per 2-3-bedroom dwelling : in total a requirement of 31 spaces in this case. Visitor parking standards are 1/3 space per 1-bed and 1/5 space per 2-bedroom property equating to a quantum requirement of 4 spaces. Three of the spaces are disabled spaces which will be for Flats 3,5 and 7 which are accessible/adaptable flats to be built to Building Control M4(2) standards.

A cycle store for the proposed flats (apartment block A) would be located to the rear of the town house plots (B) and accessible from the communal parking area. A condition requiring

further details prior to occupation of the site is recommended to ensure the cycles can be stored in a secure and sheltered manner.

It is considered that, notwithstanding the objections raised, the proposed development is acceptable in highway terms.

6. Affordable Housing -

Policy LN2 requires a minimum of 30% of homes to be provided as affordable homes on sites of 11 or more dwellings, subject to site viability. For this proposal there is therefore a requirement to provide 5 affordable dwelling subject to site viability.

In this respect, the application is accompanied by a Financial Viability Report carried out on behalf of the applicant which concludes that the development is not commercially viable and is therefore unable to provide any elements of affordable housing. In such cases the Local Plan states that proposals which do not meet the affordable housing policy requirements “*will only be acceptable where the viability case is supported by the independent review and accepted by the Council*” (para. 10.21). The Council’s ‘Affordable Housing’ SPD (adopted in September 2019) supports Policy LN2 and provides further detail in this regard. As a result, the applicant’s submission has been assessed independently on behalf of the Council by BPS Chartered Surveyors of Dorking, who have produced an Independent Viability Review Report. BPS conclude as follows:-

“Our analysis shows a decreased deficit of -£151,766 which would indicate that the scheme is not able to viable delivery any affordable housing. We note from sensitivity analysis in Appendix 2, that the scheme could move to a surplus due to relatively small changes in costs or revenues. We recommend, therefore, that viability is subject to a late-stage review.”

The reports also states (para 2.11):-

‘Capitalised ground rents have not been included in KCC’s appraisal. We do note however that at present there is no Parliamentary timescale for considering a Bill to restrict the ability of developers to charge ground rents and we note that developers continue to incorporate such charges in leases. We therefor consider it appropriate for a restriction to be incorporated in this regard within a S106 Agreement to prevent such charges being made in view of affordability. Alternatively, a value should be included for this in the scheme appraisal’.

Whilst PBS has reduced the Financial Viability Report’s deficit they have, however, agreed with the broad conclusions of the viability case and that the proposed scheme is not currently economically viable. As such it is considered that the proposed development complies with the requirements of Local Plan Policy LN2. Nevertheless, since PBS recommend that, to ensure that the applicant does not benefit from any improvement in market value, or cost savings in the implementation of the development, without making a contribution to affordable housing, the development is subject to a late-stage viability review to be secured by the appropriate clauses within the S106 Agreement.

7. Impact on Trees -

The application is supported by an Arboricultural Report and Tree Protection Plan. There are protected trees (T2 and T1 of TPO451 and T9 of TPO292) to the north-east and north of the site on adjoining properties that could potentially be affected by development activity, although none of the root protection areas of these trees are situated within the footprint of the proposed

new buildings. There are also two self-sewn Category C Sycamore trees within the site along the west boundary shared with No. 13 Morris Road that are proposed to be retained.

The submitted Arboricultural Report recommends several protective measures to ensure that no significant root severance or soil compaction / erosion occurs near the trees on the site or on adjoining land. The report also confirms that the trees are unlikely to give rise to pressure from future occupants of the development. The Council's Arboricultural Officer has raised no objections to the proposed development subject to the imposition of a condition that works are carried out in accordance with the tree report and tree protection plan. It is considered that the proposals comply with adopted Local Plan Policy NE3.

8. Public Open Space Provision –

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 financial contribution towards general parks improvements at Napier Gardens is 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.

9. Flood Risk and Drainage -

The site is located in Flood Zone 1; i.e. land at least risk of fluvial flooding. A Drainage Strategy Report for the design of surface water management and sustainable drainage systems (SUDS) has been submitted with the application. This proposes construction of a soakaway in the centre of the site to infiltrate surface water to the ground within the site. Hampshire County Council as Lead Local Flood Authority (LLFA) and Thames Water have been consulted on the application. Thames Water has raised no objection. The LLFA has requested further geotechnical investigation and investigation on existing sewer chambers before providing a more substantive response. The applicants have advised that this information will be submitted prior to the Committee meeting, but probably with insufficient time remaining for the LLFA to be re-consulted and to respond in time for the meeting. Nevertheless, it is considered that there is no reason why an appropriate technical solution cannot be found and, as such, subject to the receipt of the updated information and no objection from the LLFA, and the imposition of any necessary conditions to secure an appropriate drainage strategy on this site, it is considered that the proposals would be acceptable on flood risk and drainage grounds.

10. The 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 incombination impacts on the habitats as a result of development in the Local Plan, including an allowance for 'windfall' housing developments. However within the screening process it will need to be ascertained whether development outside the Local Plan within 200m of the SPA will increase vehicle movements to above 1000 extra trips/day or exceed the Minimum Critical Page 27Load 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 17 net new residential units within the Farnborough 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 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 decision of the planning application.

In this case the applicants have already procured SANG capacity from Hart District Council's Bramshot Farm Country Park scheme, which is sufficient for the new units proposed. The

attendant SAMM financial contribution can be secured by the applicants entering into a satisfactory s106 Planning Obligation to require payment of £13,139.40 upon the implementation of the proposed development. Accordingly, subject to the necessary s106 being completed, it is considered that the impact upon the SPA will have been satisfactorily addressed.

Site Specific Protected Species

Lynchford Road is designated as a green corridor. An Ecology Enhancement and detailed Planting Plan have been submitted in respect of the application. This proposes the provision of 2 bat boxes, 4 bird boxes, and the timber boundary fences within the development would be supplied with hedgehog holes to facilitate their movement across the site. Six native Field Maple trees are proposed, and existing trees on the site are retained.

The industrial buildings are old and there is woodland habitat close to the site. The Council's Biodiversity Officer has therefore requested a bat roost potential survey from the applicants. This work must be done before planning permission can be granted. Subject to receipt of the report and no objections or further information being required in this respect from the Council's Biodiversity Officer, it is considered that the proposed development would satisfactorily address the requirements of adopted Local Plan Policy NE4.

Conclusions -

It is considered that the proposed development would be acceptable in principle, be acceptable in visual and highways terms, have satisfactory relationships with neighbours, provide an acceptable living environment, provide appropriate biodiversity gain, and have no material impact on trees worthy of retention. Subject to a s106 Planning Obligation the proposals would secure the requisite financial contribution towards Public Open Space provision. Subject to the provision of a contribution towards SAMM fees for the Bramshot Farm Country Park SANG to be secured by the S106 Planning Obligation, the proposal would not have a significant impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area. The proposals are thereby considered acceptable having regard to Policies SS3, DE1, DE2, DE3, DE6, DE8, DE10, LN1, LN2, IN2, IN3, NE1, NE2, NE3, NE4 and NE8 of the adopted Rushmoor Local Plan (2014-2031).

Full Recommendation

It is recommended that subject to:-

- (a) The completion of a satisfactory s106 Planning Agreement between the applicants and Rushmoor Borough Council by 31 August 2021 to secure the required SPA SAMM and Public Open Space financial contributions; and to ensure the development is subject to a late-stage economic viability review and to prevent ground rents being made in view of affordability, and
- (b) Receipt of amended surface water drainage plans and details and Hampshire County Council as the Lead Local Flood Authority confirming they have no objections to the proposals as amended in this respect; and
- (c) Receipt of habitat survey and the Council's Ecology & Biodiversity Officer confirming they have no objections to the proposals

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

- 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 August 2019 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 Drawing numbers:

010 06 Location Plan, 011 06 Existing site plan, 012 06 Demolition and existing elevations, 040 06 Existing site section 1/2 , 041 06 Existing site section 2/2, 100 06 Proposed site Plan, 200 06 GF plan apartment building, 201 06 first floor plan apartment building, 202 06 second floor plan apartment building, 203 06 third floor plan apartment building, 204 06 Roof plan apartment building, 205 06 Ground floor plan town houses, 206 06 First floor plan town houses, 207 06 Second floor plan town houses, 208 06 Roof plan town houses, 209 06 Ground floor plans Terrace 1, 210 06 First floor plans Terrace 1, 211 06 - Second floor plan Terrace 1, 212 06 Roof plan Terrace 1, 213 06 Ground floor plan Terrace 2, 214 06 First floor plan Terrace 2, 215 06 Second floor plan Terrace 2, 216 06 Roof Plan Terrace 2, 300 06 Front elevation apartment building and town house , 301 06 Rear elevation apartment and town houses, 302 06 Front elevation Terrace 1, 303 Rear elevation Terrace 1, 304 06 Side elevation Terrace 1, 305 06 Side elevation Terrace 1, 306 06 Front elevation Terrace 2, 307 06 Rear Elevation Terrace 2, 308 06 Side elevation Terrace 2, 309 08 Side elevation Terrace 2, 310 06 Proposed streetscene, 400 06 Proposed sections 1/2, 401 06 Proposed site sections 2/2, LLD2121-LAN-DWG-200 Landscape Plan and LLD2121-LAN-SCH-001 Planting schedule and LLD2121-ECO-DWG-001 Ecology enhancement plan.

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

Reason - To ensure satisfactory external appearance.*

- 4 Surfacing of access driveways, forecourts or other paths and hardsurfaces within the development hereby approved shall not start until a schedule and/or samples of the surfacing materials to be used for them have been submitted to, and approved in writing

by, the Local Planning Authority. Those elements of the development shall be carried out using the materials so approved and thereafter retained

Reason - To ensure satisfactory external appearance and drainage arrangements.*

- 5 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.*

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

Reason - To safeguard the amenities of neighbouring property.*

- 7 The development hereby approved shall not be occupied until measures to protect the apartment and town house buildings facing Lynchford Road (A3011) from traffic or other external noise have been implemented in accordance with a scheme to include, for example, double glazing and/or recommendations in the submitted acoustic report, which has been first submitted to and approved in writing by the Local Planning Authority.

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

- 8 No development shall start on site until a construction method statement has been submitted to and approved in writing by the Planning Authority, which shall include:

- i) a programme of and phasing of demolition (if any) and construction work;
- ii) The provision of long-term facilities for contractor parking
- (iii) The arrangements for deliveries associated with all construction works
- (iv) Methods and phasing of construction works
- (v) Access and egress for plant and machinery
- (vi) Protection of pedestrian routes during construction
- (vii) Location of temporary site buildings, compounds, construction material and plant storage areas.
- (viii) Measures to be employed to minimise noise, vibration and dust from the works

Demolition and construction work shall only take place in accordance with the approved method statement.

Reason - in the interests of amenity and highway safety.*

- 9 No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the Local Planning Authority: -

- a detailed scheme for remedial works and measures which 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. Following completion of the measures identified in the approved 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.*

- 10 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

- 11 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 or D of Part 1; 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.

- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development 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 side elevations of Terrace 1, Terrace 2 or the Lynchford Road frontage town houses of the development hereby permitted.

Reason - To protect the amenities of neighbouring residential properties.

- 13 Notwithstanding the details shown on the submitted plans, the third storey rear (east) facing windows of Houses 3-7 of Terrace 1, and the third storey front (north) facing windows of Houses 8-10 on Terrace 2 of the development hereby approved shall be fitted with obscure glass and fixed closed with the exception of:-

- High level windows with a cill height not less than 1.7m above the internal floor level of the room.

- Opening top light windows forming the upper part of a larger window where the horizontal division is no less than 1.7m above the internal floor level of the room, and where the section below the division is obscurely glazed and fixed closed.

Reason - To prevent overlooking and loss of privacy to neighbouring residential properties.

- 14 Prior to occupation of any part of the development hereby approved, details of the refuse bin storage areas (with specific reference to method of refuse collection from the terraced houses on the site) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and retained in accordance with the details so approved.

Reason - To safeguard the amenities of the area.*

- 15 The development hereby approved shall not be occupied until the off-street parking facilities shown on the approved plans have been completed and made ready for use by the occupiers. The parking facilities shall be thereafter retained solely for parking purposes (to be used by the occupiers of, and visitors to, the development). For the avoidance of doubt the parking spaces shall not be used for the parking/storage of boats, caravans or trailers.

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

- 16 Prior to occupation of any part of the apartment building hereby approved, details of the cycle store shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and retained in accordance with the details so approved.

Reason - To ensure the provision and availability of adequate off-street cycle parking in accordance with the adopted Car and Cycle Parking Standards SPD.

- 17 The proposed development hereby approved shall be undertaken strictly in accordance with the Arboricultural Report prepared by GHA Trees dated 13 October 2020 and Tree Protection Plan Rev B October 2020.

Reason - To ensure the amenity value of the tree(s) and shrubs in the vicinity of the development is maintained.

- 18 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.

- 19 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 buildings or the practical completion of the development, whichever is the sooner and shall be so retained.

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

- 20 Notwithstanding any details submitted in the application, no dwelling shall be occupied until details of the telecommunications provision and any aerial or satellite facilities for the development, including high-speed broadband, have been submitted to and approved by the Local Planning Authority. Details shall demonstrate the impact on neighbouring and visual amenity has been minimised. The approved system shall then be installed and made operational before the relevant dwellings are occupied. *

Reason - To ensure satisfactory external appearance and provide for appropriate telecommunications provision.*

INFORMATIVES

- 1 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.

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

It is considered that the proposed development would be acceptable in principle, be acceptable in visual and highways terms, have satisfactory relationships with neighbours, provide an acceptable living environment, provide appropriate biodiversity gain, and have no material impact on trees worthy of retention. Subject to a s106 Planning Obligation the proposals would secure the requisite financial contribution towards Public Open Space provision. Subject to the provision of a contribution towards SAMM fees for the Bramshot Farm Country Park SANG to be secured by the S106 Planning Obligation, the proposal would not have a significant impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area. The proposals are thereby considered acceptable having regard to Policies SS3, DE1, DE2, DE3, DE6, DE8, DE10, LN1, LN2, IN2, IN3, NE1, NE2, NE3, NE4 and NE8 of the adopted Rushmoor Local Plan (2014-2031).

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.

- 3 INFORMATIVE - This permission is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
- 4 INFORMATIVE - Your attention is specifically drawn to the conditions marked *. These condition(s) require either the submission and approval of details, information, drawings etc.by the Local Planning Authority BEFORE WORKS START ON SITE, BEFORE SPECIFIC ELEMENTS OF THE PROPOSAL ARE CARRIED OUT or, require works to be carried out BEFORE COMMENCEMENT OF USE OR FIRST OCCUPATION OF ANY BUILDING.

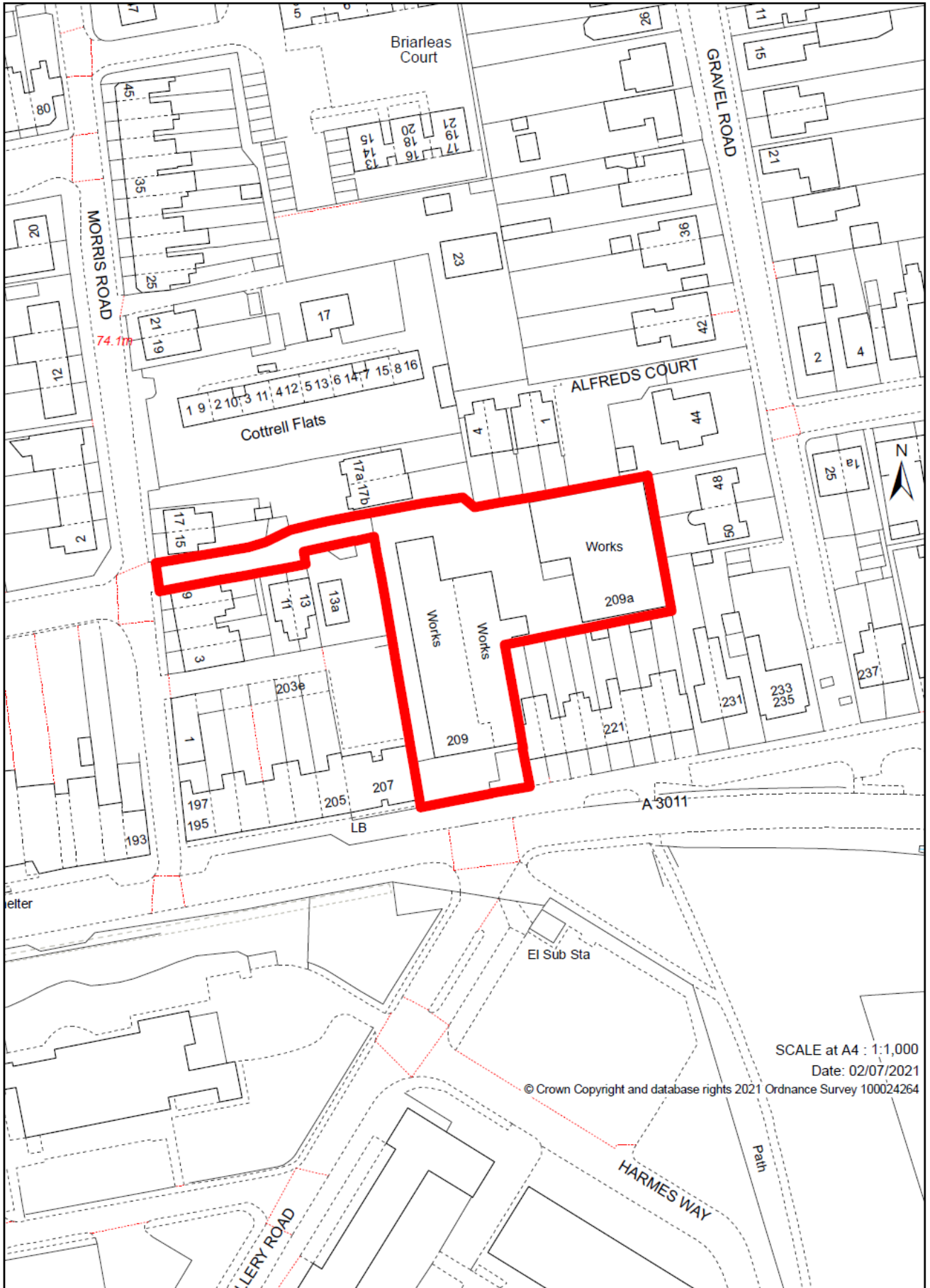
Development started, carried out or occupied without first meeting the requirements of these conditions is effectively development carried out WITHOUT PLANNING PERMISSION.

The Council will consider the expediency of taking enforcement action against any such development and may refer to any such breach of planning control when responding to local searches. Submissions seeking to discharge conditions or requests for confirmation that conditions have been complied with must be accompanied by the appropriate fee.

- 5 INFORMATIVE - The planning permission hereby granted does not authorise the applicant, or his agents, to construct a new/altered access to, or other work within, the public highway. A separate consent for works within the highway must first be obtained from the highway authority who may be contacted at the following address:- Hampshire County Council Highways Sub-Unit, M3 Motorway Compound, Hook, Hampshire, RG27 9AA.
- 6 INFORMATIVE - The applicant is advised to contact the Recycling and Waste Management section at Rushmoor Borough Council on 01252 398164 with regard to providing bins for refuse and recycling. The bins should be:
 - 1) provided prior to the occupation of the properties;
 - 2) compatible with the Council's collection vehicles, colour scheme and specifications;
 - 3) appropriate for the number of occupants they serve;
 - 4) fit into the development's bin storage facilities.
- 7 INFORMATIVE - The applicant is advised that there may be a need to comply with the requirements of the Party Wall (etc.) Act 1996 before starting works on site. The Party Wall (etc.) Act is not enforced or administered by the Council but further information can be found on the Planning Portal website <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance> and you are able to download The party Wall Act 1996 explanatory booklet.
- 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 0800 316 9800.
- 9 INFORMATIVE - A Groundwater risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the

Water Industry Act 1991. Application forms should be completed online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

- 10 INFORMATIVE - The proposed development is located within 15m of Thames Water underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. If you require further information please contact developer.services@thameswater.co.uk or 0800 009 3921 (Monday to Friday 8am to 5pm).
- 11 INFORMATIVE - Measures should be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway throughout the construction period.
- 12 INFORMATIVE - No materials produced as a result of site preparation, clearance, or development should be burnt on site. Please contact the Head of Operational Services for advice.



MORRIS ROAD

GRAVEL ROAD

Briarleas Court

Cottrell Flats

ALFREDS COURT

Works

Works

Works

209a

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A 3011

EI Sub Sta

HARMES WAY

SCALE at A4 : 1:1,000

Date: 02/07/2021

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letter

LLERY ROAD

Path



Project
Lynchford Road

Project No
312

Drawing Title
Proposed Site Plan



Site Plan



Front elevation – Lynchford Road (A & B)



Front elevation – Terrace 1 (C)



Front elevation – Terrace 2 (D) with rear of (A) & (B) behind



Side elevation – Terrace 1 (C) (looking south towards rear of Lynchford Rd properties)